

# Appendix C – Statutory Compliance Table

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
<b>Environmental Planning and Assessment Act 1979 (EP&amp;A Act)</b>			
Section 1.3	<p>To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources</p>	<p>The proposal seeks to develop land located within Oxford Falls for the purpose of multi-functional school sporting facilities that are appropriate for Independent Girl’s Schools Association (<b>IGSA</b>) interschool sport and competition, as well as additional learning facilities.</p> <p>Outside of school use, the site will be open to use by the community to encourage physical activity and improvement in physical fitness for the wider community.</p> <p>This proposal will provide necessary facilities for training and competition, with any potential environmental impacts appropriately mitigated, managed, and minimised to avoid unacceptable impacts on the local community and the environment.</p>	<b>Section 7.3</b>
	<p>To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment</p>	<p>The proposed development integrates a range of Ecologically Sustainable Development (<b>ESD</b>) initiatives. These include electrified building services to eliminate operational fossil fuel use, compliance with Net Zero requirements, and on-site renewable energy generation via a rooftop photovoltaic system. Passive design principles will be applied to enhance energy efficiency, alongside water-sensitive urban design (<b>WSUD</b>) measures to improve water efficiency. The project will minimise construction waste through the use of durable,</p>	

	<p>low embodied carbon materials, and will incorporate measures to conserve biodiversity.</p> <p>An ESD Report, prepared by JHA, outlines in detail the ESD strategies proposed for the development.</p>
To promote the orderly and economic use and development of land	<p>The proposed development will provide new school sport and recreation facilities on currently underutilised land at Oxford Falls.</p> <p>The use of the site as an educational establishment is permissible with consent and will provide an appropriate and economic use for the site which is consistent with state and local planign policy to provide high-quality education and rection facilities.</p>
To promote the delivery and maintenance of affordable housing	N/A
To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	<p>The proposal will preserve the existing riparian zone which is a tributary of Middle Creek which runs through the site. Whilst the proposal does result in tree removal, it aims to rehabilitate the riparian corridor and proposes a substantial landscape and 1:1 tree replacement strategy prepared by Inspired Exteriors, which included the introduction of 241 native trees. Appropriate mitigation measures are to be in place to further protect the environment during construction and operations. A BDAR has also been prepared by AEP which concluded that no Commonwealth listed entries on the EPBC Act was recorded.</p>
To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)	<p>A Heritage Impact Statement (<b>Appendix DD</b>) has been prepared by Urbis which assesses the impact of the proposed development on the adjacent heritage item to the west of the site identified as the Oxford Falls Public</p>

School. The HIS concludes that there will be no direct physical or structural impacts which will occur to the Oxford Falls Public School heritage item as a result of the proposed works to construct the sporting facilities.

To assess the built and cultural heritage of the site, an Aboriginal Cultural Heritage Assessment Report (**ACHAR**) has been prepared by Urbis. The report concludes that there are no known Aboriginal Objects or Aboriginal Places registered within the subject area. Therefore, the proposed physical works are unlikely to cause either direct or indirect harm to Aboriginal objects or negatively impact inter-generational equity. Mitigation measures have been recommended for unexpected finds.

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To promote good design and amenity of the built environment

The proposal is assessed under the Better Placed *Objectives For Good Design* as part of the Architectural Design Statement prepared by TKD Architects.

The proposal achieves Design Excellence through the modulation of building forms, materials and finishes representing that blend with the immediate character of the area including the surrounding educational and recreational facilities.

The design is sympathetic to the surrounding natural environment, providing suitable landscaped setbacks and a resultant built form that minimises impacts to surrounding receivers and neighbours. The proposal provides an appropriate tree replacement strategy, preserves remnant bushland and will rehabilitate the riparian corridor, overall resulting in an improved outcome to what is currently on site.

The proposed built form exhibits a high-quality design outcome that is has been purposely setback from the

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residential site boundaries ensuring there is minimal additional overshadowing to adjacent properties and to reduce visual impact.

To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants

Durable materials such as brick, sandstone, fibre cement and metal cladding have been chosen to ensure the building is low maintenance.

The proposed development is also supported by an BCA and Accessibility Report prepared by Steve Watson and Partners, confirming it is capable of meeting relevant standards.

To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State

Consultation with Northern Beaches Council has occurred including a number of meetings with the Planning and Assessment Team. Consultation has also occurred with NSW Department of Planning, Housing and Infrastructure (DPHI) and Government Architect NSW (GANSW).

The formal exhibition will also allow the relevant authorities and Council to provide input on the development during the assessment process.

Further discussions with Council will continue particularly on the community use of the proposed facilities.

To provide increased opportunity for community participation in environmental planning and assessment

Community consultation and engagement with relevant stakeholder groups has been undertaken throughout the planning and design process. This has included a letter drop for surrounding neighbours and 2 community drop in sessions.

Section 4.15

- (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 Planning 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 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and
  - (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),
  - (v) (Repealed)
- that apply to the land to which the development application relates,

The following Environmental Planning Instruments (EPIs), proposed EPIs and regulations have been considered for the proposed development:

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Warringah Local Environmental Plan 2000 (WLEP 2000)*

Clause 2.10(1) of the Planning Systems SEPP provides that the provisions of Development Control Plans do **not** apply to SSD. Further, s3.36(9) of the T&I SEPP states a provision of a DCP that specifies a requirement, standard or control in relation to school development is of no effect, regardless of when the development control plan was made.

(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	The likely impacts of the development including the environmental impacts on the natural and built environments, social and economic impact on the locality are assessed in detail within the EIS.	<b>Section 6</b>
(c) the suitability of the site for the development	The suitability of the site for the proposed development is demonstrated in the EIS	<b>Section 7.6</b>
(d) any submissions made in accordance with this Act or the regulations	Submissions will be considered following exhibition of the application.	N/A at this stage

(e) the public interest

The proposed development satisfactorily responds to the relevant planning instruments and controls applying to the site. The proposal will not create any adverse social, economic or environmental impacts that cannot be mitigated via the proposed mitigation measures in this application. The benefits of the development outweigh any adverse impacts and the development is deemed to be in the public interest.

**Section 7.7**

**Environmental Planning and Assessment Regulation 2021**

Part 8 Division 2

Part 8 Division 2 of the Regulations provides that environmental assessment requirements will be issued by the Secretary with respect to the proposed EIS.

A SEARs for Queenwood Sporting Facilities was issued on 26 July 2024 associated with application number SSD-73688210.

Refer Appendix A for the project SEARs.

Section 192 Content of Environmental Impact Statement

- (1) An environmental impact statement must contain the following—
- (a) a summary of the environmental impact statement,
- (b) a statement of the objectives of the development, activity or infrastructure,
- (c) an analysis of feasible alternatives to the carrying out of the development, activity or infrastructure, considering its objectives, including the consequences of not carrying out the development, activity or infrastructure,
- (d) an analysis of the development, activity or infrastructure, including—

An EIS has been prepared in accordance with the SEARs issued for the project, and contains the relevant information identified in section 192 of the EP&A Regulations.

Refer Appendix A for the project SEARs.

- (i) a full description of the development, activity or infrastructure, and
- (ii) a general description of the environment likely to be affected by the development, activity or infrastructure and a detailed description of the aspects of the environment that are likely to be significantly affected, and
- (iii) the likely impact on the environment of the development, activity or infrastructure, and
- (iv) a full description of the measures to mitigate adverse effects of the development, activity or infrastructure on the environment, and
- (v) a list of the approvals that must be obtained under another Act or law before the development, activity or infrastructure may lawfully be carried out,
- (e) a compilation, in a single section of the environmental impact statement, of the measures referred to in paragraph (d)(iv),
- (f) the reasons justifying the carrying out of the development, activity or infrastructure, considering biophysical, economic and social factors, including the principles of ecologically sustainable development set out in section 193

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**Biodiversity Conservation Act 2016**

Section 7.9

Section 7.9 of the BC Act requires preparation of a biodiversity assessment for SSD that is assessed under Part 4 of the EP&A Act.

Section 7.9(2) of the BC Act allows for exemption from the requirement where the development is not likely to have any significant impact on biodiversity values.

A BDAR has been prepared by AEP which concludes that there are no threatened species recorded on the site. Despite the site having native vegetation, the proposed footprint has been situated to avoid impacts on native vegetation and ensure impacts to biodiversity values have been minimised where possible.

**Section 6.5**

## Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

Chapter 2 –  
Protecting the  
environment

Chapter 2 of the EPBC Act establishes controls for assessing and regulating the environmental impact of activities (including development) where a Matters of National Environmental Significance (**MNES**) may be affected. Under the EPBC Act, any action which has, will have, or is likely to have a significant impact on MNES is defined as a “controlled action” and requires approval from the relevant Commonwealth Minister.

Assessment of significance is required in accordance with the Significant Impact Guidelines 1.1 – Matters of National Environmental Significance published by the Commonwealth Department of Agriculture, Water and the Environment (DAWE).

A BDAR has been prepared by AEP which concluded that no Commonwealth listed entries on the EPBC Act was recorded, and as such, no referral is recommended.

**Section 6.5**

## Rural Fires Act 1997

Subdivision 2 Bush  
fire prone land

(1) The Commissioner may issue a bush fire safety authority for—

100B Bush fire safety  
authorities

(a) a subdivision of bush fire prone land that could lawfully be used for residential or rural residential purposes, or  
(b) development of bush fire prone land for a special fire protection purpose.

A Bushfire Risk Assessment Report has been prepared by BlackAsh.

The following mitigations measures are proposed to ensure that the development is compliant with Section 100B of the Rural Fires Act 1997:

- The entire site must continue being maintained as an APZ in accordance with the NSW RFS Standards for Asset Protection Zones and Planning for Bush Fire Protection 2019.
- Water, electricity and gas supplies through the proposed development must comply with section 6.8.3 of PBP 2019. for the proposed Sports Complex.
- The building is to be constructed in accordance with BAL-12.5 of Australian Standard AS 3959-2009

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Construction of buildings in bushfire-prone areas (AS 3959-2018).

- A Bush Fire Emergency Management and Evacuation Plan is to be prepared prior to occupation of the site.

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### Roads Act 1993

Section 138	<p>Section 138 regulates works and structures in, on or over a public road including requirements for concurrence from TfNSW.</p> <p>The Guide for Traffic Generating Developments will be considered as part of the Transport Assessment for the project and assessed within the EIS.</p>	<p>As noted in the Transport and Accessibility Impact Assessment (TAIA) prepared by JMT Consulting, it is not anticipated that the works will necessitate the need for any road closures or occupation of roadways during the project. Should this need arise the appointed contractor would liaise closely with Council and TfNSW and schedule these works well in advance to minimise disruption to road users.</p>	<p><b>Section Error!</b> Reference source not found.</p>
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### State Environmental Planning Policy (Biodiversity and Conservation) 2021

<p>Section 6.6</p> <p>In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following—</p> <p>(a) whether the development will have a neutral or beneficial effect on the quality of water entering a waterway,</p> <p>(b) whether the development will have an adverse impact on water flow in a natural waterbody,</p> <p>(c) whether the development will increase the amount of stormwater run-off from a site,</p> <p>(d) whether the development will incorporate on-site stormwater retention, infiltration or reuse,</p>	<p>Provisions are not applicable as the site is not located within the following catchments in accordance with Section 6.1 of the Biodiversity and Conservation SEPP:</p> <ul style="list-style-type: none"> <li>• The Sydney Drinking Water Catchment</li> <li>• The Sydney Harbour Catchment</li> <li>• The Georges River Catchment</li> <li>• The Hawkesbury-Nepean Catchment</li> </ul>	<p>N/A</p>
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- (e) the impact of the development on the level and quality of the water table,
- (f) the cumulative environmental impact of the development on the regulated catchment,
- (g) whether the development makes adequate provision to protect the quality and quantity of ground water

#### Section 6.7

In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following—

- (a) whether the development will have a direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation,
- (b) whether the development involves the clearing of riparian vegetation and, if so, whether the development will require—
  - (i) a controlled activity approval under the Water Management Act 2000, or
  - (ii) a permit under the Fisheries Management Act 1994,
- (c) whether the development will minimise or avoid—
  - (i) the erosion of land abutting a natural waterbody, or
  - (ii) the sedimentation of a natural waterbody,
- (d) whether the development will have an adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area,

- (e) whether the development includes adequate safeguards and rehabilitation measures to protect aquatic ecology,
- (f) if the development site adjoins a natural waterbody— whether additional measures are required to ensure a neutral or beneficial effect on the water quality of the waterbody.

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### State Environmental Planning Policy (Planning Systems) 2021

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<p>Chapter 2 State and regional development Section 2.6 Declaration of State significant development: section 4.36</p>	<p>(1) Development is declared to be State significant development for the purposes of the Act if—</p> <p>(a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and</p> <p>(b) the development is specified in Schedule 1 or 2.</p>	<p>In accordance with Schedule 1 of Planning Systems SEPP, the proposed development is classified State Significant Development as it is for a purpose specified in Schedule 1 and has an EDC of greater than \$20 million.</p>
<p>Schedule 1 State significant development – general Section 15 Educational Establishments</p>	<p>(1) Development that has an estimated development cost of more than \$20 million that—</p> <p>(a) is for the purpose of a new school, or</p> <p>(b) involves the erection of a building for an existing school on land that, immediately before the commencement of the development, was not used for the purposes of a school.</p> <p>(2) Development for the purposes of the erection of a building, or alterations or additions to an existing building, at an existing school that has an estimated development cost of more than \$50 million.</p> <p>(3) Development for the purposes of a tertiary institution, including an associated research facility,</p>	<p>The proposed educational establishment (school sport facilities and classrooms) has an estimated development cost greater than \$20 million (being approximately \$44,887,116).</p> <p>The proposal involves the erection of a building for an existing school (Queenwood) on land that, immediately before the commencement of the development, was not used for the purposes of a school. The proposed development therefore qualifies as State Significant Development under the T&amp;I SEPP. This costing estimate has been provided by an accredited quantity surveyor.</p>

that has an estimated development cost of more than \$50 million.

(4) This section does not apply to development that consists only of development for the purposes of campus student accommodation within the site of a school or tertiary institution.

(5) This section, as in force immediately before the commencement of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) Amendment 2021, Schedule 2 continues to apply to a development application made but not finally determined before the commencement.

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#### **State Environmental Planning Policy (Resilience and Hazards) 2021**

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Chapter 4  
Remediation of Land  
Section 4.6 –  
Contamination and  
remediation to be  
considered in

(1) A consent authority must not consent to the carrying out of any development on land unless—

(a) it has considered whether the land is contaminated, and

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

A Remediation Action Plan (**RAP**) was conducted by Aargus on 11 November 2024 to determine whether the site is contaminated and whether any remediation measures will need to be undertaken as part of the proposal to redevelop the site into a Sport and Recreational facility. The RAP concluded that the site is suitable with reference to Section 4.6 of the *State Environmental Planning Policy (Resilience and Hazards) 2021* subject to implementation of remediation and validation works in accordance with the plan.

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#### **State Environmental Planning Policy (Transport and Infrastructure) 2021**

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Chapter 3  
Part 3.4 Schools –  
specific development  
controls

Section 3.36 Schools  
– Development  
permitted with  
consent

(1) Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.

The site’s zoning is identified as ‘deferred matter’ on the Land Application Map of the WLEP 2011, meaning the provisions of WLEP 2000 continue to apply to the site. Under WLEP 2000 the site is not zoned and instead applies ‘locality statements’ to manage land use. This is a unique situation in NSW land use planning.

Under the WLEP 2000, the site is located within Locality B2 – Oxford Falls Valley.

Section 3.36(1) of the T&I SEPP states that development for the purpose of a school may be carried out by any person with development consent on land in a ‘prescribed zone’. “Prescribed zone” is defined to mean any of the 26 land use zones referred to in Section 3.34(1) of the T&I SEPP, including Zone RU2 Rural Landscape.

Section 3.3(6) of the T&I SEPP states:

*(6) A reference in this Chapter to a lot or to land in a named land use zone is a reference—*

*(a) to land that, under an environmental planning instrument made as provided by section 3.20(2) of the Act, is in a land use zone specified in the Standard Instrument, and*

*(b) to land that, under an environmental planning instrument that is not made as provided by section 3.20(2) of the Act, is in a land use zone in which equivalent land uses are permitted to those permitted in the named land use zone.*

It is reasonable to view the term locality as equivalent to/synonymous with the term “land use zone” for the purpose of clause 3.3(6) of the T&I SEPP. Therefore, applying clause 3.3(6)(b) of the T&I SEPP, the reference to prescribed zone in clause 3.36(1) is a reference to land

that, under the WLEP 2000 (which is an EPI that was not made under section 3.20(2) of the EP&A Act), is in a land use zone in which equivalent land uses are permitted to those permitted in the relevant prescribed zone.

The RU2 Zone and Locality B2 are considered zones with equivalent permissible land uses for the purpose of section 3.3(6)(b) of the T&I SEPP. Therefore, the proposal is permitted with consent under the T&I SEPP.

On 5 February 2024, DPHI verbally advised Urbis that they agreed with this view. This was further confirmed via email dated 14 February 2024, where DPHI provided the following written advice:

- The Zone RU2 and Locality B2 are zones with equivalent permissible land uses, and that a SSDA seeking consent for the educational use could be sought under the T&I SEPP on this basis.
- That the proposed development would trigger the SSDA pathway for the purpose of issuing SEARs. That is, the development will have a Capital Investment Value of more than \$20 million, the proposed development involves the erection of a building 'for an existing school', and the site is not presently used for the purposes of a school.

(3) Development for the purpose of a school may be carried out by any person with development consent on land that is not in a prescribed zone if it is carried out on land within the boundaries of an existing or approved school.	Not relevant – the site is not an existing or approved school.	N/A
(5) A school (including any part of its site and any of its facilities) may be used, with development consent, for the physical, social, cultural or intellectual	Consent is sought for the use of the site by the community. The proposed school sporting facilities will be	<b>Section 4.1.2</b> Permissibility

development or welfare of the community, whether or not it is a commercial use of the establishment.	used by Queenwood, with opportunities to be used by the wider community outside of school use.	
<p>(6) Before determining a development application for development of a kind referred to in subsection (1), (3) or (5), the consent authority must take into consideration—</p> <p>(a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 8, and</p> <p>(b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.</p>	<p>The proposal has considered the Design Quality Principles in Schedule 8 of the T&amp;I SEPP. These have been addressed in Section 6.1 of the EIS.</p> <p>The proposed development will be used by the wider community outside of school use. This will allow for greater access to facilities for Oxford Falls and the wider Northern Beaches community.</p>	<p><b>Section 6.1</b></p>
(7) Subject to subsection (8), the requirement in subsection (6)(a) applies to the exclusion of any provision in another environmental planning instrument that requires, or that relates to a requirement for, excellence (or like standard) in design as a prerequisite to the granting of development consent for development of that kind.	N/A	N/A
(8) A provision in another environmental planning instrument that requires a competitive design process to be held as a prerequisite to the granting of development consent does not apply to development to which subsection (6)(a) applies that has an estimated development cost of less than \$50 million.	N/A	N/A
(9) A provision of a development control plan that specifies a requirement, standard or control in relation to development of a kind referred to in subsection (1), (2), (3) or (5) is of no effect, regardless of when the development control plan was made.	Noted. Further, Clause 2.10(1) of the Planning Systems SEPP provides that the provisions of Development Control Plans do <b>not</b> apply to SSD. Consequently, a DCP assessment has not been undertaken.	Noted

Section 3.58 Traffic-generating development applies to development for the purpose of an educational establishment

- (a) that will result in the educational establishment being able to accommodate 50 or more additional students, and
- (b) that involves—
  - (i) an enlargement or extension of existing premises, or
  - (ii) new premises,
 on a site that has direct vehicular or pedestrian access to any road.

Comments will be provided by TfNSW during public exhibition.

The TAIA prepared by JMT Consulting assesses:

- the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and
- the potential to minimise the need for travel by car, and
- any potential traffic safety, road congestion or parking implications of the development.

Section 6.5

### State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 Advertising and Signage  
Part 3.2 Signage generally  
Section 3.6 Granting of consent to signage

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied—

- (a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.

The proposal will include two business identification signs, one with the logo on the wall of the indoor sports hall and the other on the sandstone wall abutting Oxford Falls Road with both the logo and the word “Queenwood”. An extract of the perspective render of the signage is shown below.

The proposed signage proposed for the development are consistent with the objectives of Chapter 3 and Schedule 5, as detailed below, demonstrating consistency with the assessment criteria.

Section 3.4.4



**Schedule 5  
Assessment Criteria**

**Schedule 5 Criteria**

**Compliance**

1 Character of the area

- Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?
- Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?

The proposed signage is compatible with the character of the site, being a school, as it is intended to identify the school's name and its logo. The proposed signage will not have any impacts on the character of the area and locality surrounding the site. The proposed signage is not located in the vicinity of any other signage or advertising.

2 Special areas

- Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?

The site is not located within an environmentally sensitive areas and will not detract from any, heritage areas, natural or other conservation areas, open space areas, waterways, or rural landscapes. Given the size and scale of the proposed school signage is relatively small, it is not proposed to have any significant adverse impact on the nearby residential areas.

3 Views and vistas

- Does the proposal obscure or compromise important views?

The proposed signage are wall signs and therefore will not obscure or compromise any views as the walls will be constructed regardless of whether the signage is proposed or not.

- Does the proposal dominate the skyline and reduce the quality of vistas?
- Does the proposal respect the viewing rights of other advertisers?

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#### 4 Streetscape, setting or landscape

- Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?
- Does the proposal contribute to the visual interest of the streetscape, setting or landscape?
- Does the proposal reduce clutter by rationalising and simplifying existing advertising?
- Does the proposal screen unsightliness?
- Does the proposal protrude above buildings, structures or tree canopies in the area or locality?
- Does the proposal require ongoing vegetation management?

The signage is appropriate in scale and does not dominate the streetscape, setting or landscape. The signage blends with the sandstone wall and the style of the multipurpose indoor sports hall and is therefore appropriate for the streetscape and contributes to visual interest.

The signage only includes the word “Queenwood” and the school logo. Therefore, it is simplified and would not cause visual clutter.

The signage will not protrude above buildings, structures or tree canopies as it will be located within the proposed walls.

The signage does not result in any requirements for ongoing vegetation management.

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#### 5 Site and building

- Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?
- Does the proposal respect important features of the site or building, or both?
- Does the proposal show innovation and imagination in its relationship to the site or building, or both?

The proposed signage is compatible with the scale and proportion of the building and is integrated with the architectural features of the building.

<p>6 Associated devices and logos with advertisements and advertising structures</p> <ul style="list-style-type: none"> <li>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</li> </ul>	<p>The proposal does not involve any advertising signage.</p>
<p>7 Illumination</p> <ul style="list-style-type: none"> <li>Would illumination result in unacceptable glare?</li> <li>Would illumination affect safety for pedestrians, vehicles or aircraft?</li> <li>Would illumination detract from the amenity of any residence or other form of accommodation?</li> <li>Can the intensity of the illumination be adjusted, if necessary?</li> <li>Is the illumination subject to a curfew?</li> </ul>	<p>Not applicable. The proposal does not include illuminated signage.</p>
<p>8 Safety</p> <ul style="list-style-type: none"> <li>Would the proposal reduce the safety for any public road?</li> <li>Would the proposal reduce the safety for pedestrians or bicyclists?</li> <li>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</li> </ul>	<p>The proposed signage is located within the site boundaries and aims to provide building identification. Given the identification nature of the signage, the proposal will not reduce road safety for vehicles, cyclists or pedestrians.</p>

**State Environmental Planning Policy (Sustainable Buildings) 2022**

<p>Chapter 3 Standards for non-residential development</p>	<p><u>Section 3.2 Development consent for non-residential development</u></p>	<p>The proposed development is required to comply with sustainability standards for non-residential development under the <i>State Environmental Planning Policy</i></p>	<p>Appendix L</p>
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(1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—

- (a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,
- (b) a reduction in peak demand for electricity, including through the use of energy efficient technology,
- (c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,
- (d) the generation and storage of renewable energy,
- (e) the metering and monitoring of energy consumption,
- (f) the minimisation of the consumption of potable water.

(2) Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.

#### 3.4 Other considerations for certain State significant development

(1) This section applies to non-residential development that is declared to be State significant development by *State Environmental Planning Policy (Planning Systems) 2021*, section 2.6(1) and specified in that policy, Schedule 1, sections 13–15.

*(Sustainable Buildings) 2022 (Sustainable Buildings SEPP)*.

As the proposed development relates to an educational establishment and is State significant development under Schedule 1 Section 15 of the Planning Systems SEPP, it must also demonstrate how the development will minimise the use of on-site fossil fuels and enhance the storage and generation of renewable energy.

The requirements of the Sustainable Buildings SEPP are addressed in the ESD Report accompanying this application provided by JHA. The proposed development is able to achieve all requirements under this SEPP.

(2) In deciding whether to grant development consent to development to which this section applies, the consent authority must consider whether the development will minimise the use of on-site fossil fuels, as part of the goal of achieving net zero emissions in New South Wales by 2050.

### Warringah Local Environmental Plan 2011

Clause 2.2 – Zoning and Land Use

DM – Deferred Matter

The site’s zoning is identified as ‘deferred matter’ on the Land Application Map of the Warringah Local Environmental Plan 2011 (**WLEP 2011**).

**Section 4.1.2**  
Permissibility

The site is identified as ‘deferred matter’. Therefore, WLEP 2011 does not apply and WLEP 2000 will continue to apply on the site.

### Warringah Local Environmental Plan 2000

#### Part 2 Control of Development

12 What matters are considered before consent is granted?

(1) Before granting consent for development the consent authority must be satisfied that the development is consistent with—

(a) any relevant general principles of development control in Part 4, and

(b) any relevant State environmental planning policy described in Schedule 5 (State policies).

Applying the two-step test from *Strathfield Municipal Council v Poynting* [2001] NSWCA 270 (**Poynting Case**) and the principles from *Principal Healthcare Finance Pty Ltd v Council of The City of Ryde* [2016] NSWLEC 153 (**Principal Healthcare**), the General Principles in Part 4, are **not** development standards. An assessment against Part 4 General principles of development control is provided below.

**Section 4.1.2**  
Permissibility

Schedule 5 refers to State policies relating to:

- Housing for older people or people with a disability
- Group homes.
- Caravan parks
- Hazardous and offensive development

- Maintenance dredging of tidal waterways
- Koala habitat protection
- Permissibility of mining
- Extractive industries

None of these matters are relevant to the proposal.

Schedule 5 also notes that educational establishments accommodating 50 or more students or the enlargement or extension of existing educational establishments to accommodate an additional 50 or more students are considered traffic generating development. As the site does not intend to increase students for Queenwood or introduce students permanently, this provision is not applicable to the proposal.

(2) Before granting consent for development, the consent authority must be satisfied that the development will comply with—

- (a) the relevant requirements made by Parts 2 and 3, and
- (b) development standards for the development set out in the Locality Statement for the locality in which the development will be carried out.

(3) In addition, before granting consent for development classified as—

- (a) Category One, the consent authority must consider the desired future character described in the relevant Locality Statement, or
- (b) Category Two or Three, the consent authority must be satisfied that the development is consistent with

As assessment against the relevant requirements made by Parts 2 and 3 are provided below.

The Site is identified within the **Locality B2 Oxford Falls Valley**.

An assessment against the development standards and desired future character for the Oxford Falls Valley (Identified within Appendix B of the WLEP 2000) are provided below.

Development for the following purposes is identified as 'Category Three'

- community facilities
- further education
- primary schools
- recreation facilities

the desired future character described in the relevant Locality Statement,  
 but nothing in a description of desired future character creates a prohibition on the carrying out of development.

This list is not substantive and provides uses relevant to the site.

The proposed development would constitute development for the purpose of primary schools and further education (which includes secondary schools), which are both Category Three land uses in the Locality B2 Locality Statement.

13 To what extent should neighbouring Locality Statements be considered?

Before granting consent for development within a locality, the consent authority must consider the provisions of a Locality Statement applying to a neighbouring locality if the extent to which they should be considered is specifically described in the Locality Statement for the locality in which the development is proposed.

Locality B2 Oxford Falls Valley remains the only relevant locality statement for the site.

14 How will the use of land be controlled?

Development of Category Three proposed on the site of a heritage item is taken to be development of Category Two if the consent authority is satisfied that—

- (a) the retention of the item depends on the granting of consent to the proposed development, and
- (b) the proposed development is in accordance with a conservation plan approved by the consent authority, and
- (c) the granting of consent to the proposed development would ensure that all necessary work identified in the conservation plan is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item or its setting, and

As stated, the proposal is ‘Category Three’ development in accordance with WLEP 2000.

The site is not identified as a heritage item.

(e) the proposed development would not adversely affect the amenity of surrounding land.

15 Does Category Three development involve extra procedures?

- (1) Consent may be granted to development classified as Category Three only if the consent authority has considered a statement of environmental effects that includes the items listed in Schedule 15.
- (2) The consent authority must not grant consent to an application that includes development classified as Category Three unless the consent authority has considered the findings and recommendations of an independent public hearing into the application, including reasons for its recommendations.
- (3) The independent public hearing is to be convened by the Council or its delegate. The purpose of the independent public hearing is—
  - (a) to provide a forum for allowing interested parties an opportunity to be heard openly by an independent panel, and
  - (b) to undertake an independent assessment of the proposed development classified as Category Three.
- (4) An independent public hearing is to be convened and conducted, and make findings and recommendations, in accordance with such procedures as may be determined by the Council.
- (5) Nothing in this clause affects any right of appeal conferred by section 97 of the Act.

As stated, the proposal is 'Category Three' development in accordance with WLEP 2000.

A Statement of Environmental Effects (SEE) is not a relevant requirement for an SSDA. The matters typically addressed in such a statement are comprehensively covered within the EIS prepared in accordance with the Secretary's Environmental Assessment Requirements, as summarised within this table.

Clause 15 of the WLEP 2000 is framed to apply to applications determined by Council, adopting Council-specific procedures. Discussions have occurred with DPHI prior to lodgement to confirm that an independent public hearing is not relevant to the proposal as the application does not require an SEE. A similar approach has been adopted by DPHI for a seniors housing development (SSD-71378958) which has also been identified as 'Category Three' development in accordance with WLEP 2000.

16 How is existing Category Three

In this clause, existing Category Three development means development classified as Category Three that could have been lawfully carried out immediately

Not applicable.

development dealt with? before it became so classified, including development that could have been lawfully carried out at that time because it was an existing use, as defined in section 106 of the Act.

17 How will the use of public open space be controlled?	The location of public open space is identified on the map.	Not applicable.
18 How will the built form of development be controlled?	<p>(1) Built form will be controlled in accordance with the general principles of development control, the desired future character of the locality and the development standards set out in the Locality Statement.</p> <p>(2) Strict compliance with development standards, however, does not guarantee that the development is consistent with either the general principles of development control or the desired future character of the locality.</p> <p>(3) Nothing in this plan requires development to comply strictly with a quantitative requirement made in any general principle of development control.</p>	<p>It is acknowledged that the proposal results in non-compliances with the development standards within Appendix B of the WLEP 2000 applying to building height, and building setbacks.</p> <p>Section 3.43 of the T&amp;I SEPP states that development consent may be granted for development for the purpose of a school that is State significant development even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted. Consequently, there is not a requirement to prepare a formal request to vary a development standard under Clause 4.6.</p> <p>It is also noted that Clause 20 allows development consent to be granted in the case of non-compliance with one or more development standards, provided the resulting development is consistent with the general principles of development control, the desired future character of the locality and any relevant SEPP. Further under clause 18(3) of WLEP 2000, strict compliance with the quantitative requirements in Part 4 (general principles of development control) is not required. These matters are addressed within this table.</p>

19 When is a masterplan required?	Applies to land where a Locality Statement requires development of land to be assessed with regard to a masterplan	Not applicable.
20 Can development be approved if it does not comply with a development standard?	<p>(1) Notwithstanding clause 12 (2) (b), consent may be granted to proposed development even if the development does not comply with one or more development standards, provided the resulting development is consistent with the general principles of development control, the desired future character of the locality and any relevant State environmental planning policy.</p> <p>(2) In localities A2, A4, A5, A7, B2, B9, C8 and C10, the minimum area per dwelling required by the housing density standard is deemed to be the minimum allotment size for allotments created by subdivision.</p> <p>(3) Where consent is granted for development that does not comply with one or more development standards, the Council is to ensure that the circumstances of the case and reasons for granting consent (in such a way that does not comply with the development standards) are included in a public register of such consents.</p> <p>(4) This clause does not apply in relation to a development standard relating to maximum building height established by the <i>Building Heights Map</i> within the Dee Why Town Centre Locality Statement (E21).</p>	<ul style="list-style-type: none"> <li>Section 3.43 of the T&amp;I SEPP provides that development consent may be granted for development for the purpose of a school that is SSD even though the development would contravene a development standard imposed by this or any other EPI. In the event of any inconsistency between Chapter 3 of the T&amp;I SEPP and another EPI, the T&amp;I SEPP prevails pursuant to section 3.6(1). Clause 20 of the WLEP 2000 therefore does not apply to the Proposed Development given that the provision would be inconsistent with section 3.43 of the T&amp;I SEPP and the T&amp;I SEPP prevails to the extent of any inconsistency with the WLEP 2000.</li> </ul>
21 Can land be subdivided?	<p>Land can be subdivided so long as</p> <p>(a) the resulting allotments can be developed in accordance with this plan, or</p>	Not applicable. Subdivision is not proposed.

(b) the resulting allotments contain buildings or works lawfully created or approved.

22 When is a site analysis required?

Consent must not be granted for any development, except complying development, involving the erection of, or additions to, a building, or the subdivision of land unless the consent authority has considered a site analysis.

Site Analysis has been prepared as part of the Design Report and Architectural Plans prepared by TKD Architects.

Part 4 General principles of development control

**Division 1 General**

It is important to note for the following section that the general principles of development control in Part 4 are **not** development standards. In addition, clause 18(3) of the WLEP 2000 does not require strict compliance with the quantitative requirements of the general principles of development control for the Proposed Development to be approved. Notwithstanding an assessment has been made against the relevant general principles of development control.

38 Glare and reflection

Development is not to result in overspill or glare from artificial illumination, or sun reflection, which would unreasonably diminish the amenity of the locality.

Preliminary Light Spill Assessment has been prepared by JHA for the development which includes details of the proposed lighting to the development and assesses the lighting against the relevant Australian Standards AS4282:2023. The Light Spill Assessment demonstrates that the proposed light spill of the development is compliant with the relevant Australian Standards and maximum allowable values. The majority of the spill in the worst-case scenario will fall within the site, with a limited amount of light spill to the most northern edge of the surrounding properties onto the heavily landscaped backyard areas. Therefore, the proposed light spill is

considered suitable for the proposed development and within the existing context of Oxford Falls.

39 Local retail centres	Local retail centres should provide a mix of small-scale street-level shops and businesses with offices or low-rise shop-top housing above, designed to maintain streetscape continuity, respect height limits, protect the amenity of adjoining residential areas through appropriate transitions and setbacks, and integrate with the established character of the centre.	Not applicable.
40 Housing for older people or people with disabilities	Housing for older people or people with disabilities must ensure residents have reasonable access to essential services, community facilities, medical care and home support, be designed to meet wheelchair accessibility standards, and comply with relevant principles and standards, with infrastructure and services available from the time of occupation.	Not applicable.
41 Brothels	Brothels are not to be visible from, or located in close proximity to, churches, schools, medical centres, community facilities, places of high pedestrian activity or any place frequented by children for care, recreational or cultural purposes. The appearance of brothels is to be discreet and is not to include shop fronts, window displays or signs.	
42 Construction sites	Construction sites are not to unreasonably impact on the surrounding amenity, pedestrian or road safety, or the natural environment.	<p>A Construction Management Plan (<b>CMP</b>) will be prepared and enforced. This plan will include construction ours and management measures including but not limited to:</p> <ul style="list-style-type: none"> <li>detailed scheduling for heavy vehicles and truck movements, ensuring deliveries and construction activities are managed to avoid the busiest times of day and reduce impacts on surrounding residents.</li> </ul>

- measures to manage construction noise, scheduling noisy works such as jackhammering to appropriate daytime hours and ensuring disruption to nearby residents is kept to a minimum
- waste management measures for demolition and construction works

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## Division 2 Health and Safety

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### 43 Noise

Development is not to result in noise emission which would unreasonably diminish the amenity of the area and is not to result in noise intrusion which would be unreasonable to the occupants.

In particular—

- noise from the combined operation of all mechanical plant and equipment must not generate noise levels that exceed the ambient background noise level by more than 5 dB (A) when measured in accordance with the Environment Protection Authority's Industrial Noise Policy at the receiving boundary of residential and other noise-sensitive land uses, and
- development near existing noise generating activities, such as industry and roads, is to be designed to mitigate the effect of that noise, and
- waste collection and delivery vehicles are not to operate in the vicinity of residential uses between 10 pm and 6 am.

A Noise and Vibration Impact Assessment (NVIA) has been prepared by JHA Consulting Engineers. The assessment addresses both construction noise and vibration, and operational noise associated with the proposed sporting facilities.

Refer to Section 6.7 of the EIS for further assessment.

### 44 Pollutants

No development is to be carried out which, when in operation and when all measures proposed to minimise its impact on the locality have been

During construction, sediment and erosion will be managed via the CMP.

employed (including measures to isolate the use from existing or likely future development on other land in the locality), would result in the emission of atmospheric (including odours), liquid or other pollutants which would unreasonably diminish the amenity of adjacent properties, the locality or waterways.

The proposal seeks to install a synthetic turf material on the outdoor sports field. A response to NSW Synthetic Turf Guidelines has been provided with the SSDA package which outlines how the current design responds to and adheres to the NSW Synthetic Turf Sports Fields in Public Open Space guidelines.

The report outlines that the design will include a short-pile, sand filled synthetic surface to be used as a hockey/soccer/multi-use sports field. Environmental protection measures, such as stormwater treatment and kerbing, have been incorporated in the design to reduce microplastic migration and to align with the new guidelines.

The inclusion of a kerb (typically 200mm high) around the perimeter of the hockey turf will suitably mitigate the risk of turf fibres migrating outside the pitch. Stormwater treatment strategies such as catch baskets on all open pits has been included in the design to stop turf fibres from entering the stormwater system. Both these design choices will help mitigate the risks associated with introducing synthetic fibres and materials into the design.

45 Hazardous uses

Development, when in operation and when all measures proposed to minimise its impact on the locality have been employed (including measures to isolate the use from existing or likely future development on the other land in the locality), must not pose a significant risk in relation to—  
 (a) human health, life or property, or  
 (b) the biophysical environment.

The proposed development has been designed and will be operated in a manner that ensures it does not pose a significant risk to human health, life, property, or the biophysical environment.

The design incorporates safe access points, clear pedestrian and vehicle separation, and compliance with relevant building and safety codes.

Lighting, fencing, and wayfinding will be installed to enhance safety for users and visitors.

Noise levels from sporting activities will be managed through acoustic treatments where necessary, and buffer planting to minimise impacts on nearby properties.

The site layout retains existing mature trees where possible and includes new native plantings to enhance biodiversity.

Stormwater management systems will be implemented to prevent erosion, protect water quality, and manage runoff from playing surfaces and buildings.

Mitigation measures are addressed in Appendix C

46 Radiation emission levels

Radiation emission levels from mobile phone base stations, antennas and transmitters which emit electromagnetic radiation are to be as low as practicable or the facilities are to be located as far as practicable from dwellings and other areas where people are concentrated.

No mobile phone base stations, antennas and transmitters are proposed as part of the development.

47 Flood affected land

Development on flood affected land is to be sited and designed to minimise impacts of flooding on property and have regard to the existing flood regime.

In particular—

- development is not to reduce flood storage area or impact upon the existing flood regime,
- habitable floor areas of buildings are to be at a level of at least 500mm above the 1% annual exceedance probability flood level, and
- buildings or works affected by flooding are to be constructed of flood compatible building materials.

The proposed design has two floor levels where a Flood Planning Level (**FPL**) applies – the basement car park and the ground floor of the indoor sports hall.

A Flood Risk Assessment has been prepared by GRC Hydro. An assessment of the proposed development against the 1% AEP was undertaken. The assessment confirmed that the development has no impact on creek flow and flood levels are unchanged within the site, as well as on upstream and downstream properties. The modelling carried out demonstrates that there is significant diversion of the minor drainage flow from Oxford Falls Road although impacts are completely

For the purposes of this clause, flood affected land means land below the 1 per cent annual exceedance probability flood level.

contained within the site and along Oxford Road. There is no change to flood hazard on Oxford Falls Road.

A Civil Stormwater Management Report has been prepared by WSCE,

The proposed Indoor sports hall will be located within the existing overland flow path. Therefore, to manage flood risk, flooding events will be managed through a Flood Diversion Trunk Line diverting water around the building. The new drainage line will collect stormwater from Oxford Falls Road and the proposed bus stop and parking through multiple inlet-pits, convey it through a new swale on the Northern side of the building and discharge to the creek.

A stormwater network will also be created around the outdoor sports field through a subsoil drainage system under the sports field. Two V drains on the northern and eastern side of the field will collect overflow from the walkways. A pit and pipe network will gather stormwater from both the subsoil system and the V drains. This collected water will be directed to a treatment chamber to ensure it is properly treated before being discharged into the creek along the centre of the site.

48 Potentially contaminated land

The consent authority must not approve development unless it has considered whether the land is contaminated and, if so, is satisfied the land is suitable for the proposed use in its current state or will be made suitable through remediation before the development proceeds.

Contamination investigations have been undertaken by Aargus which includes a Detailed Site Investigation (DSI) and Remediation Action Plan (RAP).

The investigations confirm that the site can be made suitable for future educational and recreational uses from a contamination perspective, provided appropriate remediation, management, and site validation are conducted in accordance with the site

RAP. Further assessment is provided in Section 6.11 of the EIS.

49 Remediation of contaminated land

*State Environmental Planning Policy (Resilience and Hazards) 2021*, Chapter 4 applies to land to which this plan applies despite any other provision of this plan.

Aargus has undertaken extensive site investigations including a Detailed Site Investigation and Remediation Action Plan to ensure the site can be made suitable for future educational and recreational uses from a contamination perspective, provided appropriate remediation, management, and site validation are conducted in accordance with the site RAP.

49A Acid sulfate soils

Development on land identified as Class 1, 2, 3, 4 or 5 on the Acid Sulfate Soils Hazard Map is to be carried out in a manner that manages any disturbance to acid sulfate soils so as to minimise impacts on natural waterbodies and wetlands, and on agriculture, fishing, aquaculture, urban activities and infrastructure.

The site is not mapped as containing Acid Sulfate Soils.

### Division 3 Public Domain

50 Safety and security

Development is to maintain and where possible enhance the safety and security of the locality.

In particular—

- buildings are to overlook streets as well as public and communal places to allow casual surveillance,
- service areas and access ways are to be either secured or allow casual surveillance,
- there is to be adequate lighting of entrances and pedestrian areas,
- after hours land use activities are to be located along primary pedestrian routes,

The one building proposed (Indoor Sports Hall) is located on Oxford Falls Road and provides passive surveillance of the street. Entrance to the building is available from the street.

- public toilets, telephones and other public facilities are to be located so as to have direct access and to be clearly visible from well trafficked public spaces, and
- entrances to buildings are to be from public streets wherever possible.

51 Front fences and walls

Fences, including side fences, located within the street setback area (as identified in the Locality Statement) are to be compatible with the existing streetscape character unless the applicable Locality Statement provides otherwise.

Fences are to be constructed so as to allow for casual surveillance except on main roads where it can be demonstrated that a solid fence is consistent with the existing streetscape and is required to mitigate traffic noise.

Where solid fences are required they are to be articulated to provide visual interest or set back to allow for landscaping to adequately soften and screen the appearance of such fences.

The Oxford Falls Locality Statement states ‘fencing is not to detract from the landscaped vista of the streetscape’.

A 1.8m high timber lapped and capped fence will be provided along the southern and western boundaries of the sports field. This will provide a physical visual and acoustic barrier between the sports field and neighbours. Fencing has been integrated into the landscape strategy prepared by Inspired Exteriors.

52 Development near parks, bushland reserves and other public open spaces

Development adjacent to parks, bushland reserves and other public open spaces, including land reserved for public open space, is to complement the landscape character and public use and enjoyment of that land.

In particular—

- where appropriate, housing is to front public open spaces,
- public access to public open spaces is to be maximised,

The proposal does not impede on access to Peace Park on the western boundary. Boundary planting is provided between the park and outdoor sports fields.

The indoor school sports hall is located on the opposite side of the site to Peace Park.

Given the extensive separation of built form from the park no visual impacts are anticipated. This is supported by the VIA prepared by Urbis.

- buildings are to be located to provide an outlook to public open spaces, without appearing to privatise that space,
- development is to provide a visual transition between open space and buildings including avoiding abutting public open spaces with back fences,
- views to and from public open spaces are to be protected, and
- buffers for bushfire protection are to be provided on private land and not on public land.

### 53 Signs

The number, size, shape, extent, placement and content of signs are to be limited to the extent necessary to—

- allow the reasonable identification of the land use, business, activity or building to which the sign relates, and
- ensure that the sign is compatible with the design, scale and architectural character of the building or site upon which it is to be placed, and
- ensure that the sign does not dominate or obscure other signs or result in visual clutter, and
- ensure that the sign does not endanger the public or diminish the amenity of nearby properties.

Except where the applicable Locality Statement provides otherwise, the maximum area of signage (including the area of any existing signs) above the

Signage is proposed in the following locations:

- The Oxford Falls Road frontage of the indoor sports hall:
  - 1 sign on the sandstone fence including the school name and logo
  - 1 sign on the building with the school logo
- The northern elevation of the storage shed associated with the outdoor sporting fields.

Total signage area: approximately 2.87sqm

Total signage area: approximately 2.3sqm

Signage is provided in the form of stainless steel letters each individually fixed to the building.

All signage meets this provision.

top side of an awning fascia or above 4.6m in height above ground level (whichever is the lower) is—

- Other business uses with more than one street frontage: 1m<sup>2</sup> for every 4m frontage of a building up to a maximum of 5m<sup>2</sup>

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#### Division 4 Site Planning and building design

54 Provision and location of utility services

If proposed development will involve a need for them, utility services must be provided to the site of the development, including provision for the supply of water, gas, telecommunications and electricity and the satisfactory management of sewage and drainage.

Utility services including service structures, plant and equipment are to be located below ground or be designed to be an integral part of the development and suitably screened from public places or streets. Where possible, underground utility services are to be provided in a common trench.

Existing and proposed servicing and utility arrangements for the site are detailed within the Infrastructure, Delivery Management and Staging Plan.

55 Site consolidation in “medium density areas”

Apartment development in the “medium density areas” as shown on the map and localities E4, E7, E10, E13, E14, E16, E19 and E20 shall not result in adjacent allotment(s) that have areas or dimensions, or are constrained in other ways, that would render such allotment(s) incapable of compliance with the relevant Locality Statement and general principles of development control.

Not applicable.

56 Retaining distinctive environmental features on sites	<p>Development is to be designed to retain and complement any distinctive environmental features of its site and on adjoining and nearby land.</p> <p>In particular, development is to be designed to incorporate or be sympathetic to environmental features such as rock outcrops, remnant bushland and watercourses.</p>	<p>A Landscape Strategy has been prepared by Inspired Exteriors for the proposal. The proposal which prioritises rehabilitation of the existing riparian corridor on site and retaining the native remnant forest in the northeastern corner of the site.</p>
57 Development on sloping land	<p>On sloping land, the height and bulk of development, particularly on the downhill side, is to be minimised and the need for cut and fill reduced by designs which minimise the building footprint and allow the building mass to step down the slope.</p>	<p>The site slopes gently from the west to east ranging from RL 79.0m to RL 76.0m AHD. Cut and fill is generally minimised and is focused on the proposed basement parking.</p>
58 Protection of existing flora	<p>Development is to be sited and designed to minimise the impact on remnant indigenous flora, including canopy trees and understorey vegetation, and on remnant native ground cover species.</p>	<p>As noted above, a Landscape Strategy has been prepared by Inspired Exteriors for the proposal which prioritises rehabilitation of the existing riparian corridor on site and retaining the native remnant forest in the northeastern corner of the site. The strategy also introduces a 1:1 tree replacement strategy replacing a lot of existing exotic planting with endemic species.</p>
59 Koala habitat protection	<p>This clause applies to parcels of land, being all adjacent or adjoining land held in the same ownership, that are—</p> <ul style="list-style-type: none"> <li>• greater than 1 hectare in area, and</li> <li>• potential koala habitat.</li> </ul> <p>Before granting consent to development on land to which this clause applies, the consent authority, on information obtained from a person with appropriate qualifications and experience in biological science</p>	<p>A BDAR was prepared by AEP to identify and assess any biodiversity impacts associated with the development. As part of the investigations by AEP, no threatened species, including koalas were identified within the subject land.</p>

and fauna survey and management, must be satisfied as to whether or not the land is core koala habitat.

60 Watercourses and aquatic habitat	Development is to be sited and designed to maintain and enhance natural watercourses and aquatic habitat.	As noted above, a Landscape Strategy has been prepared by Inspired Exteriors for the proposal which prioritises rehabilitation of the existing riparian corridor.
61 Views	Development is to allow for the reasonable sharing of views.	A Visual Impact Assessment (VIA) has been prepared by Urbis. The VIA concludes that the proposal does not block views to any heritage items or areas of unique scenic quality. In summary, the proposed built form is not dissimilar in character, form and height to existing educational and sporting development in the immediately surrounding area.
62 Access to sunlight	Development is not to unreasonably reduce sunlight to surrounding properties.	TKD Architects have prepared shadow analysis diagrams within the Architectural Design Report which confirms no additional overshadowing on adjoining dwellings, with very limited additional overshadowing to the northern edge of the large yards in mid winter.  There are no unreasonable impacts on solar access to surrounding properties associated with the proposal.
63 Landscaped open space	Landscaped open space is to be of such dimensions and slope and of such characteristics that it will— <ul style="list-style-type: none"> <li>▪ enable the establishment of appropriate plantings to maintain and enhance the streetscape and the desired future character of the locality, and</li> <li>▪ enable the establishment of appropriate plantings that are of a scale and density commensurate with the building height, bulk and scale, and</li> </ul>	The portal provides 8,228.75m <sup>2</sup> (or 38.44%) of the site as landscaped area, which complies with the minimum area of landscaped open space (30%) required under the Oxford Falls Locality Statement. The proposal is supported by a Landscape Strategy and Plans prepared by Inspired Exteriors.  Further assessment is provided below in response to the Locality Statement.

- enhance privacy between dwellings, and
- accommodate appropriate outdoor recreational needs and suit the anticipated requirements of dwelling occupants, and
- provide space for service functions, including clothes drying, and
- facilitate water management including on-site detention and the infiltration of stormwater, and
- incorporate the establishment of any plant species nominated in the relevant Locality Statement, and
- enable the establishment of indigenous vegetation and habitat for native fauna, and
- conserve significant features of the site.

63A Rear building setback

In localities where a rear building setback applies, the objectives of the rear building setback controls are—

- to create a sense of openness in rear yards, and
- to preserve the amenity of adjacent land, and
- to maintain the visual continuity and pattern of buildings, rear gardens and landscape elements, and
- to provide opportunities to maintain privacy between dwellings, and
- in medium density areas, to minimise the visual effect of podiums and to control the density of development, and
- to provide opportunities for the planting of substantial native trees.

A rear setback applies to the site in accordance with the Oxford Falls Locality Statement. Substantial planting is provided within the rear setback as well as a 1.8m high capped fence to provide an acoustic and visual barrier between sporting facilities and the southern neighbour.

Further assessment is provided below in response to the Locality Statement.

64 Private open space	Private open space is to be provided for all housing	Not applicable.
65 Privacy	<p>Development is not to cause unreasonable direct overlooking of habitable rooms and principal private open spaces of other dwellings.</p> <p>In particular—</p> <ul style="list-style-type: none"> <li>▪ the windows of one dwelling are to be located so they do not provide direct and close views (ie from less than 9 metres away) into the windows of other dwellings, and</li> <li>▪ planter boxes, louvre screens, pergolas, balcony design and the like are to be used to screen a minimum of 50% of the principal private open space of a lower apartment from overlooking from an upper apartment.</li> </ul>	<p>No dwellings are proposed as part of this proposal. Nevertheless, the two key facilities have been designed to provide expansive separation from neighbouring properties with landscaped screening.</p>
66 Building bulk	<p>Buildings are to have a visual bulk and an architectural scale consistent with structures on adjoining or nearby land and are not to visually dominate the street or surrounding spaces, unless the applicable Locality Statement provides otherwise.</p> <p>In particular—</p> <ul style="list-style-type: none"> <li>▪ side and rear setbacks are to be progressively increased as wall height increases,</li> <li>▪ large areas of continuous wall planes are to be avoided by varying building setbacks and using appropriate techniques to provide visual relief, and</li> </ul>	<p>The building facade has been articulated on Oxford Falls Road using lower projecting roof forms, sunshades and rich sandstone cladding, which are located below the 8.5m height limit. The facade areas above this height are clad in dark recessive neutral colours. The overall effect is that the lower portions are expressed and articulated, and this gives the overall impression of a reduced bulk and scale.</p>

- appropriate landscape plantings are to be provided to reduce the visual bulk of new buildings and works.

67 Roofs

Roofs are to complement the local skyline. Lift overruns and other mechanical equipment is not to detract from the appearance of roofs.

A large spanning roof structure is provided for the indoor sports hall to facilitate retractable basketball backboards, and large ceiling fans as part of the natural ventilation systems. Dark, recessive finishes will be used above the brick base to complement the landscape and add fine-grain texture.

68 Conservation of energy and water

Development is to make the most efficient use of energy and water.

In particular—

- the orientation, layout and landscaping of buildings and works and their sites are to make the best use of natural ventilation, daylight and solar energy,
- site layout and structures are to allow reasonable solar access for the purposes of water heating and electricity generation and maintain reasonable solar access to adjoining properties,
- buildings are to minimise winter heat loss and summer heat gain,
- landscape design is to assist in the conservation of energy and water,
- reuse of stormwater for on-site irrigation and domestic use is to be encouraged, subject to consideration of public health risks,
- subdivision of land must be generally in accordance with the guidelines set out in the document published by the former Sustainable

The proposal meets the provisions for efficient use of energy and water as follows:

- Orientation and layout – The building has been designed to maximise natural ventilation, daylight and solar energy through its positioning and internal layout.
- Solar access – The site layout allows reasonable solar access for water heating and electricity generation, while maintaining solar access to adjoining properties.
- Thermal performance – The design incorporates measures to minimise winter heat loss and reduce summer heat gain, improving overall energy efficiency.
- Landscape design – Landscaping has been planned to assist in conserving energy and water, including the use of species suited to local conditions and low water demand.
- Stormwater reuse – Provision is made for the capture and reuse of stormwater for on-site

Energy Development Authority under the title Solar Access for Lots: Guidelines for Residential Subdivision, copies of which are available at the offices of the Council.

irrigation, with consideration given to public health requirements.

Subdivision is not proposed as part of this proposal.

69 Accessibility—  
premises available to  
the public

The siting, design and construction of premises available to the public are to ensure an accessible continuous path of travel, so that all people can enter and use the premises. Such access is to comply with the requirements of the Disability Discrimination Act 1992 of the Commonwealth and with Australian Standard AS 1428.2—1992, Design for access and mobility—Enhanced and additional requirements—Buildings and facilities.

A BCA and Accessibility Report has been prepared by Steve Watson and Partners. The development has been reviewed to ensure that paths of travel, ingress and egress, facilities and amenities as well as emergency egress and hearing augmentation comply with relevant statutory guidelines.

70 Site facilities

Site facilities including garbage and recycling bin enclosures, mailboxes and clothes drying facilities are to be adequate and convenient for the needs of users and are to have minimal visual impact from public places.

An Operational Waste Management Plan has been prepared by Elephants Foot. Designated waste storage areas will be established for the collection of all waste and recyclables. The waste storage areas shall have appropriate signage to clearly identify the area to construction workers and to prevent unauthorised access to the area.

In particular—

- waste and recycling bin enclosures are to be adequate in size, durable, integrated with the building design and site landscaping, suitably screened from public places or streets and located for convenient access for collection, and
- housing which is required to have landscaped open space is to be provided with adequate open air clothes drying facilities which are suitably screened from public places or streets, and
- individual dwellings are to be provided with an area for general storage.

## Division 5 Traffic, access and carparking

71 Parking facilities (visual impact)	<p>Parking facilities (including garages) are to be sited and designed so as not to dominate the street frontage or other public spaces.</p> <p>In particular—</p> <ul style="list-style-type: none"> <li>▪ garage doors and carports are to be integrated into the house design where topography and other constraints of the site allow, and</li> <li>▪ laneways are to be used to provide rear access to carparking areas where possible, and</li> <li>▪ car parking is to be provided underground or in semi basements for apartment buildings and other large developments, and</li> <li>▪ parking is to be located so that views of the street from front windows are not obscured.</li> </ul>	<p>The provisions relate to residential parking. Nevertheless, parking is proposed within a basement parking.</p>
72 Traffic access and safety	<p>Vehicle access points for parking, servicing or deliveries, and pedestrian access, are to be located in such a way as to minimise—</p> <ul style="list-style-type: none"> <li>▪ traffic hazards, and</li> <li>▪ vehicles queuing on public roads, and</li> <li>▪ the number of crossing places to a street, and</li> <li>▪ traffic and pedestrian conflict, and</li> <li>▪ interference with public transport facilities.</li> </ul> <p>Where practical, vehicle access is to be obtained from minor streets and lanes.</p>	<p>A Transport and Accessibility Impact Assessment (<b>TAIA</b>) has been prepared by JMT Consulting. The proposal provides sufficient vehicle access arrangements to address this provision:</p> <ul style="list-style-type: none"> <li>▪ Traffic hazards – Vehicle access has been consolidated to a single entry point on Oxford Falls Road, with a separate exit for the pick up/drop off (PUDO) zone. This reduces potential conflict points and ensures safe vehicle movements. The driveway design complies with Australian Standards, and swept path analysis confirms safe two-way traffic flow within the site.</li> <li>▪ Vehicles queuing on public roads – The internal layout accommodates queuing within the site, including a dedicated drop off / pick up zone with a</li> </ul>

passing lane, preventing queues from forming on Oxford Falls Road.

- Number of crossing places to a street – Access is consolidated to one entry point, minimising the number of street crossings and associated disruption to traffic flow.
- Traffic and pedestrian conflict – The PUDO zone is located entirely within the site boundary providing directly access between the PUDO and access to the indoor sports hall, separating vehicle movements from pedestrian areas and providing safe, accessible bays.
- Interference with public transport facilities – The access arrangements do not obstruct or interfere with public transport facilities along Oxford Falls Road.

73 On-site loading and unloading	Facilities for the loading and unloading of service, delivery and emergency vehicles are to be appropriate to the size and nature of the development. On-site facilities are to be screened from public view and designed so that vehicles may enter and leave in a forward direction.	Swept paths prepared by JMT Consulting confirm the internal driveways accommodate traffic movements in both directions with suitable provision made for passing vehicles, as well as service and emergency vehicles.
74 Provision of carparking	Adequate off-street parking must be provided within the property boundaries, taking into account the land use, hours of operation, public transport availability, alternative parking options, and the need for spaces for service, delivery and courier vehicles, as well as bicycles.	The Proposed Development would be classified under the Land Use provisions of the B2 Locality Statement in the WLEP 2000 as a Category Three land use, being development for the purpose of ‘further education’ and/or ‘primary schools’. ‘Further education’ is defined in the Dictionary of the WLEP 2000 to mean an educational establishment other than a primary school, including a secondary school. The minimum car parking provisions (listed in Schedule 17 of the WLEP

Unless otherwise specified in the Locality Statement, parking requirements are determined in accordance with Schedule 17.

2000) are not considered to be 'development standards'.

Schedule 17 provides the following parking rates for 'Primary schools, further education' (including high schools):

- 1 space per staff member in attendance, plus
- as relevant, adequate pickup/setdown area on site plus
- adequate provision of bicycle racks plus adequate provision for student parking plus
- provision of bus standing and turning area

These rates are 25 years old. A site-specific assessment is considered the most appropriate way to analyse the parking needs of the proposal. Consequently, a site-specific assessment has been undertaken by JMT Consulting which considers the potential parking needs for the site based on various factors including site population, car mode share and car occupancy.

The proposal provides for 82 on-site car parking spaces (including two accessible spaces) which exceeds the anticipated maximum demands generated by the site and can adequately meet staff parking demand. Staff parking can be adequately accommodated within the basement parking area. Pickup/setdown area including bus areas are provided on site off Dreadnought Road.

75 Design of carparking areas

Carparking, other than for individual dwellings, is to—

- avoid the use of mechanical car stacking devices, and
- not be readily apparent from public spaces, and

As noted above, parking is provided within the basement level of the indoor sports hall.

Swept paths prepared by JMT Consulting confirm the basement parking accommodate traffic movements in

- provide safe and convenient pedestrian and traffic movement, and
- include adequate provision for manoeuvring and convenient access to individual spaces, and
- where possible, enable vehicles to enter and leave the site in a forward direction, and
- incorporate unobstructed access to visitor parking spaces, and
- be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate management and create attractive and pleasant spaces, and
- provide on-site detention of stormwater, where appropriate, and
- make reasonable provision for the carparking needs of people with physical disabilities.

both directions with suitable provision made for passing vehicles, as well as service and emergency vehicles. The design enables vehicles to enter and leave the site in a forward direction.

Dimensions for parking spaces within this provision apply only to residential development.

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## Division 6 Soil and water management

### 76 Management of stormwater

Stormwater from development must discharge to a Council-approved drainage system, with minimal impact on downstream infrastructure or natural waterways, and must include water quality controls in line with the Northern Beaches Stormwater Management Plan.

Generally, on-site stormwater detention is required in accordance with Council's *On-site Stormwater Detention Technical Specification*, unless it can be demonstrated that one of several exceptions applies – such as minimal impervious area, no adverse impact on drainage systems, compliance with AUSPEC 1 design standards, suitable soil conditions for on-site

A detailed Stormwater Management Plan prepared by WSCE incorporates techniques to manage runoff and prevent contamination of local waterways, including Narrabeen Lagoon. Erosion and sediment controls will protect soils and water quality during construction and operation.

disposal, or location within a flood plain where lesser storm events do not affect local drainage.

Stormwater detention systems should be integrated with landscaping and be visually unobtrusive.

Development should drain via gravity to a Council or natural drainage system where possible. If this is not feasible, on-site retention and disposal may be permitted if supported by evidence of suitable soil conditions.

All works must respect Council's natural drainage systems, drainage easements and public drainage infrastructure, and comply with the draft policy *Drainage Easements and Building over Constructed Public Drainage Systems*.

77 Landfill	Landfill is to have no adverse impact upon the visual and natural environment or adjoining and surrounding properties.	Not applicable.
78 Erosion and sedimentation	<p>Development is to be sited and designed, and related construction work carried out, so as to minimise the potential for soil erosion.</p> <p>Where some degree of soil erosion and sedimentation is likely to occur, it is to be managed at the source to prevent any reduction in water quality downstream of the development site.</p>	Civil Stormwater Management Report has been prepared by WSCE which addresses key infrastructure elements, including proposed site levels, the stormwater drainage system, on-site detention, Water Sensitive Urban Design requirements, and sediment and erosion control measures.
Division 7 Heritage		
79 Heritage control	Before consent is granted for works affecting a heritage item or occurring within a heritage conservation area, the impact on heritage significance must be assessed, considering the item's	The site is not mapped as a heritage item, nor is it located within a heritage conservation area.

importance, the contribution of affected elements, proposed conservation measures, and potential effects on archaeological or landscape features.

For heritage items of State or regional significance, a conservation management plan by a qualified professional must be considered.

For heritage items of local significance, a statement of heritage impact is required, or for extensive alterations/additions, a conservation plan must be considered.

A locally listed heritage item (the former Oxford Falls Public School, now known as Peace Park) is adjacent to the west of the site along the Wakehurst Parkway.

A Heritage Impact Statement (**Appendix DD**) has been prepared by Urbis which assesses the impact of the proposed development on the adjacent heritage item to the west of the site identified as the Oxford Falls Public School. The HIS concludes that there will be no direct physical or structural impacts which will occur to the Oxford Falls Public School heritage item as a result of the proposed works to construct the sporting facilities.

The VIA prepared by Urbis also assessed impacts of the proposal on views to and from the heritage item.

The VIA confirmed the proposal does not block views to any heritage items or areas of unique scenic quality.

80 Notice to Metropolitan Aboriginal Land Council

On receipt of an application for consent to development that is likely to have an impact on an Aboriginal site, Aboriginal place or place of Aboriginal cultural significance, the consent authority must notify the Metropolitan Aboriginal Land Council and take into consideration any comments received in response within 21 days after the notice is sent.

An Aboriginal Cultural Heritage Assessment Report (**ACHAR**) has been prepared by Urbis. The ACHAR found no registered Aboriginal Objects or Aboriginal Places located within the subject area.

81 (Repealed)

82 Development in the vicinity of heritage items

Development in the vicinity of heritage items or heritage conservation areas is to complement the character of the heritage item or buildings of heritage significance within that area in terms of its architectural style, scale, setback, siting, external materials, finishes, colours and setting. Significant

A locally listed heritage item (the former Oxford Falls Public School, now known as Peace Park) is adjacent to the west of the site along the Wakehurst Parkway. Built form is located on the eastern edge of the site over 100 metres from the site boundary. The proposal will not result in any adverse heritage impacts to this item.

views to and from heritage items or heritage conservation areas, are not to be adversely affected.

83 Development of known or potential archaeological sites

Before granting an application for consent to development on an archaeological site or a potential archaeological site (except if such development does not disturb below-ground relics and any above-ground relics would not be adversely affected), the consent authority must consider a heritage impact statement explaining how the proposed development would affect the conservation of the site and any relic known or reasonably likely to be located at the site.

An Aboriginal Cultural Heritage Assessment Report (**ACHAR**) has been prepared by Urbis. The ACHAR found no registered Aboriginal Objects or Aboriginal Places located within the subject area. Investigations on the site outline that archaeological potential was assessed as low across the site.

Appendix B – Locality B2 Oxford Falls Valley

Desired Future Character

The present character of the Oxford Falls Valley locality will remain unchanged except in circumstances specifically addressed as follows.

Future development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses. There will be no new development on ridgetops or in places that will disrupt the skyline when viewed from Narrabeen Lagoon and the Wakehurst Parkway.

The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be located and grouped in areas that will minimise disturbance of vegetation and landforms whether as a result of the buildings themselves or the associated works including access roads and services. Buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.

It is important to note that the desired future character for Oxford Falls was written 25 years ago and whilst the Locality Statement states the present character of the Oxford Falls Valley locality will remain unchanged except in circumstances specifically addressed in the Locality Statement, the character has inevitably changed since the WLEP was gazetted in 2000.

Notwithstanding, the proposed school sporting and learning facilities is consistent with the desired future character of Locality B2 for the following reasons:

The key point in the B2 Locality Statement is in the second paragraph of the Statement dealing with the limitations on future development and the permissibility of low intensity and low impact uses.

In this context, “low intensity” would constitute a development which has low level activities associated with it and “low impact” would constitute a magnitude of

A dense bushland buffer will be retained or established along Forest Way and Wakehurst Parkway. Fencing is not to detract from the landscaped vista of the streetscape.

Development in the locality will not create siltation or pollution of Narrabeen Lagoon and its catchment and will ensure that ecological values of natural watercourses are maintained.

impacts such as to be minimal, minor or negligible and unlikely to significantly change the locality.

The use of the site for sporting/physical education uses for the purpose of a school is a low intensity and low impact use. The site is not the main school campus and will not be used by Queenwood all the time. There will be many times when there is no people/activity on the site. Queenwood will use the site for a combination of PE classes, before/after school sport training and weekend matches. Discussions with Council and local community sporting groups will continue to explore opportunities for community use when not required by the school. Final operational arrangements will be confirmed post-approval in consultation with the appointed community use operator.

There have been several cases in the Land and Environment Court concerning appeals against the refusal of DAs for development in Locality B2, some of which have resulted in the approval of development of a far more significant scale than the development proposed by Queenwood. In *Dukor 24 Pty Ltd v Northern Beaches Council* [2018] NSWLEC 1315, Commissioner Chilcott approved the construction of a 71 bed residential care facility with 16 staff, whereas in *Lipman Properties Pty Ltd v Warringah Council* [2010] NSWLEC 1310, Commissioner Murrell approved a seniors living development which included 32 self-contained dwellings and associated facilities. Both of these developments were considered to be low intensity and low impact forms of development.

The development is not on a ridgeline and the site is physically separated to the west from Wakehurst Parkway

by heavily vegetated land and the perimeter of the Site is likewise well vegetated such that the proposed development will not disrupt the skyline when viewed from Wakehurst Parkway.

Oxford Falls Grammar School is located immediately to the north and includes a number of three storey school buildings and recreational facilities already within the skyline from Wakehurst Parkway.

The site is also located several kilometres from Narrabeen Lagoon. Further, stormwater management and erosion control measures have been integrated into the design to prevent pollution of Narrabeen Lagoon and its catchment. The ecological values of the creek and surrounding watercourses will be protected.

The proposed layout of the school sporting facilities has been carefully developed to consider the sites natural landforms and environmental overlays by retaining areas of native remnant forest (vegetation) and providing appropriate 10m vegetated setbacks to the riparian corridor. The outdoor sports field and indoor sports hall have been located outside of this zone.

The riparian corridor will be protected and rehabilitated. The existing exotic plant species and weeds that have overgrown the existing watercourse will be removed and replaced with native plant species that will act to stabilise the ground and restore the watercourse back to its natural condition. An elevated pedestrian bridge connecting the school sporting facilities will span across this area to ensure that the VRZ is protected from pedestrian traffic but is able to be viewed as the watercourse is crossed.

The proposed layout and design responds to the sites existing condition and natural environment. The western portion of the site is relatively clear and contains dwellings, a pool, sheds and has previously been used for boat storage and stabling of horses which has resulted in the degradation of the existing vegetation on site. This part of the site is large enough to be able to accommodate a full size hockey field, soccer field and 12 x tennis courts (in one multiple purpose field), which are required for Queenwood to train and host competitions in these sports.

Only one building is proposed on the entire site. The eastern portion of the site is able to accommodate a two court indoor sports hall whilst minimising the removal of the important remnant trees in the north-east of the site.

While the proposal will result in tree loss, the proposal seeks to provide a high-quality landscaping strategy which has been designed to retain existing trees where possible and provide more embellished and additional vegetation / landscaping where appropriate at a 1:1 ratio of replacement trees. The design will feature 31.9% canopy coverage as well as also provide 38.44% landscaped open space across the site which complies with the requirements of the WLEP 2000.

. Landscaping and material selections have been carefully chosen to respond to feedback from GANSW and blend the built form in with the surrounding natural environment, supporting visual integration with the locality. Lighting associated with the outdoor sports fields has been designed and positioned to minimise light spill

to reduce potential impacts on any neighbouring properties.

Extensive landscaping is retained and proposed along both street frontage, with fencing and built elements both designed to avoid detracting from the landscaped setting.

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Built Form

Housing density	The maximum housing density is 1 dwelling per 20 ha of site area	Not applicable.	
Building Height	Buildings are not to exceed 8.5 metres in height, where height is the distance measured vertically between the topmost point of the building (not being a vent or chimney or the like) and the natural ground level below.	<p>The indoor sports hall has a maximum height of 14.159m to the upper roof and a maximum height of 11.675m to the lower roof along the northern edge of the Indoor Sports Hall. However, a variation to the building height control can be applied under Section 3.43 of SEPP T&amp;I as the proposal is a State Significant Development for schools. The proposed height is the result of the following requirements:</p> <ul style="list-style-type: none"> <li>▪ The proposed indoor sports require minimum clear heights for competitions which are mandated by the relevant sporting bodies. Basketball games require a 7m clear height and netball requires 8.3m.</li> <li>▪ The building needed to be located above the flood levels determined by the Probable Maximum Flood (PMF) level of RL 76.9m.</li> <li>▪ The ground floor level needed to be located at RL 79.3 or higher in order to ensure that flood water coming across Oxford Falls Road from the east can be directed away and will not enter the building.</li> </ul>	<b>Section 6.1.5</b> Building Height and Scale

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- The roof required a certain depth in order to accommodate the large spanning roof structure, retractable basketball backboards, and large ceiling fans as part of the natural ventilation systems.

Front building setback

Development is to maintain a minimum front building setback.

The minimum front building setback to all roads is 20 metres. On corner allotments fronting Forest Way or Wakehurst Parkway the minimum front building setback is to apply to those roads and the side setback is to apply to the secondary road.

The minimum front building setback area is to be densely landscaped using locally occurring species of canopy trees and shrubs and be free of any structures, carparking or site facilities other than driveways, letterboxes and fences.

The indoor sports hall is the predominant built form on site. The building complies with the 10m side setbacks but is unable to achieve the 20m front setback. The constrained nature of the site from a flooding, bushfire and riparian corridor perspective has limited the areas of the site which are able to be developed whilst reducing environmental impact.

The reduced front setback allows for the indoor sports hall to be located on the Oxford Falls frontage, addressing the street and allowing for ease of access for vehicles, buses and pedestrians whilst remaining away from the riparian zone that traverses through the centre of the site. To reduce the impacts of the reduced setback directly in front of the Indoor sports hall, a considered landscape design has been proposed to provide appropriate screening of the building and to ensure that it sits comfortably within a landscape setting. The frontage to Oxford Falls Road will include a number of large native canopy trees, that are in character with the remnant native trees being retained and protected at the north-eastern corner of the site. It is to be noted that the Indoor sports hall is less than 25% of the total street frontage and that majority of the frontage will have significant setbacks and landscaping.

Alternative options to increase setbacks resulted in greater additional impacts, including much wider street frontages or increased scale, and required a far greater removal of the remnant native forest.

Rear and side building setback

Development is to maintain minimum rear and side building setbacks.

The minimum rear and side building setback is 10 metres.

The rear and side setback areas are to be landscaped and free of any structures, carparking or site facilities other than driveways and fences.

The indoor sports hall complies with all rear and side setback requirements. Substantial planting is provided within the rear setback as well as a 1.8m high capped fence to provide an acoustic and visual barrier between sporting facilities and the southern neighbour.

While not considered built form, the outdoor sports field, along with its fencing and associated facilities, is positioned within the southern, western and northern setback areas. The layout accommodates the specific spatial needs of a soccer field, hockey field and tennis courts to meet IGSA competition standards.

The sports field is set back 5 metres from the southern and western boundaries. Within this setback, substantial screen planting will be established to create a 4 metre high hedge, helping to protect the amenity of neighbouring properties. Importantly, no buildings or built structures will encroach on the 10 metre setback. In addition, the southwestern corner of the sports field will be lowered by 3 metres, providing a natural visual and acoustic buffer between the field and adjoining properties.

Landscaped open space

The minimum area of landscaped open space is 30% of the site area.

To measure an area of landscaped open space—  
 (a) impervious surfaces such as driveways, paved areas, roofed areas, tennis courts, car parking and stormwater structures, decks and the like and any areas with a width or length of less than 2 metres are excluded from the landscaped open space area, and  
 (b) the water surface of swimming pools and impervious surfaces that occur naturally such as rock

In accordance with the WLEP 2000 calculations, 8,228.75m<sup>2</sup> (or 38.44%) of the site is landscaped area, which does not include the synthetic outdoor playing field.

With the addition of the proposed trees, the site will also achieve a canopy cover of 31.9%

outcrops are included in the landscaped open space area, and

(c) landscaped open space must be at ground level, and

(d) the minimum soil depth of land that can be included as landscaped open space is 1 metre.

National Park setback	Development is to maintain a minimum setback from National Park boundaries of 20 metres. The minimum setback area is to be fire fuel reduced and landscaped with local species.	Not applicable.
Schedule 15 Statement of environmental effects	A summary of the statement of environmental effects.	Refer to Summary within the EIS Not applicable, an Environmental Impact Statement has been prepared in accordance with the SEARs.
	A statement indicating how the proposed development is consistent with the relevant desired future character statement and general principles of development control established by this plan.	Refer to <b>Section 4</b> of the EIS with further assessment below
	A statement of the objectives of the proposed development.	Refer to Summary within the EIS
	An analysis of any feasible alternatives to the carrying out of the development, having regard to its objectives, including— (a) the consequences of not carrying out the development, and (b) the reasons justifying the carrying out of the development.	Refer to <b>Section 2.3</b> of the EIS
	An analysis of the development, including—	Refer to <b>Section 3</b> and <b>Section 6</b> of the EIS

- (a) a full description of the development, and
- (b) a general description of the environment likely to be affected by the development, together with a detailed description of those aspects of the environment that are likely to be significantly affected, and
- (c) a description of the likely impact on the environment of the development, having regard to—
  - (i) the nature and extent of the development, and
  - (ii) the nature and extent of any building or work associated with the development, and
  - (iii) the way in which any such building will be erected in connection with the development, and
  - (iv) any rehabilitation measures to be undertaken in connection with the development, and
- (d) a full description of the measures proposed to mitigate any adverse effects of the development on the environment.

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The reasons justifying the carrying out of the development in the manner proposed, having regard to biophysical, economic and social considerations and the principles of ecologically sustainable development.

Refer to **Section 6** and **Section 7**

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The statement is to include a compilation (in a single section of the statement) of the measures proposed to mitigate any adverse effects of the development on the environment.

Refer to Appendix C

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A list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out.

Refer to **Section 4.1.3**

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