

SCOPING REPORT
REQUEST FOR SECRETARY'S ENVIRONMENTAL
ASSESSMENT REQUIREMENTS

PROPOSED EDUCATIONAL ESTABLISHMENT
No. 28 FRASER PARADE, CHARLESTOWN

Lot 247 DP 1007698

Prepared by:
ALLAMBI CARE



Prepared for Submission to:
DEPARTMENT of PLANNING, ENVIRONMENT & INDUSTRY



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APPENDICES

Appendix 1:	DA2225/2017 Approved Plans prepared by CKDS
Appendix 2:	AHIMS Search 24 March 2021

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1. INTRODUCTION

1.1 Introduction

This Request for Secretary's Environmental Assessment Requirements (SEARs) has been prepared by Allambi Care (AC) to accompany a development application (DA) for a change of use from a Learning Centre (within an existing 'Community Facility') to a new school, 'educational establishment' at Lot 247 DP 1007698, being No. 28 Fraser Parade, Charlestown (the site). As such the proposal is identified as State significant development under Clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 and Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The document is a request for the Department of Planning, Industry & Environment (DPIE) to issue SEARs for proposed State Significant Development.

1.2 Request for SEARs

We understand changes to the Education SEPP and State and Regional Development (SRD) SEPP have been exhibited and are currently being reviewed by DPIE.

We further understand it is proposed to amend Subclause 15(1), Schedule 1 of the State and Regional Development SEPP to introduce a requirement for the capital investment value for *new schools* to be \$20 million. This will mean that new schools with a capital investment value of less than \$20 million (such as, this proposal), will be assessed as local development by the local council. This will give responsibility back to local councils for local developments.

This proposal will involve no CIV as the learning centre is already operational however the proposed change of use is required in order for AC to become a registered school through NSW Education Standards Authority (NESA) which is a process we are currently undertaking. Registration will enable AC to be eligible for funding which presently is not available to the Learning Centre.

As part of the registration process and evidence of capacity:

"The proposed non-government school must:

- provide written evidence that the proposed premises and buildings comply with all legislation relevant at the time of occupation;*
- provide written evidence that the proposed premises have approval from the local Council to be used for their intended purpose;*

A scoping meeting was held on 23 November 2020 however, the application was subsequently withdrawn on advice from DPIE that "As discussed, changes to the Education SEPP and SRD SEPP are currently being exhibited on the Department's website. These changes will determine whether Allambi Care would be categorised as an SSD or if the Application would be subject to local development approval by Lake Macquarie City Council."

Leesa Haynes Infrastructure Policy and Assessment Practice advised on 10 March 2021 "The Department received a considerable number of submissions, and all submissions are currently under consideration. While there is no proposed date for gazettal of the amendments, it is anticipated to be this year".



Whilst Allambi support the proposed amendments and believe it would be appropriate for Local Council to assess this proposed change of use DA, the Registration process has timing restrictions.

"Section 49 of the Education Act which requires that a proprietor intending to establish a non-government school that is not part of an approved system of non-government schools make application for initial registration not later than 31 March preceding the calendar year in which the proposed proprietor intends to commence operating."

In light of the above and recent conversations / correspondence with Rita Hatem Planning Officer, Social and Infrastructure Assessments, given the timeframes involved for registration with the Department of Education and the fact the DPIE cannot give a specific timeframe around the gazettal of the SEPP amendments, AC relodged the State Significant Development (SSD) application with DPIE on 16 March 2021.

1.3 Project Overview

The DA relates to the change of use from an existing learning centre within an approved and operational 'Community Facility' to an 'educational establishment'.

The purpose for the change of use is to formalise the use with the NSW Education Standards Authority and become eligible for funding, which is available for School programs, and deemed critical to support the ongoing operations for the Learning Centre.

The proposed change of use will not result in an intensification of the use or increase in occupancy and no additional building or construction works (either external or internal) are proposed.

Given no works are proposed environmental impacts are considered negligible. Notwithstanding, this report outlines potential environmental impacts of the proposed development and how these will be considered and assessed.

1.4 Consultation

Email correspondence was sent to Lake Macquarie City Council's (LMCC's) Chief Development Planner, Amy Regado on 3 November 2020, 7 December 2020 and 21 December 2020 to talk about the proposed development and approvals pathway. Amy Regado advised, *"As a concept, the proposal sounds like a great idea and I encourage you to pursue this. Council will be requested to provide feedback to the Department as part of the planning pathway and are happy to have direct discussions with yourself and Allambi as you progress"*.

In December 2020 when AC withdrew the SSD Application believing the gazettal of the amended SEPP was not far off AC discussed with Council the proposed amendments to the education SEPP and the proposed approvals pathway under Part 4 of the Act with Amy Regado who advised *"I agree the best way forward would be to lodge a local development DA through Council. It is great news the Department have taken this approach for schools, and I cannot see any reason it wouldn't be adopted"*.

In regard to documentation required, Amy Regado advised via email correspondence on 21 December 2020:

"Having reviewed the documentation provided with the previous application I advise the following is required:

- *New bushfire report, given the changes to the legislation, and the change of use to a school which will trigger special fire protection purpose requirements.*
- *Addendum to the Access Report confirming whether the previous provisions comply with the standards required for the proposed school.*
- *Addendum to the Traffic Report confirming whether the previous considerations and recommendations are relevant to the proposed school operations.*



- *Where no new works are proposed, no new report/addendum will be required for the following:*
 - *Geotech report*
 - *Ecological report*
 - *Stormwater reports and documentation*
- *New plans that demonstrate the school layout and infrastructure such as car parking – these will likely be copies of the previously submitted plans with adjustments, however are required for assessment to be undertaken and reference in any approved consent."*

Each of the items discussed will be considered and addressed as part of the application.

1.5 Background to the Developed Site

On 2 March 2011, LMCC granted development consent to DA No. 1016/2010 for the development of a Change of Use – Church to Community Facility Including New 2 Storey Building on the site

A Section 4.55 (S96(2)) was approved on 11 October 2011 which was for the redesign of the new building and associated car parking.

The site has been utilised for the following since its construction:

- Residential Care case workers
- Disability Organisation case workers and manager
- Forster Care and Recruitment facilities
- Directors, Human Resources and Administration
- Health Services Facilities
- **Training and Learning Centre.**

Allambi has a number of facilities throughout the Lake Macquarie LGA. This facility at Charlestown has enabled Allambi to consolidate community facilities including education and health services throughout Lake Macquarie to one site.

DA 1016/2010A included the provision of 115 parking spaces *including provision for disabled parking* along with alterations and additions to an existing auditorium building.

In 2018 a DA was approved by LMCC for Alterations and Additions and 60 additional car parking spaces (DA 2225/2017).

The DA included:

- The provision 60 at - grade parking spaces inclusive of 2 accessible parking spaces.
- **The extension of the Learning Centre Building enabling the provision of additional offices and workstations within this building.**
- The provision of associated services, drainage infrastructure, etc.
- The provision of landscaping.



2. PROPOSED DEVELOPMENT

2.1 Existing Development

The existing development on the site is clearly shown in Figure 1 and photographs 1 - 4 below, and the DA Approved Architect Plans (DA2225/2017) depicting the extension to the Learning Centre in **Appendix 1**.

An Occupation Certificate was approved on 22 August 2013 (CN 110169) for Building - New 2 storey office & Building B – Learning Centre Additions to Community Hall and on 23 October 2019 for 2 storey Alterations and Additions to Learning Centre and Carparking.

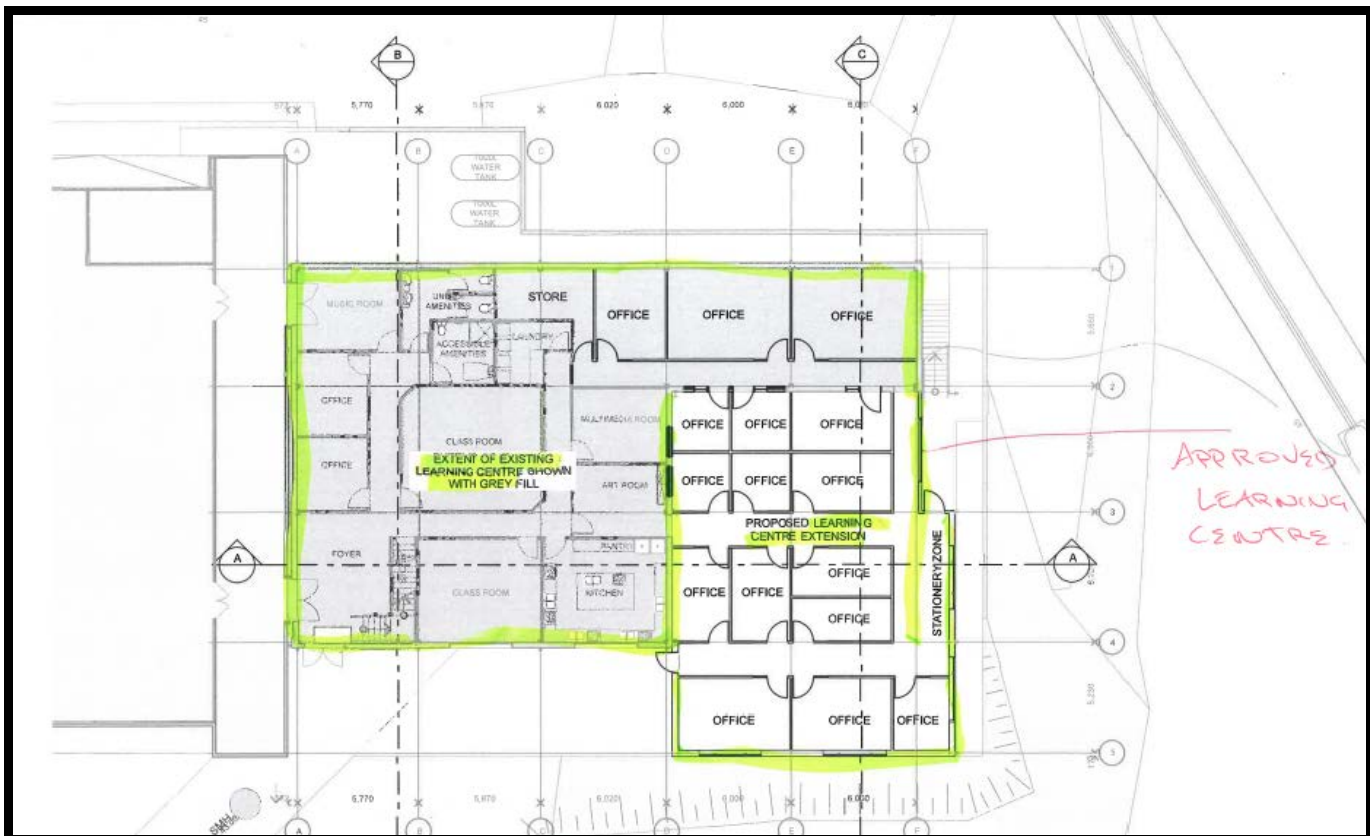


Figure 1: DA2225/2017 Approved Learning Centre



Photo 1 – Allambi Care - Main Building



Photo 2: Learning Centre Building contained on Ground Floor



Photo 3: Looking south west across Car Park 2 towards Learning Centre



Photo 4 – Aerial view of Learning Centre Building and Car Park 2



2.2 Proposed Development

AC are currently going through the relevant process with the NSW Education Standards Authority (NESA) to become a registered and accredited non-government independent school enabling us to attract funding for the Learning Centre that would otherwise not be available.

Allambi Learning Centre is located in Charlestown, Lake Macquarie alongside the Allambi Care main office and Education Department. The Learning Centre has several classrooms, offices, an art/media room, kitchen facilities and alternate learning spaces. Several programs operate from this site.

Learning Centre history: Allambi Care established the Learning Centre in 2007 in response to the increasing number of young people in out-of-home care, who were chronically disengaged, expelled, or suspended from both mainstream and alternative schooling options.

Learning Centre purpose: The Learning Centre specialises in education for vulnerable young people in out-of-home care, have experienced disadvantaged and/or trauma. It aims to provide a safe and welcoming space in which a young person can experience acceptance, healthy connections, and positive relationships with educational staff in order for them to engage or re-engage in formal education.

2.2.1 Description

Allambi Care's Education Model is known as **Learning Without Walls**. The model is based on research in the areas of human development, special education, and developmental trauma.

Our Values around Learning Without Walls are: Relational. Experience. Opportunity

As detailed, it is anticipated that our Learning Without Walls program will continue to operate and the only immediate change resulting from this proposal will be our ability to become a registered and accredited non-government independent school enabling us to attract funding that would otherwise not be available.

Student Enrolment: 20

Staff Numbers: 6

- 1 = Director
- 2 = Manager
- 3 = Teacher
- 4 = Teacher
- 5 = Education Support Officer
- 6 = Education Support Officer

Grade: Kindergarten to Year 12

Curriculum: F-10 Australian Curriculum, Senior Secondary Curriculum and Life skills options

Learning Areas: English, Mathematics, Science, Humanities and Social Sciences, The Arts, Technologies, Health and Physical Education and Languages.

Setting: Children of a Kind / School of a kind

Under the Education Act 1990, children of a kind are prescribed by the Regulations as:

- children who need special instruction because of sensory, physical, intellectual or emotional disabilities



- children who are, or are the children of, foreign nationals.

A school that is only registered for education of a kind, or for children of a kind, prescribed by the Regulations must only have students enrolled at that school that meet those criteria.

Where a school is registered as providing education of a kind, or for children of a kind, the Education Act 1990 makes provision for the school to provide a specific curriculum to cater to the needs of its students.

Classroom facilities (existing):

Indoor facilities

- 4 x Classrooms
- Classroom 1: General Classroom
- Classroom 2: General Classroom
- Classroom 3: Art Classroom
- Classroom 4: Music Room
- Kitchen: 5 station demonstration kitchen area
- Auditorium: Indoor sports and learning area
- Small Library space
- Café facilities (Barista machine, industrial cooking appliances etc)
- 2 x office facilities

Outdoor Learning space (existing)

Undercover learning space, yarn circle, garden beds

Operations: The Learning Centre runs from 8:30am to 5pm Monday to Friday. It offers several flexible support avenues, times and learning spaces to suit individual student needs. It also offers a range of programs that targets identified needs and explores different opportunities through experiential learning programs.

Small group education classes are a main focus at the Learning Centre where students who are enrolled will compete school-based requirements.

Other programs include but are not limited to:

- Tutoring
- Suspension support
- Extra Curricula programs (Sexual Health Education, STEM, Anger Management, Intensive Literacy, Hospitality/Barista courses, photography therapy etc)

Times: The Learning Centre's main operations start from 8:30am to 5pm. Students can be offered flexible start and finish times and session lengths, pending their needs.

- Morning Sessions: 9am to 12pm
- Afternoon Sessions: 1pm to 4pm.
- All day sessions: 9am to 3pm.

Learning Spaces: The Learning Without Walls model promotes flexibility and the use of different learning spaces to ensure individual needs, such as their physical and emotional safety needs are being met.

Students will have a range of learning spaces that will cater for this. These include, but are not limited to:

- The Learning Centre (28 Fraser Parade)
- The community (Beaches, local parks, local libraries etc)
- The students OOHC placement



2.3 Project Justification

Learning Without Walls Model

The Learning Without Walls Model refers to an approach to the provision of education and support services targeting young people in out-of-home care who have been excluded from formal schooling. It is based on an understanding of the key needs of these young people and is informed by years of experience in service delivery as well as the research, theoretical and practice literature in the fields of special education, human development, and developmental trauma.

The proposed school will continue the Learning Without Walls program and continue to educate the children and young people in our care however it will also enable us to become a Registered School and therefore attract funding for the work we currently undertake enabling this program to be sustainable.

The proposed development will provide long-term benefit to students and educators.

Charlestown is identified in state and local strategies as being a key growth area which is one of the reasons Allambi sought this site in the first place. The provision of the Learning Centre / School on this site enables both educators and students alike to have access to the relevant wrap around services available on site or in close proximity to a variety of services.



3. THE SITE AND SURROUNDING AREA

3.1 Location

The site is located on the southern end of Fraser Parade in the suburb of Charlestown. As can be seen on the Location Map and aerial photo in Figures 2 & 3 below. The site is located within a residential area.

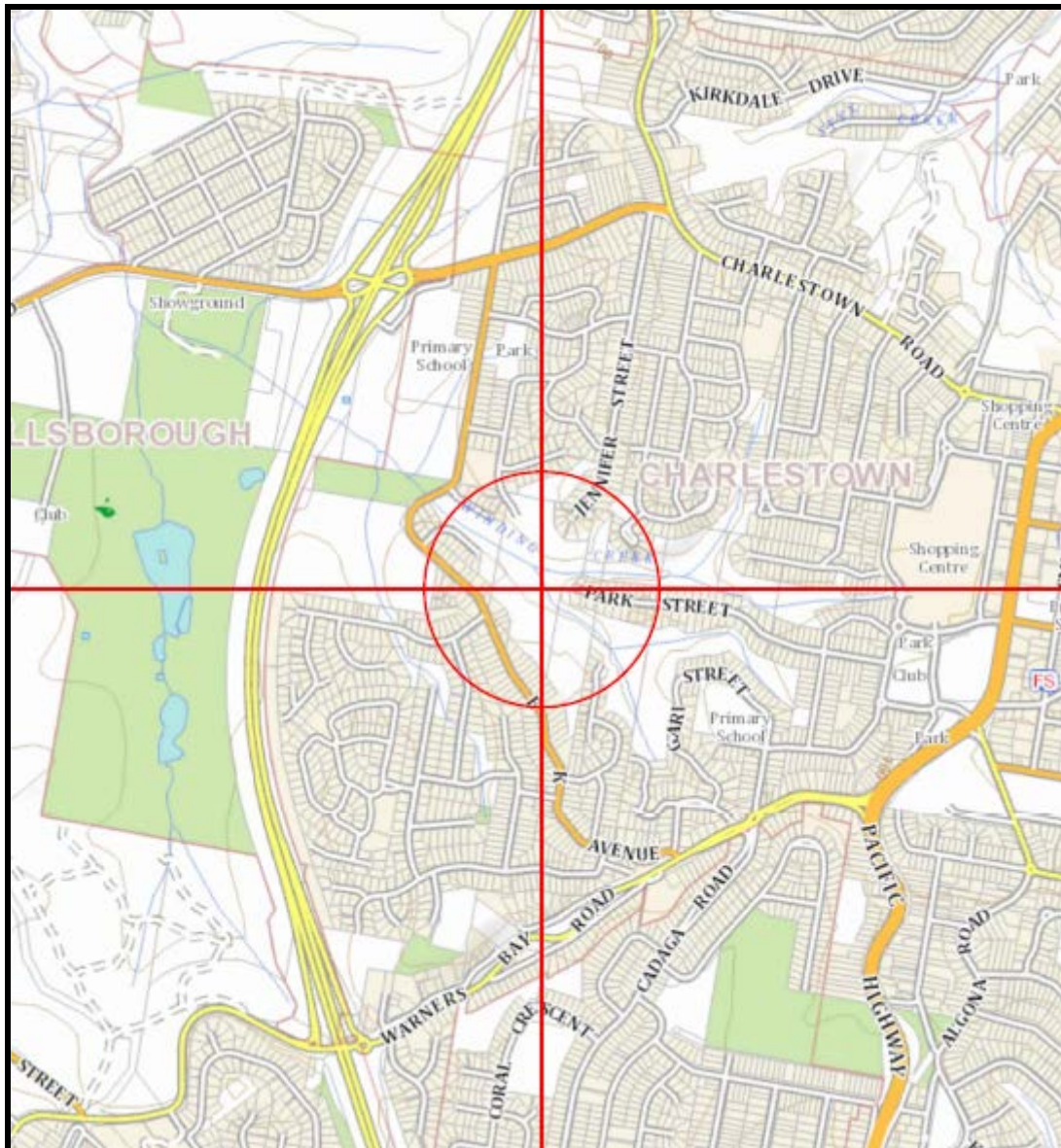


Figure 2: Location Map

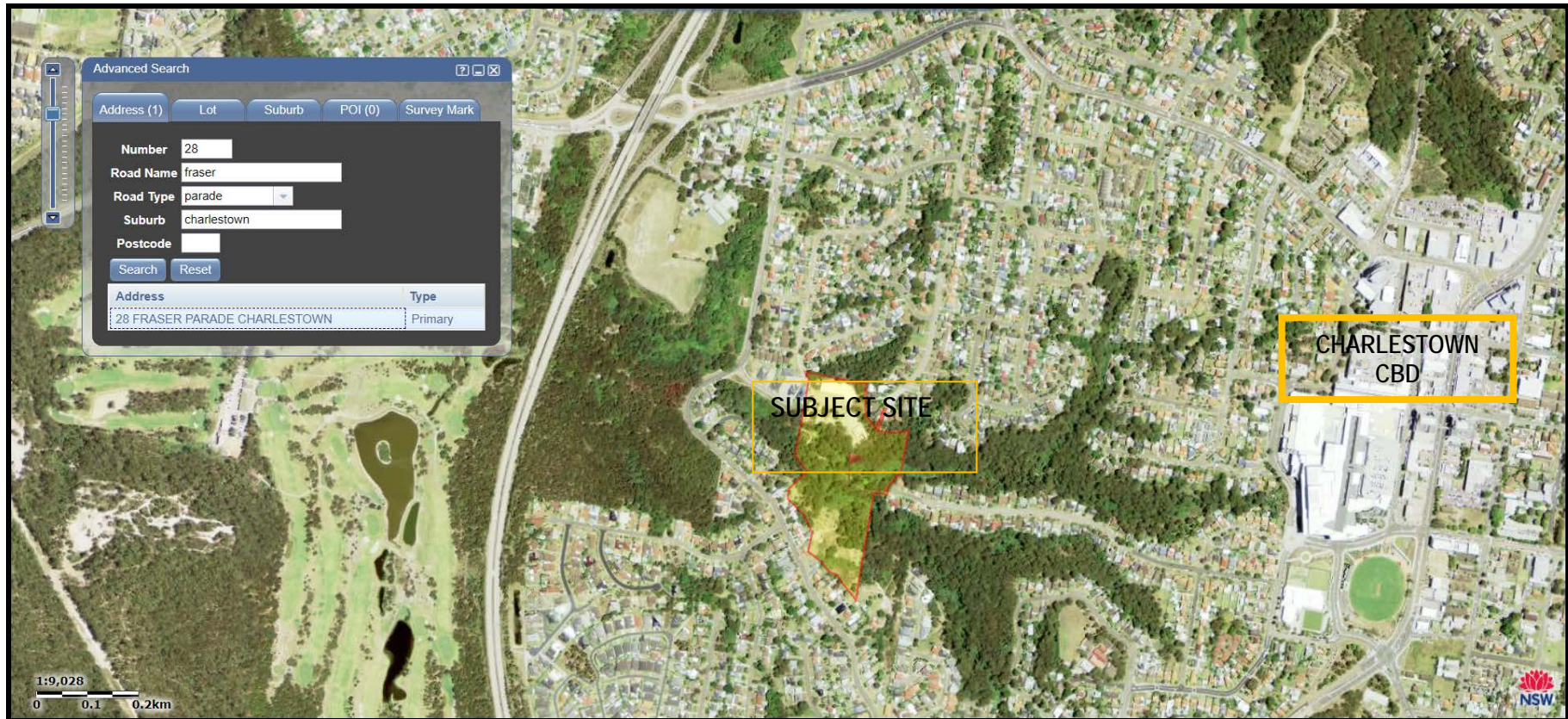


Figure 3: Aerial Photo (source: SixMaps)



3.2 Title Details

The site comprises Lot 247 DP 1007698.

3.3 Area and Frontages

The site has a total area of approximately 4.84 hectares with frontage to Fraser Parade of approximately 22 metres. Approximately 1.93ha is zoned R2 Low Density Residential, approximately 0.97ha is zoned E2 Environmental Conservation and approximately 1.94ha is zoned E4 Environmental (Living) (Figure 4). All Development is contained within the R2 Low Density Residential zoned land.

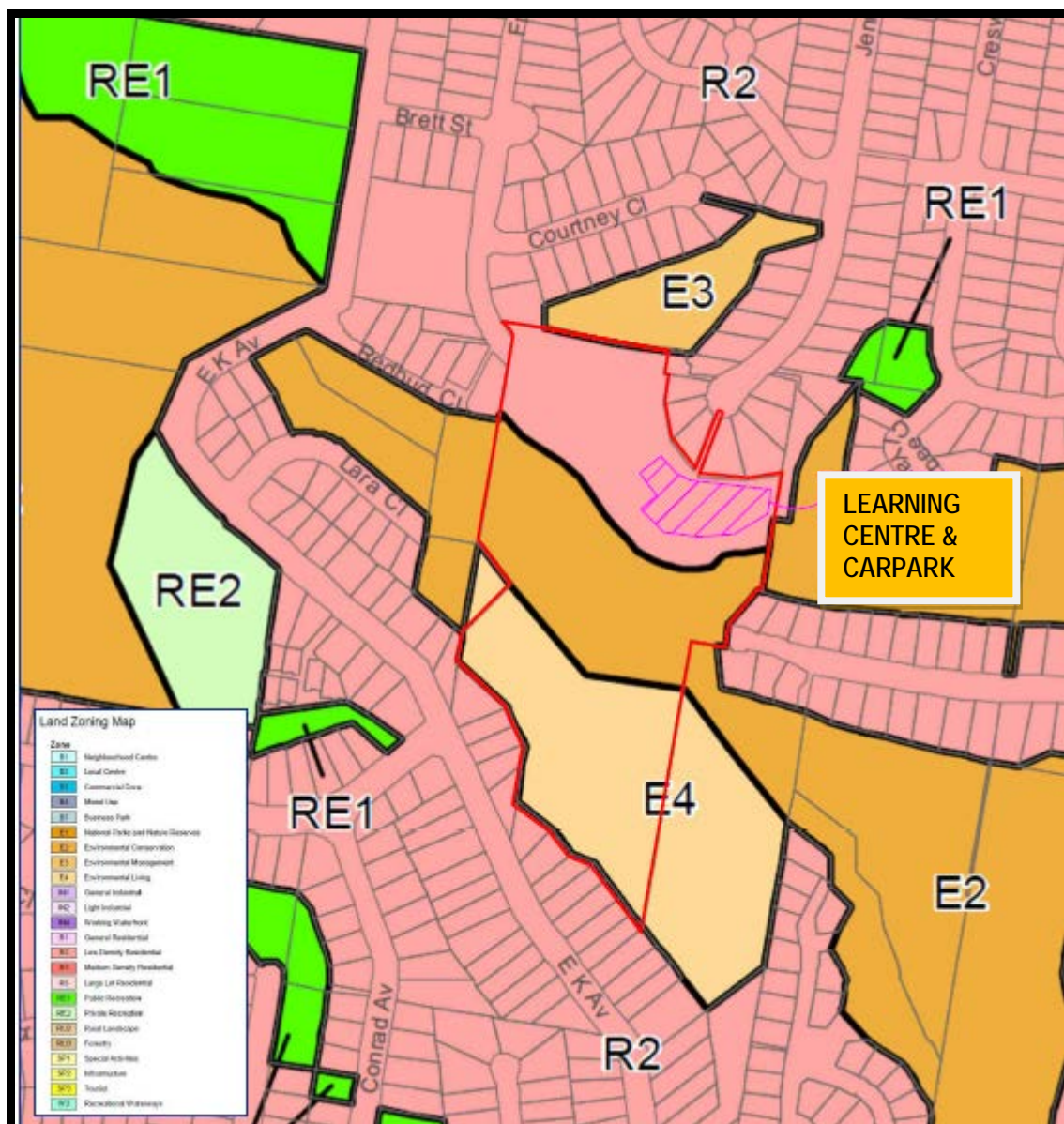


Figure 4: LMCC Zoning Map (LEP 2014)



3.4 Physical Features

3.4.1 Topography

The site occurs on the lower slopes of a ridge striking east-west. The slope of the northern site portion slopes about 15 degrees to the west south west towards Winding Creek. This Creek dissects the site from east to west in the middle to southern site area.

The majority of the site is steeply undulating with the existing buildings located on the relatively flatter areas. Generally, the site falls from a high point in the north east corner at 55m AHD across the site in a south-westerly direction to Winding Creek, at an average of 34m AHD at the base of its banks.

3.4.2 Geotechnical

The site has been identified in Council's records as being within a T2, T3 and T4 Geotechnical Zone with slopes generally exceeding 10%.

3.4.3 Flooding

A watercourse (Winding Creek) traverses the low point of the site (i.e. the part of the site zoned E2 Environmental Conservation zoned land). All development is contained within the R2 residential zoned land.

As detailed on Council's property flooding information system, Council records do not indicate the property as affected by flooding.

3.4.4 Acid Sulphate Soils

Council records indicate the site is not affected by acid sulfate soils.

3.4.5 Vegetation and Trees

As seen on the Photo 4 and Figure 2, the site consists of a combination of developed areas including large car park areas and vegetation.

An ecological impact assessment has been prepared previously and assessed as part of the approved DA's.

3.4.6 Drainage

Drainage on the site is presently managed by overland flow, infiltration and the infrastructure associated with the buildings, structures and parking areas on the site. Surface water from the northern end of the site is directed to a storm water drain situated in the middle of the car park down slope from the buildings. The remainder of the site would follow the topography, draining towards Winding Creek which flows to the south.

3.4.7 Traffic and Access

Fraser Parade provides the only vehicle access to the subject site, with this road continuing into the site and acting as a circulation roadway for parking lots on-site, before terminating at a cul-de-sac. The surrounding land use consists mostly of residential dwellings.

A Traffic Assessment has previously been undertaken by SECA Solutions to accompany DA 2225/2017, the report found, *"whilst no traffic surveys were completed as part of the site work, observations on site indicate that the local road network in this location generally operates well with minimal delays and congestion, given the low traffic flows in the area along both Brett Street and Fraser Parade."*



3.4.8 Bushfire Prone Land

The site is considered bushfire prone land.

A Bushfire Threat Assessment will be prepared to accompany the DA. A Review of Bushfire Constraints has been prepared for preliminary advice and has been lodged with the RFS along with a pre-DA application.

3.4.9 Coastal Zone

The site is not located within the coastal zone.

3.5 Aboriginal Heritage

A search of the Aboriginal Heritage Information System on 24 March 2021 found 0 Aboriginal sites are recorded in or near the above location. (Appendix 2).

3.6 Non-Aboriginal Heritage

The site is not located in a heritage precinct and does not contain a known heritage item.

3.7 Easements

There are easements that presently affect the site.

- An easement to drain water 2 metres wide. This easement is in favour of Council and leads from the concrete driveway off Jennifer Street, down to the watercourse on the site.
- An easement to drain water 4 metres wide. This easement is in favour of Council and leads from the concrete driveway off Jennifer Street, down to the watercourse on the site.

3.8 Mine Subsidence

The land is proclaimed to be in a mine subsidence district within the meaning of Section 15 of the *Mines Compensation Act 1961*.

3.9 Surrounding Area

The general character of the surrounding area is shown in the aerial photo in **Figure 3** and the various photos throughout this report. The site is located in a residential area, on the western edge of the Charlestown town centre.

The building where the Learning Centre is contained is bounded by:

- Residential properties to north;
- Land zoned E2 – Environmental Conservation associated with the stream and riparian corridor of Winding Creek to the east and south; and
- Buildings and existing car parks associated with the Allambi Care activities on the site.

The Great North Walk crosses the site to the south of existing development linking Lara Close to the west and Anjon Street to the east.

Hillsborough Primary School lies approximately 400m to the north west of the site on Jennifer Street, Charlestown.



4 STATUTORY PLANNING CONTROLS

4.4 Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulations 2000

Pursuant to Section 4.36(2) of the EP&A Act:

(2) A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.

The proposal is classified as SSD on the basis that it falls within the requirements of clause 15 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP), being:

- *Development for the purpose of a new school (regardless of the capital investment value).*

4.5 Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act), provides a framework for addressing impacts on biodiversity from development and clearing. It establishes a framework to avoid, minimise and offset impacts on biodiversity from development through the Biodiversity Offsets Scheme (BOS).

Section 7.9 of the BC Act requires SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless an exemption from this requirement has been provided in the form of an approved BDAR waiver request. This waiver request has been completed and submitted on the NSW Government Major Projects website together with this Scoping Report.

For the purpose of deciding whether the requirement for a BDAR can be waived, a proposed development could be considered as unlikely to have any significant impact on biodiversity values if it will not clear or remove native vegetation other than:

- a few single trees with no native understorey in an urban context
- planted native vegetation that is not consistent with a Plant Community Type (PCT) known to occur in the same Interim Biogeographic Regionalisation of Australia (IBRA) subregion (e.g. street trees, trees in carparks, landscaping)
- will have negligible adverse impacts on threatened species or ecological communities, considering habitat suitability, abundance and occurrence, habitat connectivity, movement and water sustainability including consideration of any nonnatural features, non-native vegetation and human-built structures
- will have negligible adverse impacts on protected animals because of impacts to flight path integrity.

No works are being proposed as part of this change of use DA therefore no vegetation will be impacted up. An exemption is therefore being sought.

4.6 State Environmental Planning Policy (State and Regional Development) 2011

Schedule 1 of SEPP (State and Regional Development) 2011 identifies State Significant Development as follows:

"15 Educational establishments

- (1) Development for the purpose of a new school (regardless of the capital investment value).*
- (2) Development that has a capital investment value of more than \$20 million for the purpose of alterations or additions to an existing school..."*



Although the Learning Centre is operating in a manner equivalent to an educational facility the change of use is required in order to enable AC to satisfy the requirements of the NSW Education Standards Authority (NESA) registration process. AC has to provide *'written evidence that the proposed premises and buildings comply with all legislation relevant at the time of occupation; AND provide written evidence that the proposed premises have approval from the local Council to be used for their intended purpose'*.

Therefore, approval for an *'educational establishment'* is required as the Learning Centre is within a Community Facility.

The proposed change of use only applies to the Learning Centre portion of the existing development and will not result in an intensification of the use or increase in occupancy and no additional building or construction works (either external or internal) are proposed.

Notwithstanding the above, the proposed change of use will result in a new school and as such is identified as State significant development under the SEPP. This document has been prepared to have the project registered as State significant and request the SEARs.

Section 4.39(a) of the EP&A Act requires an EIS to accompany an application for State significant development.

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

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education and Child Care SEPP) seeks to improve certainty and efficiency of planning for education and childcare establishments. Part 4 identifies specific development controls for schools. The development will consider the specific development controls in the SEPP.

Clause 35 of the Education and Child Care SEPP states development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone. The proposed development is permissible with consent in the R2 Low Density Residential pursuant to Clause 35.

Clause 35(6) requires:

Before determining a development application for development of a kind referred to in subclause (1), (3) or (5), the consent authority must take into consideration—

(a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4, and

(b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.

The proposal will respond to the design quality principles as outlined in Table 1 and will be designed to enable the use of school facilities to be shared with the community.

Principle	Comment
Principle 1 - Context, built form and landscape	The proposed development will not result in an intensification of the use or increase in occupancy and no additional building or construction works (either external or internal) are proposed. The proposed change of use will not impact upon the existing built form and landscaping.



Principle 2 - Sustainable, efficient and durable	The site is developed, notwithstanding where necessary, consideration for the Government Architect of New South Wales (GANSW) Environmental Design in Schools will be given
Principle 3 - Accessible and inclusive	An access report was prepared and approved as part of DA 2225/2017, with the building constructed in accordance with this report. Notwithstanding, this report will be amended and submitted with the EIS to ensure the school will meet the relevant requirements to be accessible and inclusive.
Principle 4 – Health and safety	Crime Prevention Through Environmental Design (CPTED) were considered and incorporated in the original design and development of the building.
Principle 5 – Amenity	The existing Learning Centre was designed to provide enjoyable and appealing spaces that are accessible to all our students. No works are proposed as part of this change of use.
Principle 6 - Whole of life, flexible and adaptive	The Learning centre has been designed to provide flexible and adaptive spaces. No changes are proposed.
Principle 7 – Aesthetics	No changes are proposed as part of this proposal. A further detailed assessment of the proposal against the Education SEPP will be undertaken within EIS.

Part 7, Clause 57 relates to traffic generating development. Educational establishments that have a capacity of 50 or more students is considered a Traffic Generating Development that needs to be referred to Transport for NSW (TfNSW) previously Roads and Maritime Services (RMS). No change is proposed in the number of students attending which is 20 and therefore the proposal is not considered traffic generating development and will not need to be referred to TfNSW.



4.8 Lake Macquarie Local Environmental Plan 2014

The Lake Macquarie Local Environmental Plan 2014 (LEP) provides a planning framework to facilitate development in an appropriate manner with due consideration to ecologically sustainable development. Relevant Clauses of the LEP are discussed in Table 4.1.

Educational establishments are not permitted in the R2 zones under the LEP, however, permissibility for an educational establishment is achieved through Clause 33 of SEPP Education and Child Care as the proposed development would occur in a prescribed zone.

Relevant Clauses of the LEP are discussed in Table 4.1.

Clause	Consistency
1.2 Aims	The LEP provides for appropriate development within the LGA. The proposal has given due consideration to the site and surrounds and is in keeping with the aims of the LEP.
2.1 Land use zones	The site area where the development will be contained in zoned R2 Low Density Residential.
2.3 Zone objectives	<p>The objectives of the R2 zone are:</p> <ul style="list-style-type: none"> ➤ 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 encourage development that is sympathetic to the scenic, aesthetic and cultural heritage qualities of the built and natural environment. <p>An 'educational establishment' is not permitted in the R2 zones under the LEP, however, permissibility for an educational establishment is achieved through Clause 33 of SEPP Education and Child Care as the proposed development would occur in a prescribed zone.</p> <p><i>"educational establishment means a building or place used for education (including teaching), being—</i></p> <ul style="list-style-type: none"> <i>(a) a school, or</i> <i>(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.</i> <p>Although not permissible under the LEP it is considered that the proposed development is consistent with the above objectives for the following reasons:</p> <ul style="list-style-type: none"> ➤ The development will not compromise the redevelopment of surrounding land for low-density housing. ➤ No works are proposed therefore the proposed school can operate without affecting the residential amenity of the surrounding area. <p>No works will occur including within the E2 Environmental Conservation or E4 Environmental Living zones.</p>
4.3 Height of buildings	No works are proposed therefore the height will not change.



7.1 Acid sulfate soils	Council records indicate the site is not affected by acid sulfate soils.
7.2 Earthworks	<p>The objectives of this clause are to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>No works are proposed.</p>
7.21 Essential services	Essential services will be provided to the proposed development.



5 POTENTIAL ENVIRONMENTAL IMPACTS

5.4 Land Use

5.4.1 Existing Environment

AC has occupied the site since 2011 for the uses approved pursuant to DA 1016/2010, DA 1016/2010A and DA2225/2017 inclusive of the Learning Centre Building which is a division of the approved Community Facility.

The site consists of land zoned R2 Low Density Residential, E2 Environmental Conservation and E4 Environmental Living zones. All development on site is contained within the R2 zoned land.

The surrounding land is zoned R2 and consists predominantly of residential land with Hillsborough Primary School situated approximately 400m to the north west of the subject site within the R2 zone.

5.4.2 Potential Impacts

The proposed change of use only applies to the Learning Centre portion of the existing development and will not result in an intensification of the use or increase in occupancy and no additional building or construction works (either external or internal) are proposed.

Given the proposal is for a change of use by name and definition only it is anticipated there will be no potential impacts. There will be no changes to the existing built form.

5.4.3 Proposed Environmental Assessment

As with the previous DA including DA2225/2017 under which an extension to the learning centre and car park were granted development consent, consideration will be given to adjacent land uses and potential impact such as hours of operation, traffic and access, noise, and site management. Notwithstanding, as the proposed development is for a change of use with the current use operating in this location for over 10 years the potential impact on land use is likely to be moderate if at all.

5.5 Traffic and Access

5.5.1 Existing Environment

Fraser Parade provides the only vehicle access to the subject site, with this road continuing into the site and acting as a circulation roadway for parking lots on-site, before terminating at a cul-de-sac. The surrounding land use consists mostly of residential dwellings.

All students attending the Learning Centre are in our out-of-home-care programs and reside with Youth workers and carers in homes managed by Allambi Care. Students currently attending the learning centre are brought to and leave site by their Carer's.

There will be no change to traffic numbers or access. It is relevant to note since the original approval of the learning centre pursuant to DA1016/2010, 60 additional parking spaces are now provided on site as approved by DA2225/2017.



5.5.2 Potential Impacts

Parking demand will not increase as a result of the proposed change of use.

5.5.3 Proposed Environmental Assessment

A Traffic Impact Assessment was prepared for all previously approved DA's. An amendment to the Traffic Impact Assessment prepared by SECA Solutions in 2017 will be prepared confirming whether the previous considerations and recommendations are relevant to the proposed school operations.

This will be submitted with the EIS.

As discussed previously, the proposed development is not considered Traffic Generating Development and require referral to TfNSW.

5.6 Noise and Vibration Impacts

5.6.1 Existing Environment

The site is currently developed and used for a community facility including the existing learning centre.

5.6.2 Potential Impacts

No potential impacts anticipated as the proposal is for a change of use effectively by name only.

5.6.3 Proposed Environmental Assessment

Noise was assessed as part of the original DA and the site has operated in accordance with the conditions of consent associated with the existing community facility and learning centre.

5.7 Soils, Geology and Contamination

5.7.1 Existing Environment

A geotechnical report has previously been approved by LMCC. The site is mapped as containing acid sulfate soils.

5.7.2 Potential Impacts

No earthworks are proposed and therefore no potential impacts.

5.7.3 Proposed Environmental Assessment

N/A

5.8 Air quality

5.8.1 Existing Environment

The site is currently developed and used for a community facility including a learning centre component.

5.8.2 Potential Impacts

No construction is proposed. No potential impacts anticipated as the proposal is for a change of use effectively by name only.

Operation of the school is unlikely to result in air impacts.



5.8.3 Proposed Environmental Assessment

No potential impacts anticipated as the proposal is for a change of use effectively by name only.

5.9 Water Quality and Hydrology

5.9.1 Existing Environment

Winding Creek runs through the low point on the site. The land slopes relatively steeply upwards from this creek. All existing development is in the area outside of the 40m buffer from Winding Creek.

5.9.2 Potential Impacts

No works are proposed and therefore will NOT require a controlled activity approval under Part 3 of the *Water Management Act 2000*.

5.9.3 Proposed Environmental Assessment

No potential impacts anticipated as the proposal is for a change of use effectively by name only.

5.10 Flora, Fauna and Bushfire

5.10.1 Existing Environment

The site of the proposed school is developed. The RFS were consulted with at the time of the original DA.

The site is considered bushfire prone land and the proposed development is considered a Special Fire Protection Purpose under Section 100B of the *Rural Fires Act 1997*.

5.10.2 Potential Impacts

Bushfire has potential to be a risk to the safety of occupants of the college. Bushfire risks can include smoke inhalation and direct exposure to radiant heat. A bushfire safety authority will be required from the NSW Rural Fire Service.

5.10.3 Proposed Environmental Assessment

A pre-DA application has been lodged with the RFS to discuss the proposal.

A bushfire threat assessment will be prepared and lodged with the EIS.

5.11 Heritage – Aboriginal

5.11.1 Existing Environment

A search of the Aboriginal Heritage Information System on 24 March 2021 did not identify any Aboriginal sites or places (**Appendix 2**).

5.11.2 Potential Impacts

Aboriginal heritage is protected under the *National Parks and Wildlife Act 1974*.

5.11.3 Proposed Environmental Assessment

Given no works are proposed An Aboriginal Heritage Due Diligence Assessment is not considered necessary.



5.12 Heritage – non-Aboriginal

5.12.1 Existing Environment

The site does not contain a known item of non-Aboriginal heritage.

5.12.2 Potential Impacts

There are no State and Local heritage items located on the site or in close proximity.

5.12.3 Proposed Environmental Assessment

Given the site is not identified as having heritage significance nor are any works proposed an Heritage Assessment is not considered necessary.

5.13 Visual impacts

5.13.1 Existing environment

The study area involves a typical low-density environment with a mix of residential, school and recreation land uses. The proposed school will be contained within an existing learning centre on a site.

5.13.2 Potential impacts

The proposed development will not alter the current visual environment.

5.13.3 Proposed Environmental Assessment

No further consideration is required as the development in the locality will not impact upon the environment.

5.14 Social and Economic

5.14.1 Existing Environment

The site is currently developed and used for a community facility including a learning centre component. The work undertaken by Allambi Care has obvious social benefits which are backed by Australian and international research.

5.14.2 Potential Impact

The proposal will have minimal impact upon given it has been operating in its existing form since being issued with an Occupation Certificate in August 2013 and November 2019. Student and staff numbers will remain as identified in Section 2.2.1 of this report.

5.14.3 Proposed Environmental Assessment

Future environmental assessment will discuss existing social and economic conditions and potential impacts of the proposed development. Assessment of social and economic impacts of the proposed development may be informed by consultation with stakeholders including teaching staff.

As the proposal comprises a change of use of the learning centre component of an approved and operational Community Facility to an educational establishment (school) it is considered that a detailed Social Impact Assessment would serve little purpose in assisting the assessment of this DA.



5.15 Building Code and Access

5.15.1 Existing Environment

An Occupational Certificate was issued in August 2013 and November 2019 for the existing development on site inclusive of the Learning Centre.

The existing development has been designed and constructed in accordance with the requirements of the Building Code of Australia and provides legible, safe and inclusive access for all.

5.15.2 Potential Impacts

As the existing learning centre has been constructed in accordance with the relevant requirements of the BCA any potential impacts are considered minor.

5.15.3 Proposed Environmental Assessment

The Access Report previously prepared by Lindsay Perry for DA DA2225/2017 will be amended confirming whether the previous provisions comply with the standards required for the proposed school. This will be submitted with the EIS.

5.16 Waste

5.16.1 Existing Environment

Waste is currently removed from site by way of a private contractor.

5.16.2 Potential Impacts

No demolition is proposed.

Operational waste will continue to be managed in accordance with the current waste management arrangements previously approved under DA 1016/2010A and DA2225/2017.

5.16.3 Proposed Environmental Assessment

The operational requirements of the school will be the same as those currently associated with the learning centre and therefore no additional waste is anticipated. A Waste Management Plan can be lodged with the EIS if required.

5.17 Cumulative issues

Cumulative impact of the proposal will be considered. Given the nature of the proposal cumulative issues are considered minimal.



6 CONCLUSION

Allambi is a leader in the provision of quality professional services to the community. These include Youth Refuge, Residential, Foster Care and Disabilities programs, Adolescent counselling and an internal Learning Centre. Forming partnerships with other organisations and setting the standard for delivery of care to those children and young people in our community who require Allambi's support is integral.

Allambi is a not-for-profit organisation and endeavours to ensure all children and young people in their care are provided with the services, skills, learning opportunities and life skills essential to become happy, capable, independent and mature adults.

The operational details of Allambi Care in particular those associated with the existing Learning Centre will not be altered in anyway as a result of this proposal.

The request for SEARs outlines potential environmental impacts of the proposed development and how these have been or will be considered and assessed. The statutory framework and associated approvals required is also outlined. This document is a request for SEARs to address in preparation of the EIS. It is likely the following specialist reports will be required:

- Bushfire threat assessment
- Addendum to existing traffic and parking
- Addendum to Access Report

Risks to the environment from the project based on information available at this time are presented and discussed. Future environmental assessment will consider matters that affect or may affect the environment in relation to the proposed development.



APPENDICES



APPENDIX 1

DA Approved plans prepared by CKDS Architecture



APPENDIX 2

AHIMS searches 24 March 2021

