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APPENDIX 4

Statutory Compliance Tables

Prepared for: School Infrastructure NSW
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1 Environmental Planning & Assessment Act – consistency with the Objects

Proposed Development's Consistency with the Objects of the EP&A Act		
Object of the EP&A Act	Assessment	Consistent
(a) <i>To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i>	The proposal will make use of urban zoned land for an educational establishment to service the growing residential population in the locality. The proposal will not result in significant adverse water impacts and will improve the social and economic welfare of the community.	Yes
(b) <i>To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The proposal includes various measures aimed at minimising energy and water consumption and is considered to be consistent with the objectives of Sustainability Report (Appendix 23).	Yes
(c) <i>To promote the orderly and economic use and development of land,</i>	The site is zoned for urban development and has been used as a school for nearly 60 years. The proposal will result in the orderly and economic development of the land.	Yes
(d) <i>To promote the delivery and maintenance of affordable housing,</i>	This object is not applicable to the proposal.	N/A
(e) <i>To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	The proposal is considered to have a minimal impact on native animals and plants, including threatened species, populations and ecological communities and their habitats (Appendix 26).	Yes
(f) <i>To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	The proposal has been informed by detailed and involved input regarding heritage (Sections 6.2.1. and 6.2.2. , and Appendix 10 and 16 of the Assessment).	Yes
(g) <i>To promote good design and amenity of the built environment,</i>	An Architectural Design Statement (Appendix 7) has been provided which addresses good design and amenity of the built environment, as set out in Section 6.1 of the EIS.	Yes
(h) <i>To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>	The design has been assessed as being capable of complying with the BCA, Australian Standards and the DDA as outlined in Section 6.9 of the assessment and Appendix 21 and 22 .	Yes
(i) <i>To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State, and</i>	The proposed development has been assessed against the various Commonwealth and State statutes and local policies and has involved consultation with relevant levels of government.	Yes
(j) <i>To provide increased opportunity for community participation in environmental planning and assessment.</i>	The proponent has actively engaged with relevant government agencies and further consultation will be undertaken during the statutory assessment process.	Yes

2 SEPP 64 – Advertising and Signage

Assessment under SEPP No. 64 – Advertising and Signage	
Provision	Assessment
Clause 3 – Aims, Objectives	
(a) to ensure that signage (including advertising): (i) is compatible with the desired amenity and visual character of any area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design and finish, and	<p>The character of the locality in the vicinity of the Site generally consists of residential development and commercial development with supporting educational development, and open space.</p> <p>The proposed signage identifies the name of the new school at the entry, providing effective communication in a suitable location for the Owen Street frontage. The signage is of a high-quality design and will utilise a high-quality metal finish.</p>
(b) to regulate signage (but not content) under Part 4 of the Act	An assessment of the proposed signage in respect to Part 4 of the EP&A Act, in particular the relevant matters for consideration under Section 79C(1) is provided within this EIS.
(c) to provide time-limited consents for the display of advertisements in transport corridors, and	N/A
(d) to regulate the display of advertisements in transport corridors, and	N/A
(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.	N/A
Schedule 1 Criteria	
Character of the Area	<p>The character of the locality in the vicinity of the Site generally consists of a residential, commercial and coastal setting with supporting open space.</p> <p>The proposed signage is of a scale which is considered suitable for the length and height of the built form and the size of the Site and will not dominate the streetscape of Owen Street Appendix 2</p> <p>The signage is of a high-quality design and will utilise a high-quality metal finish.</p>
Special Areas	The proposed signage will not detract from the amenity or visual quality of the Site.
Views and Vistas	No views or vistas will be adversely affected by the proposed signage.
Streetscape, Setting or Landscape	The proposed signs are of a scale which is considered suitable for the length and height of the entry wall, the size of the Site and the road frontages and will not dominate the streetscape of Owen Street.
Site and Building	<p>The extent of the signage is reasonable having regard to the scale and street-front distribution on the Site.</p> <p>In terms of area, the signage will comprise an almost negligible proportion of the street frontage of the site, in this case to Owen Street.</p>
Associated devices and logos with advertisements and advertising	No associated devices are proposed.
Illumination	N/A
Safety	<p>The proposed building signage will be of metal construction fixed to the entry wall. The proposed signage will have no adverse public safety concerns for pedestrians, cyclists or motorists.</p> <p>In addition, the proposed sign will not obscure or interfere with road traffic signs and signals.</p>

3 Port Macquarie-Hastings Local Environmental Plan 2011

Assessment against relevant provisions of LEP 2011

Provision	Assessment
Clause 1.2 Aims of Plan (2) The particular aims of this Plan are as follows— (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts, (a) to protect, conserve and sustainably manage the ecological biodiversity and natural environment of the Port Macquarie-Hastings area, (c) to manage and coordinate the orderly, equitable and economic use and development of land within the Port Macquarie-Hastings area, (d) to facilitate the provision and coordination of community services and facilities within the Port Macquarie-Hastings area, (h) to provide a land use framework for development within the Port Macquarie-Hastings area that is safe, inclusive and equitable, and caters for the housing, employment, entertainment, cultural, welfare and recreational needs of residents and visitors, (j) to identify and protect features of environmental, cultural or visual importance within the Port Macquarie-Hastings area, (k) to ensure that new urban development makes a positive contribution to the public domain and streetscape	The proposal meets the aims of the Plan through the inclusion of new Creative and Performing Arts and PCYC facilities and retention and enhancement of remnant vegetation along Owen Street.
Clause 2.3 Zone objectives and Land Use Table - R3 Medium Density Residential Objectives of the R3 zone <ul style="list-style-type: none"> To provide for the housing needs of the community within a medium density residential environment. To provide a variety of housing types within a medium density residential environment. To enable other land uses that provide facilities or services to meet the day to day needs of residents. 	The proposal will provide The NSW Department of Education with greater capacity to provide public education to the local community. The proposed works will provide high quality learning and teaching spaces with flexible layout arrangements and durable finishes ensuring the proposal operates as a long-life, high utility and low-maintenance educational establishment.
Clause 4.3 Height of buildings Objectives <ul style="list-style-type: none"> (a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality, (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development, (c) to minimise the adverse impact of development on heritage conservation areas and heritage items, (d) to nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan. 	The site has a maximum building height of part 19m and part 26.5m. The proposed new works propose a maximum height of 13.88m. This height sits comfortably within the existing school setting and surrounding development.
Clause 4.4 Floor Space Ratio Objectives	

Assessment against relevant provisions of LEP 2011	
Provision	Assessment
<ul style="list-style-type: none"> (a) to regulate density of development and generation of vehicular and pedestrian traffic, (b) to encourage increased building height and site amalgamation at key locations, (c) to provide sufficient floor space for high quality development for the foreseeable future, (d) to ensure that buildings are compatible with the bulk and scale of the existing and desired future character of the locality. 	<p>The site has a maximum Floor Space Ratio of 1.5:1. With the new works, a Floor Space ratio of 0.327:1 is proposed.</p>
<p>Clause 5.10 Heritage Conservation</p> <p>Objectives</p> <ul style="list-style-type: none"> (a) to conserve the environmental heritage of Port Macquarie-Hastings, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance. 	<p>The site is not heritage listed and has no items or places of heritage significance. However, given the role of Port Macquarie in early European settlement of Australia, and the importance of the school in relation to the history of education pedagogy, a Statement of Heritage Impact was prepared. The SOHI provides a Statement of Heritage Impact and makes recommendations for local listings that will be considered by SINSW as part of its heritage management responsibilities.</p>
<p>Clause 7.2 Earthworks</p> <p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters—</p> <ul style="list-style-type: none"> (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality, (b) the effect of the proposed development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the proposed development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area. 	<p>Earthworks will be required for the CAPA and PCYC buildings and PCYC basement carpark. Other minor earthworks may be required for landscaping purposes. There is a drainage line that will require re-alignment due to the location and earthworks required for the PCYC (particularly for the basement carpark).</p>
<p>Clause 7.3 Flood planning</p> <p>Objectives</p> <ul style="list-style-type: none"> (a) to minimise the flood risk to life and property associated with the use of land, (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change, (c) to avoid significant adverse impacts on flood behaviour and the environment. 	<p>A Flood statement has been prepared by Northrop to confirm the site is not affected by flood.</p>
<p>Clause 7.7 Airspace operations</p> <p>(2) Before determining a development application for development to which this clause applies, the consent authority—</p> <ul style="list-style-type: none"> (b) must consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021—2000, Acoustics—Aircraft noise intrusion—Building siting and construction 	<p>JHA has confirmed in the Noise and Impact Assessment the site is not impacted by aircraft noise. Appendix 20</p>

Assessment against relevant provisions of LEP 2011	
Provision	Assessment
<p>Clause 7.13 Essential Services</p> <p>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 proposed development are available or that adequate arrangements have been made to make them available when required—</p> <ul style="list-style-type: none"> (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 road access. 	<p>An infrastructure Delivery Plan has been prepared by JHA Appendix 15 which indicates that essential services are currently available to the site and available for future use for the proposed development. Some upgrades will be required, however, to be detailed after further correspondence with utility providers.</p>

4 Port Macquarie-Hastings Development Control Plan 2013

Assessment against Relevant Provisions of Port Macquarie-Hastings DCP 2013		
Provision	Assessment	Consistent
Part B1: Advertising and Signage		
<p>Objective</p> <ul style="list-style-type: none"> To ensure that signage: <ul style="list-style-type: none"> – is compatible with the desired amenity and visual character of an area, and – is of high-quality design and finish, and – does not dominate the streetscape, and – does not add to proliferation of signage, and – does not obscure or limit the view of motorists or pedestrians, and – does not reduce the safety of pedestrians, cyclists or vehicles using public roads or footpaths – does not include directions to traffic (such as turn left now or wrong way), and – does not imitate official regulatory signage or be capable of being confused with regulatory signage, – does not adversely affect the amenity of residential properties. 	<p>The proposed school identification sign is mounted to the entry wall and is located wholly within the boundary of the school.</p> <p>The signage comprises 3 lines of lettering 'HASTINGS SECONDARY COLLEGE PORT MACQUARIE CAMPUS' at 300mm high with a depth of 100mm., however does not impede any walkways, access or landscaping.</p> <p>No lighting of the sign is proposed.</p>	Yes
Part B2 Environmental Management		
Waste Management and Minimisation		
<p>Objective</p> <ul style="list-style-type: none"> To reduce waste to landfill To maximise source separation of general waste, recycling and food and garden organics To establish standard provisions for determining waste management requirements in developments To embed sustainable and effective waste management practices at events To ensure developments are designed with adequate storage, access and management of waste To embed circular economy principles by supporting the minimization of waste and promoting the continual use of resources <p>Development Provisions</p> <p>a) Development must comply with Council's Developments, Public Place & Events - Waste Minimisation and Management Policy.</p>	<p>A Construction Waste Management Plan (CWMP) (Appendix 24) and an Operational Waste Management Plan (OWMP) (Appendix 25) have been prepared by Elephants Foot. The Plans identify the likely waste streams to be generated during the construction and operation phases of the development.</p> <p>The Waste Management Plans outline measures to avoid the generation of unnecessary waste, minimise the volume of waste to be collected, and recycle, reuse and recover waste generated by the proposed works.</p>	
Cut and Fill Regrading		
<p>Objective</p> <ul style="list-style-type: none"> To ensure that design of any building or structure integrates with the topography of the land to: <ul style="list-style-type: none"> – Minimise the extent of site disturbance caused by excessive cut and fill to the site. – Ensure there is no damage or instability to adjoining properties caused by excavation or filling. – Ensure that there is no adverse alteration to the drainage of adjoining properties. – Ensure the privacy of adjoining dwellings and private open space are protected. – Ensure that adequate stormwater drainage is provided around the perimeter of buildings and that overflow paths are provided. <p>Development Provisions</p> <p>a) Development shall not exceed a maximum cut of 1.0m and fill of 1.0m measured vertically above the</p>	<p>Cut and fill is required for both the CAPA and PCYC.</p> <p>The CAPA requires:</p> <ul style="list-style-type: none"> • Cut: 110m³ • Fill: 700m³ • Balance: 590m³ fill • Max fill depth: 1.4m • Max Cut depth: 2m <p>The PCYC requires about of approximately 2000m³ predominantly to meet the parking requirements associated with the facility.</p> <p>The cut and fill exceed the maximum 1m, however the topography of the site should be considered when assessing the cut/ fill required</p>	Refer to assessment column

Assessment against Relevant Provisions of Port Macquarie-Hastings DCP 2013		
Provision	Assessment	Consistent
ground level (existing) at a distance of 1.0m outside the perimeter of the external walls of the building (This does not apply to buildings where such cut and fill is fully retained within or by the external walls of the building).	for the CAPA and the inclusion of a basement parking for the PCYC.	
B3 Hazards Management		
Airspace Protection Objective <ul style="list-style-type: none"> To minimise risk of obstacles to aircraft such as bird strike Development Provisions <p>a) Development shall not result in emission of airborne particulate or produce a gaseous plume with a velocity exceeding 4.3m per second that penetrates operational airspace. Refer Manual of Standards Part 139 – Aerodromes, Civil Aviation Safety Authority.</p>	N/A - The proposal is not located within operational airspace.	N/A
Part B4 Transport, Traffic Management, Access and Car Parking		
Parking Provision Objective <ul style="list-style-type: none"> To ensure adequate provision is made for off-street parking commensurate with volume and turnover of traffic likely to be generated by the development. To ensure no adverse impacts on traffic and road function. Development Provision <p>a) Off-street Parking is provided in accordance with Table 3 of the DCP (shown under traffic generating development)</p> <p>b) Where a proposed development does not fall within any of the listed definitions, the provision of on-site parking shall be supported by a parking demand study.</p> <p>c) Where a proposed development falls within more than one category Council will require the total parking provision for each category</p>	<p>A Traffic Assessment and Preliminary Student Transport Plan are provided at Appendix 17 and 18 which details the current and proposed parking arrangements.</p> <p>The provision of 19 new parking spaces and 2 minibus spaces are proposed for the PCYC. No on-street parking is currently provided or proposed for the College as the student numbers are not predicted to grow beyond current levels</p>	Refer to assessment column
Parking Layout Objective <ul style="list-style-type: none"> Parking areas and access-ways are easy and safe to use by vehicles and pedestrians without conflict. <p>a) Visitor and customer parking shall be located so that it is easily accessible from the street.</p> <p>d) Parking design and layout is provided in accordance with AS/NZS 2890.1 - Parking facilities - Off-street car parking and AS 2890.6 - Off-street parking for individuals with a disability and AS/NZS 2890.2 - Parking facilities - Off-street commercial vehicle facilities.</p>	<p>A Traffic Assessment and Preliminary Student Transport Plan are provided at Appendix 17 and 18 which details the current and proposed parking arrangements.</p> <p>The proposed carpark for the PCYC has been designed to meet the relevant standards.</p>	Refer to assessment column
Traffic Generating Development Objective <p>Developments that generate significant levels of traffic are referred to the Roads and Maritime Services for consideration.</p> Development Provisions <p>a) Traffic Generating Development as defined under SEPP (Infrastructure) 2007 is referred to Roads and Maritime Services. (Refer to Clause 104 and Schedule 3 of the SEPP).</p>	<p>A Traffic Assessment and Preliminary Student Transport Plan are provided at Appendix 17 and 18 which details the current and proposed parking arrangements.</p>	Refer to assessment column

Assessment against Relevant Provisions of Port Macquarie-Hastings DCP 2013		
Provision	Assessment	Consistent
<p><i>Table 3: Car Parking Requirements</i></p> <p><i>Educational Establishments (schools)</i> 1 per staff member + 1 per 8 students [Year 12 students] + 1/30 students for visitors. Adequate bus pickup/set down area provided + delivery/service vehicle area.</p> <p>Gym – 7.5 spaces per court</p>		
B5 Social Impact and Crime Prevention		
<p>Social Impact Assessment</p> <p>Objective</p> <ul style="list-style-type: none"> To ensure adverse impacts are identified and mitigation or avoidance measures are adopted to minimise or eliminate social impact on individuals and the community. <p>Development Provisions</p> <p>a) A social impact assessment shall be submitted in accordance with the Council's Social Impact Assessment Policy</p>	<p>A Social Impact Assessment is provided at Appendix 27</p>	Yes
<p>Crime Prevention</p> <p>Objective</p> <p>Development should be designed to deter crime and vandalism and facilitate:</p> <ul style="list-style-type: none"> personal and property security; casual surveillance of public areas; activity and interaction within public spaces and movement networks <p>Development Provisions</p> <p>a) The development addresses the generic principles of crime prevention:</p> <ul style="list-style-type: none"> Casual surveillance and sightlines; Land use mix and activity generators; Definition of use and ownership; Basic exterior building design; Lighting; Way-finding; and Predictable routes and entrapment locations; as described in the Crime Prevention Through Environmental Design (CPTED) principles. 	<p>The proposal has been designed in accordance with the CTPED Principles.</p> <p>A CPTED Assessment has been provided in Appendix 34</p>	Refer to assessment column
Part D2 Port Macquarie East		
<p>Building Height</p> <p>Objective</p> <ul style="list-style-type: none"> To provide for finer grain neighbourhood level guidance in assessment of building heights under the local environmental plan, ensuring development responds to the desired scale and character of the street and precinct. To reduce the visual impact of buildings on coastal views from the public domain. To encourage buildings that are not overbearing on adjacent open space. <p>Development Provisions</p> <p>a) Buildings do not exceed the maximum height of buildings shown in the local environmental plan maps.</p> <p>c) Where buildings exceed three storeys, the upper storey is set back from the front facade of the building by three metres.</p>	<p>The proposed new works have a maximum building height of 13.88m and are in keeping with the character of the local area.</p>	Yes

Assessment against Relevant Provisions of Port Macquarie-Hastings DCP 2013		
Provision	Assessment	Consistent
Streetscape and Front Setbacks Objective <ul style="list-style-type: none"> • Front setbacks are to provide adequate open space for landscaping, visual and acoustic privacy. • To provide a streetscape that is consistent and complementary to existing development. Development Provisions <p>a) In an established street, the primary setback should be within 20% of the average setback of the adjoining buildings in a R1 General Residential zone.</p> <p>b) A minimum setback of 3.0m is required from all street frontages in a R3 Medium Density Residential and R4 High-Density Residential zone.</p>	<p>Due to existing development on site, and widths required for building separation and walkways, the proposed CAPA building is 2.8m.</p> <p>The PCYC is compliant with the minimum 3m setback.</p>	<p>See assessment column</p>