



STATEMENT OF ENVIROMENTAL EFFECTS

PROPOSAL: Educational Establishment
(School)

ADDRESS: Lot 1 Magpie Hollow Road,
South Bowenfels

February 2024

DESCRIPTION: Educational Establishment (School)

CLIENT: MET Mount Victoria Campus

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This document has been authorised by

Anthony Daintith (Principal)
Date: 7/2/2024



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1 BACKGROUND

1.1 INTRODUCTION

MET – Mount Victoria Campus has engaged Anthony Daintith Town Planning (ADTP) to prepare a Statement of Environmental Effects (SOEE) to support a development application for a proposed school (114 students) at Lot 1 Magpie Hollow Road, South Bowenfels.

The purpose of this document is to:

- Describe the existing environment;
- Outline the proposed modified development;
- Consider relevant statutory matters; and
- Make conclusions and recommendations for Councils consideration.

The development application consists of the following components:

- Statement of Environmental Effects
- Site and Architectural Plans (Brett Moulds)
- Traffic and carparking reports (Motion)
- Water and Stormwater – Calare Civil
- Music Modelling – Calare Civil
- Bushfire – Matthew Noone
- Fire Engineering Concept Design Report - Lote
- Waste Management Plan – TBC

1.2 APPLICANT AND OWNER

Applicant

MET-Mt Victoria Campus Pty Ltd (ACN 117 326 708) ATF Katoomba Education Trust (ABN 85 218 115 106) of 84 Great Western Highway Mount Victoria NSW 2786 (Purchaser)

Owner

Rosaton Pty Ltd (ACN 610 907 536) of 898 Great Western Highway South Bowenfels NSW 2790 (Vendor)

The owner has provided their written consent to the lodgement of the Development Application.

2 SUBJECT LAND

2.1 LOCATION AND TITLE

The subject land is identified Lot 1 Magpie Hollow Road, South Bowenfels. Refer to **Figures 1 & 2**, which depicts the site within the locality.

| Lot/DP | Area |
|----------|---------|
| 1/527491 | 1.168ha |

2.2 GENERAL SITE DESCRIPTION

Topography

The subject land falls gently from the street down to the rear.

Vegetation

The site is cleared of vegetation.

Waterways

Nil.

Buildings

Nil

Photos 1 – 2 provide a visual representation of the subject site.

Figure 1: Locality Plan



Figure 2: Aerial View of the Site



Photo 1: Subject land - street frontage



Photo 2: Subject land



3 PROPOSAL

The DA seeks consent for an educational establishment on the subject land. The school will be two storey in essentially 2 buildings (classrooms and gym). The buildings are located towards the centre of the site, with car parking at the front and landscaped/playing areas surrounding to the east, north and west. The buildings will have texture coated blueboard and metal clad walls, corrugated roof sheeting and aluminium windows.

Following is a summary of the proposal:

Students – 114 (Year 3 to Year 12)

Staff (teachers and ancillary staff/employees) - 20

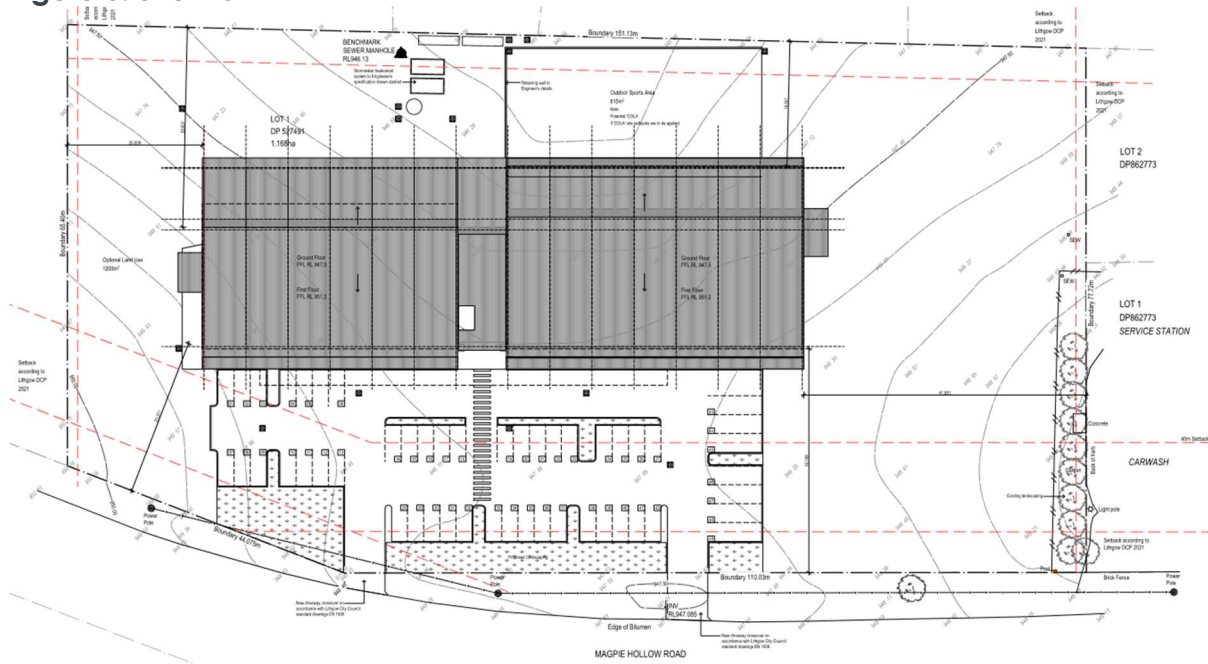
Hours of Operation

- Core student hours – 8:30am to 3:30pm
- Hours (teachers) – 8am to 5pm
- Some extracurricular activities on site hours (i.e. sport training, performance rehearsals etc) – no formal activity outside of these hours, possible twice a term practice or set up activity day out of hours.
- Infrequent fete/ community type days on a couple Saturdays a year
- Infrequent mowing and yard maintenance by volunteers and Contractors on weekends.
- Infrequent P&F Meetings in evenings during the year

The following building areas and volume are proposed:

| Compartment Schedule | Area | Volume |
|------------------------------------|-----------------------------|-------------------------------|
| Classrooms | 1364.4 m ² | 6003.36 m ³ |
| Gym | 1397.5 m ² | 8505.2 m ³ |
| Total Building (Excl. Link) | 2761.9 m² | 14508.56 m³ |
| Link | 230.4 m ² | 1013.76 m ³ |

Figure 3: Site Plan



4 TOWN PLANNING CONSIDERATIONS

Pursuant to Section 4.15 (formerly Section 79C) of the *Environmental Planning and Assessment Act 1979*, the following matters must be taken into consideration when assessing a development application:

4.15 Evaluation

(cf previous s 79C)

Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) *the provisions of:*
 - (i) *any environmental planning instrument, and*
 - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*
 - (iii a) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
 - (v) *any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),*

that apply to the land to which the development application relates,

- (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.*

(a)(i) The provisions of any environmental planning instrument

LOCAL ENVIRONMENTAL PLANS

LITHGOW LOCAL ENVIRONMENTAL PLAN 2014

The subject land is Zoned R2 Low Density Residential under the provisions of the *Lithgow Local Environmental Plan 2014* (LEP).

Figure 4: Zoning Map



Applicable LEP Clauses

Zone R2 Low Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To maintain or improve the water quality of receiving water catchments.

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

Attached dwellings; Bed and breakfast accommodation; Building identification signs; Business identification signs; Caravan parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Emergency services facilities; Environmental protection works; Exhibition homes; Exhibition villages; Flood mitigation works; Group homes; Health services facilities; Home-based child care; Home businesses; Kiosks; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Respite day care centres; Seniors housing; Shop top housing; Tank-based aquaculture; Water recycling facilities; Water supply systems

4 Prohibited

Any development not specified in item 2 or 3

educational establishment means a building or place used for education (including teaching), being—

(a) a school, or

(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

Comment

Schools (Educational Establishments) are permitted with consent on the subject land via Clause 3.36 of *State Environmental Planning Policy (Transport And Infrastructure) 2021* (development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone).

6.2 Stormwater management

(1) The objective of this clause is to minimise the impacts of urban stormwater on the land to which the development applies and on adjoining downstream properties, native bushland and receiving waters.

(2) This clause applies to all land in residential, business and industrial zones.

- (3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:*
- (a) *is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and*
 - (b) *includes, where practical, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and*
 - (c) *avoids any significant impacts of stormwater runoff on adjoining downstream properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.*

Comment

Refer to the Stormwater Management Plan.

6.8 Essential services

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—

- (a) *the supply of water,*
- (b) *the supply of electricity,*
- (c) *the disposal and management of sewage,*
- (d) *stormwater drainage or on-site conservation,*
- (e) *suitable vehicular access.*

Comments

The site is connected to reticulated water and sewer services and electricity. The connection of these utilities will be to the requirements of the relevant service provider.

Refer to the stormwater management plan regarding the control of stormwater on the site.

It is proposed to construct 2 new accesses to the site in accordance with Lithgow City Council standard drawing EN1006.

STATE ENVIRONMENTAL PLANNING POLICYS

| SEPP | COMMENTS |
|--|-----------------|
| SEPP (Biodiversity and Conservation) 2021 | Not applicable. |
| SEPP (Building Sustainability Index: BASIX) | Not applicable |
| SEPP (Exempt and Complying Development Codes) 2008 | Not applicable |
| SEPP (Housing) 2021 | Not applicable |

| | |
|---|---|
| SEPP (Industry and Employment) 2021 | Not applicable |
| SEPP 65—Design Quality of Residential Apartment Development | Not applicable |
| SEPP (Planning Systems) 2021 | Not applicable |
| SEPP (Precincts – Central River City) 2021 | Not applicable |
| SEPP (Precincts – Eastern Harbour City) 2021 | Not applicable |
| SEPP (Precincts - Regional) 2021 | Not applicable |
| SEPP (Precincts – Western Parkland City) 2021 | Not applicable |
| SEPP (Primary Production) 2021 | Not applicable |
| SEPP (Resilience and Hazards) 2021 | Includes the former SEPP 55 – Remediation of Land. See comments below. |
| SEPP (Resources and Energy) 2021 | Not applicable |
| SEPP (Sustainable Buildings) 2022 | Not applicable |
| SEPP (Transport and Infrastructure) 2021 | Includes the former State Environmental Planning Policy (Educational Establishments and Childcare Facilities) 2017 |
| DRAFT SEPP | |
| Draft Design and Place SEPP 2021 | The draft Design and Place SEPP is on exhibition until 28 February 2022 and is proposed to include SEPP 65 – Design Quality of Residential Apartment Development and SEPP (Building Sustainability Index: BASIX). |

SEPP (RESILIENCE AND HAZARDS) 2021

4.6 Contamination and remediation to be considered in determining development application

- (1) A consent authority must not consent to the carrying out of any development on land unless:
- (a) it has considered whether the land is contaminated, and
 - (b) 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, and
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.
- (2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.
- (3) The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed

investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.

(4) The land concerned is:

- (a) land that is within an investigation area,
- (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,
- (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:
 - (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and
 - (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

Comment

Pursuant to Clause 4.6 of the SEPP, the potential for contamination appears minimal. This is based upon an inspection of the site.

In terms of potential soil contamination, the subject land has been evaluated for:

- Evidence of previous mining activity;
- Evidence of existing and previous dip sites and other associated infrastructure;
- Evidence of orcharding; and
- Vegetative and other features which could indicate possible soil contamination.

Accordingly, it is recommended that a detailed investigation is not necessary or warranted in this instance.

SEPP (TRANSPORT AND INFRASTRUCTURE) 2021

Following is an assessment of the relevant provisions relating to the proposed school:

| CLAUSE | COMMENT |
|---------------------|--|
| 3.34 Interpretation | R2 Low Density Residential is a "prescribed zone". |

| | |
|---|---|
| 3.35 Development for purposes of campus student accommodation | Not applicable. |
| 3.36 Schools—development permitted with consent | <p>Applicable.</p> <p>Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.</p> <p><i>(6) Before determining a development application for development of a kind referred to in subsection (1), (3) or (5), the consent authority must take into consideration—</i></p> <p><i>(a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 8, and</i></p> <p><i>(b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.</i></p> <p>Refer to Schedule 8 assessment below.</p> |
| 3.37 Schools—development permitted without consent | Not applicable. |
| 3.38 Notification of carrying out of certain development without consent | Not applicable. |
| 3.39 Existing and approved schools—exempt development | Not applicable. |
| 3.40 Existing and approved schools—complying development | Not applicable. |
| 3.41 School-based child care—complying development | Not applicable. |
| 3.42 Complying development certificates—additional conditions | Not applicable. |
| 3.43 State significant development for the purpose of schools—application of development standards in environmental planning instruments | Not applicable. |

Schedule 8 Design quality principles in schools—Chapter 3

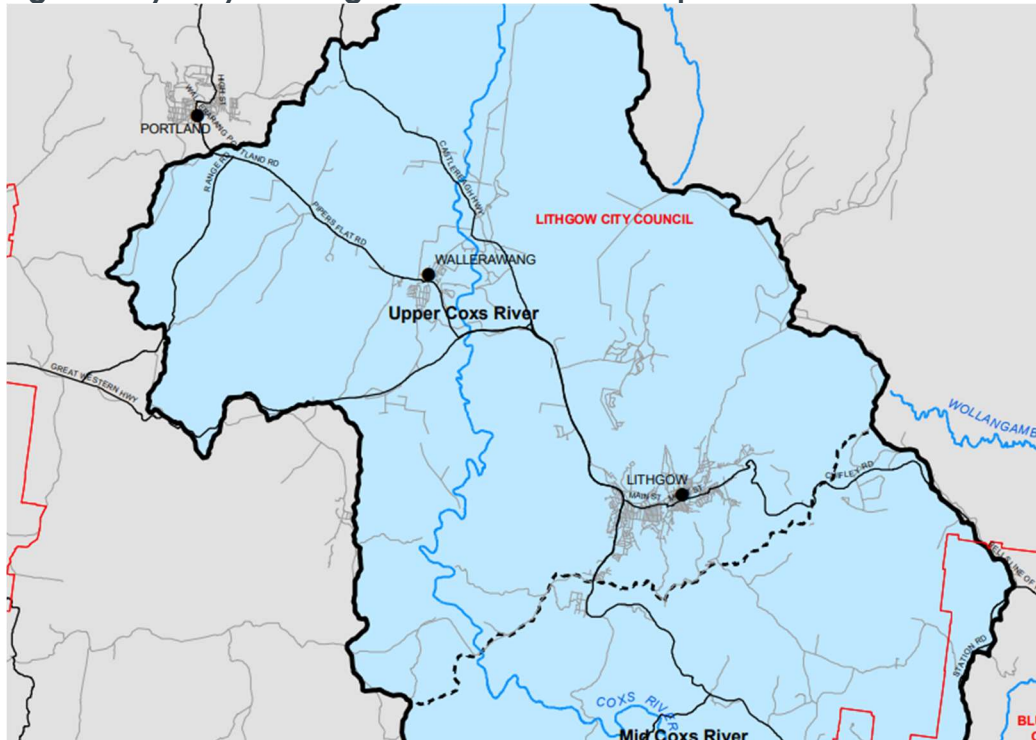
| PRINCIPLE | COMMENT |
|--|---|
| <p>Principle 1—context, built form and landscape</p> <p>Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed</p> | <p>As considered in the foregoing assessment, the proposed building design and detailing will reasonably relate to the mixed architectural forms.</p> <p>The building is considered not to be inconsistent with surrounding improvements.</p> |

| | |
|--|---|
| <p>by site conditions such as topography, orientation and climate. Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites. School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and protect the special visual qualities and natural environment of the area, and located and designed to minimise the development's visual impact on those qualities and that natural environment.</p> | <p>Building massing in the streetscape will be of a scale consistent with the surrounding development. Fencing and landscaping will relate to and increased setbacks than surrounding development (20-40m).</p> <p>No issues with site conditions including topography, orientation and climate.</p> <p>Landscaping has been integrated into the design of the buildings, carparking and open space areas.</p> <p>As considered in the foregoing assessment, the proposed building design and detailing will reasonably relate to the mixed domestic architectural forms within the neighbourhood. Massing will exceed the typical footprints for neighbouring improvements, although this will not be apparent at the street frontage.</p> <p>No identified heritage or Aboriginal cultural heritage issues.</p> |
| <p>Principle 2—sustainable, efficient and durable Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling. Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.</p> | <p>Compliance with Section J will be achievable. The school will be connected to all available reticulated services.</p> <p>Waste management arrangements will include recycling.</p> <p>There is the potential for the design to evolve over time with many areas designed for versatility.</p> |
| <p>Principle 3—accessible and inclusive School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities. Note— Wayfinding refers to information systems that guide people through a physical environment and enhance their understanding and experience of the space. Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.</p> | <p>The proposed development will achieve ease of access and secure entry to the site and building. Crime prevention measures are included in the site layout and building design.</p> |
| <p>Principle 4—health and safety</p> | <p>Appropriate security measures to be implemented to ensure a safe environment.</p> |

| | |
|--|---|
| <p>Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.</p> | <p>These measures are integrated with the extensive landscaping proposal to ensure that there is a welcoming and accessible environment.</p> |
| <p>Principle 5—amenity Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood. Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants. Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.</p> | <p>As described in the sections above, amenity is provided by appropriate and efficient indoor and outdoor learning spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, service areas and ease of access for all age groups and degrees of mobility.</p> <p>No specific noise mitigation measures are considered necessary.</p> |
| <p>Principle 6—whole of life, flexible and adaptive School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.</p> | <p>The school provides for learning from Year 3 through to Year 12.</p> |
| <p>Principle 7—aesthetics School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood. The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.</p> | <p>The proposal provides a landscape design that contributes to the streetscape and amenity through the site.</p> <p>The school has been designed to integrate with the site constraints and opportunities and the surrounding lands.</p> <p>The surrounding houses are well setback from the shared boundaries with the proposed school.</p> |

SEPP (BIODIVERSITY AND CONSERVATION) 2021

Figure 5: Sydney Drinking Water Catchment Map



8.7 Recommended practices and performance standards of the Sydney Catchment Authority

- (1) Any development or activity proposed to be carried out on land to which this Policy applies should incorporate the Authority's current recommended practices and standards.
- (2) If any development or activity does not incorporate the Authority's current recommended practices and standards, the development or activity should demonstrate to the satisfaction of the consent authority or determining authority how the practices and performance standards proposed to be adopted will achieve outcomes not less than those achieved by the Authority's current recommended practices and standards.
- (3) The Authority must ensure that:
 - (a) a list of each of the Authority's current recommended practices and standards is published on the Authority's website, and
 - (b) a copy of each of the Authority's current recommended practices and standards is available for public inspection at the office of the Authority without cost during ordinary office hours.

8.8 Development consent cannot be granted unless neutral or beneficial effect on water quality

- (1) A consent authority must not grant consent to the carrying out of development under Part 4 of the Act on land in the Sydney drinking water catchment unless it is satisfied

that the carrying out of the proposed development would have a neutral or beneficial effect on water quality.

- (2) For the purposes of determining whether the carrying out of the proposed development on land in the Sydney drinking water catchment would have a neutral or beneficial effect on water quality, the consent authority must, if the proposed development is one to which the NorBE Tool applies, undertake an assessment using that Tool.

Note. The NorBE Guideline provides information and guidance for consent authorities in the use of the NorBE Tool.

8.9 Development that needs concurrence of Regulatory Authority

- (1) A consent authority must not grant consent to the carrying out of development under Part 4 of the Act on land in the Sydney drinking water catchment except with the concurrence of the Chief Executive.
- (2) For the purposes of section 30 (3) of the Act, the matters that are to be taken into consideration by the Chief Executive in deciding whether to grant concurrence are:
- (a) whether the development incorporates the Authority's current recommended practices and standards, and
 - (b) if the development does not incorporate those practices and standards, whether the alternative practices that relate to the protection of water quality that have been adopted in relation to the development will achieve outcomes not less than those achieved by the Authority's current recommended practices and standards, and
 - (c) whether the development would have a neutral or beneficial effect on water quality.
- (3) A consent authority must forward a copy of its determination of a development application that requires the concurrence of the Chief Executive to the Chief Executive within 10 days after the determination is made.
- (4) This clause does not apply if:
- (a) the Minister is the consent authority, or
 - (b) the consent authority is satisfied that the proposed development has no identifiable potential impact on water quality.

Comments

The subject land is located within the Sydney Catchment Authority Area.

Refer to the Stormwater Management Plan and Operational Environmental Management Plan prepared by Calare Civil.

(a)(ii) Any draft environmental planning instrument

Nil

(a)(iii) Any development control plan

LITHGOW DEVELOPMENT CONTROL PLAN 2021

Chapter 2 – Site Requirements

| Clause | Comments |
|---|---|
| 2.2 Site Analysis, Local Character & Context | <p>The proposed school is permitted on the subject land.</p> <p>There is a mix of surrounding land uses – no significant impacts have been identified on larger sized lots.</p> <p>The dimensions of the site are suitable for an appropriate design of the proposed system to achieve a functional and desirable outcome.</p> <p>The site has been designed to accommodate the largest likely vehicle.</p> <p>There are no sensitive environmental constraints on the site.</p> <p>No heritage considerations.</p> <p>The design responds to the site constraints, topography and servicing requirements. Refer to the development plans for site analysis.</p> <p>It is considered that the proposed school is not inconsistent with the mixed use character of the area.</p> <p>No issues with respect to the scale, massing, orientation, siting, form, construction and materials of the proposed school have been identified.</p> <p>Attractive landscaping of the site has been incorporated into the design.</p> <p>The site is not considered to be visually prominent.</p> <p>The proposal does not include reflective materials.</p> |
| 2.3 Slope Response, Earthworks & Retaining Walls | <p>The site is relatively level and will not require any extensive earthworks and retaining walls.</p> <p>Refer to the development plans for greater detail.</p> |
| 2.4 Stormwater Management | <p>Refer to the engineering plans for stormwater management controls.</p> <p>A stormwater management plan has been prepared to send to Water NSW.</p> |
| 2.5 Vehicle Access & Parking | <p>Refer to the Traffic and Carparking Report prepared by Motion Traffic Engineers that addresses these matters.</p> <p>There are 49 car parking spaces proposed to be provided to meet Council requirements.</p> <p>The traffic report also provides details on proposed delivery vehicles.</p> <p>The car park is at the front of the site (incorporating extensive landscaping along the street frontage). The car park will be sealed.</p> |

| | |
|--|--|
| 2.6 Pedestrian Access, Mobility & Safety | Pedestrian access has been incorporated into the design – refer to the development plans. |
| 2.7 Designing for Crime Prevention | Refer to separate assessment in this report. |
| 2.8 Utilities, Easements & Infrastructure | The development will be connected to all available services. There are no easements that have an impact on the building design. There is no onsite effluent disposal. The applicant will apply to discharge liquid trade waste. |
| 2.9 Solid Waste Management | There are no hazardous materials or identified asbestos. Waste collection will be undertaken by a private waste contractor. |
| 2.10 Amenity / Buffers for Sensitive Uses | There are no sensitive land uses surrounding the subject land. No significant negative noise and vibration issues have been identified. The core school hours are between 8.40am and 3.08pm. The development will not create and air emissions, odour and dust. Refer to the landscape plan for the proposed location of landscaping across the site. The development has been designed to comply with Section J of the NCC. |

Chapter 3 – Natural Environment and Hazards

| Clause | Comments |
|--|---|
| 3.2 Bush Fire Prone Land | The land is mapped as bushfire prone (vegetation buffer). Refer to the bushfire report prepared by Bushfire Planning and Design Pty Ltd. |
| 3.3 Vegetation Management & Biodiversity | The land is extensively cleared of vegetation. There is no identified threatened species etc. |
| 3.4.1 Contaminated Land | Refer to <i>SEPP (Resilience and Hazards) 2021</i> comments of potential for contamination. |
| 3.4.2 Sensitive Land Areas | There are no identified sensitive land areas on the subject land. |
| 3.4.3 Erosion & Sedimentation | Erosion and sediment controls to be implemented as part of the construction of the development. |
| 3.4.4 Other Geological or Soil-Related Issues | There are no identified geological or soil related issue that will have an impact on the construction of the development. |
| 3.5 Flood Prone Land | The land is not mapped as flood prone. |
| 3.6 Ground & Surface Water Protection | No significant issues with respect to groundwater vulnerability and riparian land & watercourses have been identified for the subject land. |
| 3.7 Mine Subsidence Risk | Not mapped as mine subsidence. |

Chapter 6 - Residential

There are no specific provisions relating to schools in this Chapter.

(a)(iia) Any Planning Agreements

There are no known planning agreements affecting the property.

(a)(iv) Any matters prescribed by the regulations:

Division 1 Determination of development applications—the Act, s 4.15(1)(a)(iv)

| CLAUSE | COMMENT |
|---|---|
| 61 Additional matters that consent authority must consider | No demolition proposed. No subdivision orders are applicable. Dark Sky Planning Guideline does not need to be addressed for this proposal. The proposal does not include a manor house or multi dwelling housing (terraces), |
| 62 Consideration of fire safety | Appropriate fire safety measures are proposed and shown on the plans. |
| 63 Considerations for erection of temporary structures | The proposal does not include a temporary structure. |
| 64 Consent authority may require upgrade of buildings | The proposed development has been designed to comply with the BCA. |
| 65 Consideration of conservation plan for development at Sydney Opera House | Not applicable. |
| 66 Contributions plans for certain areas in Sydney—the Act, s 4.16(1) | Not applicable. |
| 67 Modification or surrender of development consent or existing use right—the Act, s 4.17(5) | There is no proposal to modify or surrender a development consent or existing use right. |
| 68 Voluntary surrender of development consent—the Act, s 4.63 | There is no proposal to voluntarily surrender a development consent. |

(b) The likely impacts of the development:

CONTEXT AND SETTING

The subject land is located in a mixed use area of South Bowenfels and includes a neighbouring service station and car wash.

It is considered that the development will not detract from the scenic qualities of the site and that of the surrounding locality.

Impacts on neighbouring properties are within acceptable limits as discussed throughout this Report.

There will be no important views or vistas interrupted as a result of the increase of the proposed school.

In conclusion it is considered that the proposal is within the context of the locality and Councils current planning provisions, and is compatible with previous and current land uses.

ACCESS AND TRANSPORT

It is proposed to construct two new accesses onto Magpie Hollow Road.

Refer to the Traffic and Parking Impact Assessment prepared by Moton Traffic Engineers. The report concludes that the car parking area and driveway is generally compliant with Australian Standards and Councils DCP.

PUBLIC DOMAIN

It is considered that the development will have a negligible impact on the public domain in terms of:

- Public recreational opportunities in the locality;
- Amount, location, design, use and management of public spaces in and around the development; and
- Pedestrian linkages and access between the development and public areas.

UTILITIES & SERVICES

All available services can be provided and connected to the proposed development.

HERITAGE

The subject land does not contain a heritage item nor is it located within a Heritage Conservation Area.

FLORA AND FAUNA

No vegetation removal is required. There are no identified threatened species or critical habitat on the site.

The site will be extensively landscaped as per the landscape plan.

NOISE AND VIBRATION

The hours of operation are between 8am to 4pm Monday to Friday.

All construction work will be undertaken during hours specified within the development consent and/or normal construction hours. No vibration during construction is expected.

In terms of noise impact from the proposal, it is expected that there will be minimal impact on the noise levels in the surrounding area from the day to day operations of the proposed school.

NATURAL HAZARDS

There are no known natural hazards on the site.

POTENTIAL CONTAMINATION

Refer to SEPP Resilience and Hazards assessment.

SOCIAL & ECONOMIC IMPACTS IN THE LOCALITY

There are positive social or economic impacts expected within the locality as a result of the proposed school which will provide educational opportunities for students in Lithgow and Upper Blue Mountains.

Economically, the facility will provide up to 20 staff members and provide school education for up to 114 children.

CONSTRUCTION

All construction work will be undertaken in accordance with the BCA and Councils conditions of consent.

Construction impacts are not anticipated to have an adverse impact on the locality. Works would occur during daytime hours, thus not impacting on the local amenity. The site would have temporary containment fencing erected and signage to warn and exclude the public from entering the site during the construction phase.

Erosion and sedimentation control measures would be developed and implemented during construction to minimise any erosion and sedimentation at the site. All disturbed areas rehabilitated as soon as practical

All waste generated during construction would be taken and disposed of at Council's Waste Disposal Facility.

All construction machinery would be fitted with appropriate muffling devices to limit noise generation during construction. The construction period would be for a limited period, and thus any impacts would be limited to that time frame.

SAFETY, SECURITY & CRIME PREVENTION

Refer to the following assessment.

| Element of Crime Prevention | Principles of Design | Response |
|-----------------------------|---|---|
| Surveillance | <ul style="list-style-type: none"> • Clear, unobtrusive line of sight between public and private places. • Avoidance of dark corners, alcoves, hidden recesses and narrow pedestrian walkways. • Effective lighting of public places. • Landscaping that does not provide offenders with a place to hide or entrap victims. • Landscaping along fence lines to prevent graffiti. • Use of materials that enable observation to public areas (e.g. open wrought iron fencing, glass panelling to building foyers). | <ul style="list-style-type: none"> • After and before hours access is restricted by proposed gates. • No external changes to the building is proposed. • Proposed lighting will illuminate the building and car park. • Strategic landscaping is proposed on the site to enable a place to hide an entrap victims. • Proposed landscaping on the southern boundary to assist in the prevention of graffiti. • The fencing (and gate) is of open steel construction. |

| | | |
|---|--|--|
| Access Control | <ul style="list-style-type: none"> • Avoid numerous entry points to multi-occupancy buildings. • Prevent short cuts across lands designated for other uses. • Ensure security grills can be opened from the inside. | <ul style="list-style-type: none"> • Two entry points are proposed to provide access to the drop off area and carpark area. • No short cuts identified over other land. • Any security grills to be installed appropriately. |
| Territorial Reinforcement (Community ownership of Public Space) | <ul style="list-style-type: none"> • Maintain building setback to maximise perception of semi-private areas. • Ensure site entrances are clearly marked. • Avoid flat or porous wall finishes in public areas to minimise graffiti. | <ul style="list-style-type: none"> • The setback of the buildings will enable a clear distinction between public and private areas. • The site entrances are clearly identified. • The threat for graffiti is minimal. |
| Activity and Space Management | <ul style="list-style-type: none"> • Design opportunities for people to use public spaces. • Incorporating opportunities for casual surveillance or activating the space through activities will discourage the proliferation of crime. • Closely linked to territorial reinforcement | <ul style="list-style-type: none"> • The space is not considered public. • The space will also be available for surveillance from the other throughout the site. • No obstructions are in place between the carpark and the building. |
| Areas requiring additional consideration | <ul style="list-style-type: none"> • Overall, are there any areas of the building or space which may require specific attention or treatments to limit crime opportunities. | <ul style="list-style-type: none"> • CCTV cameras are to be used. • No other treatments are proposed or considered necessary. |

CUMULATIVE IMPACTS

There are negligible negative cumulative impacts anticipated as a result of the proposed school.

(c) Suitability of the site for the development

Does the proposal fit in the locality?

- There are no constraints posed by surrounding development to render the proposal prohibitive;
- It is considered that the proposal will not create any unmanageable access or transport concerns in the locality;
- No impact on public spaces will eventuate as a result of the proposal proceeding;
- All available services are available for connection;
- There are no issues identified in relation to air quality and microclimate; and

- There are no identified surrounding hazardous land uses or activities.

Are the site attributes conducive to development?

It is considered that the site is conducive to the development based on the following:

- The site is not affected by any natural hazards other than bushfire which has been addressed;
- No heritage considerations;
- There is no known soil characteristics that would render the proposal prohibitive; and
- There are no known flora and fauna considerations that will have an impact on the proposal.

(d) Any submissions

The application may be notified in accordance with Councils Notification Policy.

(e) The public interest

The proposed development is considered to be only of minor interest to the wider public due to the relatively localised nature of potential impacts. It is believed that by the imposition of appropriate conditions of consent and the safeguards discussed in this report, potential impacts would be modest.

5. CONCLUSION

This report includes an analysis of the existing environment, details of the proposed school and consideration of applicable statutory requirements.

Based upon the investigations of the proposal it can be concluded that:

- The impacts upon or by surrounding development will not be altered significantly as a result of the development proceeding;
- The street system is capable of sustaining the additional traffic loading without upgrading;
- Reticulated services are available to be connected;
- The proposal is generally consistent with the objectives and provisions of Councils relevant planning documents.

The proposal is considered to be acceptable in terms of Section 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended) and potential impacts are expected to be minor.

Accordingly, it is recommended that the Development Application be approved subject to appropriate standard conditions.