

COUNCIL ASSESSMENT REPORT
SOUTHERN REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSSTH-87 – DA210076
PROPOSAL	Multi-purpose school hall
ADDRESS	LOT:251 DP:821677, 39 Grampian Street, Yass
APPLICANT	School Infrastructure NSW c/- DFP Planning Pty Ltd
OWNER	Department of Education and Training
DA LODGEMENT DATE	15 April 2021
APPLICATION TYPE	Crown Development Application
REGIONALLY SIGNIFICANT CRITERIA	<i>State Environmental Planning Policy (State and Regional Development) 2011 - Schedule 7, Clause 4</i>
CIV	\$5,964,214.00 (excluding GST)
CLAUSE 4.6 REQUESTS	N/A
KEY SEPP/LEP	<ul style="list-style-type: none"> • <i>State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)</i> • <i>State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64)</i> • <i>State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)</i> • <i>State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)</i> • <i>Draft Remediation of Land State Environmental Planning Policy (Draft Remediation SEPP)</i> • <i>Draft Education and Childcare State Environmental Planning Policy (Draft Education SEPP)</i> • <i>Yass Local Environmental Plan 2013 (YVLEP)</i>
TOTAL & UNIQUE SUBMISSIONS	Nil
DOCUMENTS SUBMITTED FOR CONSIDERATION	<p>Refer Planning Portal for the following documents:</p> <ul style="list-style-type: none"> • Statement of environmental effects (24.3.21) • Applicant's response letter (23.9.21) • Site survey plan (24.3.21) • Architectural plans REVISED (4.11.21) • Architectural plans showing circulation paths (3.11.21) • Architectural design statement (24.3.21) • Landscaping plan (24.3.21) • Site services plan (3.6.21)

	<ul style="list-style-type: none"> • Hydraulic Plans (4.11.21) • Civil and stormwater plans (24.3.21) • Civil and stormwater report (24.3.21) • Traffic and parking assessment (24.3.21) • Soil contamination assessment (24.3.21) • Flora and fauna report (24.3.21) • Geotechnical assessment (24.3.21) • Aboriginal due diligence assessment (24.3.21) • Arborist report (24.3.21) • Acoustic report (24.3.21) • Flood statement (24.3.21) • Flooding Information (23.9.21) • Waste management plan (24.3.21) • Detailed cost report (24.3.21)
SPECIAL INFRASTRUCTURE CONTRIBUTIONS (s.7.24)	Nil
RECOMMENDATION	Approval
DRAFT CONDITIONS TO APPLICANT	Yes – Approved by Crown 5 November 2021
SCHEDULED MEETING DATE	16 November 2021
PREPARED BY	Kate Baker – Manager Development Control
DATE OF REPORT	5 November 2021

EXECUTIVE SUMMARY

The proposed development for the construction of a new multi-purpose hall at Yass High School, 39 Grampian Street, Yass has been assessed in accordance with the requirements of the EP&A Act and other relevant planning controls.

Pursuant to *State Environmental Planning Policy (State and Regional Development) 2011* the proposal is declared to be regionally significant development on the basis that the application has been lodged on behalf of the Crown and the capital investment value of the development is more than \$5 million. Accordingly, the consent authority for the application is the Southern Regional Planning Panel.

The site is zoned R1 General Residential, within which development for the purpose of a school is permissible with development consent pursuant to the provisions of the *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*. The proposed works involve the demolition of a covered outdoor basketball court, four trees and the construction of a new multi-purpose hall. The construction of the hall will have minimal environmental impacts, will not result in adverse acoustic, traffic, heritage, flooding or landscape outcomes and can be adequately serviced to meet the needs of the development.

The proposal was notified in accordance with Council's Community Engagement Strategy, during which time no submissions were received and the development is exempt from paying a developer contribution in accordance with the provisions of Council's Development Contributions Plan.

The application was not required to be referred to external agencies and as such, was only referred internally to Council's technical staff.

Issues identified during the Briefing Meeting are considered to be adequately addressed through the submission of additional information and technical reports.

Accordingly, the proposal is considered to be suitable for the site and in the public interest and is therefore unlikely to result in adverse impacts in the locality. After consideration of the proposal having regard to the matters for consideration under Section 4.15(1) of the EP&A Act and the provisions of the relevant State environmental planning policies, it is considered that the proposal can be approved subject to the conditions approved by the Crown (refer Draft Conditions on Planning Portal dated 5.11.21).

1. THE SITE AND LOCALITY

1.1 The Site & Locality

Lot 251 DP 821677, 39 Grampian Street, Yass (the development site) is located approximately 650m north of the Yass CBD, on the northern side of the Yass River. It is irregular in shape, 4.358ha in size and has a 129m frontage to Grampian Street along its northern boundary.

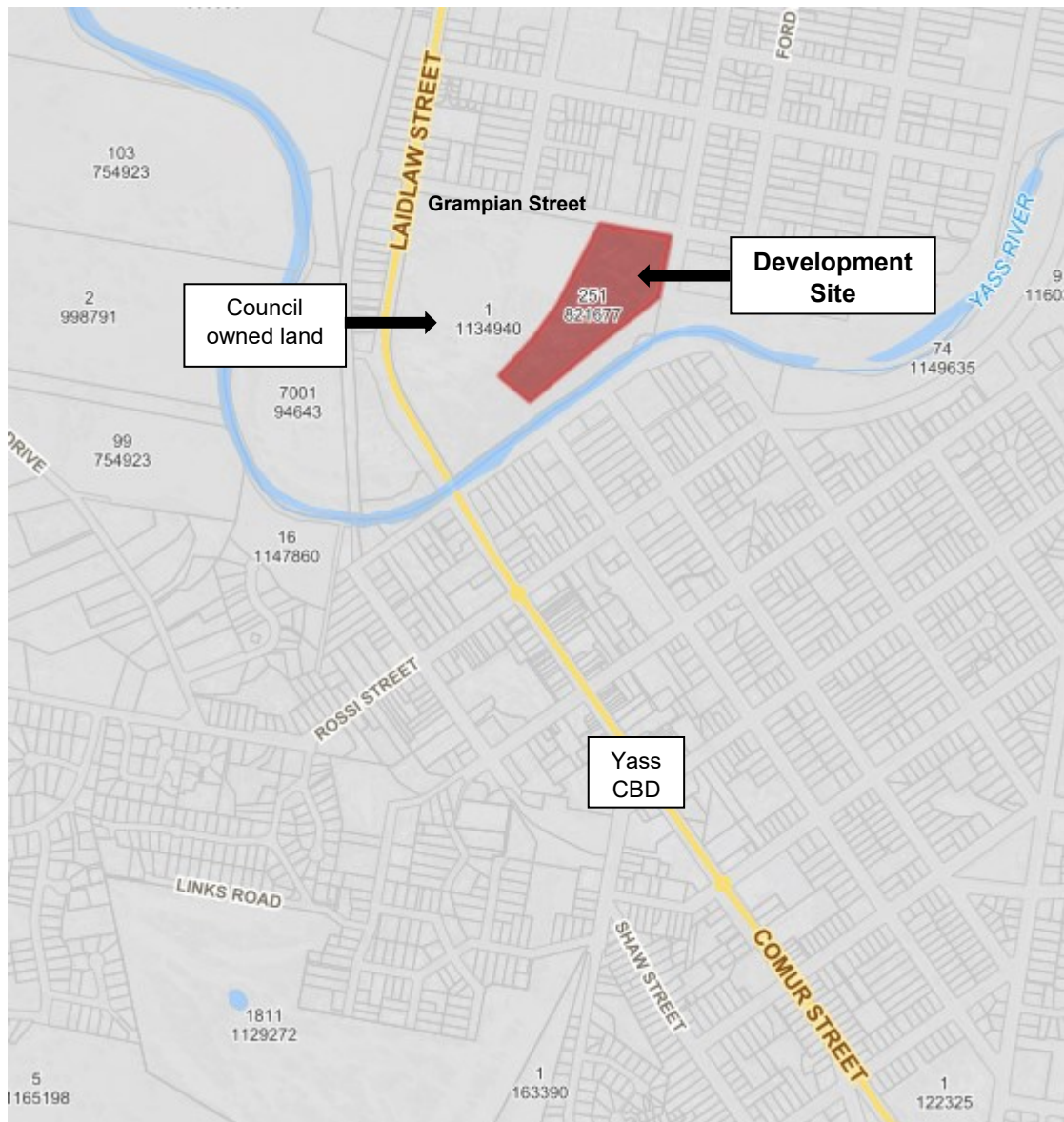
Land surrounding the development site to the east, south and west is owned by Yass Valley Council (Council) and is zoned RE1 Public Recreation, consisting of Victoria Park (sporting fields), Yass Valley Caravan Park, Yass Memorial swimming pool, tennis courts, skate park, dog park, school oval and the river walking track. Land to the north of the development site is low density residential land, comprising dwelling houses and ancillary outbuildings. All of the land surrounding the site is identified as containing locally significant heritage items, with the exception of 38-38A Grampian Street.

The development site itself comprises single storey buildings forming a quadrangle in the centre of the site, with associated buildings to the south and landscaping/vegetation to the north. The development site has two vehicular access points off Grampian Street, from which two internal access roads traverse the site, allowing for one-way traffic flow. Part of the internal road network and associated carpark are located on the neighbouring Council owned land. Pedestrian access to the site is available via footpaths from Laidlaw Street, through Victoria Park and the southern part of the development site.

The location of the proposed improvements, within the development site, slopes downward from north to south, toward the Yass River. This area is bound by established trees with minimal ground cover and is devoid of any environmental value. Demountable buildings were located on this part of the development site, however have since been removed or relocated.

The development site is identified as flood prone pursuant to the Yass Floodplain Risk Management Plan, July 2021 and is not identified as bushfire prone.

Location Map



Aerial Photograph of Development Site



Photos of Development Site



Photo 1: Covered basketball court to be demolished



Photo 2: Looking south-east toward covered basketball court to be demolished and existing STEM building



Photo 3: Looking north-east toward site of new multi-purpose hall



Photo 4: View of site from Grampian Street.

2. THE PROPOSAL AND BACKGROUND

2.1 The Proposal

The proposal seeks consent for a new multi-purpose hall at Yass High School.

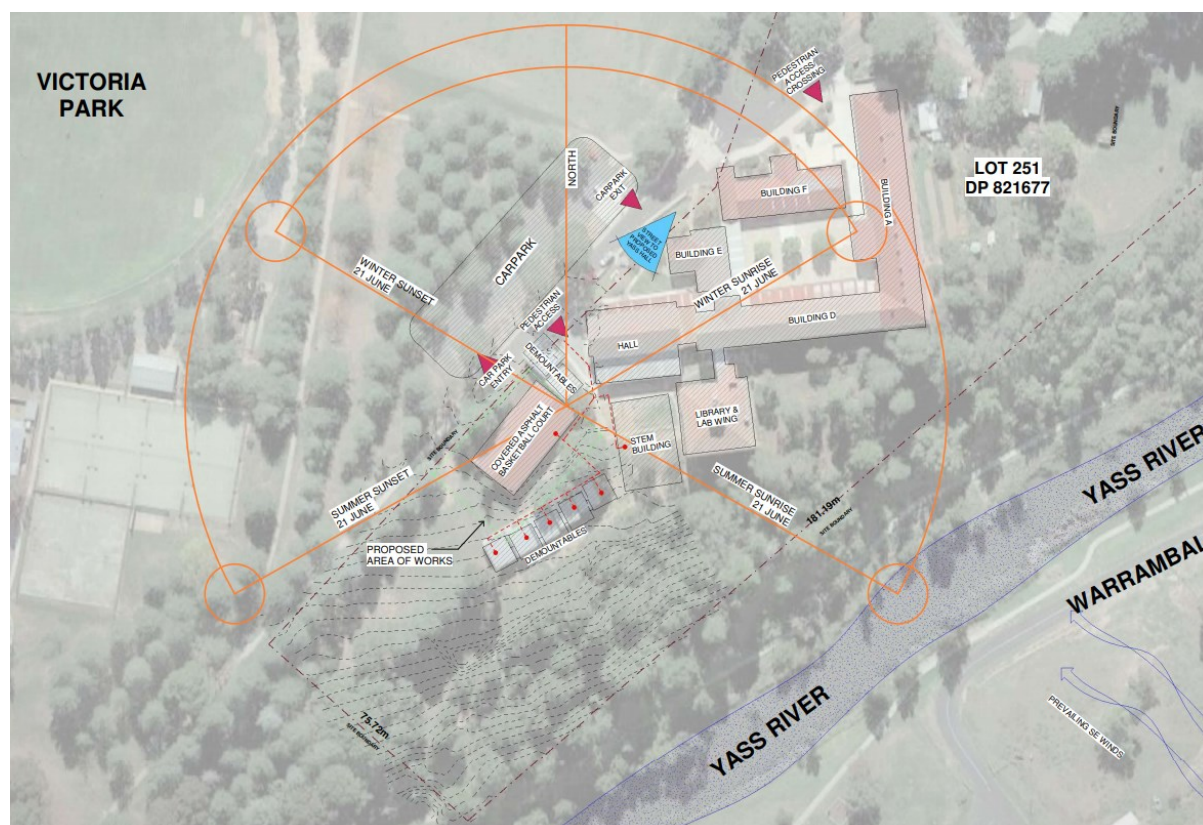
The proposal involves:

- Demolition of existing basketball court with shade structure and associated fencing and footpaths
- Removal of four trees
- Site excavation
- Construction of new multi-purpose hall comprising basketball court, gymnasium, toilets and change rooms including accessible facilities, raised stage, first aid room, entry foyer, staffroom and store room
- Landscaping
- Stairwell and circulation works
- Business identification signage
- Water infrastructure
- Sewer infrastructure including in ground sewer pump station
- Stormwater infrastructure including on site detention tank

Table 1: Development Data

Control	Proposal	
Site Area	4.358ha	
Gross Floor Area	1,055m ²	
Maximum Height	12m	
Setbacks	North	255m (approx.)
	East	50m (approx.)
	South	65m (approx.)
	West	1m (approx.)
Site Excavation	Maximum 2m depth	
Tree Removal	Four – one River Oak (native) and three cedar	
Landscaping	155m ² (approx.) including three gum trees	
Car Parking	Existing	
Services	Water	Connect to existing main
	Sewer	In ground sewer pump station to connect to existing sewer main
	Stormwater	On site detention tank to discharge to Yass River

Site Plan



Source: Webber Architects, 2021

2.2 Background

A chronology of the development application from lodgement is outlined in **Table 2**.

Table 2: Chronology of the DA

Date	Event
15 April 2021	Development application lodged
29 April 2021	Application referred internally
6 May 2021	Exhibition of the application commenced
19 May 2021	Exhibition of the application concluded
1 June 2021	Additional information requested from applicant
3 June 2021	Applicant submitted requested additional information
28 July 2021	In accordance with Council's Development Assessment and Decision Making Policy DA-POL-18, application was reported to Council. Council resolved that the determination of the application by the Planning Panel be noted.
10 August 2021	All referrals completed
7 September 2021	Panel briefing
9 September 2021	Additional information requested by Council
23 September 2021	Additional information provided by applicant
1 November 2021	Additional information requested by Council
2 November 2021	Draft conditions provided to applicant

3 November	Additional information provided by applicant
4 November	<ul style="list-style-type: none"> - Draft conditions (version 1) returned to Council - Applicant submitted revised plans for sewer infrastructure (removal of sewer pump station) - Application re-referred internally to Water and Wastewater for assessment
5 November	<ul style="list-style-type: none"> - Draft conditions (versions 2 and 3) provided to applicant - Sewer infrastructure issue resolved - Draft conditions (version 3) approved by applicant
5 November 2021	Assessment report and draft consent uploaded to Planning Portal
16 November 2021	Panel assessment meeting

2.3 Site History

Details of previous development consents relating to the development site are outlined in Table 3.

Table 3: Previous Development Consents

Approval Date	Application No.	Development Approved
19 March 2002	DA025056	Advertising signage
13 December 2005	DA055314	Installation of new lift and associated access
11 April 2008	DA085085	Shelter sheds
27 August 2010	DA105095	Carpark, cycleway, pedestrian facilities, road works and regrading of recreation area
28 March 2014	DA145011	Construction of two storey classroom block containing two material workshops, commercial kitchen, food tech learning area, general learning spaces, staff study and toilet facilities.
5 May 2014	DA145011A	Modification of above consent to reflect Crown Development Application

3. STATUTORY CONSIDERATIONS

Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) outlines the matters which the consent authority must take into consideration when determining a development application. These matters as are of relevance to the development application include the following:

- (a) the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality
- (c) the suitability of the site for the development
- (d) any submissions made in accordance with this Act or the regulations
- (e) the public interest.

These matters are further considered below.

It is noted that the proposal is a Crown Development Application pursuant to s.4.33 EP&A Act and as such, written agreement from the Crown to the proposed conditions of consent has been provided to Council.

3.1 Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments

The following environmental planning instruments (EPIs) are relevant to the proposal and are considered below.

State Environmental Planning Policy (State and Regional Development) 2011

Clause 20(1) of SRD SEPP declares the proposal as regionally significant development pursuant to Clause 4 of Schedule 7 as the application has been lodged on behalf of the Crown and the capital investment value of the development is more than \$5 million. Accordingly, the Southern Regional Planning Panel is the consent authority for the application.

State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7(1) of SEPP 55 requires consent authorities to consider whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out. In order to consider this, a Soil Contamination Assessment (the Assessment) was prepared for the site.

The Assessment consisted of a review of previous relevant reports, site walkover, sampling of soils at seven locations, laboratory testing of soil samples and the presentation of findings, conclusions and recommendations to enable assessment under the provisions of the SEPP 55.

A review of previous relevant reports identified that:

- Asbestos impacted fill was encountered and removed during the development of the new STEM building (refer Photo 2)
- Asbestos register states there are known, assumed and unknown asbestos in areas of the school hall and demountable classrooms (now removed from the site).
- Sources of contamination were assessed to be uncontrolled fill and deterioration of existing structures.
- The likelihood of gross chemical contamination present on the site is low to moderate.

The Assessment identifies the current sources of potential contamination to be uncontrolled fill and possible demolition/refurbishment and/or deterioration of former and existing buildings on the site and identifies an appropriate soil assessment criteria for the investigation.

The Assessment concludes that no exceedances above the adopted assessment criteria were identified and that whilst no asbestos was identified during the assessment, the findings of previous relevant report should be noted.

The Assessment recommends that the site can be made suitable for the proposed development subject to the remediation and management of unexpected finds of contamination and that the offsite disposal of soil (if required) is undertaken in accordance with relevant legislation and guidelines.

On this basis, the proposal is considered to be consistent with SEPP 55, subject to the imposition of a condition of consent in relation to the preparation of a Construction

Environmental Management Plan which includes the Assessment recommendations (refer Part B of Draft Conditions).

State Environmental Planning Policy No. 64 – Advertising and Signage

The proposed development includes new wall-mounted signage that identifies the name of the school. These signs are deemed to be “business identification signs” which are required to comply with the aims of clause 3(1) and the assessment criteria in Schedule 1 of the SEPP.

Part 3 Advertisements of SEPP 64 does not apply to business identification signage.

The new signage is consistent with the aims of clause 3(1) and the assessment criteria under Schedule 1 of SEPP 64 for the following reasons:

- The proposed signage is small in scale and is compatible with the existing character of the locality
- The signage is of high quality design and
- The signage will not have an impact on safety for road users or pedestrians or any important views within the locality.

On this basis, the proposal is considered to be consistent with SEPP 64.

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The development site is zoned R1 General Residential under the provisions of the *Yass Valley Local Environmental Plan 2013* (YVLEP). Clause 33 of the Education SEPP identifies the R1 General Residential zone as a ‘prescribed zone’.

Clause 35(1) of the Education SEPP makes provision for development involving a school to be undertaken with development consent in a prescribed zone, being the R1 General Residential zone. In this regard, it should be noted that the proposed development is prohibited under the provisions of the YVLEP and it is therefore the provisions of the Education SEPP which permits it on the site.

Clause 35(6) of the Education SEPP requires that consent authorities consider:

- (a) the design quality of the development in accordance with the design quality principles set out in Schedule 4 of the Education SEPP and
- (b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community

In this regard, an Architectural Design Statement (the Statement) assessed the design against the required criteria in Schedule 4. The Statement indicates that the proposed development satisfies the criteria, including:

- Appropriate site selection to minimise environmental impacts, promote connectivity and create a gathering space for those gaining access to the hall building.
- A design which minimises energy and water consumption and that is durable and low maintenance.
- A design that enhances the overall presentation of the school from Victoria Park and which is easily accessible from Victoria Park and other parts of the school ground, with various access points available into the building.
- The hall building will be made secure, despite the school grounds being unfenced.
- A design which creates a high quality space which can be used for various activities and events.
- A design which allows for an increase in student numbers and

- A design which, despite being modern and large in volume, incorporates the form of surrounding development, including roof pitch and materials (refer north-west elevation).

The Statement of Environmental Effects indicates the development can be shared with the community. This is discussed in more detail in the Key Issues section of this report.

Yass Valley Local Environmental Plan 2013

The local environmental plan applying to the site is the *Yass Valley Local Environmental Plan 2013* (YVLEP).

The site is located within the R1 General Residential zone pursuant to clause 2.3 of YVLEP (refer zoning map below). According to the definitions in clause 1.4 (contained in the Dictionary), the proposal satisfies the definition of an 'educational establishment' which is prohibited in the R1 General Residential zone. The Education SEPP makes provision for the permissibility of the proposed development (refer assessment above).

Zoning Map



The proposal is consistent with the relevant aims of the YVLEP as it will promote the use of the school site for music and other performance arts and through thorough assessment of the proposal, it is ensured that the cultural heritage and environmental and biodiversity values of the Yass Valley are protected.

The objectives of the R1 General Residential zone include the following (pursuant to the Land Use Table in Clause 2.3):

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposal is considered to satisfy the relevant objective in that it provides a multi-purpose facility for use by residents of the Yass Valley.

The YVLEP contains controls which apply to the development site and which are considered in below.

Clause 5.10 Heritage Conservation

Clause 5.10(5) states that the consent authority *may* require an assessment of the potential impact of a development on heritage significance for development on land that is within the vicinity of a heritage item or a heritage conservation area. In this regard, five properties adjoining the development site contain heritage listed items in accordance with Schedule 5 of the YVLEP.

It is considered that due to the location of the proposed structure within the development site and the resulting distance between the proposed structure and the heritage items, there will be no impact on the heritage significance of the identified items. In this regard, no further assessment was required.

Clause 5.21 Flood Planning

The provisions of the Yass Floodplain Risk Management Study and Plan, July 2021 was undertaken to allow proper consideration under the provisions of this clause. On this basis, part of the development is identified as being within the flood planning area, however the location of the proposed structure is outside of the identified areas. Notwithstanding this, further assessment by the applicant found that the proposed hall will be well above the 1% AEP height and Probable Maximum Flood (PMF) event level and that the development can comply with the flood planning controls applicable to the development site.

On this basis, it is considered that the relevant flood planning considerations are satisfied.

Clause 6.1 Earthworks

Clause 6.1 requires the consent authority considers the impact of earthworks associated with the proposal and in particular:

- (a) *the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development*
- (b) *the quality of the fill or the soil to be excavated, or both*
- (c) *the effect of the development on the existing and likely amenity of adjoining properties*
- (d) *the source of any fill material and the destination of any excavated material*
- (e) *the likelihood of disturbing relics*
- (f) *the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area*
- (g) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

Conditions of consent are to be imposed in relation to the following matters:

- Implementation of runoff and erosion control measures
- Preparation and implementation of a Construction Environmental Management Plan including the recommendations made in the Soil Contamination Assessment and the Waste Management Plan
- Preparation and implementation of a Soil and Water Management Plan
- Actions required upon discovery of archaeology object and/or Aboriginal object
- Controls for earthworks, excavation and importation of material.

Compliance with the abovementioned conditions of consent will ensure the proposed earthworks satisfy the relevant matters for consideration.

Clause 6.3 Terrestrial Biodiversity

In accordance with the Natural Resources Biodiversity Map attached to the YVLEP, the development site is identified as “biodiversity”, except for the area containing the existing school buildings in its centre. Notwithstanding the latter, the consent authority must consider whether the development is likely to have an impact on flora and fauna on the site and what measures are proposed to avoid, minimise or mitigate the impacts of the development. In this regard, the YVLEP aims to ‘protect and enhance the environmental and biodiversity values of the Yass Valley’.

A Flora and Fauna Assessment (the Assessment) accompanied the development application which assessed the proposal under the provisions of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), the Biodiversity Conservation Act 2016, and clause 6.3 of the YVLEP.

The Assessment identified that the development will require the removal of one native tree, a semi-mature River Oak *Casuarina cunninghamiana*, whilst the area of land impacted by the proposed hall does not contain any threatened species, populations or communities and does not represent important habitat for local flora and fauna.

The Assessment identifies that potential impacts to vegetation may occur during construction, however these can be mitigated through the preparation and implementation of a Construction Environmental Management Plan, of which will be required through the imposition of a condition of consent.

On this basis, it is considered that the development does not contravene the objectives of the clause 6.3 of the YVLEP.

Clause 6.8 Essential Services

The consent authority must ensure that services essential for the development are available. In this regard, the following comments are made:

- The site is currently serviced by Council’s reticulated water supply. A condition of consent will require engineering drawings for the supply of water to be submitted for approval by the Crown Certifier prior to the issue of a Crown Certificate.
- Electricity is currently available to the site and can be extended to service the proposed development.
- The site is currently serviced by Council’s reticulated sewerage system of which is capable of being extended to service the proposed development. A condition of consent will require engineering drawings for drainage of sewer to be submitted to and approved by the Crown Certifier and Council’s Manager Water and Wastewater prior to the issue of a Crown Certificate.

A condition of consent will also require approval from Council to ‘carry out sewerage work’ under the provisions of s.68 *Local Government 1993*.

- Stormwater drainage is to be managed via a series of pits and downpipes directing stormwater flows to a 15m³ on site detention (OSD) tank, which will discharge to the Yass River. A condition of consent will require engineering drawings and calculations for the drainage of stormwater to be submitted to and approved by the Crown Certifier prior to the issue of a Crown Certificate. In order to mitigate potential impacts from stormwater run-off, the following details are requested:

- (a) Details of the discharge of stormwater off the site (including quantities for various storm events and is to include stormwater that falls on the site or enters the site from upstream)
 - (b) What is proposed to manage the discharge (including details of any infrastructure etc.)
 - (c) The potential downstream effects of such discharges and actions proposed to ameliorate such effects and
 - (d) What is proposed to ameliorate any effects on the site from stormwater from upstream of the site.
 - (e) The stormwater system must be designed to ensure that discharge from the site post development is not exceeded when compared to pre development flows for a 1 in 5 and 1 in 100 year ARI.
- The existing vehicular accesses from Grampian Street are considered suitable to service the proposed development and do not require upgrading.

3.2 Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments

There following draft instruments, which have been the subject of public consultation under the EP&A Act, are relevant to the proposal and are considered below.

Draft Remediation of Land State Environmental Planning Policy

The assessment undertaken pursuant to SEPP 55 satisfies the relevant matters for consideration under the Draft SEPP.

Draft Education and Childcare State Environmental Planning Policy

Proposed amendments do not impact on the proposed development or require any additional assessment.

3.3 Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan

The following plans are applicable to the proposed development and are considered below. It is acknowledged that these are not development control plans, however they require consideration.

Yass Valley Council Community Engagement Strategy 2017

The proposal was notified in accordance with the strategy from 6 May 2021 until 19 May 2021. No submissions were received.

Yass Valley Development Contributions Plans 2018

Under the provisions of s.2.8 of the Yass Valley Development Contributions Plan 2018, the development of facilities on behalf of a public authority is exempt from paying a contribution under the plan.

3.4 Section 4.15(1)(a)(iiia) – Planning agreements under Section 7.4 of the EP&A Act

There have been no planning agreements entered into and there are no draft planning agreements proposed for the site.

3.5 Section 4.15(1)(a)(iv) - Provisions of Regulations

Clause 92(1) of the EP&A Regulation contains matters that must be taken into consideration by a consent authority in determining a development application.

In this instance, the provision of *Australian Standard AS 2601—1991: The Demolition of Structures* must be considered and as such, Council's standard demolition conditions have been included in the draft consent.

3.6 Section 4.15(1)(b) - Likely Impacts of Development

The likely impacts of the proposed development, including impacts on both the natural and built environments, and social and economic impacts in the locality must be considered.

The consideration of impacts on the natural and built environments includes the following:

Context and setting

The proposal is considered to be compatible with the existing scale (bulk, height and mass), form, character, density and design of development within the development site. In particular, the new hall will be similar in bulk, scale and design to the existing STEM building.

Due to the extent of setbacks of the proposed structure from road frontages and existing vegetation on the site, the proposal is not considered to have an adverse impact on the existing locality (i.e. it is barely visible from outside of the development site). The proposal will not impact on adjoining properties, given the neighbouring property is public recreational land, as opposed to residential, and it is considered that the proposal will only enhance the school grounds.

Access and traffic

A Traffic and Parking Assessment was prepared which concludes that there is no increase in the number of staff or students as a result of the development and therefore there is no impact on the existing parking or traffic levels within and surrounding the school. On this basis, there is no need to require upgrades to existing accesses, internal roads or car parks.

It is anticipated that a community event (should it be held at the new hall), will be held outside of school hours and therefore will not impact on the school's traffic or parking levels and for which parking can be accommodated within the site and in neighbouring Victoria Park.

Traffic associated with the construction of the proposed development will be managed through the preparation and implementation of a Construction Environmental Management Plan (CEMP). Conditions of consent will ensure the implementation of the CEMP.

Utilities

The site is currently serviced by all required utilities, of which are capable of being extended to service the proposed development. Refer comments under Clause 6.8 Essential Services for details. It is considered unlikely that the proposed development will have an adverse impact on utility supply.

Heritage

Clause 5.10(5) of the YVLEP states that the consent authority *may* require an assessment of the potential impact of a development on heritage significance for development on land that is within the vicinity of a heritage item or a heritage conservation area. In this regard, five properties adjoining the development site contain heritage listed items in accordance with Schedule 5 of the YVLEP.

It is considered that due to the location of the proposed structure within the development site and the resulting distance between the proposed structure and the heritage items, there will be no impact on the heritage significance of the identified items. In this regard, no further assessment was required.

The Aboriginal Due Diligence Assessment did not find any Aboriginal archaeological material on site and no further Aboriginal archaeological assessment is required prior to the commencement works. Notwithstanding this, conditions of consent provide requirements should unanticipated archaeological material be encountered during site works

Other land resources

The development site adjoins the Yass River corridor. Assessment reports submitted in support of the application demonstrate that there will be no adverse impacts on the Yass River. Notwithstanding this, conditions of consent will require further details to be provided in relation to run-off and erosion control and stormwater drainage and conditions of consent will provide controls around unanticipated contamination.

Water, Air & Soils

A Soil Contamination Assessment (the Assessment) was prepared and an assessment under the provisions of SEPP 55 was undertaken (refer above). The Assessment concludes that no exceedances above the adopted assessment criteria were identified and that whilst no asbestos was identified during the assessment, the findings of previous relevant reports should be noted.

The Assessment recommends that the site can be made suitable for the proposed development subject to the remediation and management of unexpected finds of contamination and that the offsite disposal of soil (if required) is undertaken in accordance with relevant legislation and guidelines.

The Geotechnical Investigation Report indicates that excavations required would be limited to a depth of 1.5 to 2 metres. Impacts of required earthworks will be managed through appropriate erosion and sediment controls and conditions of consent will ensure implementation.

Council's standard conditions in relation to earthworks and importation/exportation of fill are included in the draft consent.

It is considered that the development is unlikely to have an adverse impact on air quality and microclimatic conditions in terms of emissions of dust, particulates, odours, fumes, gases and pollutants. Notwithstanding this, conditions of consent will provide controls around demolition, and asbestos removal.

Flora and Fauna

The Assessment concludes that the proposed development:

- Does not meet entry requirements into the Biodiversity Offsets Scheme (i.e. a Biodiversity Development Assessment Report is not required for the proposal)
- Is not likely to have a significant impact on any matters of national environmental significance listed under the EPBC Act and
- Does not contravene the objectives of the clause 6.3 of the YVLEP.

A condition of consent will ensure only the trees specified in the Demolition Plan are to be removed.

Noise and vibration

Noise and vibration impacts during construction will be mitigated through the imposition of a condition of consent which restricts the days and hours in which construction works can take place.

A Noise Assessment (the Assessment) was prepared to assess potential impacts of events held in the hall up to 10pm on any night of the week. The Assessment included an investigation of noise impacts at the nearest residential boundaries for such events. The Assessment found there is very little potential for adverse noise impacts and that there are no other predicted noise exceedances as a result of the operation of the hall.

Natural hazards

The site is not bushfire prone.

Part of the development is identified as being within the flood planning area, however the location of the proposed structure is outside of the identified areas. Notwithstanding this, further assessment by the applicant found that the proposed hall will be well above the 1% AEP height and Probable Maximum Flood (PMF) event level and that the development can comply with the flood planning controls applicable to the development site.

A condition of consent will require the preparation of a Flood Safe Plan and Site Emergency Response Flood Plan.

Safety, security and crime prevention

Below is an assessment under the four main principles of the NSW Police Force crime presentation strategy: Crime Prevention through Environmental Design (CPTED).

1. *Surveillance* – Effective surveillance to deter offenders is achieved through the design of the hall and its interaction with existing school buildings. Clear sight lines are achieved between the hall and existing buildings from the main driveway and carpark and neighbouring Victoria Park. Lighting is proposed around the new hall and landscaping is not conducive to antisocial behaviour. More generally, the school is under active surveillance on weekdays during school hours and under passive surveillance during other times due to the site's relationship with existing pedestrian linkages and Victoria Park.
2. *Access Control* – Whilst the school grounds are not secure, it is proposed to secure the new building to minimise potential for crime within the proposed structure.
3. *Territorial Reinforcement* – Given the location of the proposed development within the grounds of the local high school, it is anticipated that this will assist in promoting community ownership of the new facility, which in turn will deter antisocial behaviour.
4. *Space Management* – Ongoing management and maintenance of the proposed development will be undertaken by the school. It is anticipated that the site will be kept clean and repairs undertaken as required.

Social impact

The proposed development will provide a new facility for use by the local high school students and staff and the opportunity for use by community groups. It is anticipated that the new facility will promote a sense of ownership and a sense of place amongst both the school and local community.

Economic impact

The new facility may assist in attracting students and staff to the high school, which has a long term economic benefit for the wider Yass Valley region.

Site design and internal design

The proposed development has been positioned within the site to minimise site disturbance and vegetation removal and to ensure appropriate interaction between the new facility and existing school buildings.

The building has been designed to minimise energy consumption, through strategic roof and window placement, and to minimise ongoing maintenance requirements through the use of durable materials.

The building and surrounding circulation spaces have been designed to ensure it is accessible by disabled students and staff.

Construction

The proposed demolition must comply with Australian Standard *AS 2601:1991 The Demolition of Structures* and the proposed construction has provision for compliance with the National Construction Code/ Building Code of Australia (as amended) and relevant Australian standards.

The impacts of construction activities can be managed and suitable conditions have been included in the draft consent.

Cumulative impacts

The proposed development is generally consistent with the planning controls and therefore the proposal will not result in any adverse cumulative impacts.

Accordingly, it is considered that the proposal will not result in any significant adverse impacts in the locality as outlined above.

3.7 Section 4.15(1)(c) - Suitability of the site

The site is considered to be suitable for the proposal on the following basis:

- The development is compatible with and sympathetic to the existing built environment
- Utilities and services available to the site are adequate for the development
- The development will not lead to unmanageable transport demands
- The air quality and microclimate are appropriate for the development
- No hazardous land uses or activities are within the vicinity of the site
- It has been demonstrated that impacts of the development can be mitigated and managed, where required, through compliance with conditions of consent.
- Noise levels will not impact on nearby sensitive receivers
- The development is compatible with the identified flood risk
- The proposal will not impact on the heritage significance of heritage listed items on neighbouring properties.
- The development site is generally devoid of native and significant vegetation.

3.8 Section 4.15(1)(d) - Public Submissions

No public submissions were received.

3.9 Section 4.15(1)(e) - Public interest

The proposal is considered to be in the public interest on the following basis:

- Potential impacts associated with the proposal are mitigated or are addressed through the imposition of conditions of consent, as demonstrated throughout this assessment report.
- The above assessment indicates that the proposal is generally consistent with all relevant planning controls.
- The application was reported to Council for noting, satisfying Council Policy DA-POL-18 Development Assessment and Decision Making.
- The new facility may assist in attracting students and staff to the high school, which has a long term economic benefit for the wider Yass Valley region.
- The proposal will provide a new and modern facility for use by the school and Yass Valley community.
- Neighbouring landowners were notified of the proposal and no submissions were received.
- The proposal will not have a detrimental effect on the health and safety of the public as a result of compliance with relevant planning controls, standards, construction codes and recommendations made in supporting technical reports.

4. REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence

The development application was not required to be referred to any external agencies for concurrence or comment.

4.2 Council Referrals

The development application was referred to various Council officers for technical review as outlined in **Table 5**.

Table 5: Consideration of Council Referrals

Officer	Comments
Planning	No objections subject to recommended conditions
Building	No objections subject to recommended conditions
Engineering	No objections subject to recommended conditions
Water & Wastewater	No objections subject to recommended conditions
Environmental Health	No objections subject to recommended conditions

The draft consent contains all recommended conditions as amended by the applicant.

4.3 Community Consultation

The proposal was notified in accordance with Council's Community Engagement Strategy from 6 May 2021 until 19 May 2021.

The notification included the following:

- Notification letters sent to nine adjoining and adjacent properties and
- Notification on Council's website.

No submissions were received.

5. KEY ISSUES

The following key issues were identified in the Briefing Meeting and are discussed in detail below.

5.1 Access

Information Requested

Details of access into the hall and onto the stage and in particular how bulky items (e.g. piano or drums) will be transported from the road/carpark onto the stage. It is noted that the most direct route from the driveway onto the stage involves stairs, which will not be practical for bulky items.

Resolution

Architectural plans were provided indicating accessible paths of travel in accordance with the requirements of the BCA and alternative circulation paths for the transportation of bulky items onto the stage. The plans demonstrate that there is adequate access arrangements to the hall and into various parts of the hall, depending on the user. On this basis, it is considered that the issue identified is resolved.

5.2 Parking for Major Event

Information Requested

Details of parking arrangements for a 'major' event (e.g. concert) based on maximum occupancy of the hall. This should be considered in relation to Council's Off-Street Car Parking policy. Concerns were raised that there is inadequate on-site parking for a major event and that this may be prohibitive for the use of the hall by the community.

Resolution

The applicant's response is provided below:

The principal use of the building is as a multi-purpose school hall for use by the students and staff at Yass High School. The proposed development does not seek to increase student or staff numbers, or operate as a 'major event' venue and therefore, there is no need to provide any additional car parking. The proposed building is not classified as an entertainment venue.

Notwithstanding the above, should the hall be used for a community event, there is considered to be ample parking spaces within the school ground (formal and informal) and within Victoria Park. Given the primary use of the proposal is to serve the needs of the school community, it is not considered necessary to require additional provision of parking through the subject development application. On this basis, it is considered that the issue identified is resolved.

5.3 School Security

Information Requested

Details of arrangements to secure the school from those using the hall. Concerns were raised that patrons attending an event at the hall will have access to the remainder of the school.

Resolution

Whilst the school grounds are not secure, it is proposed to secure the new building to minimise potential for crime and antisocial behaviour within the proposed structure. In this regard, the hall has been designed in accordance with SINSW's School Security Unit requirements and the Education Facilities and Standards Guidelines. The subject application does not propose to increase existing security arrangements at the school. On this basis, it is considered that the issue identified is resolved.

5.4 Flooding

Information Requested

An assessment of the proposed development under the provisions of the recently adopted flood controls found in Appendix E of the Yass Flood Plain Risk Management Study and Plan, July 2021. In particular, please provide plans which clearly identify the proposed structure in relation to the 1% AEP event, PMF event, mainstream flooding area and flood planning constraint area.

Resolution

In this regard, it should be noted that the location of the proposed structure within the site is located outside of the flood planning area and PMF event level, as demonstrated in Figure's 1 and 2 of the applicant's response letter (dated 23.9.21).

Notwithstanding this, An Assessment of Structural Adequacy under Flooding Events was completed which found that the proposed hall will be well above the 1% AEP height and Probable Maximum Flood (PMF) event level and that the development can comply with the flood planning controls applicable to the development site (refer to applicant's response letter for exact heights and levels).

On this basis, it is considered that the issue identified is resolved.

5.5 Sewer Infrastructure

The applicant submitted revised hydraulic plans on 4 November, 2021 indicating the removal of the sewer pump station. Council's Manager Water and Wastewater collaborated with the applicant's hydraulic engineer to ensure the proposed gravity fed infrastructure is suitable for the site. The draft consent is reflective of this change.

6. CONCLUSION

This development application has been considered in accordance with the requirements of the EP&A Act and EP&A Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls and the key issues identified in this report, it is considered that the application can be supported.

7. RECOMMENDATION

That Development Application DA210076 for a multi-purpose school hall at 39 Grampian Street, Yass be approved pursuant to Section 4.16(1)(a) *Environmental Planning and Assessment Act 1979* subject to the draft conditions of consent dated 5.11.21 (refer Planning Portal).

