



Planning &
Environment

**STATE SIGNIFICANT DEVELOPMENT
ASSESSMENT REPORT:
Wahroonga Adventist School
167–181 Fox Valley Road Wahroonga
(SSD 5535)**



Secretary's Environmental Assessment Report
Section 89H of the *Environmental Planning and
Assessment Act 1979*

April 2015

ABBREVIATIONS

Applicant	Seventh-day Adventist, Greater Sydney Conference
CIV	Capital Investment Value
Consent	Development Consent
Council	Ku-ring-gai Council
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EPA	Environmental Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
KPSO	Ku-ring-gai Planning Scheme Ordinance
Minister	Minister for Planning
OEH	Office of Environment and Heritage
RMS	Roads and Maritime Services
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development

Cover Photograph: View south along Fox Valley Road.

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EXECUTIVE SUMMARY

This report is an assessment of a State significant development application (SSD 5535) lodged by Seventh-day Adventist, Greater Sydney Conference (the applicant) seeking approval for the staged construction of a three to four storey school and associated sporting facilities and playing fields, basement car park, subdivision and a new site access road and intersection with Fox Valley Road.

The subject site is located at 167-181 Fox Valley Road, Wahroonga within the Ku-ring-gai Local Government Area (LGA). The site has a total area of 1.42 hectares and is currently occupied by temporary demountable educational buildings, temporary car park for construction workers (approved under MP10_0070) and existing grassed areas. The site is located approximately five kilometres south of Hornsby town centre and 23 kilometres north-west of the Sydney central business district.

The proposal, known as the Wahroonga Adventist School, consists of the development of an 8,158 sqm, three to four storey school and associated basement car park and set down/pick up facilities, accommodating up to 800 Kindergarten to Year 12 (K-12) students and associated school sporting facilities, including playing fields and physical education courts. The proposed development also involves the construction of a new site access road and new signalised intersection with Fox Valley Road.

The CIV of the proposed school is \$39,327,000 and the proposal would generate 156 full time equivalent construction jobs and 37 full time equivalent operational jobs.

The proposal is State significant development because it is development for the purpose of an educational establishment with a capital investment value (CIV) in excess of \$30 million, under clause 15 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011. Therefore the Minister for Planning is the consent authority.

The site is zoned R4 – High Density Residential under the Ku-ring-gai Planning Scheme Ordinance (KPSO). The proposed educational establishment is permissible with consent.

The application was exhibited from 6 November 2014 to 5 December 2014, and relevant agencies and surrounding landowners were notified. The Department received a submission from Ku-ring-gai Council, five submissions from agencies and one submission of support from the general public. Key issues raised in agency submissions relate to: apparent failure to consider School Facilities Standards under the Infrastructure SEPP; perceived poor relationship between the proposed school and future residential flat building development; student amenity and access to outdoor play areas; potential impacts from the playing fields on adjacent E2 – Environmental Conservation zoned land; traffic and pedestrian management; and insufficient assessment of non-car travel transport modes and school related traffic impacts and appropriate mitigation measures.

The applicant provided a Response to Submissions report (RtS) to address the issues raised during exhibition. Minor amendments to increase the setback of the playing fields from the adjacent bushland and the development staging were proposed within the applicant's RtS.

The Department has assessed the merits of the proposal and considers the key issues associated with the proposal to be: bulk and scale; traffic and transport; noise and vibration; environmental and residential amenity; and other matters, including bushfire and stormwater.

The findings of the Department's assessment conclude that:

- the proposed bulk and scale of the proposed school building is satisfactory and generally in keeping with the built form envisaged under the approved concept plan and would not result in any adverse amenity impacts on adjoining land uses;

- the proposed new signalised intersection on Fox Valley Road would operate at very good levels of service and satisfactorily cater for the future school traffic demand;
- the surrounding local road network can satisfactorily accommodate the predicted traffic generated by the proposed school; and
- the increased setback of the playing fields and proposed stormwater management measures will ensure that off-site impacts on adjoining E2 – Environmental Conservation and are satisfactorily mitigated.

These issues have been assessed in detail and the Department is satisfied that any impacts can be adequately mitigated and managed to achieve acceptable levels of environmental performance. The Department has recommended conditions to ensure this occurs. The Department therefore considers that the application should be approved, subject to conditions.

1. PROPOSED DEVELOPMENT AND SITE DESCRIPTION

1.1 The Proposal

This report is an assessment of a State significant development application (SSD 5535) lodged by Seventh-day Adventist, Greater Sydney Conference (the applicant) seeking approval for the staged development of a new three to four storey K-12 school, known as the Wahroonga Adventist School, associated playing fields, new access road and signalised intersection and subdivision. The new school is designed to accommodate up to 800 students, enabling the relocation and expansion of the existing Wahroonga Adventist Primary school from the south of the precinct to the new proposed location. The project location is shown in **Figure 1**. The new school layout is shown in **Figure 2**.

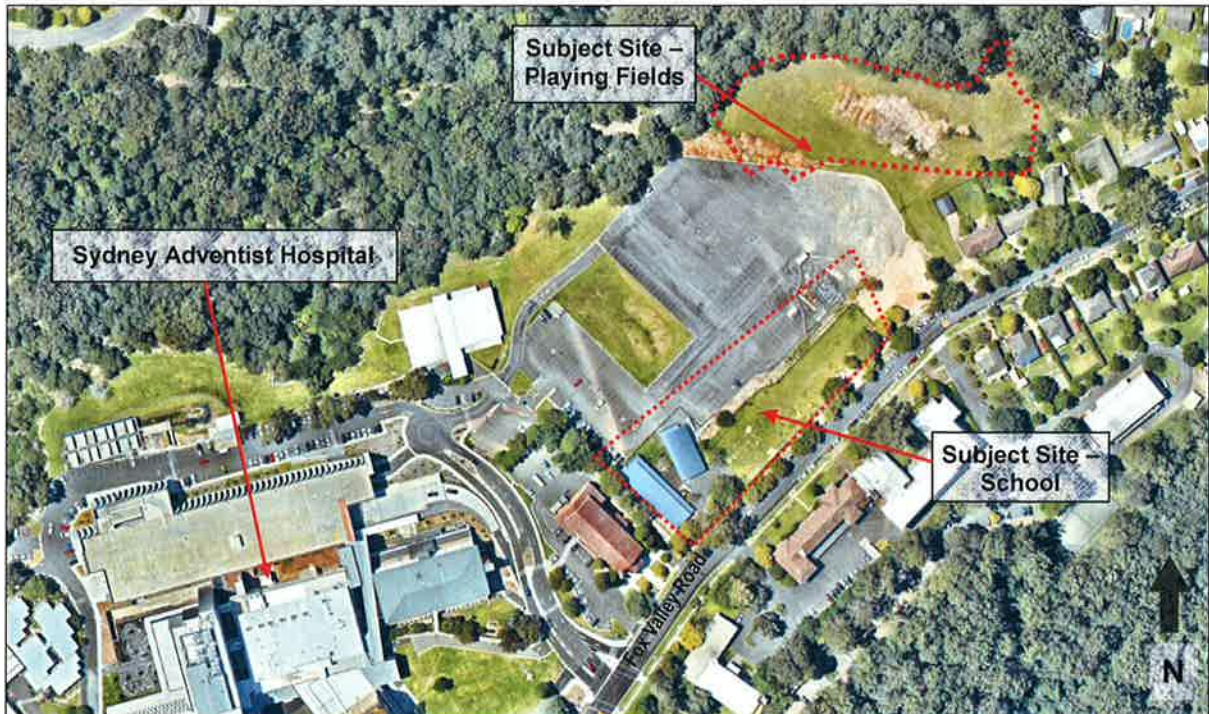


Figure 1: Project Location (source: nearmap.com)

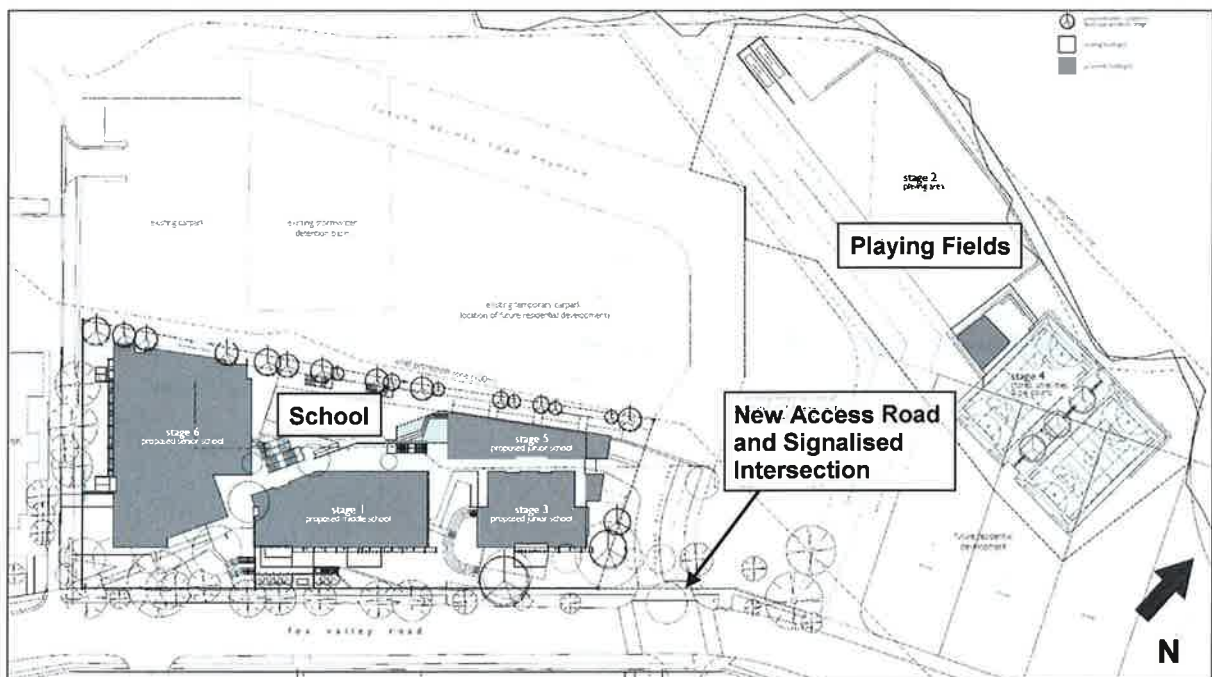


Figure 2: Project Layout

1.2 Site Description and Surrounding Development

The school site is predominantly clear of mature vegetation and is currently occupied by temporary demountable buildings utilised for education purposes and part of a temporary construction worker car park, while a large grassed area covers the proposed playing fields (see **Figure 1**). The site has a total area of 1.42 hectares and is located approximately five kilometres south of Hornsby town centre and 23 kilometres north-west of the Sydney central business district.

The school site has a primary frontage of approximately 125 metres to Fox Valley Road, with the Wahroonga Seventh Day Adventist Church and Sydney Adventist Hospital located immediately adjacent to the south-west, which contains buildings up to 12 storeys in height. Opposite the school site is a large two storey office building, setback approximately ten metres from Fox Valley Road. An existing temporary car park is located to the north-west of the school site, with dense bushland located further north beyond the temporary car park and proposed playing fields, while its north-eastern boundary is characterised by one and two storey detached residential dwellings.

It is noted that under the approved concept plan for the Wahroonga Estate, future residential flat building development is envisaged immediately north of the proposed school, with the school and associated playing fields to be partially separated by this future built form (see **Figure 4**).

The site of the school falls towards the north-west away from Fox Valley Road by approximately 3.5 metres, while the proposed playing fields land falls approximately six to eight metres towards the adjacent bushland to the north.

1.3 Wahroonga Estate Redevelopment Concept Plan

On 31 March 2010, the then Minister for Planning approved a concept plan for the Wahroonga Estate Redevelopment (MP07_0166). The concept plan (see **Figure 3**) established five development precincts, each containing separate GFA controls, land uses and restrictions on the type and dwelling numbers. The approval consisted of the following key elements:

- general layout of land uses;
- maximum gross floor areas (GFA) for land uses;
- the maximum number of dwellings and other accommodation types;
- building heights;
- road design and traffic management works; and
- landscape, open space and public domain treatments, including the protection and management of conservation areas.

Precinct B: Central Church

On 28 July 2014, The Planning Assessment Commission (PAC), as delegate for the Minister for Planning, approved a modification to the concept plan (MP07_0166 MOD 5) to amend the educational establishment and residential building footprints; amend the maximum heights for development associated with an educational establishment; and amend vehicular access arrangements of Precinct B: Central Church.

The approved (as amended) Precinct B: Central Church provides for 9,000 sqm of educational floor space for a K-12 school, 3,200 sqm of place of public worship (PoPW) floor space and provision for nine dwelling houses (retained) and 200 residential flat building (RFB) dwellings. The layout of Precinct B (as amended) is detailed in **Figure 4**.

Sydney Adventist Hospital Redevelopment

On 3 March 2011, the PAC, as delegate for the then Minister for Planning and Infrastructure, approved the project application (MP10_0070) for staged alterations and additions to the SAH, Wahroonga, including the construction of the new Education Centre (referred to as the Faculty of Nursing under the concept plan) and temporary car park for construction workers.

Construction works associated with the staged redevelopment of the hospital have been substantially finalised, with one final stage remaining (with construction works yet to commence).



Figure 3: Wahroonga Estate Redevelopment Concept Plan Layout



Figure 4: Wahroonga Estate Redevelopment – Precinct B Layout

2. PROPOSED PROJECT

2.1 Key Development Components and Features

The proposed State significant development application (SSD 5535) seeks approval for the development of a new three to four storey school and associated sporting facilities and playing fields, basement car park, subdivision and construction of a new site access road and intersection with Fox Valley Road.

The proposed new school facilitates the relocation and expansion of the existing Wahroonga Adventist Primary School, which is currently operating at a capacity of 235 primary school students with 20 staff. **Table 1** provides a summary of the project's key components and features. **Figures 5 to 10** detail the staged project layout.

Table 1: Key Development Components

Development Summary	- Staged construction of a new 8,158 sqm, three to four storey school and associated landscaping; - provision for a maximum of 800 K-12 students, including 90 Year 12 students; - construction of associated basement car park, with provision for a total of 124 parking spaces and associated set down/pick up facilities; - construction of associated playing fields; and - construction of a new access road and signalised intersection on Fox Valley Road.
<i>Stage 1 – Middle School</i>	- Construction of new four storey Middle School building and associated outdoor play space; - provision for 456 students (+221) and 30 staff (+10); - part construction of basement car park, comprising 39 car parking spaces, four set down/pick up spaces, five bicycle parking spaces and two motorcycle parking spaces; and - construction of temporary outdoor playing fields.
<i>Stage 2 – Playing Fields Area</i>	- Construction of new open turfed playing fields area and associated landscaping and retaining walls.
<i>Stage 3 – Junior School (east) & Site Access</i>	- Construction of a new three storey Junior School building; - provision for 679 students (+223) and 48 staff (+18); - extension of basement car park, providing an additional 28 car parking spaces and ten bicycle parking spaces and connection to Stage 1 basement car park; and - construction of a new access road and Fox Valley Road signalised intersection.
<i>Stage 4 – Stores, Amenities and PE Courts</i>	- Construction of new pavilion and PE courts (with shade structure above) and associated landscaping and retaining walls.
<i>Stage 5 – Junior School (west)</i>	- Construction of the western wing of the Junior School building and connection to Stage 3 works; and - associated outdoor play space and landscaping works.
<i>Stage 6 – Senior School</i>	- Construction of new four storey Senior School building, also comprising a multi-purpose hall/stage; - removal of temporary demountable school buildings; - provision for 800 students (+121) (inclusive of 90 year 12 students) and 57 staff (+9); and - construction of a 47 space basement car park and three set down/pick up spaces and connection to Stage 1/2 basement car park.
<i>Subdivision</i>	- Subdivision of land comprising the school site (7,040 sqm) and the playing fields site (7,160 sqm).
<i>Value / Jobs</i>	- \$39,327,000 capital investment value; and - 156 full time equivalent construction jobs and 37 full time operational jobs.

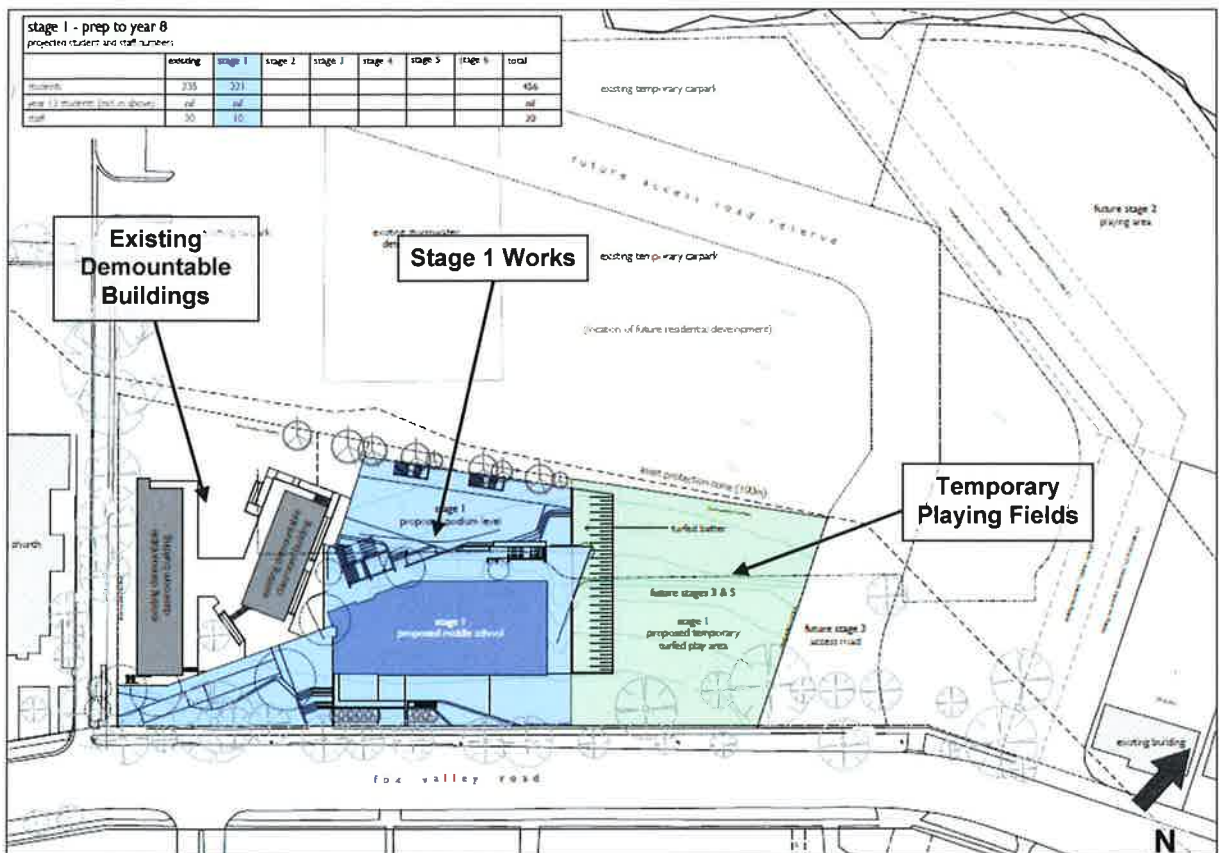


Figure 5: Stage 1 – Middle School Layout

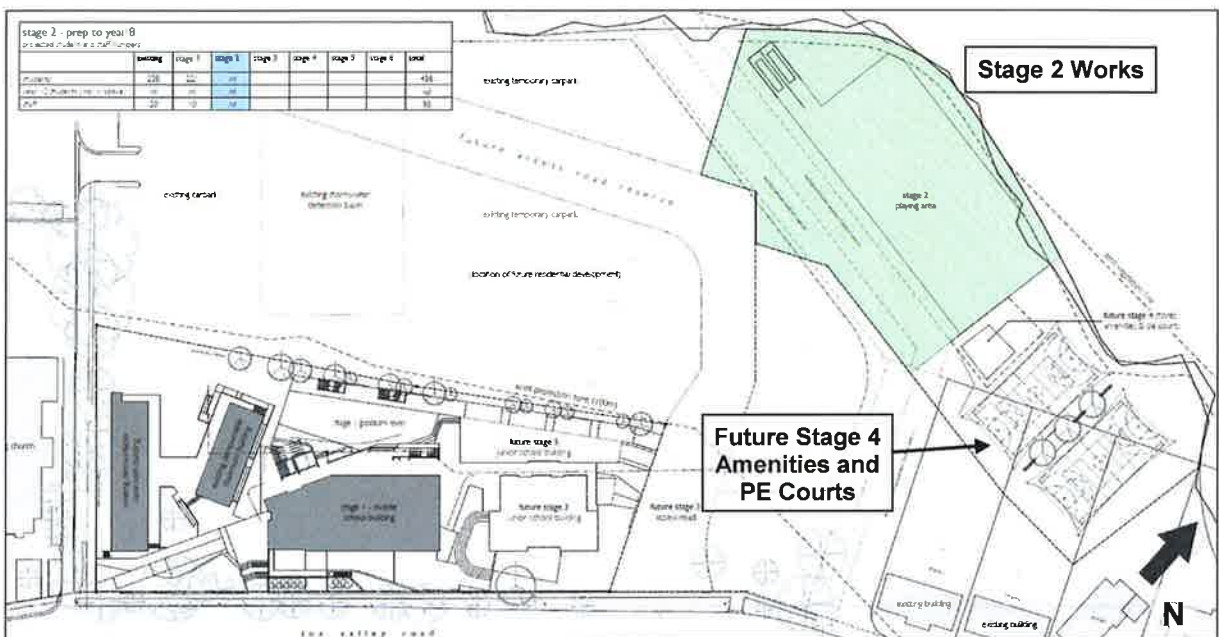


Figure 6: Stage 2 – Playing Fields

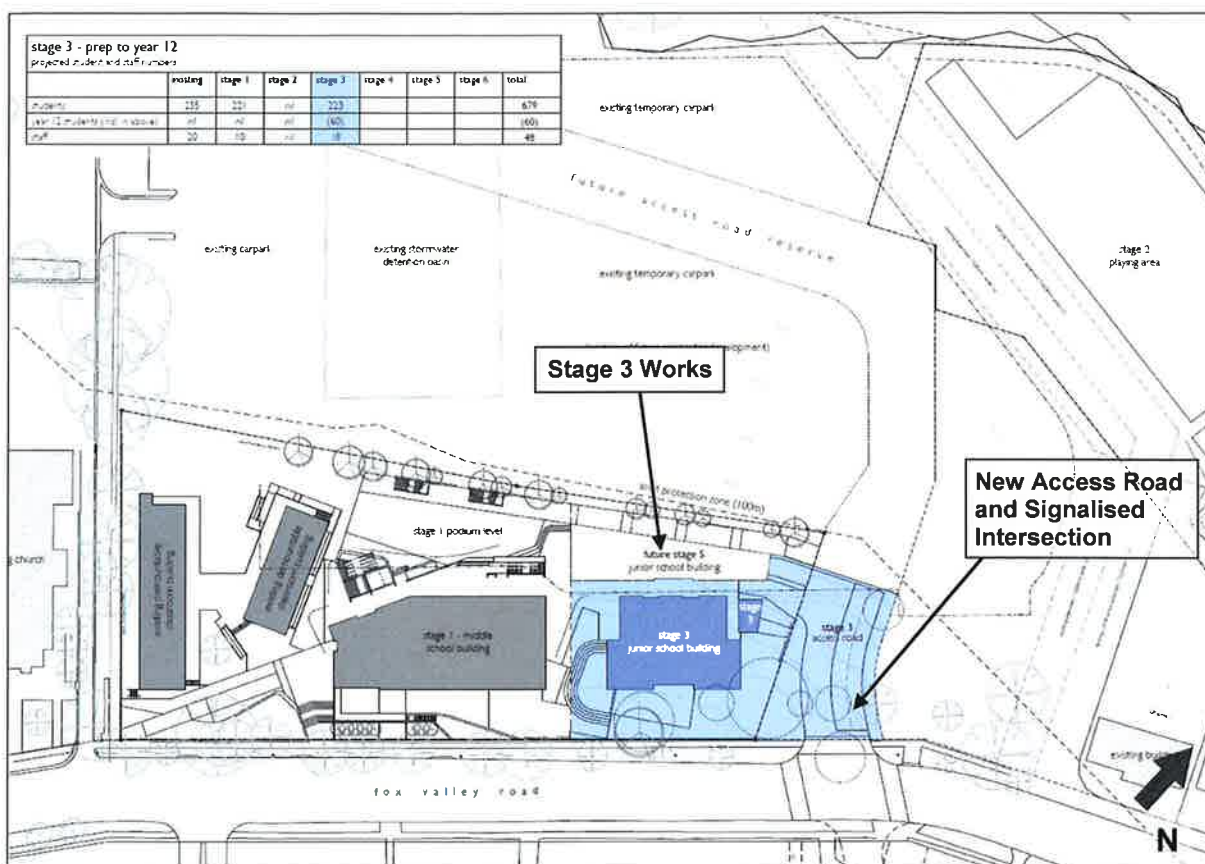


Figure 7: Stage 3 – Junior School Layout (east) and Site Access

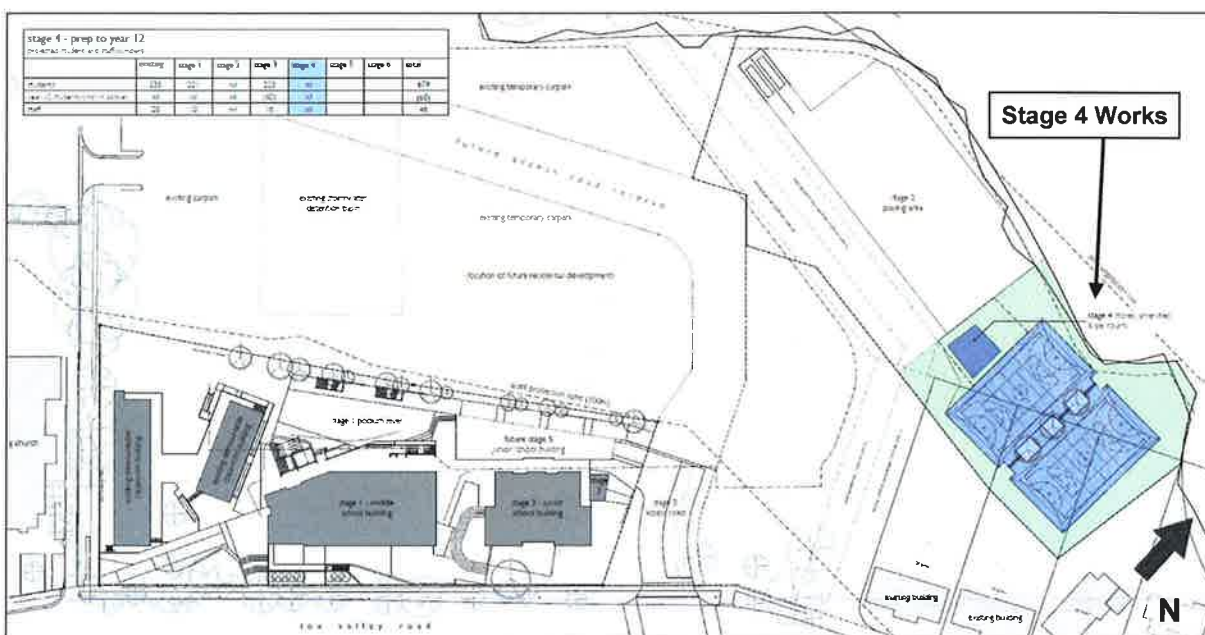


Figure 8: Stage 4 – Stores, Amenities and PE Courts

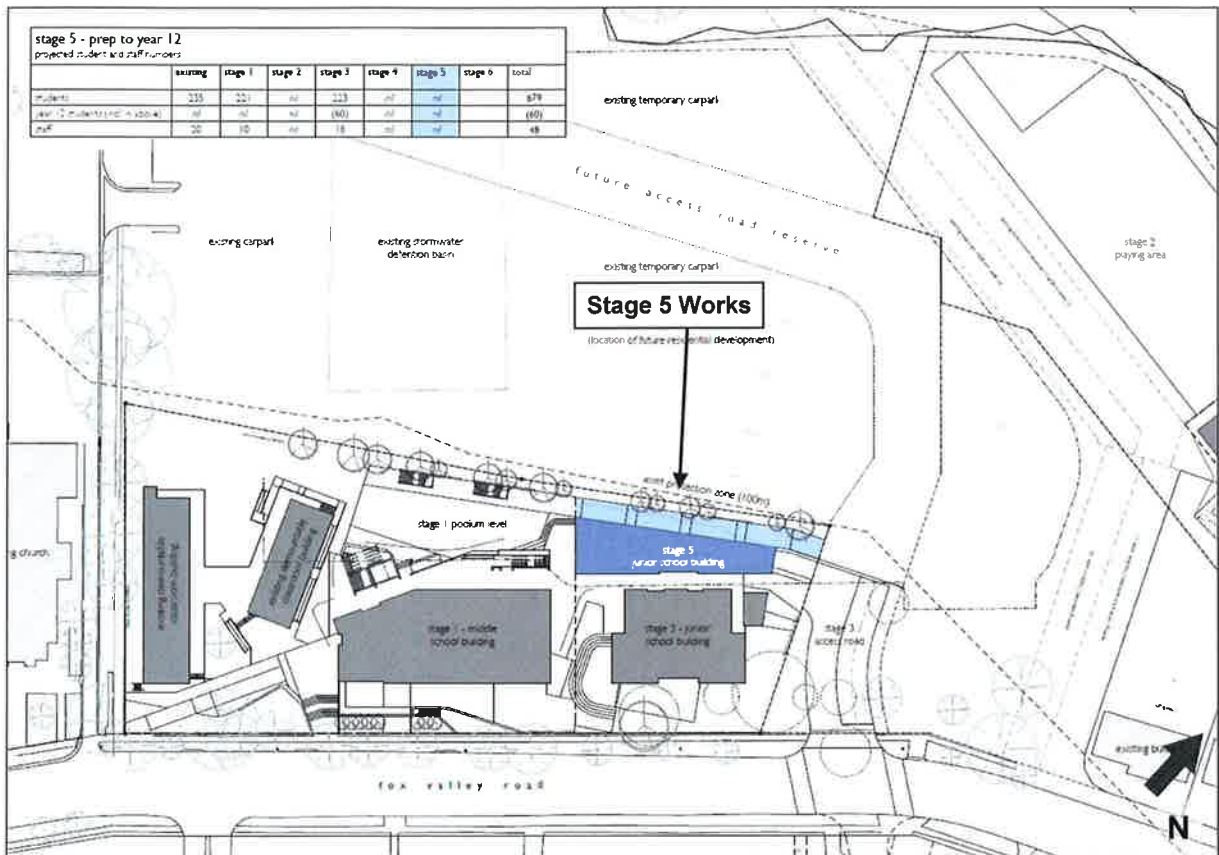


Figure 9: Stage 5 – Junior School Layout (west)

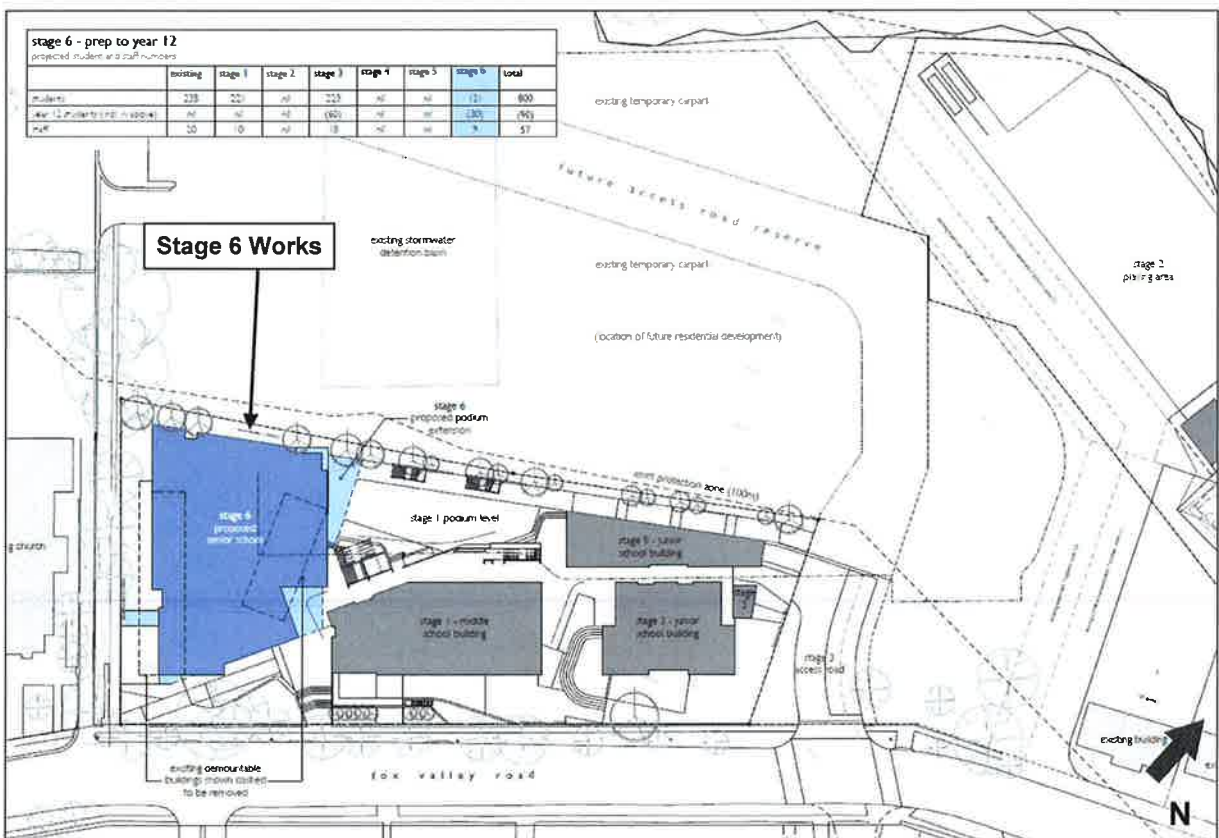


Figure 10: Stage 6 – Senior School Layout

2.1 Project Need and Justification

The applicant advises that the success of the subject SSD application is necessary to enable the relocation, modernisation and expansion of the existing Wahroonga Adventist Primary School (see **Figure 11**), which has provided education on the Wahroonga Estate for approximately 100 years. Maintaining the school's location within the Wahroonga Estate is essential for its co-location with Sydney Adventist Hospital and the Seventh Day Adventist Church and associated facilities provided on site. In addition, the proposed new school will:

- allow the school to provide new school grounds in a co-educational campus to allow for the expansion of the school and offer enrolments up to Year 12 students;
- provide the same quality education to a wider age range of students and meet the demand for school places in the surrounding catchment; and
- enable the redevelopment of the existing school site, which has been identified for renewal under the approved concept plan.

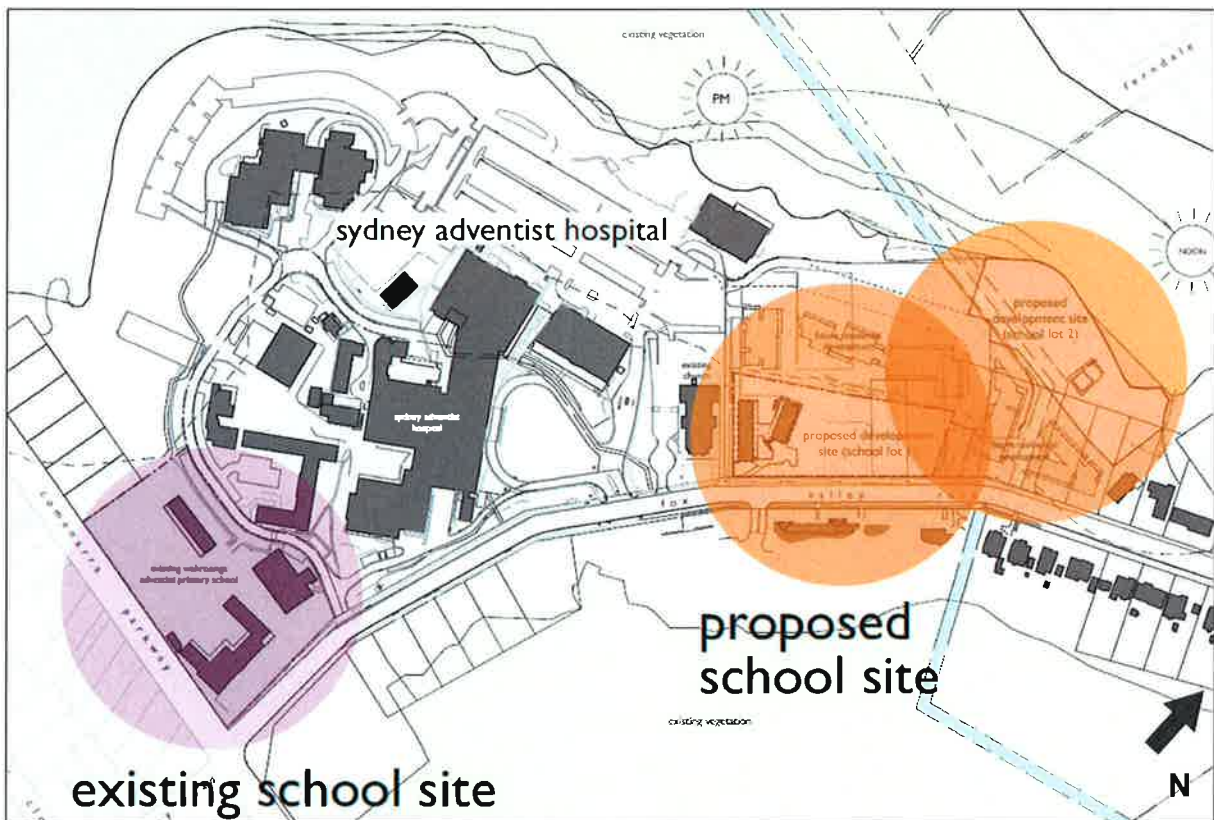


Figure 11: School Site Relocation

3. STATUTORY AND STRATEGIC CONTEXT

3.1 SEPP (State and Regional Development) 2011

The proposal is State significant development because it is development for the purpose of an educational establishment with a capital investment value (CIV) in excess of \$30 million, under clause 15 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011. Therefore the Minister for Planning is the consent authority.

3.2 Delegated Authority

In accordance with the Minister's delegation dated 16 February 2015, the Executive Director, Infrastructure and Industry Assessments, can determine the application as Council has not objected to the proposal, no political disclosure statement has been made and no public submissions have been received objecting to the proposal.

3.3 Permissibility and Zoning

The Wahroonga Estate State significant site listing made under Schedule 3 of the State Environmental Planning Policy (Major Development) 2005 (MD SEPP) established land use zonings and development standards (i.e. height, gross floor area). These were also adopted in the approved concept plan. These planning provisions were subsequently transferred to the Ku-ring-gai Planning Scheme Ordinance (KPSO), amended on 22 November 2013.

The site is zoned R4 – High Density Residential under the KPSO. Development for the purpose of educational establishments is permitted with consent on land zoned R4.

A maximum building height control of 14.5 metres and a gross floor area (GFA) of 9,000 sqm applies to the subject site in accordance with clause 26M of the KPSO. In addition, specific maximum building heights were introduced for built form elements of the proposed development under a previously approved concept plan modification application (MP07_0166 MOD 5) that permit development above the KPSO 14.5 metre height control. Specifically, the new maximum RL height controls were introduced for the senior and middle school built form elements and the playing fields amenities and store building.

The Department notes that the proposed development satisfactorily complies with the maximum building heights and GFA provisions of the KPSO and approved concept plan (as amended). Further consideration of KPSO is also provided in **Appendix B**.

3.4 Consistency with the Concept Plan

The proposed land use and layout of the Wahroonga Adventist School is generally consistent with the approved concept plan, as amended (MP07_0166 MOD 5). Specifically, the proposed development is consistent with the maximum floor space, building layout, the proposed maximum building heights and proposed vehicular access arrangements of Precinct B: Central Church, including the provision of a new signalised intersection and on-site set-down/pick-up facilities.

The Department is satisfied that the proposed development is consistent with the approved concept plan.

3.5 Environmental Planning Instruments

The Department's consideration of relevant EPIs (including SEPPs) is provided in **Appendix B**. The proposal is generally consistent with the relevant requirements of the EPIs.

3.6 Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the EP&A Act, as set out in Section 5 of the Act. The proposal satisfactorily complies with the objects of the EP&A Act, as the proposed development encourages the orderly and economic use and development of land identified for the purpose of an educational establishment, makes provision for community services and facilities through improved and expanded educational infrastructure, promotes the sharing of environmental planning between different levels of Government, and included public involvement and participation.

3.7 Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *the precautionary principle,*
- (b) *inter-generational equity,*
- (c) *conservation of biological diversity and ecological integrity,*
- (d) *improved valuation, pricing and incentive mechanisms.*

The Department has considered the project in relation to the ESD principles. The Precautionary and Inter-generational Equity Principles have been applied in the decision making process via a thorough assessment of the environmental impacts of the project. The applicant has also identified a range of ESD initiatives within the design of the project, including:

- a school design that incorporates efficient multi-use/flexible teaching and learning spaces;
- a building layout and design that maximises natural ventilation and solar access;
- the use of efficient fittings and fixtures, including the proposed installation of a large rainwater tank for water re-use and consideration of water sensitive urban design within the stormwater design;
- economic energy use to optimise heating and cooling performance and maximise energy savings;
- the use of building finishes and materials that have low environmental impacts and more suitable for educational environments; and
- increased access to improved educational services.

The Department has considered the development in relation to the ESD principles and is satisfied that the proposed sustainability initiatives would encourage ESD, in accordance with the objects of the EP&A Act and EP&A Regulation.

3.8 Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

3.9 Strategic Context

NSW 2021

NSW 2021 is the NSW Government's key strategic planning document, providing a ten year plan to guide policy and budget decisions to assist with the rebuilding of NSW.

The Wahroonga Adventist School development meets the Government's commitment in providing quality services in the form of a modern and innovative education, teaching and learning environment. The design and function of the proposed school has also been tailored to provide opportunities for co-use of certain facilities (such as the proposed hall facility) with the existing community, particularly members of the local Adventist Church.

A Plan for Growing Sydney

A Plan for Growing Sydney provides guidance for land use planning over the next 20 years and a clear strategy for accommodating and supporting Sydney's future population and framework to strengthen its global competitiveness and delivery of investment and job growth. The proposed Wahroonga Adventist School aligns directly with the NSW Government's direction on delivering education facilities to meet the needs of a growing Sydney, integral to maintaining Sydney's competitive edge and standard of living.

The subject site had previously been identified under the approved concept plan for the Wahroonga Estate Redevelopment, providing for the relocation of the Wahroonga Adventist School that will facilitate the expansion of the existing school, both physically and in terms of teaching provided (i.e. Kindergarten to Year 12). Furthermore, the proposed development meets the directions of *A Plan for Growing Sydney* by providing a modern and innovative school, but within the existing established catchment.

3.10 Secretary's Environmental Assessment Requirements

The EIS is compliant with the Secretary's Environmental Assessment Requirements and is sufficient to enable an adequate consideration and assessment of the proposal for determination purposes.

4. EXHIBITION CONSULTATION AND SUBMISSIONS

4.1 Exhibition

In accordance with section 89F of the EP&A Act and clause 83 of the EP&A Regulation, the Secretary publically exhibited the application and accompanying information for 30 days following the date of first publication. The application was publically exhibited:

- on the Department's website from 6 November 2014 until 5 December 2014;
- at the Department's Information Centre and Council's offices from 6 November 2014; and
- published in the Sydney Morning Herald and Daily Telegraph on 5 November 2014 and Hornsby Advocate on 6 November 2014.

The Department received six submissions from Council and agencies, including: Ku-ring-gai Council (Council); the Office of Environment and Heritage (OEH); Roads and Maritime Services (RMS); Transport for NSW (TfNSW); Sydney Water; and the NSW Rural Fire Service (RFS).

The Department also received one submission from the public that provided support for the proposed school, complimenting the design and highlighting the positive contribution the proposal would provide for the region.

A summary of the issues raised in Council's and agency submissions is provided below.

4.2 Public Authority Submissions

Ku-ring-gai Council

Council generally supported the establishment of the proposed new school and the architectural design and scale of the facility. However, concerns were raised regarding the development footprint, layout and setbacks, landscaping and potential impacts from the future residential flat building development, located adjacent to the rear of the school site.

It also commented on the proposed playing fields and the potential impacts they may have on the adjoining E2 Environment Conservation zoned bushland. It was also suggested that the proposed outdoor spaces for the school's total student enrolment was insufficient and would fail to achieve satisfactory levels of amenity.

Office of Environment and Heritage

The Office of Environment and Heritage (OEH) provided advice to the Department regarding the proposed playing fields, including the potential for light spill impacts and proximity and stormwater runoff treatment impacts on the adjacent E2 Environmental Conservation zoned land. OEH recommended the playing fields be setback a minimum three metres to ensure development impacts are minimised.

Roads and Maritime Services

Roads and Maritime Services (RMS) raised no objections to the proposed development, recommending a number of conditions for inclusion in any approval, and provided the following comments for the Department's consideration:

- pedestrian fencing should be installed at pedestrian access points along the site's Fox Valley Road frontage;
- the layout of the proposed car parking areas should be in accordance with AS2890.1-2004; and
- the swept path of the longest vehicle entering and exiting the site is to be in accordance with AUSTROADS.

Transport for NSW

Transport for NSW provided the following comments for the Department's consideration:

- insufficient documentation and assessment has been provided for the proposed development's non-car travel modes; and
- insufficient assessment has been carried out of anticipated school services related transport impacts and associated mitigation measures.

Sydney Water

Sydney Water raised no objections to the proposed development and provided general comments and recommendations for the Department's consideration.

NSW Rural Fire Service

The NSW Rural Fire Service (RFS) raised no objection to the proposed development and provided recommended conditions for the inclusion in any approval.

4.3 Applicant's Response to Submissions

The applicant provided a Response to Submissions report (RtS) to the Department on 16 February 2015, responding to issues and concerns raised by Council and agencies.

The applicant increased the boundary setback of the proposed playing fields from the adjacent E2 Environment Conservation zoned bushland and amended the project's proposed staging, enabling larger, more formal playing fields and outdoor recreational space to become available as student enrolments increase in line with the development's progress.

Following a review of documentation in the applicant's RtS, the Department determined that a remedial action plan (RAP) was required to address asbestos fragments detected above the health screening levels for an educational establishment during site investigations. The RAP was requested on 3 March 2015 and provided on 23 March 2015.

The Department is satisfied that the RtS satisfactorily addresses the issues raised in submissions. Key issues have been further considered in section 5 of this report.

5. ASSESSMENT

5.1 Section 79C Evaluation

Table 2 identifies the matters for consideration under section 79C of the EP&A Act that apply to State significant development, in accordance with section 89H of the EP&A Act. The table also represents a summary for which additional information and consideration is provided for in Section 4 (Key and Other Issues) and relevant appendices or other sections of this report and the EIS, referenced in the table. The EIS has been prepared by the applicant to consider these matters and those required to be considered in the SEARs and in accordance with the requirements of section 78(8A) of the EP&A Act and Schedule 2 of the EP&A Regulation.

Table 2: Section 79C(1) Matters for Consideration

s. 79C(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Consideration of relevant EPI's is provided in Appendix B. The proposed development satisfactorily complies.
(a)(ii) any proposed instrument	Yes – Draft Ku-ring-gai Local Environmental Plan 2013
(a)(iii) any development control plan	Clause 11 of State Environmental Planning Policy (State and Regional Development) 2011 provides that development control plans do not apply to State significant development.
(a)(iiia) any planning agreement	Not applicable.

s. 79C(1) Evaluation	Consideration
(a)(iv) the regulations	The development application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to development applications (Part 6 of the EP&A Regulation), public participation procedures for SSD's and schedule 2 of the EP&A Regulation relating to environmental impact statements.
(a)(v) any coastal zone management plan	Not applicable.
(b) the likely impacts of that development	The Department's assessment has given appropriate consideration to the likely impacts of the proposed development.
(c) the suitability of the site for the development	The subject site is zoned R4 – High Density Residential under KPSO. Educational establishments are permissible with consent. The subject site was also identified under the approved Wahroonga Estate Redevelopment concept plan as the preferred location for the relocated and expanded school site.
(d) any submissions	Consideration has been given to submissions received during the exhibition of the application. See sections 4 and 5 of the Department's assessment.
(e) the public interest.	The proposed educational establishment is in the public interest as it will provide the wider community with an improved and accessible school facility that would translate to improved education and learning.
Biodiversity values exempt if: (a) On biodiversity certified land? (b) Biobanking Statement exists?	Not applicable. Not applicable.

5.2 Key Issues

The Department considers the key environmental assessment issues for the application to be:

- built form and urban design;
- traffic and transport;
- noise and vibration;
- environmental and residential amenity; and
- other matters.

5.2.1 Built Form and Urban Design

Bulk and scale

The proposed Wahroonga Adventist School comprises three main building elements, being the junior, middle and senior schools, which are connected via an internal link (see **Figure 12**) that provides circulation throughout the school at all levels. The proposal has a maximum GFA of 8,158 sqm and building height that ranges from three to four storeys, with the three storey building elements limited to the junior school (stages 3 and 5) at the north eastern end of the site (see **Figures 13 to 16**).

The proposed playing fields area, located to the north of the school site, includes an amenities and store building (4.5 metres in height) and shade cover structures above the two proposed PE courts (maximum 7 metres in height).

A front landscaped setback of ten metres is proposed along Fox Valley Road, behind which the middle school and main outdoor play space is sited in the centre of the site. The applicant proposes to develop the larger south western end of the site for the senior school, the largest building element, which has been designed to also accommodate a full sized basketball court and hall facility and would be setback a minimum six metres from the south western side boundary. The north eastern end of the site is proposed to accommodate the lower scale junior school building element, which comprises a dedicated out of school hours care (OOSH) facility at the ground level and outdoor play space on level two.

Generally, Council are supportive of the proposed architectural design and aesthetics of the development, though commented that the development footprint and layout resulted in associated impacts on the provision of outdoor play space and areas for deep soil planting.

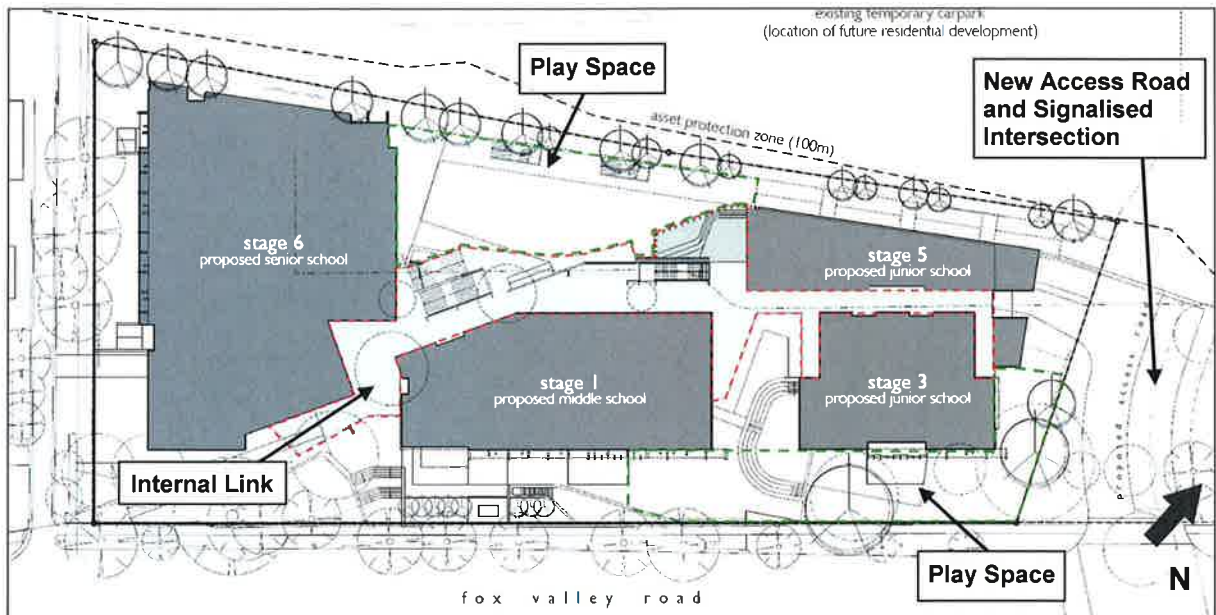


Figure 12: Built Form Layout



Figure 13: Fox Valley Road Elevation

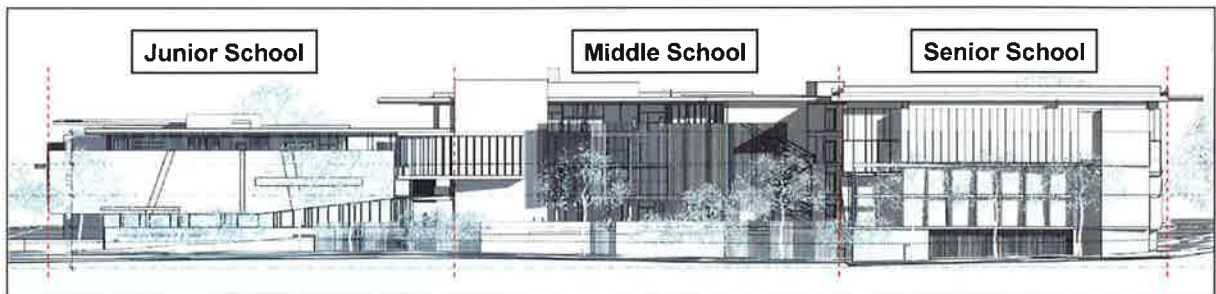


Figure 14: North Western Elevation

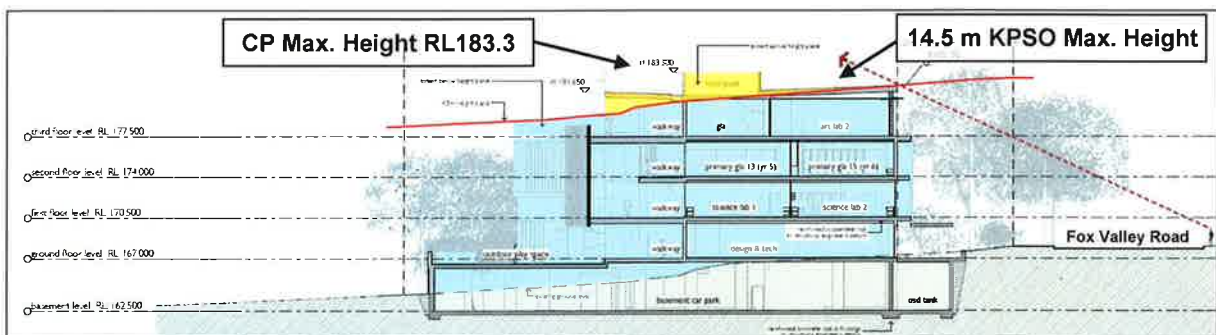


Figure 15: Middle School Section

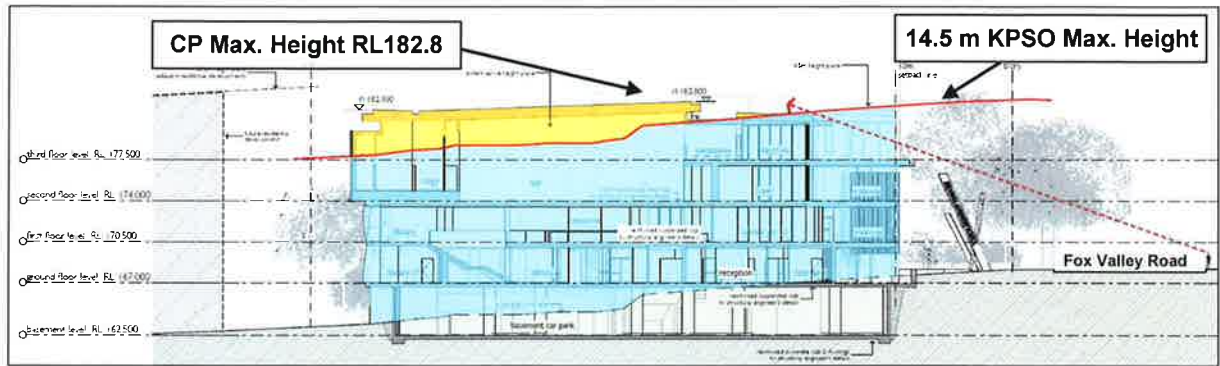


Figure 16: Senior School Section

The Department's assessment identified no issues with the proposed development's bulk and scale, noting that the proposal is consistent with the approved concept plan (as amended) and complies with the maximum building heights and GFA controls applicable to the development site. The bulk and scale of the three to four storey Fox Valley Road frontage is broken up by the building's articulation, which is expressed through the use of various materials (including pre-cast concrete screens, cladding panels and coloured metal screens) and break in built form and siting of the senior, middle and junior school building elements. At the same time, the three to four storey scale of the proposed development would generate a strong street edge along Fox Valley Road that positively contributes to the envisaged campus character of the precinct.

The layout and siting of each school building was also informed by the future residential development adjoining the rear of the site, which has the potential of being developed up to 20.5 metres in height under the existing concept plan approval, ensuring that the amenity of students and the school's outdoor play spaces and future residential occupants is protected. Accordingly, the bulk of development has been arranged to address Fox Valley Road, allowing for the central part of the campus to be opened up for use as outdoor play space.

A review previously undertaken of the proposed siting of the educational establishment and future residential flat building footprints against the objectives of *State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development* (SEPP 65) in the Department's assessment of modification application MP07_0166 MOD 5 found that satisfactory building separation, amenity and privacy could be archived. In addition, no windows or openings are proposed in the north western façade of the proposed senior school/hall building or upper levels of the junior school building, which would lie opposite the future residential development, minimising potential privacy and amenity issues between both land uses.

The proposed scale of the amenities and store building and shade cover structures would not generate any adverse impacts and would generally be in keeping with the scale of structures associated with recreational areas of this nature. Further, the location of these structures to the north of the site would minimise any associated bulk and scale impacts.

The Department supports the proposed bulk and scale of the proposed development and is of the opinion that the proposed design and layout of the new school buildings would positively contribute to the Fox Valley Road streetscape through the provision of good quality design that is generally consistent with the approved Wahroonga Estate concept plan.

Layout and landscaping

The applicant's proposed landscape design consists of open landscaped recreational spaces within the school, general soft landscaping surrounding the perimeter school and a larger playing fields area approximately 50 metres north of the school site (see **Figures 17 and 18**).

The arrangement of school buildings is designed to form a series of spaces that creates a legible pedestrian entry into the school from Fox Valley Road and outdoor space environment for active and passive recreation with optimum solar and daylight access, including the central outdoor play space located behind the middle school building. The proposed design also makes use of the large ten metre landscaped setback, integrating a separate staff breakout space and junior school outdoor play space.

The proposed larger playing fields comprise an area of approximately 7,160 sqm and include turf playing fields, PE courts and an associated amenities and store building (see **Figures 18 to 21**). Access to, and use of, the playing fields by students would be under staff supervision at all times.

Council raised concerns with: the proposed size of the outdoor play areas; the relationship of the playing fields to the school; poor landscaping and integration of the playing fields into the existing topography; and the perceived impacts on open space and amenity due to the relationship between the reduced school lot size and adjacent to the future residential flat buildings. Council also advised it did not support the proposed planting of a single flora species along the boundaries of the planning fields.

It should be noted that the arrangement of the school building footprints and separated location of the playing fields was originally endorsed under the Wahroonga Estate concept plan. The recent amendments to the building footprint layouts under MP07_0166 MOD 5 provided more realistic building footprints to enable the successful design of a K-12 educational establishment, increased separation between the school site and future residential flat buildings and an increase in the size of the large playing fields area.

The landscaping scheme proposes turf for larger areas designated for outdoor play spaces, with trees and ground cover plants proposed to be established primarily around the perimeter of the site and integrated into the existing mature street trees. The selection of a range different tree species, capable of reaching up to 15 metres in height at maturity, would assist in providing both privacy from the future residential flat buildings and Fox Valley Road and shading to the school and outdoor play space areas.

Minimal landscaping is proposed for the playing fields area, ensuring that large, unobstructed open space areas are provided to meet the physical recreation needs of future students. The minimal landscaping designated for the playing fields area also reflects the proposed management of the area as an inner protection zone in accordance with the requirements under Planning for Bushfire Protection 2006. The south eastern and north eastern boundaries are proposed to be embellished with the fast growing native indigenous Willow Leaved Hakea trees that, at maturity, would provide vegetation up to approximately five metres tall and four metres wide.

Despite Council's concerns, the Department is satisfied with the choice of a single flora species, noting that the primary function of the landscaping in this location is to define the boundary of the school playing fields and provide privacy screening along the common boundary with the future residential flat building development. It is also noted that the proposed Willow Leaved Hakea is identified as a fire retardant species, making its selection within the existing asset protection zone (APZ) appropriate. Additionally, recommended conditions provided by the RFS will ensure that the APZ is managed as an inner protection area (IPA) in perpetuity. Large lemon scented gum trees are also proposed between the two playing courts, providing shading to the recreational spaces.

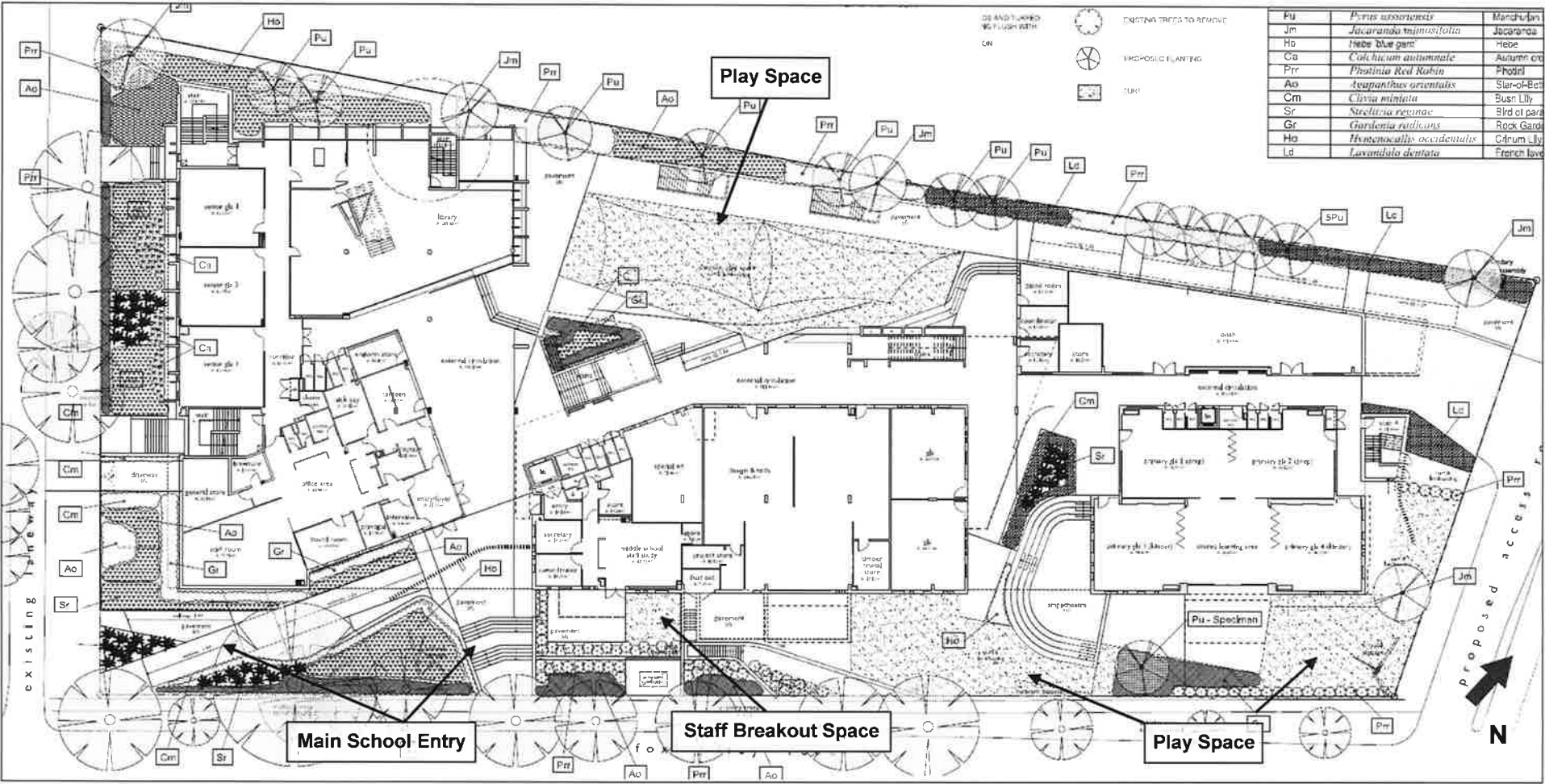


Figure 17: School Landscape Plan

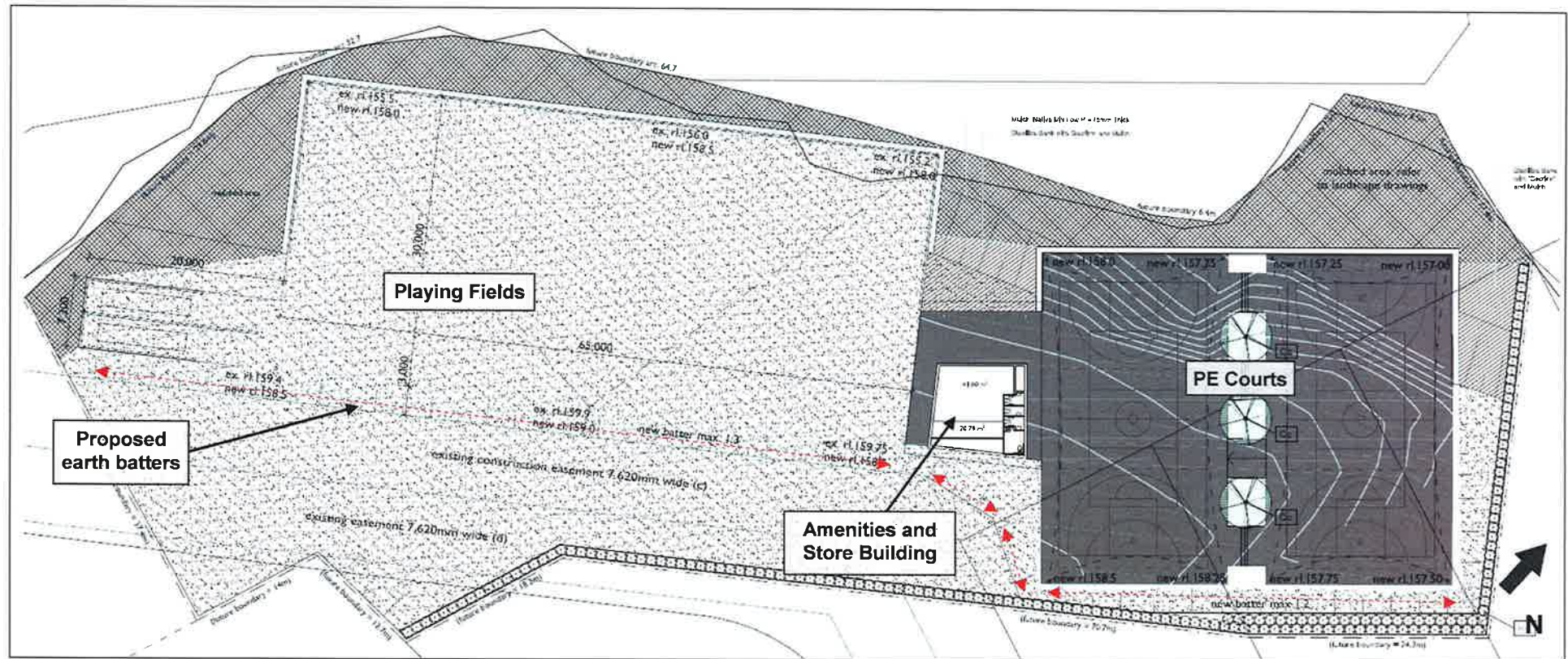


Figure 18: Playing Fields Landscape Plan

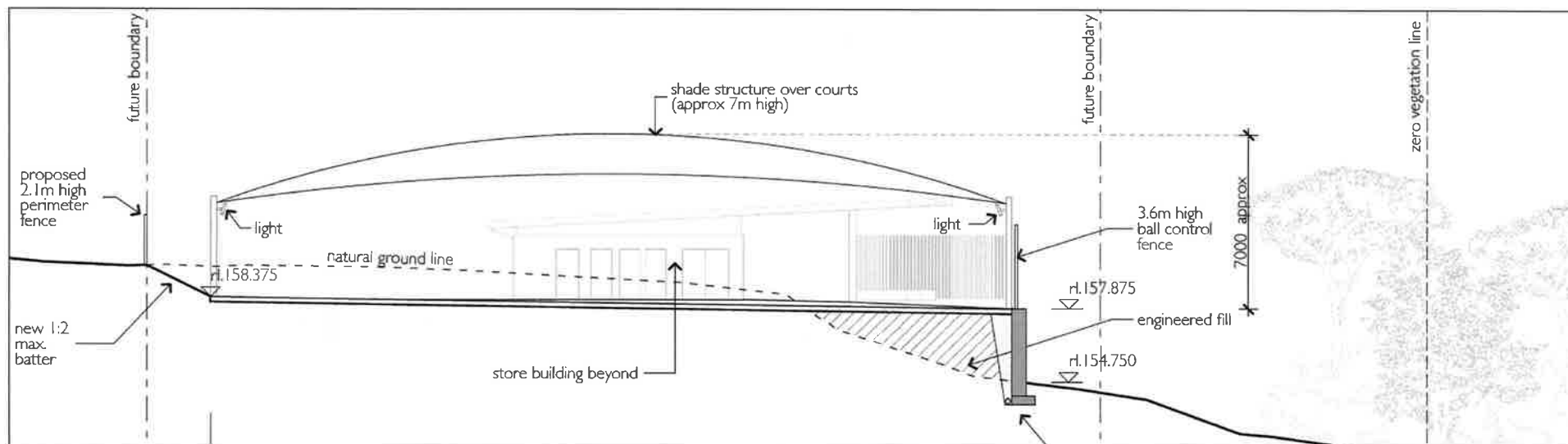


Figure 19: PE Courts Site Section

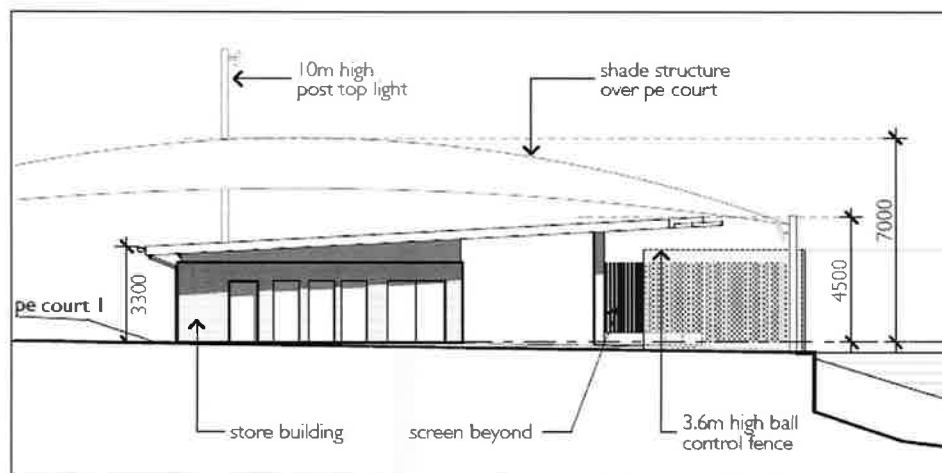


Figure 20: Amenities and Store Building East Elevation

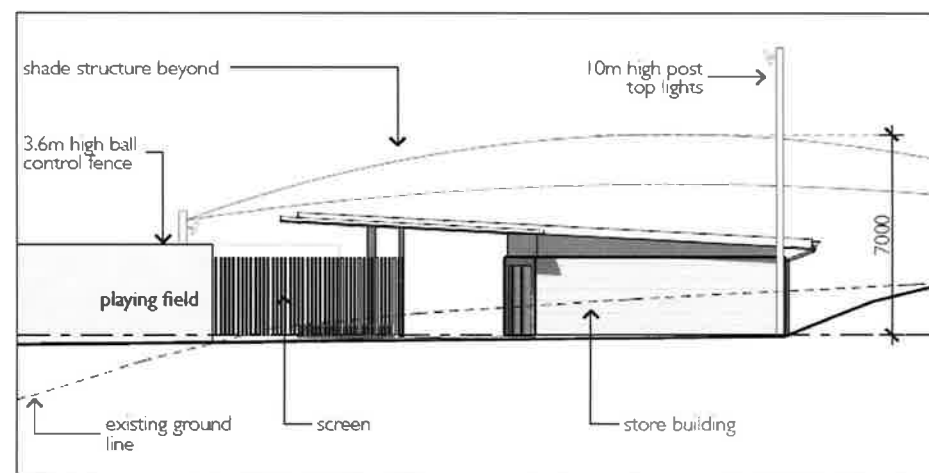


Figure 21: Amenities and Store Building West Elevation

The proposed location and layout of the proposed playing fields is considered acceptable, noting that its location was previously determined under the approved concept plan. The existing topography of the playing fields site falls approximately four metres towards the existing bushland, requiring necessary cut and fill to provide a level and usable recreational area for the school. Additionally, the proposed increased setback of the playing fields from the adjacent E2 Environmental Conservation zoned bushland, as detailed in the applicant's RtS, would ensure potential impacts from the use of these facilities is minimised on the existing ecological communities within the adjacent bushland.

The Department, however, supports Council's comments regarding the need for improved access down the proposed batters adjacent to the larger playing field and amenities store building (see **Figure 18**). In this respect, the Department recommends a condition be imposed requiring the playing fields landscape plan to be amended to provide improved access to the playing fields, by way of steps and/or ramps, to provide safe and convenient access to the play fields and courts. These details should be submitted to the satisfaction of the Department prior to the commencement of Stage 2 Playing Fields Area works.

Subject to recommended conditions, the Department is satisfied that the proposed landscaping scheme positively contributes to the design, layout and function of the proposed new school. The proposed landscaping scheme and existing street trees will also assist in softening the visual impact of new built form in the locality and will preserve the existing local character of tree lined streets. The Department is also satisfied that the proposed outdoor play space and playing field areas would be sufficient to meet the needs of the school's future operations.

5.2.2 Traffic and Transport

The applicant's Transport, Traffic and Parking Implications Report (traffic report) outlines that the proposed development seeks approval for a new vehicular access point on Fox Valley Road via a new signalised intersection and new site access road, located at the northern end of the site. The proposal would also include a 124 space basement car park, with integrated and set down/pick up facility, two motorcycle parking spaces and 15 bicycle parking spaces and associated end of trip facilities, access to which is proposed via the proposed new access road and intersection.

The Department's initial assessment identified that additional details were required to support the proposed development regarding safe pedestrian and cyclist access to and from the site, preparation of a work place travel plan, bicycle parking details and provision of details on the operational performance of the proposed new intersection within the local road network.

RMS raised no concerns or objections to the proposal during the exhibition of the EIS, though commented that the proposed signalised intersection should be operational prior to the issue of an occupation certificate for stage 3 (junior school) and provided recommended conditions to this effect. Transport for NSW advised that insufficient documentation had been provided to assess non-car travel modes or the impact of the school services related traffic issues.

Council recommended that the new signalised intersection be constructed and commissioned prior to the operation of the middle school at stage 1, and also stated that shared pedestrian/bicycle footpath facilities and on-site bicycle parking facilities should be upgraded. Council also requested that further justification be provided for additional car parking above the DCP requirement, while conversely questioning the adequacy of the total amount of car parking when the proposed hall facility is used.

These issues were addressed within the applicant's RtS, as detailed below.

Traffic Impacts and Site Access

Site access is proposed from a new signalised intersection and access road that would be constructed at stage 3 of the development. Its construction would coincide with the construction of the junior school (east) building and north-eastern portion of the basement car park (and its formal access) (see **Figures 7** and **22**). Prior to formal access being provided, temporary vehicle access and basement car park access is proposed to be provided via the existing Sydney Adventist Hospital signalised intersection access point and via the temporary construction worker car park located behind the proposed development site (see **Figure 22**).

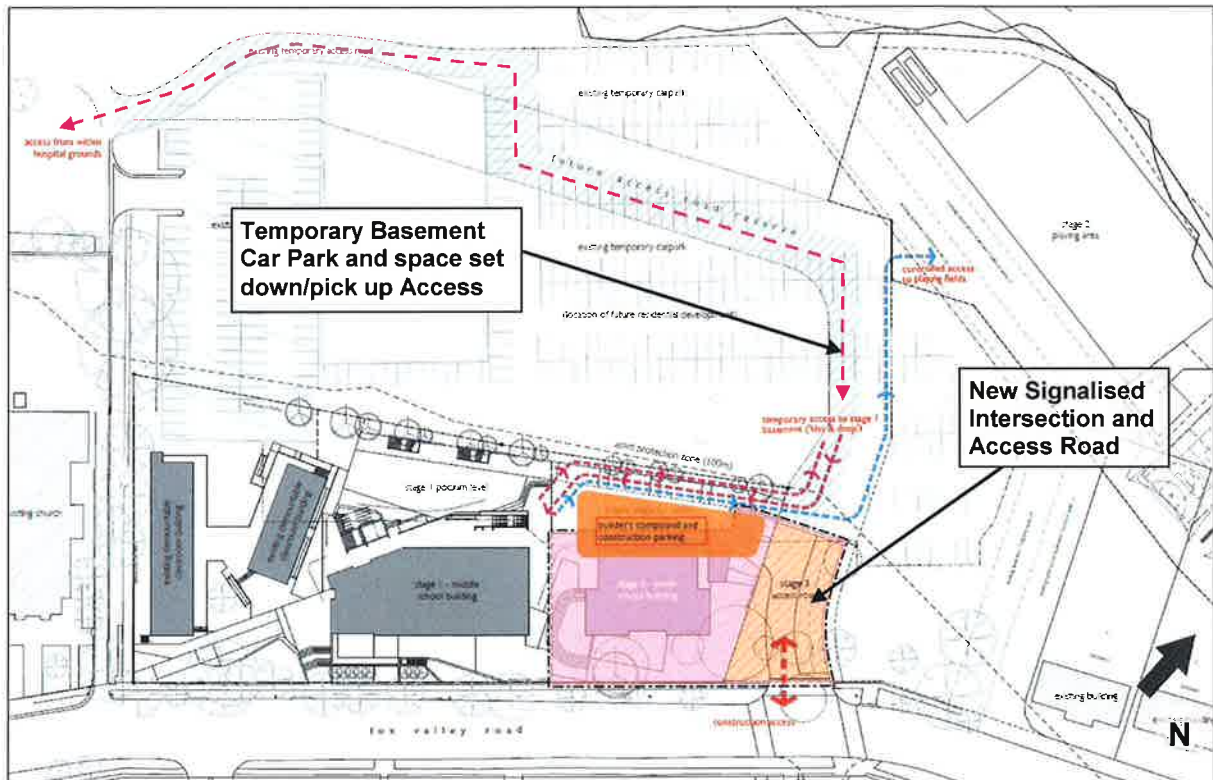


Figure 22: Temporary Site Access Arrangements

In response to comments received during exhibition, the applicant amended the proposed development staging, outlining that the new signalised intersection and access road will be constructed prior to the occupation of stage 3 (previously identified as stage 2 in the exhibited EIS). A work place travel plan has also been prepared and submitted.

Taking into account vehicle trips from the existing primary school's operations and proposed new school's operations, the proposed development is predicted to contribute an additional 326 vehicle trips to the local road network during the AM peak period upon its completion in approximately 2025. Similar vehicle trips would be expected to be generated in the afternoon, though would occur between 3:00 – 4:00 pm and would not contribute to traffic generated during the PM peak period between 5:00 – 6:00 pm.

The applicant's traffic report indicates that the operational performance of the existing Sydney Adventist Hospital Fox Valley road signalised intersection is satisfactory. However, the traffic report also states that the operational performance of the Fox Valley Road/The Comenarra Parkway signalised intersection is nearing capacity under peak traffic conditions.

To address the predicated additional traffic generated over the life of Wahroonga Estate's redevelopment, inclusive of the proposed new school, the concept plan approval included a further assessment requirement for a suite of staged road work upgrades, including intersection upgrades and road widening.

The traffic report states that the additional vehicle trips generated by the new school and traffic generation associated with the completed Wahroonga Estate redevelopment can be satisfactorily accommodated within the local road network, following the staged completion of the identified upgrade works. Specifically, the proposed new Fox Valley Road signalised intersection for the school's access would operate at a good level of service, with acceptable delays and spare capacity, and have no impact on the performance of the existing surrounding network.

The Department is satisfied that the proposed new school and traffic generation associated with its operation would be satisfactory and the construction of the new signalised intersection would provide vehicles and pedestrians with safe and efficient access movements and would not result in adverse impacts on the existing road network. To ensure this occurs, the Department recommends the imposition of a condition requiring the construction of the proposed new signalised intersection for the school's access prior to the operation of the Junior School building.

Parking

A total of 124 on-site car parking spaces are proposed within the basement car park, with 18 of those car parking spaces proposed to be utilised for the operation of the seven space set down/pick up facility during school start and finish times. The basement car park also provides two motorcycle parking spaces (see **Figure 23**). The staged construction of the basement car park will coincide with the development of the middle, junior and senior school buildings during stages 1, 3 and 6 (see **Figure 24 to 26**), respectively.

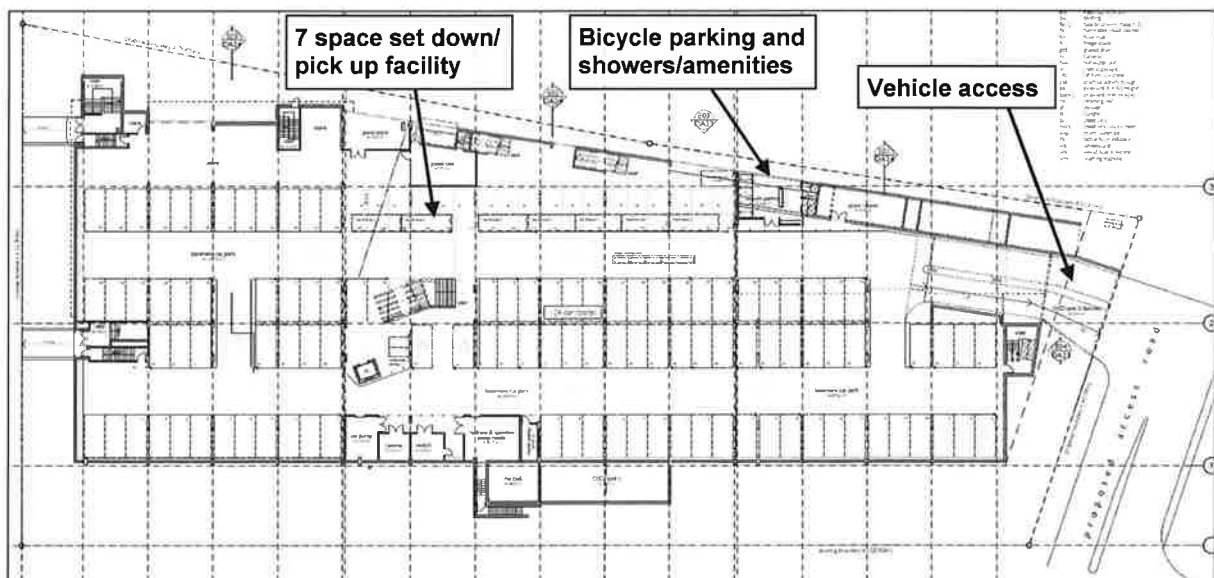


Figure 23: Basement Car Park Layout (complete)

Council's DCP requires a total car parking provision of 69 spaces for the proposed number of staff and year 12 students. The applicant acknowledges that the provision of 124 spaces exceeds the minimum requirements. However, in response to Council's comments requesting further justification for the additional parking spaces, the applicant's traffic report advises that Council's DCP requires additional parking be provided where an auditorium, or similar, is proposed.

The Department agrees that the proposed provision of 124 car parking spaces will be more than satisfactory to cater for both the general day-to-day operations of the school and the increased demand generated from use of the hall facility. The Department also notes that 18 car parking spaces would be unavailable for use when the proposed seven space set-down/pick-up facility is operational, effectively reducing the capacity of the car park to 106

spaces during school start and finish times. These 18 spaces would be available for use by visitors and for deliveries outside of peak school start and finish times.

The proposed on-site set-down/pick-up facility is supported by the Department as it will assist in minimising traffic impacts on the local road network by removing the necessity for potentially unsafe pick-up and drop-off practices to take place on Fox Valley Road. In addition to the proposed seven spaces set aside for the facility, the basement car park has queuing space within the aisles for up to approximately 18 vehicles entering and leaving, ensuring that sufficient arrangements are being made on-site for safe and efficient transport of children to and from school for parents wishing to drive.

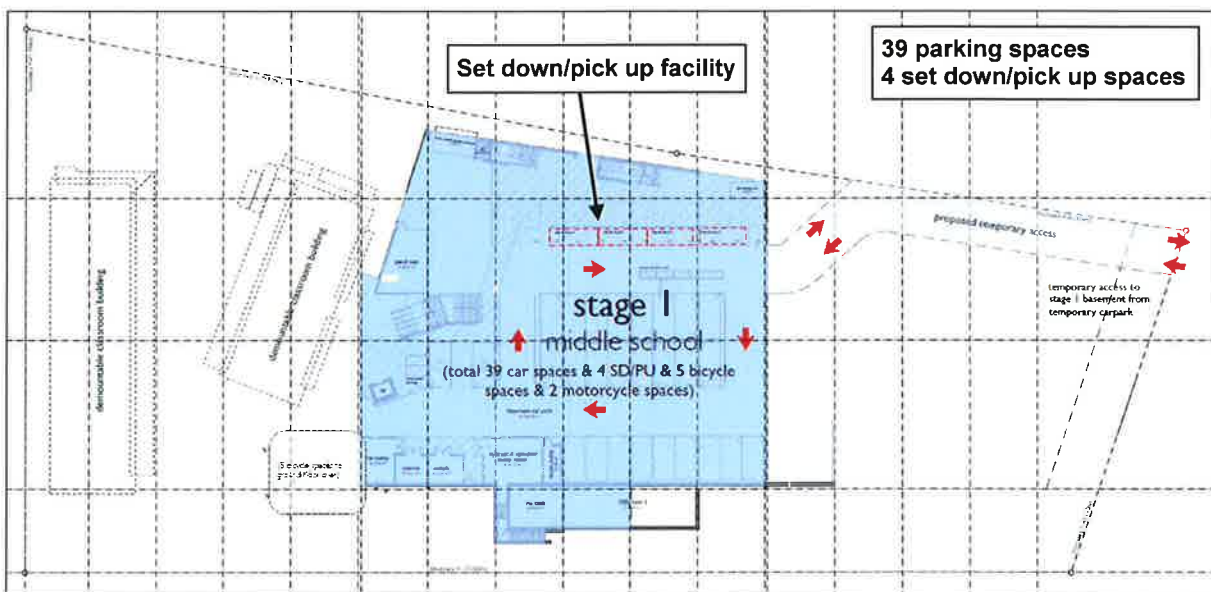


Figure 24: Stage 1 Basement Car Park Layout

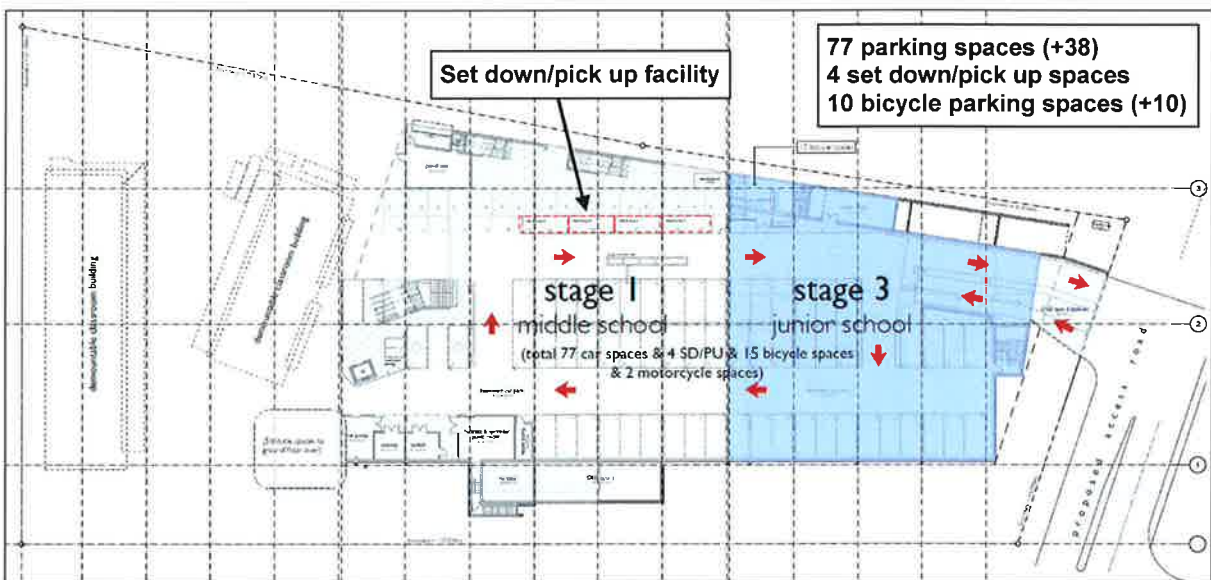


Figure 25: Stage 3 Basement Car Park Layout

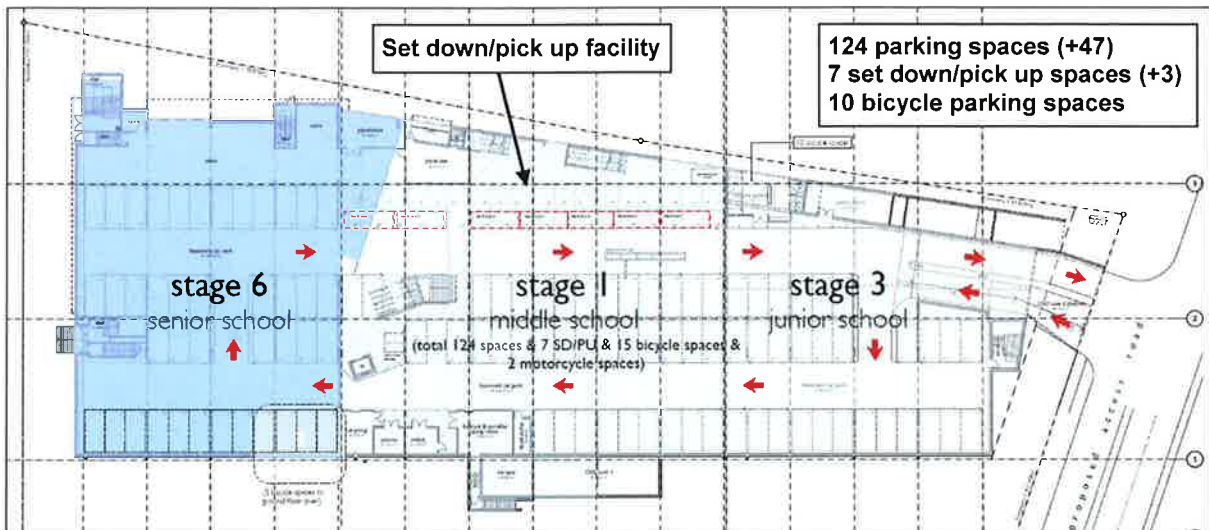


Figure 26: Stage 6 Basement Car Park Layout

The Department recommends a condition requiring the preparation and implementation of a management plan to ensure that the operation and use of the car park and associated drop off/pick up facility operates efficiently at all times, including its proposed use outside of normal school hours. Further, the conditions recommended by the RMS will ensure that the layout and manoeuvrability of the basement car park design is in accordance with AS 2890.1-2004 and AUSTROADS.

Active and Public Transport Access

To encourage active transport, the proposed development makes provision for 15 bicycle parking spaces, including five spaces at ground level for students and visitors and ten basement spaces and associated end-of-trip facilities for teachers. The proposed new signalised intersection will cater for the efficient movement of pedestrians and cyclists across Fox Valley Road. Prior to the construction of the new signalised intersection during stage 3 works, safe pedestrian access to the site will be facilitated by the existing signalised intersection at the hospital's entrance, approximately 80 metres from the school's proposed entrance.

Existing public transport includes rail services from Wahroonga, Warrawee, Turrumurra (approximately two kilometres to the north-east) and Thornleigh (approximately two kilometres to the west) train stations and two existing bus routes that provide services along The Comenarra Parkway and Fox Valley Road, that link the subject site to Turrumurra and Thornleigh train stations and surrounding centres. The subject site is poorly serviced by bicycle infrastructure, which impacts the support necessary to promote cycling as an alternative active transport mode, particularly for school aged children.

In response to Council's comments regarding the existing bus services and the need to establish additional services for the school, the applicant advised that consultation would be undertaken with the relevant service provider, though not until the school's expansion is completed. The Department, however, considers this approach does not enable the establishment of sustainable transport behaviours and that consultation and satisfactory bus services should be provided in consultation with the service provider and Council prior to the occupation of Stage 3 of the redevelopment and recommends a condition accordingly.

The applicant also notes that a new pathway, capable of being designed as a shared path, is proposed along the entire frontage of the development and bus shelter, which would supplement the existing bus stop at the front of the site in providing safe access to the school.

The proposed provision of only 15 bicycle parking spaces falls well short of the minimum requirement for the development, being 60 spaces, particularly the allocation of only five ground level spaces for students. The provision of end-of-trip facilities within the basement car park adjacent to the ten staff bicycle parking spaces is supported by the Department and will assist in encouraging staff to cycle to work.

The Department acknowledges that existing cycling infrastructure within the immediate locality is poor and provides minimal suitable connections to major centres or public transport. This restricts cycling's attractiveness as an alternative transport mode, particularly for younger school children. Notwithstanding, other staff and senior students would generally have greater independence and would be more likely to cycle to school/work if suitable end-of-trip facilities were provided.

The applicant's traffic report proposed a strategy for the provision of bicycle parking where an initial 50 per cent of the bicycle parking requirement be provided on site (i.e. 15 additional spaces), with the remainder of spaces to be provided as supporting cycling infrastructure within the locality is implemented. The Department supports this strategy, though notes that it would be unable to enforce the provision of the remaining 50 per cent of spaces. However, the provision of a total of 30 bicycle parking spaces on site would encourage cycling as an alternative transport mode. In this respect, the Department recommends a condition requiring an additional 15 bicycle parking spaces be provided, either at ground level or within the basement car park (for staff only), details of which shall be clearly indicated on the ground/basement floor plans, a copy of which should be submitted to the Department prior to the issue of the construction certificate for stage 6.

5.2.3 Noise and Vibration

The EIS was accompanied by an acoustic report that addresses potential noise and vibration impacts on sensitive land uses, being nearby residential dwellings, the adjoining Seventh-Day Adventist Church and Sydney Adventist Hospital (see **Figure 27**).

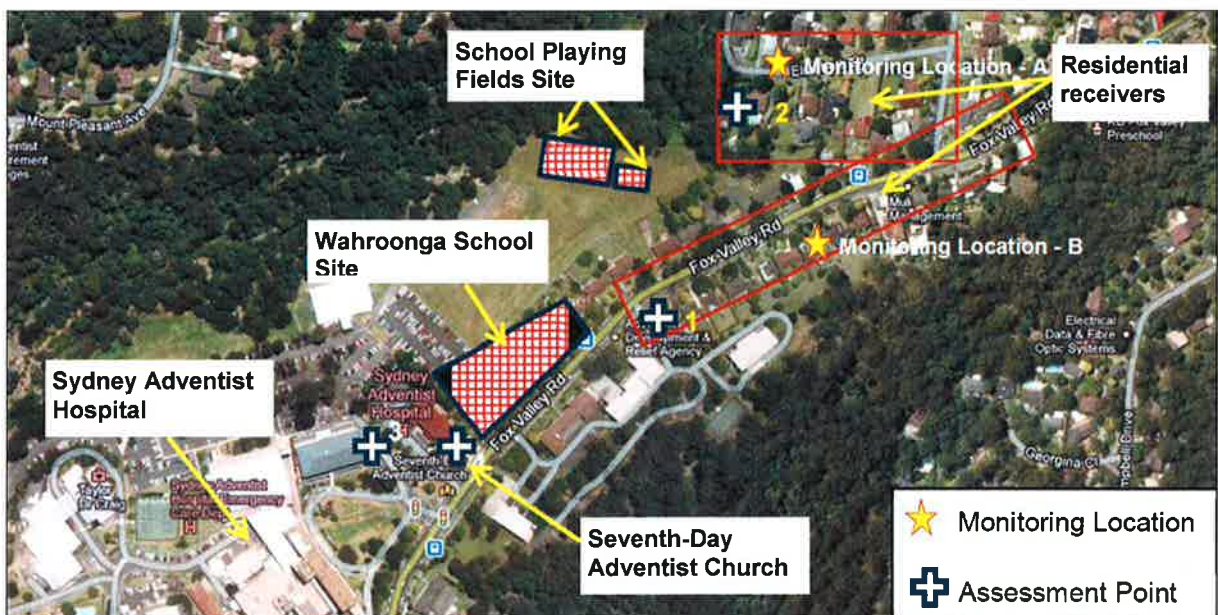


Figure 27: Nearest Affected Sensitive Receivers

Background noise monitoring was undertaken at the nearby residential receivers to establish rating background noise levels (RBL) to assist in assessing the potential noise impacts associated with the proposed development. The RBLs of the adjoining residential receivers are detailed in **Table 3**.

Table 3: Rating Background Level (L_{A90})

Residential Receiver	Day	Evening	Night
Location 1 – Elizabeth Street	41	41	34
Location 2 – Fox Valley Road	44	42	34

Construction Noise and Vibration

The Interim Construction Noise Guideline (ICNG) outlines the process of establishing construction noise management levels for surrounding sensitive receivers. Based on the established residential receiver RBLs and ICNG recommended management levels for places of worship and hospitals, day time noise management levels for construction activities have been established, which are outlined in **Table 4**.

Table 4: Construction Noise Management Levels

Sensitive Receiver	Daytime Background Noise Level (RBL) L₉₀ dB(A)	Construction Noise Management Levels LAeq, 15 min (RBL + 10)	
		Noise Affected	Highly Noise Affected
Location 1 – Elizabeth Street	41	51	75
Location 2 – Fox Valley Road	44	54	75
Seventh-Day Adventist Church	N/A	45*	75
Sydney Adventist Hospital	N/A	45*	75

* = Internal Criteria, where 10dB(A) difference between external and internal noise

Construction noise will be generated over the estimated ten year staged construction period during site establishment works, bulk excavation and general building construction activities throughout each stage. Worst case unmitigated noise levels were predicted to range from between 60dBA to 82dBA at 30 metres from the source and 50dBA to 72dBA at 100 metres from the source, during both the site establishment works and bulk excavation construction periods.

The applicant acknowledges that the predicted construction noise levels will exceed the proposal's construction noise management levels at surrounding receivers. To address this, the applicant proposes the implementation of best practice construction noise mitigation measures, including the selection of less intrusive screw piling, appropriate scheduling of noisier activities, the establishment of site hoardings and distance attenuation.

In addition, the applicant has also submitted a draft construction management plan that details proposed mitigation measures to reduce noise and vibration impacts, which would be subject to the construction activity and required construction equipment. Draft measures proposed include: the use of construction equipment fitted with noise attenuation devices; regular inspections and maintenance of construction equipment; the undertaking of appropriate consultation prior to use of noisy/highly intrusive construction activities/equipment; and the undertaking of works behind noise barriers or screening and to maximise the distance between the noise source and sensitive receivers.

The Department's assessment of the potential noise impacts during construction activities identifies that within the immediate vicinity of construction activities (i.e. 30 metres), all sensitive receivers would be noise affected, with two construction activities predicted to generate highly noise affected levels. At a greater distance (i.e. 100 metres), sensitive receivers would still be noise affected, however, amenity conditions would be significantly improved with generally only minor exceedances of the noise affected criteria. In addition, more adverse noise generating activities are temporary in nature and also staged, providing respite from continuous noise impacts.

The Department acknowledges that the predicated construction noise levels are the worst case, unmitigated levels, which when appropriately attenuated through the implementation of the proposed mitigation measures, would result in reduced noise impacts. To ensure this occurs, the Department recommends a condition requiring a finalised construction environmental management plan be prepared and include details of appropriate noise and vibration monitoring, construction of an acoustic barrier around the works (including staging details), appropriate community consultation and scheduling of highly noise affected and vibration generating activities and provision for respite periods from the operation of intrusive equipment as negotiated with the application and sensitive receivers.

Excavation works to enable the construction of the basement car park have the potential to generate vibration that can result in ground borne noise, human discomfort and structural building damage. The Department notes that a number of factors affect vibration levels, including construction equipment selected, site geotechnical conditions and the distance between the vibration source and sensitive receiver.

To ensure that vibration impacts are appropriately managed, the Department recommends that in addition to addressing the management of noise impacts, the construction environmental management plan also address the management of vibration impacts, including criteria for safe working distances and to address the requirements of the ICNG and Assessing Vibration – A Technical Guideline (Department of Environment and Conservation) 2006. Further, the Department recommends a condition requiring that vibration monitoring is undertaken throughout construction works to ensure that the vibration levels remain below the criteria established in German Standard DIN 4150-3 and British Standard BS 6472:1992.

The Department is of the opinion that, subject to the recommended conditions and the preparation and implantation of an appropriate construction environmental management plan, construction vibration and noise impacts can be satisfactorily managed and mitigated to a level that ensures the amenity of surrounding sensitive receivers is not adversely impacted upon and that potential impacts on human comfort and buildings and structures are minimised.

Operational Noise

The proposed operation of the new school would also result in potential noise impacts generated from the outdoor play spaces, music rooms, multi-purpose hall/stage facility and larger playing fields. Outside of traditional school operating hours, additional on-site activities are proposed ancillary to its primary education function, including on-site after hours school care, music lessons, award nights, use of the playing fields and the shared use of the multi-purpose hall and associated school facilities on the weekends by the adjoining church.

Council commented that the acoustic amenity of the proposed outdoor play spaces for the junior and middle school at the front of the site would be highly affected by traffic noise from Fox Valley Road. The Department's assessment also identified the potential for impacts on residential amenity from the use of the proposed playing fields, requesting the applicant demonstrate measures proposed to mitigate potential impacts.

Table 5: Project Specific Operational Noise Management Levels L_{eq} dB(A)

	Location 1 – Elizabeth Street	Location 2 – Fox Valley Road	Seventh-Day Adventist Church	Sydney Adventist Hospital
Day	46	49	40*	50
Evening	42	44	40*	50
Night	38	39	40*	50

* = Internal Criteria, where 10dB(A) difference between external and internal noise

OEH's NSW Industrial Noise Policy guideline (INP) establishes criteria for controlling noise impacts from mechanical plant equipment in new buildings. Based on the established RBLs,

project specific noise levels were established as the most stringent of the intrusive and amenity criteria for adjoining sensitive receivers in accordance with the INP (see **Table 5**).

School Operational Noise

Noise impacts associated with the use of the proposed school during standard schooling hours would largely be limited to outdoor activities. Noise modelling for internal classroom activities for the evening and night periods has demonstrated that when appropriately managed, noise levels would be within project specific criteria.

Specifically, worst case scenarios of after school activities conducted indoors within approximately one third of the classrooms in use (with windows closed), were predicted to comply with the project specific noise criteria at all sensitive receiver locations during the evening, between 6:00 pm and 10:00 pm. Similarly, the proposed use of the school hall facility into the night period (i.e. after 10:00 pm) was also predicted to comply (when operated with the doors closed).

Notwithstanding the above, the Department notes that there are no specific noise guidelines in relation to student and staff noise in outdoor areas. Noise generated during break periods however, would be for short periods throughout the day during recess and lunch times. The Department notes that schools generally coexist within urban environments and that the proposed development would provide a significant improvement to the existing educational infrastructure for the surrounding locality.

To ensure that potential noise impacts are satisfactorily mitigated, the Department recommends a condition requiring that an operational management plan be prepared that addresses the management of activities associated with the school, including activities after standard school operating hours, to ensure that noise generated by its operation are maintained at appropriate levels.

Playing Fields Operational Noise

Notwithstanding the supervised use of the proposed playing fields during standard schooling hours, the applicant proposes the use of the larger recreational area for after school sports training and potentially on Sundays for school fetes or functions.

Further, the use of the proposed playing fields is also categorised as a new sporting event, requiring activities to comply with RBL + 5 dB(A). Assuming the operation of all three areas (i.e. playing field and two PE courts) with crowds, the worst case scenario noise levels during the day period (7:00 am to 6:00 pm) and into the evening are predicted to exceed the evening project specific noise criteria for the adjoining residential sensitive receivers by up to 14 dB(A).

The applicant notes, however, that as no crowds would be permitted nor would there be competition level sporting activities taking place due to the proposed design specifications, noise levels generated would be less than that predicted. The applicant has recommended a number of management measures to mitigate potential noise impact. Specifically, the establishment of an earth mound around the playing fields area is recommended, as well as the erection of acoustic rated acrylic vinyl around the PE court to assist in attenuating noise impacts.

In addition, the Department considers that the proposed use of the playing fields for training and related activities should be restricted to 6:00 pm and that no competition level sporting activities be permitted to take place. The Department considers that the proposed restrictions would suitably enable training and sports activities to take place, while also limiting noise impacts, particularly after school. The Department recommends a condition to this effect and that the operation of the playing fields also be addressed within the required operational management plan.

Traffic and Car Park Noise

Noise generated by the additional school related traffic is assessed to be within the 2 dB(A) above the existing level in accordance with OEH's NSW Road Noise Policy, and therefore the requirement for acoustic treatment was not necessary.

Predicted noise levels associated with the use of the basement car park during the evening and night would exceed the project specific amenity criteria for these periods. The Department notes that use of the basement car park during this period would be minimal and therefore exceedances would be limited. Notwithstanding, the predicted basement car park noise levels during the night period would exceed the sleep disturbance criteria for the adjoining residential sensitive receivers and most likely, occupants of the adjacent future residential flat buildings.

Whilst the use of the basement car park is predicted to exceed project specific noise criteria, its intermittent use provides on-site parking benefits associated with events or performances within the school's hall facility.

Recommended absorptive treatments to the car park entry ramp would assist in reducing potential noise impacts. However, the Department also considers it necessary that operation of the basement car park during these after school periods be appropriately managed to limit potential impacts, particularly when vehicles are exiting at night.

The Department is satisfied that, subject to the recommended conditions, noise impacts associated with the operation of the school and associated playing fields, can be adequately mitigated and managed. The Department recommends that acoustic assessments are undertaken within 60 days of the final occupation of stage 6 of the school to verify that the noise levels do not exceed the operational noise goals and acceptable noise levels.

5.2.4 Environmental and Residential Amenity

Overshadowing

The proposed layout of the school's built form along the Fox Valley Road frontage was designed to minimise overshadowing to the school site's main central outdoor play space, with sufficient solar access provided during the key morning and lunch time breaks (see **Figure 28**). Some overshadowing is predicted from 12:00 noon onwards within the front setback area of the secondary outdoor play space for the junior school at the north eastern corner of the site, though access to the main central outdoor play space would remain available.

No adverse overshadowing impacts from the proposed development on adjoining land uses are predicted to be generated, with sufficient solar access maintained during all times of the day.

The Department's assessment indicates that overshadowing impacts would likely be generated by the future residential flat buildings, located immediately adjacent to the north east of the site. However, a final design for the future residential development has not yet been created, though initial investigations based on the approved concept plan building footprint layout suggest that only marginal impacts on the central outdoor play space would occur between 12 noon and 1:00 pm, midwinter. Notwithstanding, the future residential development adjacent would be required to give consideration to the amenity of the school during the design development phase of the any proposal and ensure that no adverse impacts are generated.

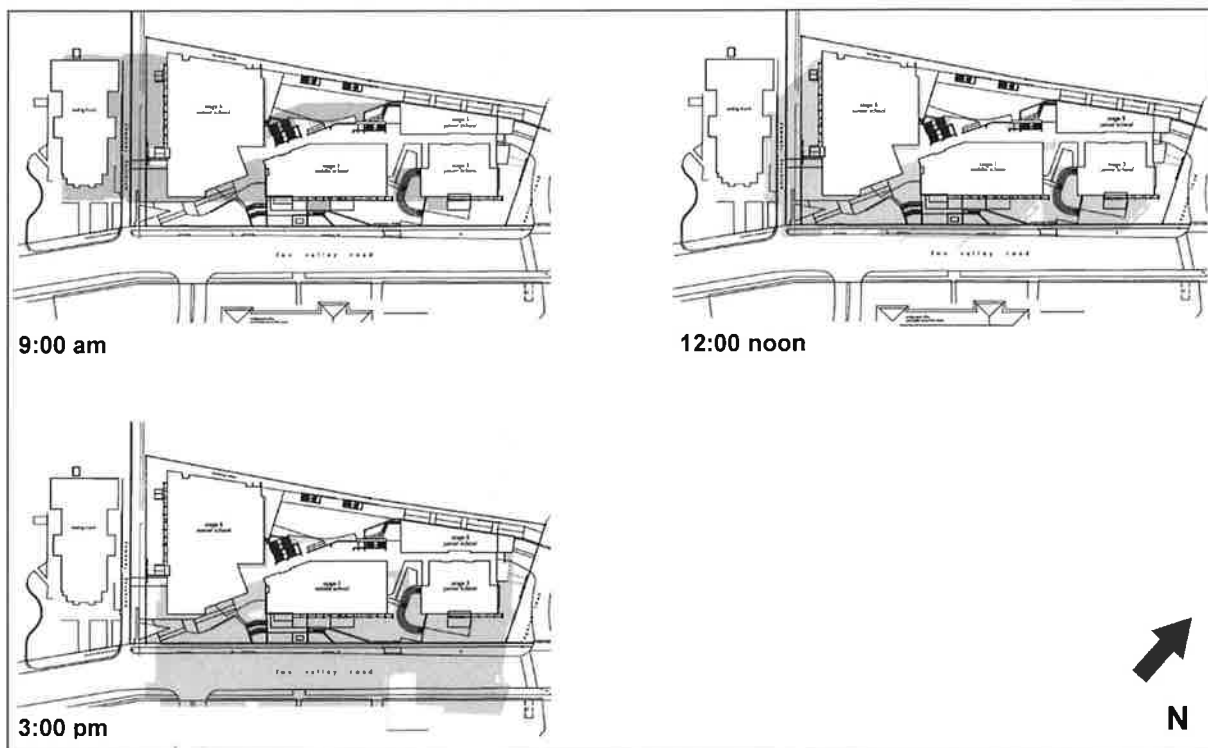


Figure 28: Mid-winter Overshadowing Impacts

The Department also notes that in addition to the play space areas located on the school site, the playing fields to the north would not be impacted, with solar access maintained throughout the day, as no future envisaged development would generate impacts. Accordingly, the Department is satisfied that the proposed development would not generate adverse overshadowing impacts and that satisfactory solar access is provided to the school and outdoor play space areas and playing fields.

Light Spillage

The proposed playing fields include the installation of lighting at the perimeter of the open space field and two PE courts. Six ten metre high post lights are proposed for the open space field, while each PE court is proposed to have four lights mounted at the corners of each shade structure erected over the courts (see Figure 29).

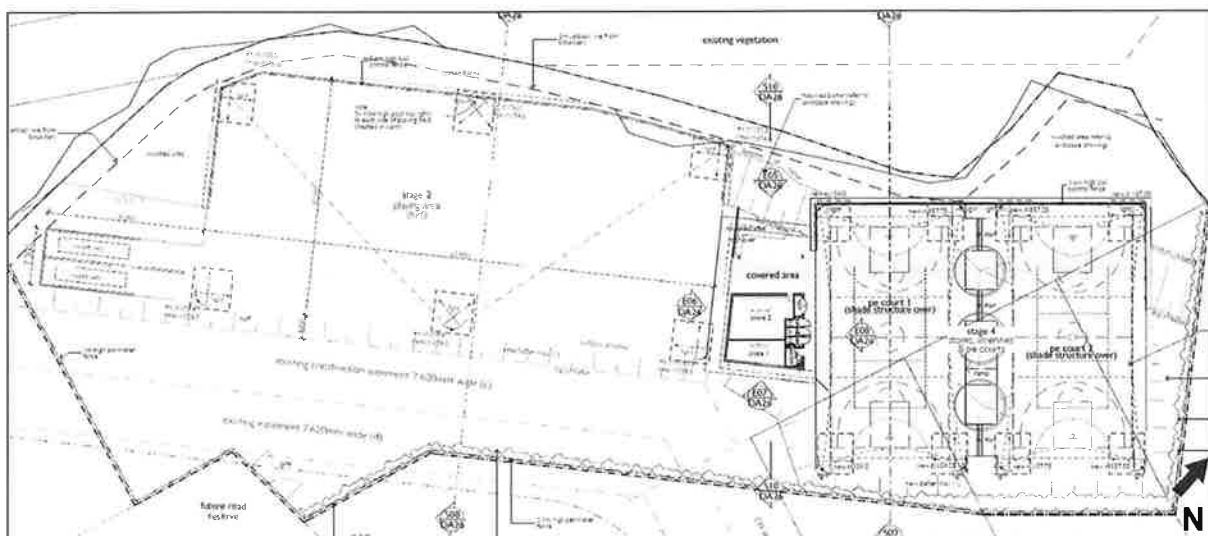


Figure 29: Playing Fields Lighting Layout (red hatched boxes)

The applicant advises that the proposed playing fields have not been designed for competition and therefore would be limited to daily school recreational activities, training and no spectators. The proposed lighting would be used in the afternoons and evenings for training purposes during winter months when limited light is available.

No concerns were raised by adjoining neighbours regarding the use of the playing fields or the associated lighting. However, OEH raised concerns regarding potential light spill impacts on the adjoining E2 Environmental Conservation zoned bushland.

The applicant responded in its RtS stating that the final detailed design for the playing fields lighting plan would ensure that light pollution is addressed. The applicant's Flora and Fauna Assessment also states that the presence of native flora and fauna in the adjacent environmental conservation bushland was not likely to be impacted on by the use of lighting associated with the playing fields, noting that the locality was already subject to light disturbance from existing hospital operations and former/existing residential dwellings.

The Department considers the siting of the playing fields in the north of the site, adjacent to the existing bushland, is best placed to minimise potential light spill impacts on surrounding land uses. To ensure that the amenity of existing adjacent land uses is maintained, the Department recommends a condition requiring the applicant to submit a lighting plan demonstrating that the final lighting design does not give rise to unacceptable light pollution. In addition, the Department's standard recommended condition requiring compliance with Australian Standard 4282 – Control of obtrusive effects of outdoor lighting, will ensure that no adverse light pollution impacts from the use of the playing fields is generated.

Subject to recommended conditions, the Department concludes that the operation of lighting associated with the use of the proposed playing fields would not give rise to adverse amenity impacts. Further, the Department's recommendation to prepare an operational management plan for the playing fields, as outlined previously, would address the hours of operation, which in turn would also manage lighting of the playing fields during the evening.

5.2.5 Other Matters

Bushfire

Under the NSW RFS's *Planning for Bushfire Protection 2006* (PBP), the proposed development is characterised as a special fire protection purpose (SFPP) development. The proposed school buildings are located outside of the 100 metre special use asset protection zone (APZ) established under the approved concept plan (see **Figure 30**). The proposed playing fields area, not considered to be a core SFPP building, is located within the APZ for the school but is provided with a 30 metre defendable space to the adjacent bushland in accordance with the requirements for a class 10 building.

The applicant proposes to construct the new school buildings to comply with bushfire attack level (BAL) 12.5 standards in order to protect the school from ember attack, while the proposed amenities and store building within the playing fields area is proposed to be constructed to comply with BAL 29 standards.

Council raised concerns with the potential impact from bushfires and stated that the proposal should demonstrate how it complies with the Bushfire Protection Measures for the site through proposed evacuation measures and an assurance that adequate water supply can be maintained.

In response, the applicant stated that the bushfire evacuation planning procedures for the existing Wahroonga Adventist Primary School would be updated at each stage of the proposed new school to reflect the associated expansion.

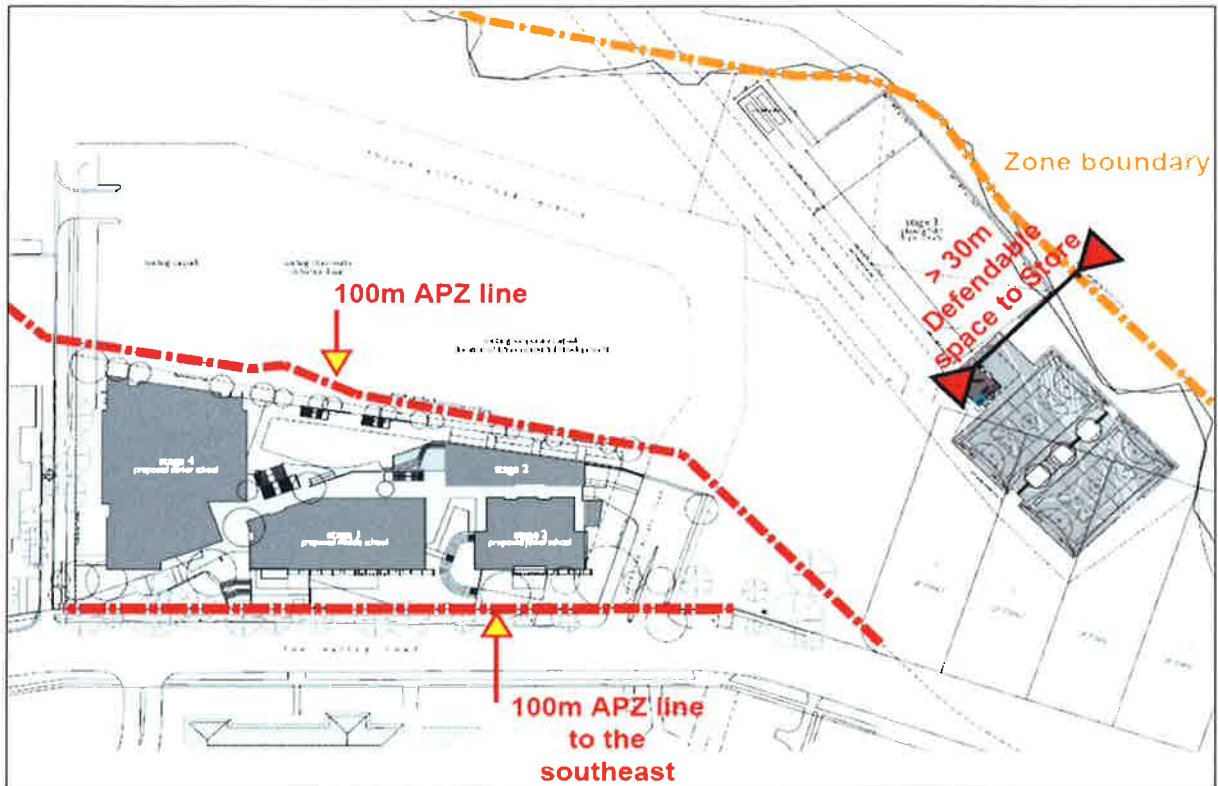


Figure 30: Bushfire Asset Protection Zones

The proposed development was also referred to the RFS for comment. The RFS raised no objections to the proposed development, providing recommended conditions relating to the management of the APZ as an inner protection zone and requirements for construction and services standards.

The Department considers that the design and layout of the proposed development has given satisfactory consideration to the APZ established under the concept plan, locating all key SFPP buildings outside of this zone. It is noted that the proposed location of the playing fields within the APZ between the school and hazard accords with PBP, as does locating the basement car park adjacent to Fox Valley Road. Further, the proposed BAL construction standard for the new school will ensure that threats associated with ember attacks are minimised.

The Department is satisfied that the bushfire threat presented by the surrounding bushland has been satisfactorily addressed and that the design and layout of the proposed development will minimise any potential impacts. In addition to the applicant's detailed mitigation measures, the Department recommends that the existing Wahroonga Adventist Primary School evacuation plan be updated accordingly, as the staged expansion of the school progresses.

Stormwater and Drainage

The applicant proposes a range of stormwater and drainage measures to manage rain fall events in accordance with Council's controls, including on-site detention basins and a rainwater tank (located within the basement car park), water sensitive urban design (WSUD) measures and dispersion trenches.

Council raised concerns regarding the proposed stormwater drainage design for the new school and the potential for the playing fields and PE courts to impact on an existing watercourse. Similar comments were also raised by OEH, which recommended that stormwater runoff from the playing fields should have nutrient treatment prior to discharge. It

also recommended that the playing fields area be setback three metres from the E2 zone bushland.

The applicant's response notes that the treatment of stormwater from the proposed playing fields would be undertaken via a gross pollutant trap and bio-filter, ensuring that coarse sediment, litter, vegetation matter, hydrocarbons, suspended solids, nitrogen and phosphorus are effectively captured and removed from stormwater runoff. Additionally, the applicant has amended the siting of the playing fields, setting back the recreational area by a minimum three metres from the adjoining bushland.

The Department is satisfied that the proposed stormwater and drainage design for the school and playing fields would appropriately manage and treat stormwater prior to it being discharged into the Coups Creek Catchment. The proposed gross pollutant trap and bio-filter are considered appropriate for the treatment of stormwater runoff from the adjacent playing fields to ensure that potential impacts on the adjoining E2 zoned bushland are satisfactorily minimised.

Public Interest

The proposed Wahroonga Adventist School will cater for the current and future demands of the surrounding community in providing improved modern educational infrastructure and additional enrolment capacity.

The proposed new school will allow for the relocation and expansion of the existing Wahroonga Adventist Primary school, envisaged under the approved concept plan for Wahroonga Estate, and caters for the growing education demand. The construction of the new school will also enable the existing primary school site to be redeveloped for the identified residential and mixed use land uses and continue to support the revitalisation of the Wahroonga Estate.

The Department's recommended conditions and the applicant's proposed mitigation measures will ensure that the construction and operation of the proposed school will not give rise to adverse environmental and amenity impacts. The Department concludes that the proposal is in the public interest, and accordingly, should be approved.

6. CONCLUSION

The proposal seeks approval to the staged construction of a new three to four storey building, basement car park and set down/pick up facility, with accommodation for up to 800 kindergarten to year 12 students, and associated playing fields and sporting facilities, subdivision and new signalised intersection and site access road.

The Department has reviewed the EIS and considered advice from public authorities and the general public. Issues raised in submissions have been duly considered and all relevant environmental issues associated with the proposal have been thoroughly assessed. The proposal is consistent with the strategic objectives for the area.

The Department is of the view that the recommended conditions and implementation of measures detailed in the applicant's EIS and appendices, and the Response to Submissions report, will adequately mitigate the residual environmental impacts associated with the proposal.

The Department concludes that the site is suitable for the proposed development and the proposal is in the public interest given the significant social and educational benefits it will provide the surrounding community. Accordingly the Department recommends that the State significant development be approved, subject to conditions.

7. RECOMMENDATION

In accordance with section 89E of the *Environmental Planning and Assessment Act 1979*, it is recommended that the Executive Director, Infrastructure and Industry Assessments:

- (a) **consider** the finding and recommendations of this report;
- (b) **approve** the development by granting consent for the Wahroonga Adventist School, subject to the recommended conditions set out in the attached instrument at **Appendix D**; and
- (c) **signs** the attached development consent at **Appendix D**.

Prepared by: Peter McManus, Senior Planner

Endorsed by:


Karen Jones
Director
Infrastructure 28.4.15

Approved by:


Chris Wilson
Executive Director
Infrastructure and Industry Assessments

APPENDIX A RELEVANT SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environments website as follows.

1. Environmental Assessment

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5535

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5535

3. Applicant's Response to Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=5535

APPENDIX B CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENT(S) AND DCP(S)

The primary controls guiding the assessment of the proposal are:

- a) State Environmental Planning Policy (State and Regional Development) 2011
- b) State Environmental Planning Policy No.55 – Remediation of Land
- c) State Environmental Planning Policy (Infrastructure) 2007
- d) State Environmental Planning Policy No.19 – Bushland in Urban Areas
- e) Ku-ring-gai Planning Scheme Ordinance

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

The aims of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) are to identify State significant development and State significant infrastructure and provide the necessary functions to joint regional planning panels to determine development applications.

The proposal is for SSD in accordance with section 89C of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because it is development for the purpose of an educational establishment (including associated research facilities) with a capital investment value (CIV) in excess of \$30 million, under clause 15 of Schedule 1 of SRD SEPP.

State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 aims to provide a state wide approach to the remediation of contaminated land. In particular, SEPP 55 aims to promote the remediation of contaminated land to reduce the risk of harm to human health and the environment by specifying under what circumstances consent is required, specifying certain considerations for consent to carry out remediation work and requiring that remediation works undertaken meet certain standards.

A preliminary site investigation (phase 1) report was initially prepared for the proposed development, and involved a review of historic documentation and previous contamination reports and site walkover. The phase 1 report concluded that potential for contamination existed due to the presence of fill material (identified during the site walkover) and previous demolition of the former residential dwellings that occupied the main school building site. Although it was considered that contamination was unlikely, the phase 1 report recommended that a detailed site investigation (phase 2) report be prepared, including

specific subsurface investigations, to assess the suitability of the subject site for the proposed development.

The preparation of the phase 2 report involved the review of previous reports and historic documentation and the collection of soil samples for laboratory testing from 28 drilling/test pits. Sample testing undertaken within the proposed school and playing fields sites identified natural soils with underlying fill, while building rubble from the former residential dwellings was also observed during field testing.

Laboratory testing of soil samples taken did not identify any contaminants above the established health investigation levels and management limits. No groundwater contaminants were identified above health and screening levels and no further investigation was considered necessary. However, asbestos was detected within a test pit in the footprint of a former residential dwelling within the proposed school site, though no other asbestos materials were detected in any other samples collected. Additionally, marginal exceedances of ecological investigation levels for metal and organic compounds were also detected within the school site.

It was recommended that site remediation be undertaken to remove the contaminants from the site. Accordingly, the applicant prepared a remedial action plan (RAP) for the site that proposing the following procedures to remove the contamination risks from the development site:

- visual screening and tilling of soils for asbestos and stockpile separation, soil classification and removal from site, all under the supervision of an occupational hygienist;
- excavation of soils within the vicinity of the ecological investigation level exceedances, waste classification and off-site disposal of surplus soils in accordance with EPA guidelines; and
- implementation of an environmental management plan, including an unexpected finds protocol and preparation of a validation assessment report

The applicant's consultant concludes that, subject to the implementation of the RAP and subsequent site validation, the development site can be made suitable for the proposed development of an educational establishment. In this regard, the Department is satisfied that, in accordance with clause 7 of the SEPP, the subject site can be satisfactorily made suitable for the proposed use as an educational establishment. To ensure the site is made suitable, the Department recommends the imposition of appropriate conditions of consent.

State Environmental Planning Policy (Infrastructure) 2007

The aim of the Infrastructure SEPP is to facilitate the effective state wide delivery of infrastructure by providing greater flexibility in the location of infrastructure and service facilities, allowing the development of surplus government land, identifying relevant environmental assessment categories for development and relevant matters to be considered and providing for consultation with relevant public authorities.

Under State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP), land zoned R4 – High Density Residential is defined as a prescribed zone, to which clause 28(1) of the Infrastructure SEPP stipulates that development for the purpose of educational establishments may be carried out on land in a prescribed zone. Accordingly, the proposed development is permissible with development consent.

Clause 32 of the Infrastructure SEPP also requires a consent authority consider all relevant schools facilities standards before determining a development application for a school. The Department has reviewed the relevant standards and, in consultation with the NSW Department of Education and Communities, notes that these standards were originally developed as minimum standards and design criteria for development works undertaken as

part of the Federal Government's Nation Building, Building the Education Revolution program.

The Department has given consideration to the standards and considers that the majority of these standards are not applicable to the proposed development, which primarily relate to specific technical construction details for public schools, such as laboratory construction code, materials and finishes, window glazing requirements, electricity, lighting, power, signs and furniture. Notwithstanding, standards such as minimum floor to ceiling heights, covered walkway requirements and bushfire protection requirements have been satisfactorily addressed by the applicant and are considered to be generally consistent with the standards.

In accordance with clause 104 of the Infrastructure SEPP, the proposed development was referred to the RMS for consideration as traffic generating development. Comments received from RMS, including recommended draft conditions, have been given consideration in the Department's assessment of the proposed development.

State Environmental Planning Policy No.19 – Bushland in Urban Areas

The aim of SEPP 19 is to protect and preserve bushland within urban areas, specifically the protection of remnants of plant communities, endangered flora and fauna species and their habitats, wildlife corridors, scenic values, archaeological relics, potential recreational and educational values and to promote the management of bushland.

The proposed development does not encroach on the adjacent E2 Environmental Conservation zoned bushland. Stormwater and erosion and sediment control measures are proposed to minimise potential impacts on the existing bushland. Further, the continued application of the existing Wahroonga Estate Biodiversity Management Plan in conjunction with the proposed development will ensure all potential impacts are satisfactorily mitigated.

Ku-ring-gai Planning Scheme Ordinance (KPSO)

Consideration of the relevant controls contained relating to the Wahroonga Estate site, under Part IIIC of the KPSO, is provided below in **Table 1**. Pursuant to clause 25Y(2) of this part, no other provisions of the KPSO apply to the Wahroonga Estate site.

Table 1: Ku-ring-gai Planning Scheme Ordinance Compliance Table

KPSO	Objectives	Department Comment/ Assessment	Yes/No
Cl.26G – R4 High Density Residential Zone	- To provide for the housing needs of the community with high density residential development. - To provide a variety of housing types. - To enable other land uses that provides facilities or services to meet the needs of residents.	The proposed educational establishment development was identified at the subject site under the approved concept plan. Additionally, it is a permitted land use within the R4 zone. The proposed development will not prevent the future development of the surrounding areas for the identified future high density residential housing. The proposed development will provide educational facilities that will service the immediate and surrounding community.	Yes
Cl.26L – Subdivision	- Land within Wahroonga Estate may be subdivided with consent.	The development proposes subdivision to create to separate lots for the school and playing fields. Therefore consent is required in accordance with cl.26L(1).	Yes
Cl.26M – Height and GFA restrictions	- Height and GFA within Wahroonga Estate is not to exceed the maximum shown on the	The maximum height of the proposal generally complies with the KPSO controls, subject to minor departures which are compliant with the maximum	Yes

	height and GFA maps.	building height established under the Wahroonga Estate concept plan (as amended). The proposed 8,158 sqm educational establishment satisfactorily complies with the 9,000 sqm maximum GFA limit.	Yes
CI.26Q – Tree Preservation	- A tree on the Wahroonga Estate must not be cut down or destroyed without consent.	20 trees are proposed for removal, the majority of which are described as being in a 'fair' condition. Their removal is required due to the location of building/basement footprints and access arrangements, all originally envisaged under the concept plan. Importantly, and in accordance with the concept plan, the existing significant street trees are proposed to be retained.	Yes
CI.26R – Heritage Conservation	- To conserve heritage significant items and conservation areas. - To conserve Aboriginal heritage significance.	The proposed development site is opposite the Seventh Day Adventist Church Administrative headquarters, which is listed as a local heritage item. The HIS submitted with the proposed development notes that the proposal is physically and visually separated from the existing item by Fox Valley Road and existing vegetation and would not impact on its existing curtilage or views to and from the item. The proposal's contemporary design ensures does not seek to mimic or intrude on the visual curtilage of the existing item. Furthermore, the proposed development will strengthen the existing social and cultural heritage associated with the associated of the Seventh Day Adventist Church in this locality.	Yes
CI.26S – Earthworks	- To ensure earthworks will not have a detrimental impact on environmental functions and processes or surrounding land uses.	As envisaged under the concept plan, excavation for a single level basement car park is proposed as part of the application. Earthworks are also proposed for the playfields to create level ground suitable for future activities. Proposed stormwater and sediment and erosion control measures include OSD, WSUD, gross pollutant traps and dispersion trenches that are design to slow water movement and runoff.	Yes

Draft Ku-ring-gai Local Environmental Plan 2013

Under the draft KLEP, the subject site's zoning is not proposed to be amended, remaining as R4 – High Density Residential, nor is the applicable maximum building height control at 14.5 metres. The Department is satisfied that the proposed development is consistent with the draft provisions outlined within the draft KLEP.

APPENDIX C GLOSSARY

Accredited Assessment under the EPBC Act.

If the development involves a "controlled action" under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), the development can be assessed as an accredited assessment under the EPBC Act. This means that separate assessment processes are not required under both the EPBC Act and the EP&A Act, and the NSW assessment process has been accredited by the Commonwealth. However, the Commonwealth Minister for the Environment maintains an independent approval role, and the Commonwealth provides input to certain stages of the assessment process

Where a controlled action is involved the Department has consulted with the Commonwealth Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) throughout the assessment process.

Ecologically Sustainable Development can be achieved through the implementation of:

- (a) *the precautionary principle - namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:*
 - (i) *careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
 - (ii) *an assessment of the risk-weighted consequences of various options,*
- (b) *inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,*
- (c) *conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,*
- (d) *improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:*
 - (i) *polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,*
 - (ii) *the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,*
 - (iii) *environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.(Cl.7(4) Schedule 2 of the Regulation)*

Objects of the Act

- (a) *to encourage:*
 - (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
 - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
 - (iii) *the protection, provision and co-ordination of communication and utility services,*
 - (iv) *the provision of land for public purposes,*
 - (v) *the provision and co-ordination of community services and facilities, and*
 - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
 - (vii) *ecologically sustainable development, and*

- (viii) the provision and maintenance of affordable housing, and
- (b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and
- (c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

Relevant Environmental Planning Instruments.

These are EPIs that are required to be taken into consideration in the assessment of the development under s. 79C. A detailed evaluation of each is provided at Appendix B.

Section 79C Evaluation

(1) 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
 - (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, 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.

Note. See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.

Note. The consent authority is not required to take into consideration the likely impact of the development on biodiversity values if:

- (a) the development is to be carried out on biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995), or
- (b) a biobanking statement has been issued in respect of the development under Part 7A of the Threatened Species Conservation Act 1995.

APPENDIX D RECOMMENDED CONDITIONS OF APPROVAL
