



Request for Secretary's Environmental Assessment Requirements (SEARs)

Proposed New Primary School at Warnervale

Lot 71 DP 7091
75 Warnervale Road, Warnervale NSW

Project No: C895
Date: June 2018

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1.0 Introduction and Proposed Development

Creative Planning Solutions have been engaged on behalf of the NSW Department of Education (the Department) by Billard Leece Partnership Pty Ltd to assist in the planning and design of a new primary school at Warnervale, located at 75 Warnervale Road, Warnervale NSW 2259.

The proposed development comprises demolition of all existing structures and construction of a new school accommodating 460 students. Refer to the accompanying Concept Plans prepared by Billard Leece Partnership Pty Ltd. The school is to include

- 20 permanent teaching spaces (including 2 Special Education units) and 2 special programs rooms,
- School hall,
- Library, administration, staff facilities, and amenities,
- External play space and games courts,
- Parking and service access.

The design is intended to account for the possibility of future expansion of teaching and core facilities for up to 1,000 students.

Pursuant to clause 15(2) of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011*, the development will be categorised as State Significant Development (SSD) as the capital investment value exceeds \$20 million.

The Requirements of the Secretary and Approval Bodies within Part 2 of Schedule 2 of the Environmental Planning and Assessment Regulations 2000 indicate that a written application must be made to obtain the Secretary's Environmental Assessment Requirements (SEARs). The SEARS are used to inform the Environmental Impact Statement (EIS), which is required to accompany an application for SSD, pursuant to Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*.

1.1 Capital Investment Value

At this preliminary stage, the estimated Capital Investment Value of the project is \$31,875,311 excluding GST.

2.0 Site and Locality Description

The new primary school at Warnervale is to be located at 75 Warnervale Road, Warnervale. The school is located amongst the planned growth suburbs of Warnervale and Wadalba, within the former Wyong Shire Council Local Government Area (LGA), which now forms part of the recently created Central Coast LGA. It is situated on a 4.56ha allotment, which is legally described as Lot 71 DP 7091. The school is surrounded by a large area of bushland which contains a small number of residential properties and is opposite a well-established suburban area to the north-east of the site. Warnervale Oval, which contains playing fields and a 400m running track is also situated on the opposite side of Warnervale Road, to the north-east of the site. The site is in close proximity to public transport systems; with Warnervale Train Station being 500m (west) from the site, as well as a public bus stop 10m (west) of the school site, providing services to Warnervale Railway Station, Tuggerah Railway Station, Wyong Railway Station and Lake Haven Shopping Centre. The site is situated a short distance from the proposed university and education business park precinct, located to the west of Warnervale Station and forming a key component of the economic development strategy for the district.

Warnervale Public School was opened on this site in 1958 and was in continuous use through to 2008 when the school moved to its current school on the corner of Warnervale and Minnesota Road. 75 Warnervale Road is currently leased to Toukley Air Squadron. The location of the site is shown within the images below.

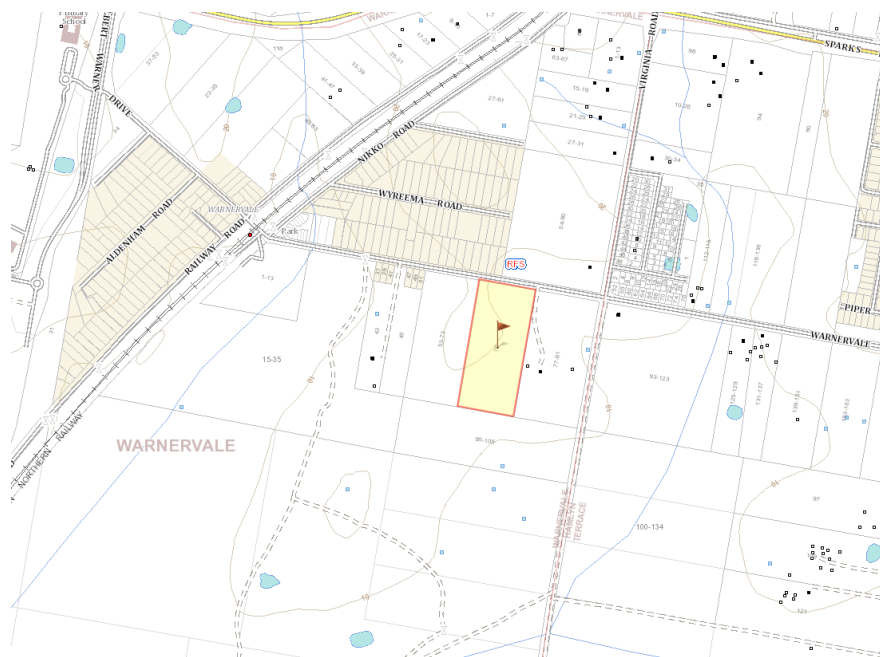


Figure 1. Cadastral image indicating approximate location of subject allotment.

Source: maps.six.nsw.gov.au



Figure 2. Aerial photograph image of subject site.

Source: maps.six.nsw.gov.au

3.0 Planning Context

3.1 State Environmental Planning Policy No 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) applies to the proposed development. Clause 7 requires a consent authority to consider the contamination status of the land and be satisfied that the land is, or will be made, suitable for the purpose for which the development is proposed to be carried out. Initial geotechnical and contamination investigations will be undertaken and discussed as part of the EIS. Should remediation be required, a remediation action plan will be incorporated into the EIS.

3.2 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* (Vegetation SEPP) provides for the removal of vegetation in non-rural areas, as well as matters for consideration in the assessment to remove vegetation. In accordance with Clause 5 of the SEPP, the site is classified as a non-rural area, as it contains land that is either within the R1 zone or the R2 zone.

An arborist report will be prepared to accompany the EIS, in order to provide an assessment of any trees that are proposed for removal, as well as an assessment of the impacts on any vegetation that is proposed to be retained. It is intended that new landscaping and plantings will be provided across the site.

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

Provisions applicable to schools are located in Division 3, Part 4 of the *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (EECC SEPP). The provisions within this policy prevail over any competing provisions within the *Wyong Local Environmental Plan 2013* (WLEP 2013). Relevant provisions are outlined below.

Development permitted with consent (Clause 35 (1))

Development for the purpose of a school may be carried out by any persons with consent in a prescribed zone (which includes the R1 General Residential and R2 Low Density Residential Zone that apply to the site).

Design Quality Principles (Clause 35 (6) and Schedule 4)

The EECC SEPP contains seven (7) design quality principles that the consent authority must consider before determining a development application. The purpose of these provisions is to improve the

design quality of schools and ensure the development appropriately responds to the character of the area, surrounding built form and landscape setting, whilst also providing a high level of amenity for users of the site.

The design quality principles will be used to develop a design scheme for the subject site. The proposal will be carefully evaluated against these principles.

Shared Use of School Facilities (Clause 35 (6))

To deliver the best use of educational infrastructure, the EECC SEPP seeks to encourage the shared use of school facilities for community purposes. It contains provisions that stipulate that any part of a school site and any school facilities may be used for the physical, social, cultural, or intellectual development or welfare of the community (whether or not it is a commercial use of the establishment).

The EIS will include a thorough evaluation of whether opportunities for shared spaces have been appropriately identified within the development proposal.

Application of Development Standards to SSD (Clause 42)

The SEPP provides flexibility to SSD by allowing development consent to be granted even if it contravenes a development standard contained in another environmental planning instrument (EPI).

Should the proposal seek any departures from these development standards, the EIS will consider whether these are justified on the basis that there are sufficient environmental planning grounds to support the variation.

Other

The EECC SEPP sets aside the provisions contained within any other EPI (in this case the WLEP 2013) that require a competitive design process to be undertaken for any development with a CIV of less than \$50 million (Clause 35(8)). As such, any design excellence provisions within the WLEP 2013 are also set aside (Clause 35 (7)).

Traffic Impacts (Clause 57)

Traffic impacts, demand for parking and road safety in the traffic network surrounding schools are key concerns arising as part of any redevelopment. These issues will be considered as part of the EIS, and a Transport and Accessibility Impact Assessment will be provided to supplement the EIS.

The application will be referred to the Roads and Maritimes Services (RMS) for specialist input, as it will result in 50 or more additional students and is on a site that has direct vehicular or pedestrian access to any road.

Clause 57(3) prescribes that the consent authority must take into consideration:

- (a) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, RMS advises that it will not be making a submission), and*
- (b) the accessibility of the site concerned, including:*
 - (i) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - (ii) the potential to minimise the need for travel by car, and*
- (c) any potential traffic safety, road congestion or parking implications of the development.*

The Transport and Accessibility Impact Assessment will provide a thorough analysis that is sufficient so as to enable the RMS and the Department of Planning and Environment to consider the matters described within Clause 57(3).

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

The *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP 2011) applies to the land and nominates certain types of development as State Significant Development (SSD) due to the size, economic value or potential impacts.

The proposed development is declared to be SSD under the policy as it involves alterations and additions to an existing school with a Capital Investment Value (CIV) of greater than \$20 million.

3.5 State Environmental Planning Policy No. 44 - Koala Habitat Protection (SEPP 44)

This Policy applies to the former Wyong Local Government Area, in which the site is located. Specifically, it applies to land:

- (a) that is land to which this Policy applies, and*
- (b) that is land in relation to which a development application has been made, and*
- (c) that:*
 - (i) has an area of more than 1 hectare, or*
 - (ii) has, together with any adjoining land in the same ownership, an area of more than 1 hectare, whether or not the development application applies to the whole, or only part, of the land.*

As the subject site is greater than 1 hectare in size, Clause 6(c)(i) of SEPP 44, indicates that the policy applies to the proposed development. A detailed site specific ecological assessment report will be prepared to inform the design of the future school, and will include the consideration of any koala habitat within the investigation area.

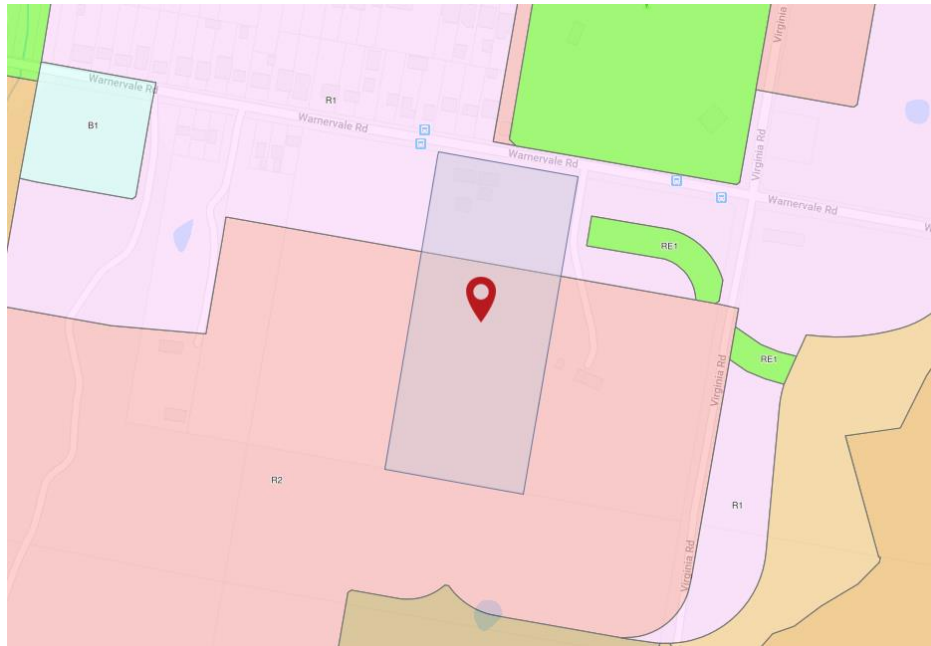


Figure 4 – Extract of WLEP 2013 Zoning Map

Source: www.planningportal.nsw.gov.au

Heritage

The site is not listed as a heritage item or located within a heritage conservation area. The nearest heritage item is item number I108, Warnies Railway Cafe and General Store, a local heritage item located at 1-13 Warnervale Road, which is approximately 550m to the west of the site

Floor space ratio (FSR) and building height

The site is not affected by the FSR or height of buildings map. Irrespective, the EECC SEPP allows development consent to be granted despite any proposed variations to the development standards.

Urban Release Areas

The site is located within the Warnervale South (Part B) Urban Release Areas. Clause 6.3(2) indicates that consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in Clause 6.3(3) has been prepared for the land.

A development control plan has been prepared by Council and the site lies within the area affected by Chapter 6.5 Warnervale South, within the Wyong Development Control Plan 2013, and therefore the LEP clause the Departments not preclude the issue of development consent at this site.

Acid sulfate soils

The land is affected by Acid Sulfate Soils (ASS) and is nominated as Class 5 on the ASS Map. As such, this may need to be appropriately addressed by the submission of an ASS Management Plan if the development involves works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres

Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

Flooding

A small portion of the site, adjacent to the north-eastern corner of the allotment, is depicted within the WLEP 2013 maps as being located within the flood planning area. Council has identified that this relates to overland flow, and it is anticipated that this can be considered as part of the stormwater management plan.

Aircraft noise and aircraft operations

The site is located approximately 2.3km to the east of Central Coast Airport (CCA), which is owned by Central Coast Council and used for private aviation and charters, helicopters, sightseeing flights, emergency services aviation and training.

The WLEP 2013 indicates that development in the vicinity of the CCA may be required to be considered in relation to the limitation or operations surface (clause 7.7 of WLEP 2013) and in relation to aircraft noise (clause 7.8 of WLEP 2013). Consideration of clause 7.7 requires consultation with the Obstacle Limitation Surface Map or the Procedures for Air Navigation Services Operations Surface Map for the CCA, and consideration of clause 7.8 requires consultation with the Noise Exposure Forecast Contour Map for the CCA.

Council have advised that the Lower Limit of the OLS is 55.00 AHD, and the development must not exceed this height limit. ANEF maps were not readily available from Council, and it is not clear if the site is affected by clause 7.8. Council did not raise these matters as a concern in the initial consultation meeting held with Council, and these issues may be considered as part of further consultation undertaken with Council.

3.8 Wyong Development Control Plan 2013

In accordance with Clause 11(a) of the SRD SEPP, development control plans do not apply to SSD. Moreover, Clause 35(9) of the ECDC SEPP also states that any provision of a development control plan that specifies a requirement, standard or control in relation to for the purposes of a school is of no effect.

Notwithstanding this, the general provisions of the Wyong Development Control Plan 2013 (WDCP 2013) are to be consulted in the formulation of the design of the proposal. These provisions include:

- Chapter 2.11 Parking and Access
- Chapter 3.1 Site Waste Management
- Chapter 3.3 Floodplain Management
- Chapter 3.4 Conservation Areas for Northern Wyong Shire
- Chapter 3.6 Tree and Vegetation Management
- Chapter 3.10 Wetland Management
- Chapter 6.1 Key Sites
- Chapter 6.5 Warnervale South

There are no provisions within the WDCP 2013 that relate specifically to educational establishments.

3.9 Central Coast Regional Plan

The Central Coast Regional Plan intends to meet the needs of a growing and changing population, and the vision of the plan seeks to accommodate a large proportion of the population growth within the Southern Growth Corridor, extending from Somersby to Erina, and the Northern Growth Corridor, extending from Tuggerah to Warnervale, and encompassing the Warnervale-Wadalba release area. The proposed school, located within the growth suburb of Warnervale, is consistent with the vision of the policy.

3.10 Other Strategic Planning Documents

The EIS will also consider the proposal against other relevant strategic planning policies, including:

- NSW Long Term Transport Master Plan 2012;
- NSW Bike Plan 2010;
- Healthy Urban Development Checklist, NSW Health;
- North Wyong Shire Structure Plan 2012.

4.0 Potential Impacts Associated with the Development

4.1 Design Quality

The site is located within the suburb of Warnervale. There is currently limited development on the southern side of Warnervale Road, and the location of the park to the north ensures that a vegetated character is expected to be maintained to certain parts of Warnervale Road. However, given the zoning of the area, it is expected that additional contemporary development will be introduced to the locality in the near future.

The design will account for, and respond to, the particular constraints of the site, including the sloping topography of the site, and the likely required retention of vegetation. This will be balanced with the need to provide functional education spaces, and the maximisation of opportunities for supervision throughout the site and for passive surveillance to the street.

The design has been formulated by Billard Leece Partnership Pty Ltd in consultation with the Department. An Urban Design Report is to be prepared as part of the EIS, focusing on the rationale that informs the final design.

4.2 Infrastructure and Servicing

Essential services are currently available to the existing school, and it is anticipated that the augmentation of existing services will be required. The consultation process undertaken as part of the EIS will include relevant utility providers. Investigation of any required upgrades to services within the locality will be considered in the EIS.

4.3 Transport and Accessibility

Central Coast Council have indicated that Warnervale Road will be upgraded to the status of a “trunk road”. It is anticipated that the new school will necessarily result in increased traffic flows and an increased demand for parking. The EIS will consider how the school is able to accommodate parking on site, and whether appropriate amelioration measures are provided to ensure that the proposal will not unduly interfere with the amenity of the locality. A detailed Transport and Accessibility Impact Assessment will be provided with the EIS.

4.4 Impacts Associated with Central Coast Airport

Given the site is located a short distance from Central Coast Airport (CCA), impacts associated with the limitation or operations surface, and in relation to aircraft noise, may be relevant to the proposal. As indicated earlier, the relevant maps are not readily available from Council, and it is not clear whether either of these matters are relevant.

The height of the proposal is not to impact on the relevant limitations or operations surface, and it is unlikely that this will create a significant constraint to the development, given the distance between the airport and the site, as well as the likely overall proposed height of buildings.

Should the site be affected by the ANEF contours, then the EIS will require a thorough investigation of design measures that are required to minimise noise exposure within classrooms and other critical learning areas. Should the site be affected by the ANEF contours, an acoustic engineer is to assist with the formulation of the building design, and if necessary an acoustic report will accompany the EIS.

4.5 Bushfire

The site is significantly impacted by Bushfire Prone Land which applies to the site and surrounding sites, as shown within the map below.

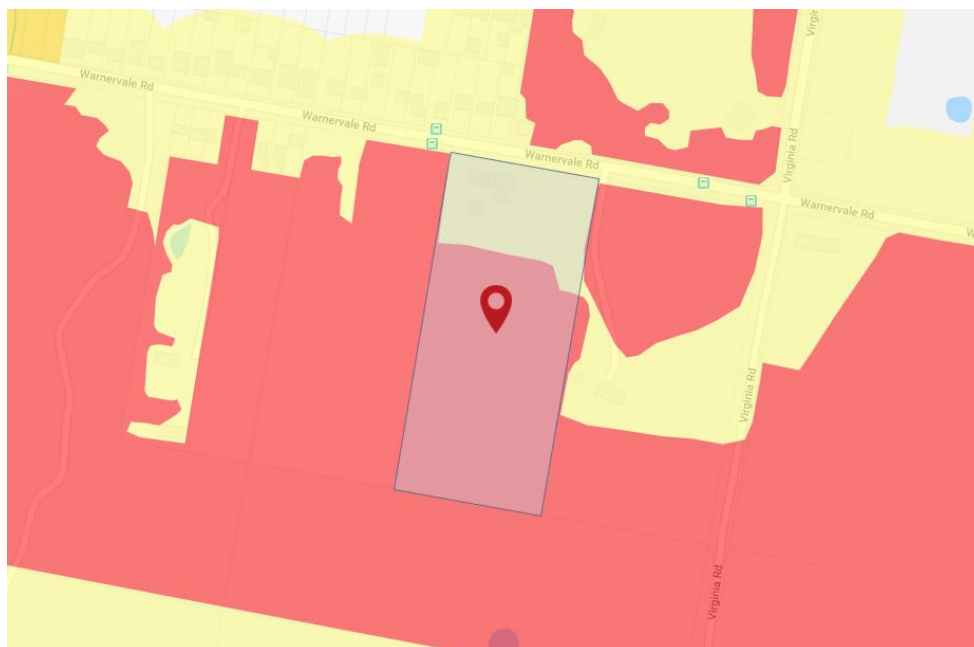


Figure 5 - Extract of NSW Rural Fire Services Bushfire Map, with land on the site affected by Vegetation Category 1 (red), and Vegetation Buffer (yellow).

Source: www.planningportal.nsw.gov.au

The majority of the site is affected by “Vegetation Category 1” which is considered the most hazardous type of vegetation category. Development for the purposes of a school is classified as a special fire protection purpose, as listed within Clause 100B(6), of the *Rural Fires Act 1997*, and development for the purposes of a special fire protection purpose, requires the issue of a bush fire safety authority. Clause 100B(1) indicates that the Rural Fire Services Commissioner may issue a bush fire safety authority for the development of bush fire prone land, and Clause 100B(3) indicates that a person must obtain a bush fire safety authority before developing bush fire prone land for a (special fire protection purpose).

A Bushfire Hazard Assessment will be undertaken as part of the design development process.

4.6 Biodiversity

The site forms part of an area with known or potential biodiversity value, and is also located on land that is affected by SEPP 44, relating to koala habitat protection. It is understood that threatened flora species that have been recorded in the immediate locality include:

- *Rutidosia heterogama* (Heath Wrinklewort)
- *Corunastylis* sp. Charmhaven (Charmhaven Orchid)
- *Cryptostylis hunteriana* (Leafless Tongue Orchid)
- *Thelymitra adorata* (Wyong Sun Orchid)

A detailed site specific ecological and biodiversity assessment report will be prepared to inform the design of the future school, and to outline any limitations on the development opportunities at the site. It is expected that ongoing management of the site will be required to maintain the specific ecological values.

4.7 Aboriginal Archaeology

The site is also an Aboriginal site as listed on the Aboriginal Heritage Information Management System (AHIMS). An Aboriginal Cultural Heritage Assessment Report is to be undertaken in order to consider any archaeological remains on the site, and to manage and mitigate any potential impacts to Aboriginal Heritage.

4.8 Landscaping

Although the proposal seeks to increase the overall built form across the site, it is intended that the landscaped character, including the retention of native vegetation, will be maintained to the site as much as practicably possible. A detailed landscape scheme will be prepared in association with the architectural design.

4.9 Solar Amenity and Overshadowing

The EIS will consider how the proposed school can be accommodated, with minimal impact on solar amenity. Solar access to the play areas and classroom of the school will be a key consideration of the design. School facilities will be designed and spaced so as to maximise internal midwinter sunlight, and reduce the impacts of the western summer sun. It is anticipated that overshadowing will be of limited impact to neighbouring properties.

4.10 Stormwater Management and Flooding

A Stormwater Management Plan will be prepared to detail the how stormwater will be managed and disposed of on site. Requirements for any on-site stormwater retention and detention will be

investigated as part of the EIS, and it is intended that water sensitive urban design measures will be incorporated into the development.

The site is identified as being flood affected within the maps which accompany the WLEP 2013 Information provided from Council indicates that the flooding likely relates to overland flow, and the overland flow path will be identified and maintained as part of the stormwater design process.

4.11 Contamination and Geotechnical

As indicated in the discussion relating to SEPP 55, initial geotechnical and contamination investigations will be undertaken and discussed as part of the EIS. Should remediation be required, a remediation action plan will be incorporated into the EIS.

4.12 Safety and Security

The employment of the principles of Crime Prevention Through Environmental Design (CPTED) in the design of the school are imperative to ensure that the design of the school is not conducive to the perpetration of crime. The EIS will include a thorough consideration of the CPTED principles (access control, surveillance, territorial re-enforcement and space/activity management) in relation to specific aspects of the design.

4.13 Pedestrianisation

The new school and grounds will be fully accessible to all students, in accordance with the Department requirements. The EIS will consider pedestrian safety and the impacts on the residential surrounds. It is expected that the access to these areas will be appropriately controlled during and after school hours.

4.14 Impacts of Construction

Construction impacts, such as noise, dust, vibration and temporary traffic management impacts are likely to create a concern for nearby residents. A Construction Management Plan and Traffic Management Plan will be provided as part of the EIS to manage the impacts of the construction process.

4.15 Sustainability

The intent of the design will be to employ passive sustainable design principles to maximise the energy efficiency of the new facility. This will generally include consideration of the following opportunities for sustainability measures:

- Environmentally sustainable design features and landscaping elements that can be used as tools for learning,
- Responsible choice of materials,
- Opportunities to connect urban children with nature e.g. agricultural plots/pens, vegetable & science gardens,
- A range of outdoor spaces from quiet reflective to large group gatherings, sporting, etc.

The EIS will consider whether the proposal has provided maximum opportunity for the utilisation of these sustainability measures.

4.16 Social and Economic Impacts

The social and economic impacts of the proposal will be expected to be broadly positive, and the EIS will consider the benefits to the local community, as well as opportunities for minimising any anticipated negative community impacts. Anticipated social and economic impacts include:

- Employment of local tradespeople during construction, and the creation of permanent teacher, clerical and maintenance positions;
- The provision of increased student places amongst a residential growth precinct with a rapidly growing population.
- The creation of flexible learning spaces to promote social interaction amongst pupils, and improved opportunities for public use outside of school hours.

5.0 Justification

The Department has provided information in relation to the justification for the proposed development, which has been used to inform the discussion below.

The new primary school at Warnervale is within the Wyong Primary Cluster, which is shown within the map below.

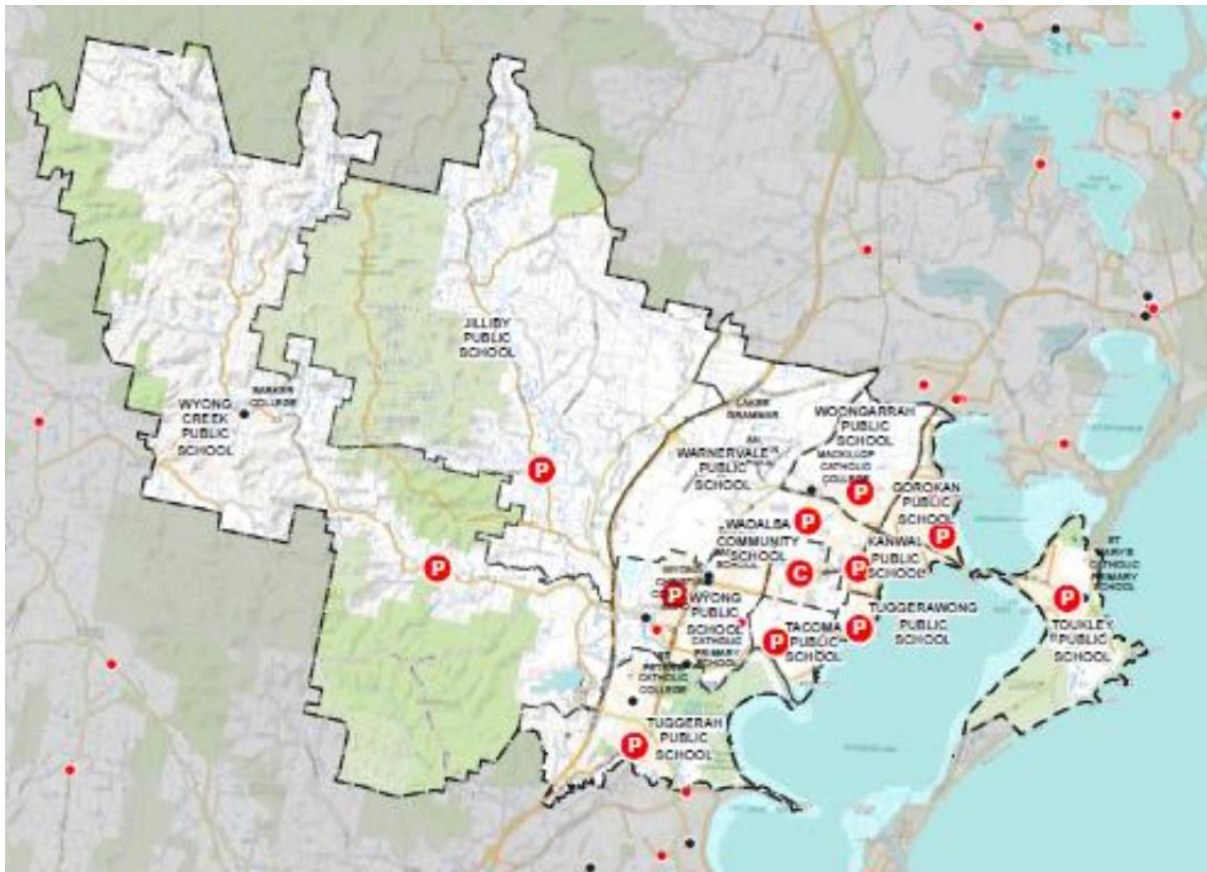


Figure 6 Wyong Primary Cluster shown highlighted.

Source: NSW Department of Education

The Wyong Primary school assets cluster is located in NSW Planning's Central Coast Region. The region is at the centre of the State's fastest growing corridor from the northern edge of Sydney to Newcastle. The projected population along this corridor is estimated to be 1.1 million by 2036.

The Central Coast Regional Plan 2036 covers the Central Coast Local Government Area (formerly Gosford and Wyong LGAs). The Wyong School Cluster is located between Gosford and Lake Macquarie, extending from the coast along Tuggerah Lake westwards to the hinterland.

Over the next 20 years, the population of the Central Coast is projected to increase by 70,000 to 409,450. To meet the Central Coast's projected housing demand over the next 20 years to 2036, the plan states that an average of 1,980 new homes will need to be constructed each year i.e. 39,600 new dwellings.

The Regional Plan states: “New greenfield development opportunities are focused on the Warnervale-Wadalba land release area and in locations identified in the North Wyong Shire Structure Plan”.

The Wyong Primary Cluster falls within the Central Coast Local Government Area (LGA) and comprises:

- Gorokan Public School
- Jiliby Public School
- Kanwal Public School
- Tacoma Public School
- Toukley Public School
- Tuggerah Public School
- Tuggerawong Public School
- Wadalba CS (primary component)
- Warnervale Public School
- Woongarah Public School
- Wyong Creek Public School
- Wyong Public School

The projections are for an increase of approximately 865 Government primary school students to give a total of 5,455 students in 2031. The Needs Analysis is shown below:

Needs Analysis:	
Key Drivers for the Project	<ul style="list-style-type: none"> • The growth in the Central Coast LGA and specifically the Wyong area within it, as identified in NSW Planning’s Central Coast Regional Plan 2036, with the population projected to increase by 70,000 to 409,450 by 2031. • Increased capacity to 26 teaching spaces at Warnervale PS will meet enrolment demand to 2031. • Providing a hall for 1,000 students allows for future expansion to reduce pressure on surrounding schools and free up capacity for Wadalba Community School’s secondary component, also Woongarah PS nearby. • Creating more flexible, future-focused learning spaces to accommodate new ways of teaching and learning.
Population and Enrolment Changes	<ul style="list-style-type: none"> • New greenfield development opportunities are focused on the Warnervale-Wadalba land release area and in locations identified in the North Wyong Shire Structure Plan. • There is projected enrolment growth of 1,180 additional primary students in the Wyong primary school cluster over the next 20 years. • Based on enrolment projections for the Government primary schools in this school community, a total of 5,770 students have to be accommodated by 2031 requiring an increase of 51 teaching spaces (classrooms).
Case for Change	<p>The asset planning objectives within the Wyong primary cluster are to:</p> <ul style="list-style-type: none"> • improve the accommodation capacity of the Warnervale Public School to alleviate pressure in the Warnervale/Woongarah area.

- meet future projected enrolment growth to 2031 meet the educational planning principles
- improve the performance of the school assets
- achieve the best value for money to support the achievement of education outcomes.

6.0 Consultation

Public consultation will be undertaken for a minimum of 30 days in accordance with relevant requirements. The DPE will consider the following as part of their assessment:

- existing strategic plans and policies (i.e. State, regional and local);
- input received from council;
- input received from Federal and State Government agencies; and
- submissions received during consultation.

Consultation will be undertaken in association with the preparation of the EIS. It is expected that the following groups and authorities will require consultation as part of the EIS:

- Department of Planning and Environment (DPE);
- Department of Education (the Department);
- Central Coast Council;
- Government Architects Office;
- Roads and Maritime Services (RMS);
- Rural Fire Services (RFS);
- Transport for NSW (TfNSW);
- Environmental Protection Authority (depending on site conditions);
- Sydney Trains;
- Ausgrid;
- Local Aboriginal communities;
- Community groups;
- Surrounding residents

Note that preliminary consultation has commenced with some of the parties outlined above.

7.0 Conclusion

The proposed new primary school at Warnervale is classified as State Significant Development pursuant to Clause 15 of Schedule 1 of SEPP SRD. The Department requests that the Secretary of DPE issue the SEARs for the proposed development in order to facilitate the preparation of the EIS to accompany the future application.