



Environmental Impact Statement

Alterations and Additions to
St Philip's Christian College,
Cessnock

Prepared by Barr Planning

for St Philips Christian Education Foundation Ltd

January 2022



Barr Planning acknowledges the Traditional Custodians of country throughout Australia and their connections to land, sea and community. We pay our respect to their Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

Document Control

Title: Expansion and Alterations to existing school
Address: 10 Lomas Lane and 210 Wine Country Drive, Nulkaba
Project No. 16NEW0010
Client: St Philip's Christian Education Foundation Ltd

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Glossary and Abbreviations

Terminology	Meaning
ACHAR	Aboriginal Cultural Heritage Assessment Report
AHIMS	Aboriginal Heritage Information Management System
ARI	Average recurrence interval
AS	Australian Standard
ASS	Acid Sulfate Soils
BC Act	Biodiversity Conservation Act 2016
BCA	Building Code of Australia
BDAR	Biodiversity Development Assessment Report
CDWMP	Construction and Demolition Waste Management Plan
CNMP	Construction Noise Management Plan
Council	Cessnock City Council
CPTED	Crime Prevention Through Environmental Design
CTMP	Construction Traffic Management Plan
DCP	Development Control Plan
DP	Deposited Plan
DPIE	NSW Department of Planning, Industry and Environment
DSI	Detailed Site Investigation
EEC	Endangered ecological community
Education SEPP	State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPA	NSW Environment Protection Authority
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999
ESD	Ecologically Sustainable Development
GANSW	NSW Government Architect's Office
GLA	General Learning Area
GNMP	Greater Newcastle Metropolitan Plan 2036
HMS	Hazardous Materials Survey
HRP	Hunter Regional Plan 2036
HWC	Hunter Water Corporation
ISEPP	State Environmental Planning Policy (Infrastructure) 2007
KH SEPP	State Environmental Planning Policy (Koala Habitat Protection) 2020
LEMP	Long-term Environmental Management Plan
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
m	metre



Terminology	Meaning
m ²	Square Metres
MLALC	Minderibba Local Aboriginal Land Council
NA	Not applicable
NIA	Noise Impact Assessment
NML	Noise Management Level
NSW	New South Wales
OEH	Office of Environment and Heritage
OWMP	Operational Waste Management Plan
PCT	Plant Community Type
PPA	Practical activity area
PSC	Preliminary Site Contamination
PSI	Preliminary Site Investigation
RAP	Remediation Action Plan
RAPs	Registered Aboriginal Parties
RMS	Roads and Maritime Services
SDRP	State Design Review Panel
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SEPP 33	State Environmental Planning Policy No 33—Hazardous and Offensive Development
SEPP 55	State Environmental Planning Policy No 55—Remediation of Land
SEPP 64	State Environmental Planning Policy No 64—Advertising and Signage
SHI	Statement of Heritage Impact
SIS	State Infrastructure Strategy 2018-2038
SMF	Synthetic Mineral Fibres
SPCC	St Philip's Christian College
SPCC	St Philip's Christian College
SPCEF	St Philip's Christian Education Foundation Ltd
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
SSDA	State Significant Development Application
Statement or SEE	Statement of Environmental Effects
TfNSW	Transport for New South Wales
The Minister	the Minister for Planning and Public Spaces
TPZ	Tree Protection Zone
WSUD	Water Sensitive Urban Design

Project Details

Project Details	
Project Name	Alterations and additions to St Philip's Christian College, Cessnock.
Application Number	SSD-10360337
Address of the Land in respect of which the development application is made	10 Lomas Lane and 210 Wine Country Drive, Nulkaba Lot 518, Deposited Plan 837571 Lot 2, Deposited Plan 600895, Lot 1, Deposited Plan 744377 Lot 1 Deposited Plan 126765
Applicant Details	
Applicant Name	St Philip's Christian Education Foundation Ltd
Applicant Address	c/o Barr Planning 92 Young Street Carrington NSW 2294
Details of person by whom the EIS was prepared	
Name	Andrew Donald Senior Planner
Qualifications	Bachelor of Environmental Engineering Graduate Diploma of Urban and Regional Planning Diploma of Leadership and Management Member Planning Institute of Australia
Name	Rebecca Johnston Associate – Planning Manager
Qualifications	Bachelor Town Planning (Hons) Certificate IV Project Management Master Business Administration Registered Planner Planning Institute of Australia

Declaration

Declaration by registered environmental assessment practitioner

Declaration:	<p>We the undersigned declare that this EIS:</p> <ul style="list-style-type: none"> ▪ has been prepared in accordance with Schedule 2 of the Environmental Planning and Assessment Regulation 2000; ▪ contains all available information relevant to the environmental assessment of the development, activity or infrastructure to which the EIS relates; ▪ does not contain information that is false or misleading; ▪ addresses the Planning Secretary's environmental assessment requirements (SEARs) for the project; ▪ identifies and addresses the relevant statutory requirements for the project, including any relevant matters for consideration in environmental planning instruments; ▪ has been prepared having regard to the Department's State Significant Development Guidelines - Preparing an Environmental Impact Statement; ▪ contains a simple and easy to understand summary of the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development; ▪ contains a consolidated description of the project in a single chapter of the EIS; ▪ contains an accurate summary of the findings of any community engagement; and ▪ contains an accurate summary of the detailed technical assessment of the impacts of the project as a whole. 	
Signature		
Name	Andrew Donald	Rebecca Johnston
Date	28 January 2022	28 January 2022

Executive Summary

This Environmental Impact Statement (EIS) has been prepared on behalf of St Philip's Christian Education Foundation (the Applicant) and accompanies State Significant Development Application (SSD 10360337) for alterations and additions to St Philip's Christian College, Cessnock (the proposal).

This EIS should be read in conjunction with the Secretary's Environmental Assessment Requirements (SEARs) attached at Appendix A, and the supporting technical documents listed at Appendix G.

This EIS has been prepared in accordance with and meets the requirements of Clause 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation).

The Proposal

The proposal is for alterations and additions to an existing school known as St Philip's Christian College Cessnock.

The application seeks approval for additional buildings and infrastructure that will facilitate the school's growth over the next 20 to 30 years to a total K-12 student population of 1,649 and 83 0 – 5 year old children in the on-site early learning centre and 'prep' program.

Apart from facilitating an increase in enrolment numbers, the objectives of the proposal are to:

- Create a more cohesive site through considered placement of buildings, roadways and landscaping
- Replace a number of existing modular buildings with high-quality permanent buildings to enhance the student experience and educational outcomes
- Alleviate existing access issues by providing a second point of vehicular entry to the site and upgrading an existing intersection
- Provide additional facilities designed for shared community use
- Avoid or minimise impacts on flooding, biodiversity and Aboriginal heritage

The development will be constructed over 10 stages as summarised below:

- Stage 1a: Junior School extension, Senior School extension, new Narnia early learning centre, additional demountable building, new school access off Wine Country Drive, road widening of Lomas Lane, new electrical substation.
- Stage 1b: Middle School, waste compound, removal of existing administration and Narnia modular buildings, reconfigure northern car park.
- Stage 2: Trade Training Centre extension, roundabout at intersection of Wine Country Drive and Lomas Lane.
- Stage 3a: Additional Senior School extension, removal of five modular classroom buildings
- Stage 3b: Welcome/administration centre, café, additional DALE (special school) building
- Stage 4a: Sports hall extension
- Stage 4b: Library/chapel
- Stage 5a: Additional sports hall extension
- Stage 5b: Extension/reconfiguration of The Hub building
- Stage 5c: Performing Arts Centre

The Site

The site is located at 10 Lomas Lane, Nulkaba and comprises the following four lots: Lot 518 in DP 837571; Lot 2 in DP 600895; Lot 1 in DP 744377; and Lot 1 in DP126765.

The site has an overall area of approximately 42 hectares.

The site is within the Cessnock Local Government Area (LGA) within the Hunter Region of NSW.

Planning Framework

The development is for the purpose of alterations and additions to an existing school. Pursuant to Schedule 1 Clause 15(1) of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP), development that has a capital investment value of more than \$50 million for the purposes of alterations or additions to an existing school is state significant development. Accordingly, the proposal will be submitted to the New South Wales Department of Planning Industry and Environment (DPIE) for assessment and determination.

CIV and Job Creation

The proposal will generate approximately 280 construction jobs and 56 operational jobs.

The capital investment value is \$138,980,000 calculated in accordance with Planning Circular PS10-008.

Assessment

The proposal has been assessed against all items contained to the SEARs issued for the project. In summary:

- The proposal demonstrates a high level of consistency with state and local statutory and strategic planning policies
- The proposal will not have any unacceptable impacts on neighbouring residential development or the public domain
- The proposal is highly suitable for the site
- The proposal is in the public interest
- The proposal appropriately satisfies each item within the Secretary's Environmental Assessment Requirements

Considering the above and the content contained in this EIS, it is recommended that the DPIE approve this SSDA with appropriate standard conditions.

1 Introduction

1.1 Applicants Details

Applicant Name	St Philip's Christian Education Foundation Limited (SPCEF)
Applicant Address	57 High Street Waratah NSW
ABN	34 002 919 584

1.2 Project Summary

Table 1 Project Summary

Project Summary of the Project					
Project Element					
Project Site Area	42 hectares				
Site Description	10 Lomas Lane and 210 Wine Country Drive, Nulkaba Lot 518, Deposited Plan 837571 Lot 2, Deposited Plan 600895, Lot 1, Deposited Plan 744377 Lot 1 Deposited Plan 126765				
Buildings		New building or addition	Building Name	Height (m) (Stories)	Additional Floorspace (m ²)
	A3	Addition	Junior School	9.45 (2)	680
	A4	Addition	Junior School	9.45 (2)	1,510
	B1	New	Middle School	10.1 (2)	2,040
	B2	New	Middle School	10.1 (2)	1,290
	C2	Addition	Senior School	11.3 (2)	2,125
	C3	Addition	Senior School	10.1 (2)	1,670
	C4	Addition	Library/Chapel	9.2 (2)	1,120

Project Summary of the Project					
Project Element					
	D	New	Administration/Welcome Centre	8.35 (2)	1,235
	E2	Addition	Trade Training Centre	9.5 (2)	3,710
	F	Addition	The Hub - Canteen/Cafe	7.5 (1)	1,190
	G	New	Performing Arts Centre	14.1 (3)	4,325
	H2	Addition	Sports Hall	10.25 (1)	690
	H3	Addition	Sports Hall	12.25 (2)	1,050
	J	New	Narnia Early Learning Centre	6.5 (1)	1,170
	K	Addition	Café	3.2 (1)	45
	N2	New	DALE Special School	6.4 (1)	775
	O	New	Aquatic Centre	9.05 (2)	2,920
Sporting or other facilities	<p>Construction and operation of a new semi enclosed aquatic centre including:</p> <ul style="list-style-type: none"> 15 metre learn to swim pool 25 metre 8 lane lap pool Café Wellness centre Grandstand and forecourt areas. <p>The Aquatic Centre will be open to the public and available for limited community use when not being utilised for school sport and recreation.</p> <p>Community use of sport fields including training and weekend matches.</p>				
Total Student Numbers	Junior School		488		
	Middle School		535		
	Senior School		546		
	DALE Special School		80		
	Sub-total		1649		
	Prep		40		
	Narnia Early Learning Centre		43		
	Sub-total		83		
	Total		1732		

Project Element		Summary of the Project		
Total Staff Numbers	Junior School	49		
	Middle School	41		
	Senior School	46		
	DALE Special School	20		
	Non-teaching	45		
	Sub-total	200		
	Prep	5		
	Narnia Early Learning Centre	9		
	Sub Total	16		
	Total	216		
Total parking spaces	250 car parking spaces 100 spaces of informal ‘overflow’ parking			
Construction Hours	7am to 5pm (Monday to Friday)			
	8am to 3pm (Saturday)			
	No work on Sundays and Public Holidays			
Operational hours	Prep School (4 - 5 year olds)	07:00 – 1800	Monday - Friday School Terms	
	Junior School Middle School Senior School DALE Special School	08:00 - 15:30	Monday - Friday School Terms	
	Administration / Office	07:00 – 1800	Monday – Friday	
	OOSH	07:00 – 1800	Monday - Friday All year (except four weeks in summer)	
	Narnia Early Learning Centre	07:00 – 1800	Monday – Friday All year (except four weeks in summer)	
	Gymnasium (located with Sports Hall)	05:00 - 20:00	Monday – Saturday. School Terms only	
	Performing Arts Centre -After Hours *Also used during school hours	15:30 - 22:00	Limited times during the year for school	

Project Element	Summary of the Project		
			productions, events etc
	Sports Fields – After Hours *Also used during school hours	15:00 - 22:00 07:00 - 18:00 08:00 - 17:00	Monday - Friday Saturday Sunday
	Aquatic Centre	05:00 - 20:00 07:00 - 18:00	Monday – Saturday Sunday
	**Ancillary activities such as cleaning, deliveries, waste collection may also occur outside of these hours		
Capital Investment Value	\$138,980,000		

1.3 Project Overview

The project relates to the existing SPCC Cessnock, located Nulkaba. The school commenced operations at its current location in 2012, following the granting of development approval in 2010. Several consents have been issued since that time for additional development as outlined in the Project History. This project seeks consent for the staged development of numerous buildings and facilities and an increase in student numbers to facilitate the school's growth over the next 30 years.

The project also features significant improvements to site access arrangements in the form of a new vehicular access from Wine Country Drive, and the construction of a roundabout at the intersection of Wine Country Drive and Lomas Lane.

The project will provide for the following:

- Total student population of 1,732 (inclusive of Narnia early learning centre and DALE special school, an increase from 1,281 students currently)
- Extension of the existing Junior School including 15 General Learning Areas (GLAs) and outdoor playground
- New Middle School building including 22 GLAs
- Extension to the existing Senior School including 14 GLAs, 4 science labs, 4 dance/drama studios, 3 art workshops and 2 music studios
- New Library/Chapel
- New Administration building
- Extension to the existing Trade Training Centre
- Extension to the existing Hub building incorporating the canteen and cafe
- Extension to the existing Sports Hall

- New Performing Arts Centre
- New DALE Special School
- New Narnia Early Learning Centre
- New Aquatic Centre
- New southern site access
- Upgrade to intersection of Wine Country Drive and Lomas Lane

1.4 Project Objectives

The vision of SPCC Cessnock is to create a community hub incorporating a dynamic learning environment in which students are provided the opportunity to pursue excellence intellectually, physically, socially and spiritually. The proposed alterations and additions to the existing school will respond to the changing needs of students and teachers, as well as the technologies and educational principles of the school. The result will be an inspiring place where young people can grow, collaborate and contribute.

The objective of the project is to construct alterations and additions to the existing school to allow the school to grow to accommodate 1,732 children and students, while meeting future demands for modern teaching and sporting facilities. The project aims to:

- Expand and improve an existing educational establishment facility to meet the demand for quality education within the growing Cessnock Local Government Area;
- Create both temporary and permanent job opportunities during the demolition, construction, and operational phase of the development;
- Implement CPTED principles in the site's design to deter crime;
- Provide a safe and accessible expanded educational establishment;
- Create a series of high quality and modern teaching spaces which are flexible and promote increased social interaction among students and teachers;
- Promote the principles of ecologically sustainable development through a responsive design that is energy efficient;
- Provide a design that celebrates connection to country and which capitalises on the natural and historic attributes of the site;
- Minimise impacts relating to flooding, noise, visual amenity, traffic or any other such impacts on nearby rural properties; and
- Provide areas within the new school for indoor and outdoor recreation to improve the health and wellbeing of students and the broader community.

1.5 Project History

The St Philip's Christian College group was founded in 1982 and now has multiple schools across Newcastle, Port Stephens, Cessnock and Gosford. SPCC has been owned and operated by St Philip's Christian Education Foundation Limited (SPCEF), a not-for-profit company, since 1985.

SPCC Cessnock originated in 2004 when SPCEF took over the management of a school originally known as Hunter Vineyards Christian College, located at Allandale Road, Cessnock. The school commenced operations at its current site at Nulkaba in 2012. Prior to use as a school the site was for passive agricultural purposes. The school was approved by Development Consent No. 8/2009/677 for a Concept Plan and Stage 1 works for an Educational Establishment on Lot 1, DP 126765 and Lot 1, DP 744377, issued by Cessnock City Council on 16 December 2010.

Since the initial approval there have been several development approvals, complying development certificates and modifications of development consents to further extend the school. Details of these approvals are outline in the following table.

Table 2 Previous Development Consents and Approvals

Development Consents	Date of Issue	Development approved
Development Consent No 8/2009/677/1	16 December 2010	Concept Plan and Stage 1 for Education Establishment & Associated Works
Section 96 Modification No. 8/2009/677/2	19 December 2011	Amended various Conditions of Consent
Section 96 Modification No. 8/2009/677/3 (9 November 2012	Amended Conditions of Consent 1, 3 & 78
Development Consent No. 8/2012/424/1.	9 November 2012	Stage 2 – Facilities of the Educational Establishment and an Associated Works comprising the following:- <ul style="list-style-type: none"> ▪ Seven (7) single storey architecturally designed modular classroom buildings; ▪ Retention of existing demountable building for permanent ongoing use; ▪ Construction of four (4) outdoor learning areas between classrooms; ▪ Construction of footpaths between classrooms; ▪ Landscaping; and ▪ Construction of courtyard, 3 flag poles 9m high, stone signage wall and entry
Application No 9/2014/59/ 1 Complying Development Certificate,	13 June 2014	Educational Centre – School – Junior School Stage 1
Application No 9/2015/126/1, Complying Development Certificate,	6 November 2011	Educational Centre –School – Junior School Stage 2

Development Consents		Date of Issue		Development approved
Application No 9/2015/48/1	Complying Development Certificate	22 April 2015		Educational Centre – School – Stage 3 of a two storey Junior School building including classrooms and offices.
Application No 9/2017/183/1	Complying Development Certificate	16 August 2017		Educational Centre – School – Construction of a new two storey Sports Hall with general learning areas, specialist facilities including weights and cardio gymnasium and amenities.
Complying Development Certificate		8 August 2019		Construction of two story senior school building.

In order to accommodate future growth of the school and ensure all four adjacent parcels owned by the school are approved for use as an education establishment, a comprehensive development application is proposed to provide for the next 30 year building program for the school.

Accordingly, a request was made to the Minister of Planning for SEARs, pursuant to Clause 3, Schedule 2 of the EP&A Regulation with the SEARs being issued on 7 December 2020. The SEARs are addressed within this EIS and included in full at Appendix A.

1.6 Report Structure

This EIS provides the following:

Table 3 EIS Structure

Chapter 1	Content
1. Introduction	<ul style="list-style-type: none"> Applicants' details and project objectives Site map Project background and history
2. Strategic context	<ul style="list-style-type: none"> Key strategic issues and relevance and support to Government strategies, policies and plans Key features of the site and regional surrounds, environment and landscapes. Assessment of potential cumulative impacts Project justification and analysis of alternatives
3. The Project	<ul style="list-style-type: none"> Comprehensive project description, objectives and area Summary of development including works, use of land and description of project details Staging and sequencing details

4. Statutory context	<ul style="list-style-type: none"> Assessment of proposal against relevant legislation and environmental planning instruments
5. Engagement	<ul style="list-style-type: none"> Summary of consultation processes and activities with community, Government agencies and Aboriginal stakeholders. Details of proposed ongoing consultation
6. Environmental Impact Assessment	<ul style="list-style-type: none"> Condition of the existing environment Assessment of impact of proposal on environment Identification of mitigation measures
7. Project Justification	<ul style="list-style-type: none"> Provides justification for project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development
8. References	
9. Appendices	
Appendix A	SEARs Compliance Table
Appendix B	Details Maps and Plans
Appendix C	Statutory Compliance Table
Appendix D	Community Engagement Table
Appendix E	Mitigation Measures
Appendix F	Planning Certificates
Appendix G	Technical Reports

1.7 Supporting Technical Reports

This EIS is supported by the following documentation including Technical Reports and Plans which have been prepared by the following specialised consultants, as outlined below.

Table 4 Consultant Team

Document	Consultant	Appendix.
Survey Plan	Marshall Scott	G1
Architectural Plans	SHAC	G2
Concept and Detailed Landscape Plans	Moir Landscape Architecture	G3
Civil Engineering Plans	Northrop Consulting Engineers	G4
Concept Design Report	SHAC	G5
Capital Investment Value Estimate Report	Muller Partnership	G6
Site-wide Landscaping Strategy	Moir Landscape Architecture	G7
Visual Impact Assessment	Moir Landscape Architecture	G8
Traffic Impact Assessment	GTA Stantec	G9
Statement of Significance Heritage	Heritage Now	G10
Aboriginal Cultural Heritage Assessment Report	McCardle Cultural Heritage	G11
Noise and Vibration Impact Assessment	RAPT	G12
Arboricultural Impact Assessment	Accurate Tree Assessments	G13
Biodiversity Development Assessment Report	MJD Environmental	G14
Bushfire Assessment Report	Newcastle Bushfire Consulting	G15
Preliminary Engineering Design Report	Northrop Consulting Engineers	G16
Flood Impact Assessment	BMT	G17
Geotechnical Investigation Report	RCA Australia	G18
Preliminary Site Investigation	RCA Australia	G19
Social Impact Assessment	Aigis Consulting	G20
Disability Access Report	Lindsay Perry Access	G21
Waste Management Plan	MRA Consulting Group	G22
Electrical Services Masterplan	Electrical Projects Australia	G23

2 Strategic Context

This Chapter provides an overview of the importance of the project within the strategic planning context. It identifies the key strategic issues relevant to the assessment of the project including the relevant plans that establish the regional and local land use planning context and the key features of the site and surrounds that could affect, or be affected by the project.

2.1 New South Wales Strategies

2.1.1 NSW State Priorities

In June 2019, the NSW State Government unveiled 14 Premier's Priorities which represent the NSW Government's commitment to making a significant difference to enhance the quality of life of the people of NSW. These priorities represent this commitment to making a significant difference to enhance the quality of life of the people of NSW, with the purpose of delivering on the government's key policy priorities, being:

- a strong economy
- highest quality education
- well-connected communities with quality local environments
- putting customer at the centre of everything we do
- breaking the cycle of disadvantage.

The lifting of education standards priority includes bumping up education results for children and increasing the number of Aboriginal young people reaching their learning potential.

SPCC has a strong focus on offering individualised student learning frameworks, innovative and engaging learning environments, and opportunities for students to excel in the whole of their life by opening pathways in the areas of academic excellence, information technology, iSTEM, music, creative and performing arts, sport and vocational education. Staff at SPCC Cessnock includes an Aboriginal Support Worker employed within the school's wellbeing unit. The school has many indigenous students enrolled and provides opportunities to celebrate indigenous culture through art, dance, and connecting with other indigenous members of the community.

The DALE school, which forms part of the broader school is a Dynamic Alternative Learning Environment for students in Years 3 – 12 who have a diagnosis of anxiety, depression, PTSD or Autism. The expanded facility proposed as part of this SSD application will provide for a total enrolment of 80 students.

2.1.2 Hunter Regional Plan 2036

The *Hunter Regional Plan* (HRP) 2036 is an overarching framework to guide land use planning priorities and infrastructure funding decisions in the Hunter region over the next 20 years. The HRP 2036 sets priorities and provides a direction for regional planning decisions. It focuses on new housing and jobs,

and targets growth in strategic centres and renewal corridors, close to transport to deliver social and economic benefits. The HRP 2036 identifies four goals, each with underlying directions and actions, including a biodiversity-rich natural environment (Goal 2), thriving communities (Goal 3) and Greater housing choice and jobs (Goal 4)

Cessnock is identified as a strategic centre in the HRP 2036. Cessnock LGA is the focal point for the region's wine industry and a significant tourism destination and entertainment node. The recent completion of the Hunter Expressway has improved connectivity to the Greater Newcastle and Upper Hunter area, increasing its attraction for housing and employment.

The subject site is located to the north of the Cessnock strategic centre and the existing residential and employment land. Current urban release areas located to the east, north and south of the site, including the suburb of Nulkaba, will accommodate Cessnock's projected population increase of 13,150, to a population of 69,250 by 2036¹. The proposed development supports the goals and directions of the HRP 2036, providing an option for independent education provider and recreation facilities to meet the needs of a growing population in the Cessnock LGA.

In terms of promoting a biodiversity-rich natural environment, sensitive site master planning and responsive building design will assist to protecting the environment the natural features of the site and broader scenic landscape and build greater resilience to natural hazards and climate change. The incorporation of water-sensitive design into the school's master plan will support the achievement of Action 15.7.

The goal of developing thriving communities is supported by the opening of proposed recreation facilities including the aquatic centre and sports fields. These facilities will permit limited public access during periods when not being used by the school, augmenting and expanding access to recreational facilities available in the locality.

The site contains several natural features that are important to the cultural heritage of Aboriginal communities. Conserving these assets, and respecting the Aboriginal community's right to determine how they are identified and managed, will preserve their significant values. Consultation with local Aboriginal stakeholders through the preparation of the Aboriginal Cultural Heritage Assessment for the development, seeks to achieve Action 19.1 and 19.2. More detail regarding this study is provided in Section 6.7 of the EIS.

Goal 4 is focused on greater housing choice and jobs. SPCC Cessnock is a significant local employer. The proposed development will provide 200 full time equivalent jobs including teaching staff and early childhood educators, administration and grounds staff. It is anticipated that many of these staff will live locally.

¹ Source: Hunter Regional Plan 2036 pp 63.

2.1.3 Greater Newcastle Metropolitan Plan 2036

The *Greater Newcastle Metropolitan Plan (GNMP) 2036* helps to achieve the visions of the HRP 2036 which is for the Hunter to be the leading regional economy in Australia with a vibrant new metropolitan city at its heart. Cessnock is a strategic centre located in the metro frame.

The proposal is providing educational and recreation services close to urban release areas and existing housing, supporting connections to jobs in accordance with Outcome 4. The retention of remnant forest at the core of the school's site, together with opportunities for new plantings will Enhance the Blue and Green Grid and the urban tree canopy envisaged in Strategy 12.

A significant proportion of the site will be allocated as working agricultural precinct and integrated with the agricultural education based programs offered by the school. This land use within the school grounds will continue to support the protection of rural amenity outside of urban areas and protect and preserve productive agricultural land, as per Strategy 13.

The proposal is consistent with the relevant planning provisions, goals and strategic planning objectives of the GMRP 2036.

2.1.4 State Infrastructure Strategy 2018 – 2038 Building the Momentum

The *State Infrastructure Strategy (SIS)* is a 20-year infrastructure investment plan for the NSW Government that places strategic fit and economic merit at the centre of investment decisions. The SIS assesses infrastructure problems and solutions, and provides recommendations to best grow the State's economy, enhance productivity and improve living standards for our NSW community. It is updated every five years.

The Strategy sets six cross-sectoral strategic directions as follows:

1. Continuously improve the integration of land and infrastructure planning.
2. Plan, prioritise and deliver an infrastructure program that represents the best possible investment and use of public funds.
3. Optimise the management, performance and use of the State's assets.
4. Ensure NSW's existing and future infrastructure is resilient to natural hazards and human-related threats.
5. Improve statewide connectivity and realise the benefits of technology.
6. Drive high quality consumer-centric services and expand innovative service delivery models in infrastructure sectors.

The Plan also includes infrastructure directions, for each key infrastructure sector. Relevant to this proposal is the education infrastructure sector, one of seven identified in the SIS. A key recommendation is that the government "*support the non-government school sector to meet its growth challenges and to identify, and where possible, remove barriers to that sector growing its*

*student share*². The population of the Cessnock LGA is predicted to grow by 33% between 2021 and 2041 from 60,050 to 80,050 residents. SPCC Cessnock is ideally placed to respond to the demand for quality educational opportunities within the growing community being the only non-government combined or secondary school in the Cessnock LGA.

2.1.5 Future Transport Strategy 2056

Future Transport 2056 is a suite of strategies and plans that set the 40-year vision, directions and principles for customer mobility in NSW, guiding transport investment over the longer term. It presents a glimpse of the large economic and societal shifts we will see in the future and places the customer at the centre of everything we do, to ensure we respond to rapid changes in technology and innovation to create and maintain a world-class, safe, efficient and reliable transport system.

The guiding principles of the Future Transport Strategy 2056 are as follows:

1. Customer focused
2. Successful places
3. A strong economy
4. Safety and performance
5. Accessible services
6. Sustainability

The site is located in a rural area with students and staff drawn from a broad geographic area. There are limited opportunities for active and sustainable transport connectivity within the local context. However, the school is already well serviced by school bus services, as well as having a high number of staff with children who are students, providing for high rates of car pooling.

A Preliminary School Travel Plan has been prepared by GTA Stantec to support the EIS as part of the Transport and Accessibility Impact Assessment and is included at Appendix G9 of this EIS.

The Travel Plan seeks to:

- advise staff, parents/ carers, and students on the wider travel choices available to them and encourage use of sustainable travel modes
- aim to reduce congestion on the surrounding road network by causing mode shift from private vehicles, or at the very least encourage higher vehicle occupancy to reduce private vehicle trips.

A Green Travel Plan will put in place measures to raise awareness and further influence the travel patterns of people living, working or visiting the site with a view to encouraging modal shift away from cars.

² Source: State Infrastructure Strategy Recommendation 109.

2.1.6 Crime Prevention through Environmental Design (CPTED) Principles

Crime Prevention through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It reduces opportunities for crime by using design and place management principles.

There are four main principles of CPTED – natural surveillance, access control, territorial reinforcement and space management. The design response to CPTED principals is detailed in Section 6.1.5 of the EIS.

2.1.7 Better Placed: An integrated design policy for the built environment of New South Wales 2017

The *Better Placed: an integrated design policy for the built environment of NSW* seeks to capture collective aspirations and expectations for the places where we work, live and play. It creates a clear approach to ensure we get the good design that will deliver the architecture, public places and environments we want to inhabit now and those we make for the future.

The Government Architect of NSW (GANSW) defines a well – designed built environment as healthy, responsive, integrated, equitable and resilient. In addition to addressing the objectives of the policy, the project has engaged with the Government Architect NSW through the NSW State Design Review Panel (SDRP) process.

Overall, the SDRP found that that the following elements of the site strategy are supported:

- Support was reaffirmed for the establishment of four precincts A to D to support wayfinding and the creation of varied landscape characters and learning programs.
- The thorough landscape analysis, including illustration of the three Masterplan Motifs: Water, Harvest and Community.
- The use of the Central Arbor connecting with the School's northern entry from Lomas Lane as a wayfinding and connecting element.
- The pathway along the eastern side of the Senior School that connects with the southern entry Administration building and Café.

The SDRP also provided advice and recommendations regarding the following aspects of the project:

- Connecting with Country – provide a stronger response to the Harvest motif and seek opportunity for further consultation with indigenous stakeholders
- Site strategy and Landscape including exploring opportunities for the landscape characters of each precinct to strengthen the clarity and legibility of access and circulation through the site
- Architecture and review of the western elevation along Wine Country Drive
- Sustainability and Climate change

The SDRP recommended that further review of this project during the Response to Submissions stage.

Chapter 5 of the EIS provides further discussion of this consultation process.

2.1.8 Healthy Urban Development Checklist

The *Healthy Built Environment Checklist (NSW Health, 2009)* is a practical tool to help deliver the quality local environments needed for well-connected and liveable communities in NSW, through engagement with planning and development processes.

The checklist offers a standardised way to evaluate built environment factors that affect health and suggests ways to improve health outcomes.

The proposal satisfies a range of items contained to the checklist, including:

- Promote access to healthy food
- Preserve food-growing (agricultural) areas
- Provide support for local food production
- Encourage physical activity
- Promote opportunities for walking and cycling
- Promote access to quality open spaces, including green space and recreational activities
- Improve public transport services
- Increase access to appropriate job training
- Consider crime prevention and a sense of security
- Provide access to green and blue open spaces and natural areas
- Provide access to a range of facilities to attract and support a diverse population
- Respond to existing and projected community needs and current gaps in facilities and/or services
- Maximise efficiencies in social infrastructure planning and provision.
- Provide environments that will encourage social interaction and connection
- Consider and mitigate the potential for natural and manmade hazards

The proposal aids in promoting a healthy and sustainable built environment through the construction of a new school that incorporates active recreational facilities to benefit both students and the broader community.

2.1.9 Draft Greener Places Design Guide

The *Draft Greener Places Design Guide (GANSW)* provides information on how to design, plan and implement green infrastructure in urban areas throughout NSW. The draft guide provides strategies, performance criteria and recommendations to assist planning authorities, and design and development communities to deliver green infrastructure.

The site is set within an extensive rural landscape setting incorporating Black Creek, wetlands, the Oxbow Crescent Lagoon, sites of indigenous significance and agricultural precincts. A key feature of the concept is the idea of bringing the natural landscape and functions into the central learning spaces.

A blue green thread weaves its way through the centre of the area allowing opportunities for people to engage with the natural systems on site. The palette of the spine will include endemic tree species to the area and a dynamic swale system with footbridge crossings. This element will serve an essential function but will also provide a cooling and aesthetic appeal for the school courtyard area.

While the development proposes retention of existing open spaces and remnant forest, and the implementation of a site wide Landscape Strategy, the Draft Greener Places Design Guide is not specifically relevant to the development, as it is not located with an urban context.

2.1.10 Koala Habitat Protection Guideline

In NSW koala populations are in decline and vulnerable to extinction. As with many threatened species, koalas and their habitat are managed under a variety of legislation and policy and the *Koala Habitat Protection Guideline (DPIE, 2020)*

State Environmental Planning Policy (Koala Habitat Protection) 2020 (KHSEPP) encourages the conservation and management of koala habitat to ensure populations remain in their present range and the trend of population decline is reversed. The Guideline applies wherever the SEPP applies.

As Cessnock LGA does not have a comprehensive Koala Plan of Management, the KHSEPP applies. Section 4.7.5 of the EIS provides further discussion regarding compliance with KHSEPP.

2.1.11 Cessnock Development Control Plan 2010

The *Cessnock Development Control Plan (DCP) 2010* complements the statutory provisions contained in the CLEP by providing detailed guidelines to assist applicants, staff and others involved and interested in development within the Cessnock Local Government Area (LGA).

Section 4.9 of the EIS provides further discussion regarding compliance with CDCP 2010.

2.2 Local Strategic Planning

2.2.1 Cessnock Local Strategic Planning Statement 2036

The *Cessnock Local Strategic Planning Statement (LSPS) 2036* sets a vision for land use planning across the Cessnock Local Government Area (LGA) for the next 20 years. The plan is closely aligned with the HRP 2036 and GNMP 2036 and the *Cessnock Community Strategic Plan 2027*. Within the Cessnock LSPS Nulkaba is characterised as a village centre.

The four themes that identify the desired direction of the Cessnock LGA are: liveable, productive, sustainable and unique. Each planning priority underpins one of these themes.

The proposed development meets the objectives of numerous LSPS planning priorities as outlined below.

Planning Priority 4: Our community is safe, healthy and active.

The proposed development will greatly enhance SPCC Cessnock's active recreation offering to both its student body and the broader community. Already, the school is utilised as a Parkrun course on weekends and its sports fields are shared with the Pokolbin Reds Rugby Union Club. Development of the proposed aquatic centre will deliver a high-quality facility providing for year-round lap-swimming, swimming lessons, aqua aerobics and aqua therapy.

The Concept Design Report provided with this application further demonstrate the proposed development's consistency with this planning priority through the application of CPTED principals.

Planning Priority 5: Infrastructure and services meet the needs of our community and are appropriately funded.

SPCC Cessnock already provides quality educational services to over 1,300 children, including 83 young children within the Narnia Early Learning Centre. The proposed development will allow the school to continue to grow to cater to a total of 1,732 students helping to meet the educational needs of a growing population within the school's enrolment catchment. The development would be funded by a combination of government grants and revenue from school fees.

Planning Priority 7: Urban development is encouraged in areas with existing infrastructure.

SPCC Cessnock is already serviced with reticulated water, wastewater, electricity, gas, and broadband communications. The proposed alterations and additions to the school will utilise this existing infrastructure.

Planning Priority 21: Developments minimise environmental impacts and respond to site environmental characteristics and natural hazards.

The proposed development has been carefully designed to minimise environmental impacts and respond to environmental characteristics and hazards. In particular, the location and volume of additional fill material has been designed such that it will not result in unacceptable off-site flood impacts. The stormwater management plan prepared for the site will control water quality of stormwater flows entering Black Creek. The requirement for tree removal has been limited as much as possible, with replacement planting to be implemented in response to necessary clearing. Maintenance of asset protection zones will minimise the hazard posed by bush fire.

Planning Priority 23: The scenic and rural landscape of our Vineyards District is preserved.

A Visual Impact Assessment prepared for the proposed development has concluded that, when implemented with appropriate environmental management and employment of the recommended mitigation measures, the proposed development could be undertaken whilst maintaining the core landscape character of the area with a minimal visual impact on the surrounding visual landscape.

Planning Priority 24: Our Aboriginal cultural heritage is protected and celebrated.

An Aboriginal Cultural Heritage Assessment was carried out in relation to the proposed development. This assessment re-established the presence of several areas of Potential Archaeological Deposit and within the site and 10 AHIMs-listed sites, all of which will remain undisturbed.

Planning Priority 30: Growth of our villages occurs in a way that protects their character and setting in the rural and environmental landscape and responds to risk of bushfire and flooding.

The proposed development has been designed in a way that responds to the character of its locality as a transition zone between the rural village of Cessnock and the agri-tourism setting of Pokolbin. The visual impact assessment prepared for the development demonstrates that the scale of the proposal is in keeping with surrounding developments and includes retention of existing vegetation, therefore maintaining the landscape character of the area.

2.3 Key Features of the Site

The key features of the site and surrounds that could affect, or be affected by, the project are identified in the following section. A Locality Plan of the site showing the existing school and its immediate surrounds is provided at in Figure 1.

2.3.1 Regional Context

SPCC Cessnock is located in Nulkaba, a semi-rural suburb on the northern outskirts of Cessnock. The school's main entrance is approximately five kilometres from Cessnock Post Office. It's location on Wine Country Drive, a classified regional road, coincides with one of the main gateways to the Hunter Valley vineyards and tourist area. Surrounding land uses include large-lot residential to the south-west, viticulture and tourist uses to the west, and rural and rural-residential uses to the north, west and south. The closest residences to the site are in Lomas Lane, between 100 and 150 metres from the school boundary. The site is approximately 1.5 km south of Cessnock airport, 1 km east of Hunter Valley Zoo and 1.5 km east of Werakata National Park, both of which are accessed by Lomas Lane.

The site enjoys rural vistas including the Broken Back mountain range to the west. The site's eastern boundary is defined by Black Creek, which originates approximately 10 kilometres south of the site near Kitchener and flows in a northerly direction until it reaches its confluence with the Hunter River at Elderslie, 20 kilometres north of the site.

Large parts of the school site are prone to flooding associated with Black Creek, whose upstream catchment incorporates the Cessnock town centre. The majority of the site is mapped as containing Category 3 bushfire vegetation, however current bushfire prone land mapping is not considered reflective of the actual hazard due to the managed state of grassed areas within the site.

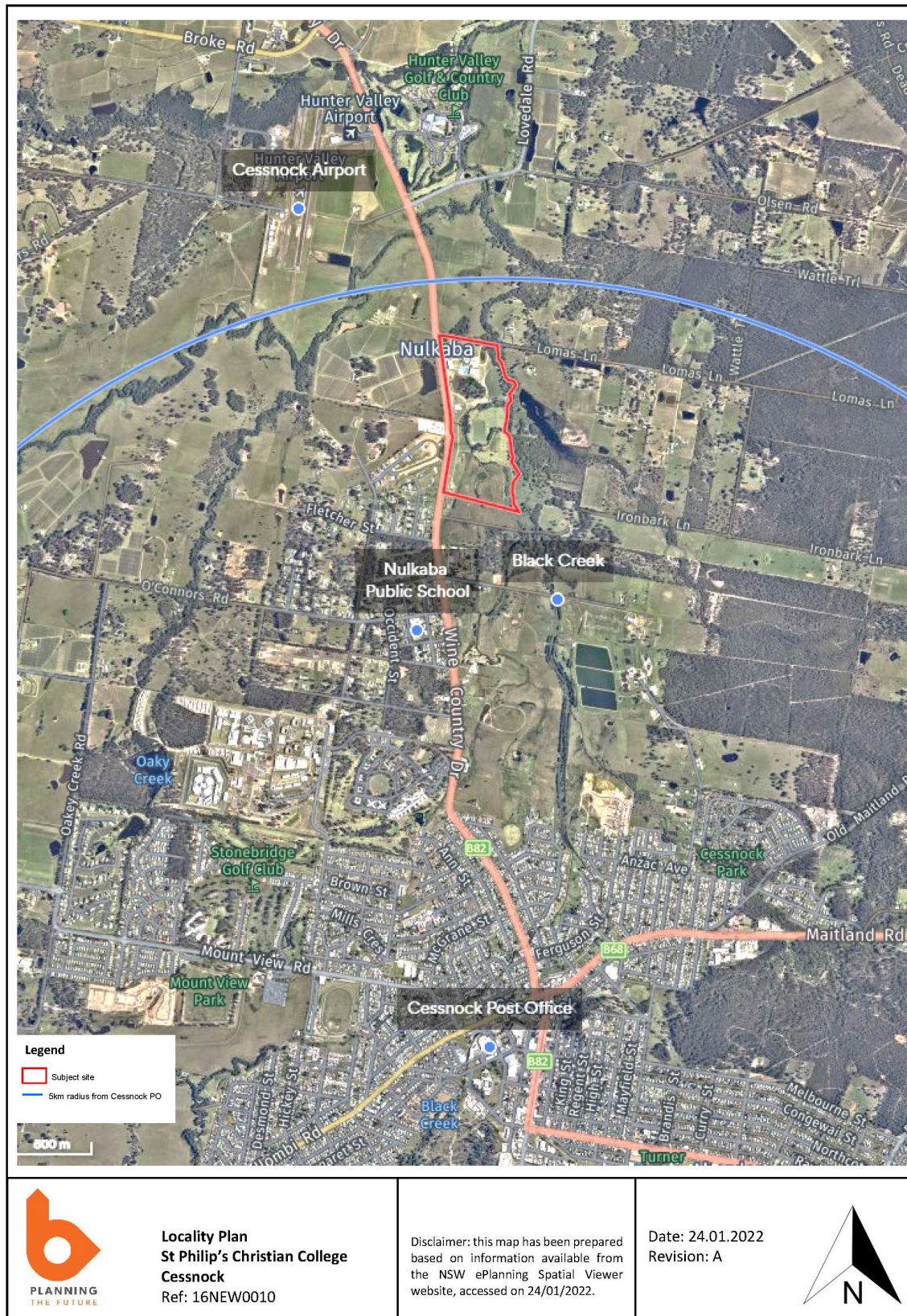


Figure 1 Locality Plan. Source: Nearmap imagery 2020

2.3.2 Existing Transport and Roads

Access to the school is currently only available from Lomas Lane, a side street off the arterial road, Wine Country Drive. Wine Country Drive carries approximately 6,670 vehicles per day and links the townships of Cessnock in the south to Branxton in the North. It is also an important tourist route, providing access to various vineyards and wineries. Beyond the school's frontage Lomas Lane is an unsealed rural road.

The school's steady growth has placed increasing pressure on the intersection of Lomas Lane and Wine Country Drive during morning and afternoon school peak periods (i.e., student drop-off and pick-up times). Recent staff and student travel surveys show that staff have a strong reliance on private car, with 94 per cent currently driving and the remainder carpooling. Students also travel primarily by private car (either as driver or passenger dropped off/ picked up) or by bus, as follows:

- In the morning peak 64 per cent travel by car and 35 per cent travel by bus.
- In the afternoon peak 49 per cent travel by car and 49 per cent travel by bus.

2.3.3 Biodiversity

The vegetation within the site has been mostly cleared, historically for agriculture, with remnant vegetation generally limited to the riparian corridor of Black Creek. Some patches of native canopy persist, chiefly in the northeast and an isolated patch of forest located centrally within the site to the south of the school's Sports Hall and adjacent to a large dam. These comprise of canopy only with a managed understorey. The former and current land uses have resulted in the modification of the structure of native vegetation within the site to a point that vegetation representative of the assigned Plant Community Type (PCT) is defined generally by canopy. The groundcover throughout the site is generally cultivated grass species with occasional native grass, graminoid and herbaceous species.

A Biodiversity Development Assessment Report (BDAR) was prepared by MJD Environmental in November 2021. The assessment identified one plant community type within the site, being PCT 1594: Cabbage Gum-Rough-barked Apple grassy woodland on alluvial floodplains of the lower Hunter. This PCT is partially a subset of Endangered Ecological Community (EEC) known as River-Flat Eucalypt Forest on Coastal Floodplains. The site is mapped on the Important Areas Map as habitat for *Anthochaera Phrygia* (Regent Honeyeater) listed as Critically Endangered under both the BC and EPBC Acts, however no impact to mapped vegetation is proposed.

2.3.4 Flooding and topography

The school ranges in elevation from 64 metres AHD in the south west of the site to 56 metres AHD in the north east of the site. The school site is located within the Black Creek floodplain and affected by backwater flooding from the creek, which forms the site's eastern boundary. Approximately 80% of the site area is below the 1 in 100 year flood level.

2.3.5 Heritage and Archaeology

The heritage, archaeology and history of sites provide valuable information about its past occupation, the use of the environment and its specific resources it provided including diet, raw materials, transportation, stone tool manufacture, and the movement of groups throughout the landscape. Previous broad-based research focused on the Hunter Valley, has shown that proximity to water was an important factor in past occupation, with sites reducing in number significantly away from water.

The site backs onto Black Creek and an “ox-bow” former alignment of Black Creek extends into the project area. The Aboriginal Cultural Heritage Assessments carried out in 2009, prior to the school’s development on the site, and in 2021 as part of this EIS, both identified isolated artefacts and artefact scatters, all within 50 metres of a water source.

It is possible that additional isolated finds and artefacts scatters may be located within the site, specifically within 50 metres of Black Creek, with lower density artefact scatters and isolated finds within 50 metres of the lesser order drainage depressions and isolated finds across the landscape. Three areas of potential archaeological deposit (PADs) have been identified, coinciding with Black Creek, the “oxbow” former alignment of Black Creek, and a linear depression in the southern part of the site.

Following European settlement of the area in the 1820s, the landscape has been subjected to a range of different modificatory activities. The project area has been cleared and primarily used for pastoral purposes (grazing) and agricultural activities (ploughing), involving the wholesale clearance of native vegetation, the introduction of pasture grass, the construction of dams, housing, fencing and numerous tracks. No heritage items, relics or potential historic archaeological deposits were identified within the site.

2.3.6 Locality Plan

The Locality Plan in Figure 2 shows the site within a wider context. As indicated in Figure 2, the site is within 5 kilometres north of the Cessnock CBD (as defined by the post office), and approximately 1.4km south of the Cessnock Airport.

The site is within a sparsely developed rural area located in the northern part of the suburb of Nulkaba, which forms a gateway to the Hunter Valley Vineyards. While the surrounding subdivision pattern generally features lots over 10 hectares, Nulkaba also contains areas of a more residential scale, including a new subdivision to the south-west of the site containing an average lot size under 1000m².

A new service station and associated food and drink premises are located opposite the site on Wine Country Drive.



Figure 2 Regional Locality Plan. Source: Nearmap imagery 2020

2.4 Cumulative Impacts

To determine whether the project is likely to generate cumulative impacts with other development in the area, a review of approved and proposed developments on adjoining and nearby properties was undertaken, utilising the Cessnock DA tracker, and NSW Planning Portal.

The review found there is some development activity in the area. The majority of these developments were minor and residential in nature, and will have not contribute to cumulative impacts of the proposed development.

There is one development application currently under assessment located to the south of the site. The development proposes a café and 625 self-storage units and ancillary manager's residence and associated driveways, car parking, landscaping, signage and civil works. Self-storage units are not a major traffic generating development, sensitive noise receivers or emitters.

This application also proposes to upgrade the intersection of Wine Country Drive and an unnamed site street to facilitate access to the site. Proposed works, which will provide for turning lanes and improve safety at this existing intersection on Wine Country Drive, are of a similar scale to that proposed for the school.

Accordingly, there is potential for some cumulative impacts during construction works on Wine Country Drive if all road upgrades were to occur during the same construction phase. Suitable mitigations measures are available including the preparation of Traffic Management Plans and licencing of road construction works by TfNSW.

2.5 Relevant Planning Agreements and Contributions

The applicant has not entered into any agreements with other parties to mitigate or offset the impacts of the project.

A Voluntary Planning Agreement has not been entered into, in relation to the site.

2.5.1 Contributions Plan

The City Wide Infrastructure Contributions Plan 2020 applies to all land within the City of Cessnock LGA.

This Contributions Plan has been developed in accordance with section 7.11 of the EP&A Act and its regulations, in order to ascertain an appropriate contribution rate, and to enable provision for Council to be able to impose contributions on development to which this Contribution Plan applies.

The plan applies to non-residential traffic generating development, which means developments where material is to be transported over roads under the care and control of Council by heavy vehicles,

or alternatively, where it is deemed that a proposed development will have an ongoing effect by heavy vehicles on a road under the care and control of Council. The development of educational establishments would not be considered a traffic generating development for the purpose of this plan.

2.6 Analysis of Project Alternatives

2.6.1 Objectives of the proposal

The objectives of the proposal are to:

- Expand and improve an existing educational establishment facility to meet the demand for quality education within the growing Cessnock Local Government Area
- Create both temporary and permanent job opportunities during the demolition, construction, and operational phase of the development;
- Implement CPTED principles in the site's design to deter crime;
- Provide a safe and accessible expanded educational establishment;
- Create a series of high quality and modern teaching spaces which are flexible and promote increased social interaction among students and teachers;
- Promote the principals of ecologically sustainable development through a responsive design that is energy efficient;
- Provide a design that celebrates connection to country and which capitalises on the natural and historic attributes of the site
- Minimise impacts relating to flooding, noise, visual amenity, traffic or any other such impacts on nearby rural properties; and
- Provide areas within the new school for indoor and outdoor recreation to improve the health and wellbeing of students and the broader community.

2.6.2 Options considered

Four options, including the chosen option, were considered in response to the above objectives:

(i) Do nothing option

A 'do nothing' approach would mean not investing in new and expanded facilities at the existing school, potentially diverting resources to the development of new SPCC schools in other locations within the Lower Hunter region. This would result in not responding to the significant ongoing demand for quality independent schooling in the Cessnock LGA associated with population growth.

(ii) A reduced scope of works

A previously considered option involved seeking multiple approvals for smaller scopes of work over the next ten to twenty-year horizon. Development Applications for local development would likely have provided for more modest and incremental increases in student numbers and would have been focussed on replacing existing portable classroom structures with permanent facilities. This option was discounted, as it did not allow for the long-term planning and staging of access requirements needs to support the ultimate student and staff numbers. This approach would also provide less

flexibility to respond to the strong ongoing local demand for independent schooling, as required. This is particularly relevant when planning student enrolments year on year.

(iii) The same scope of works in a different configuration across the site

The large scale of the site and the division of the school into three sub-schools and functional land uses, being the Junior, Middle and Senior Schools, Narnia Early Learning Centre and DALE special school provides the opportunity to consider a variety of layout options. For example, one of the sub-school units could have been located in the southwest part of the site. Options involving a more spread-out school layout were discounted in favour of continuing to cluster buildings and facilities in the northern part of the site. This design response was largely driven by site constraints, particularly flooding and Aboriginal heritage, but also to ensure shared school facilities, such as the Sports Hall and proposed Performing Arts Centre, would be easily accessible for all students.

2.6.3 Preferred Option

The preferred option involves the alterations and additions to SPCC Cessnock as outlined in this SSD application. This option provides for a significant expansion to the school's existing facilities and staff and student numbers. Approval will provide certainty regarding the future capacity of the site and help ensure the school can deliver stages of development in a timely manner once funding becomes available and/or as demand dictates.

Taking a long-term view of the school's growth has allowed a holistic approach to design, and provided for site master-planning and landscape master-planning, having regard to the principles of ecologically sustainable development. The benefits of this comprehensive approach would not be realised had the school decided to expand in a more piecemeal fashion.

3 The Project

This Chapter provides a comprehensive description of the project, including all activities to which the SSD application is seeking development consent.

3.1 Project Summary

The project consists of staged alterations and additions to the existing school involving the extension of 6 existing buildings, the construction of 8 new buildings, and the removal of 10 existing modular buildings.

Figures 3 - 6 below show the existing and proposed layout of buildings and infrastructure, separated into the northern and southern parts of the site.

Labels in the proposed site plans correspond with the following facilities:

- A3 – Junior School
- A4 – Junior School
- B1 – Middle School
- B2 – Middle School
- C2 – Senior School
- C3 – Senior School
- C4 – Library / Chapel
- D – Administration / Welcome Centre
- E2 – Trade Training Centre
- F – Canteen / Café Hub
- G – Performing Arts Centre
- H2 – Sports Hall
- H3 – Sports Hall
- J – Narnia Early Education Centre
- K – Welcome Café
- L – Boardwalks
- N2 – DALE Special School
- O – Aquatic Centre
- Q – Waste Management Depot

A summary of the project details appear in Table 4.

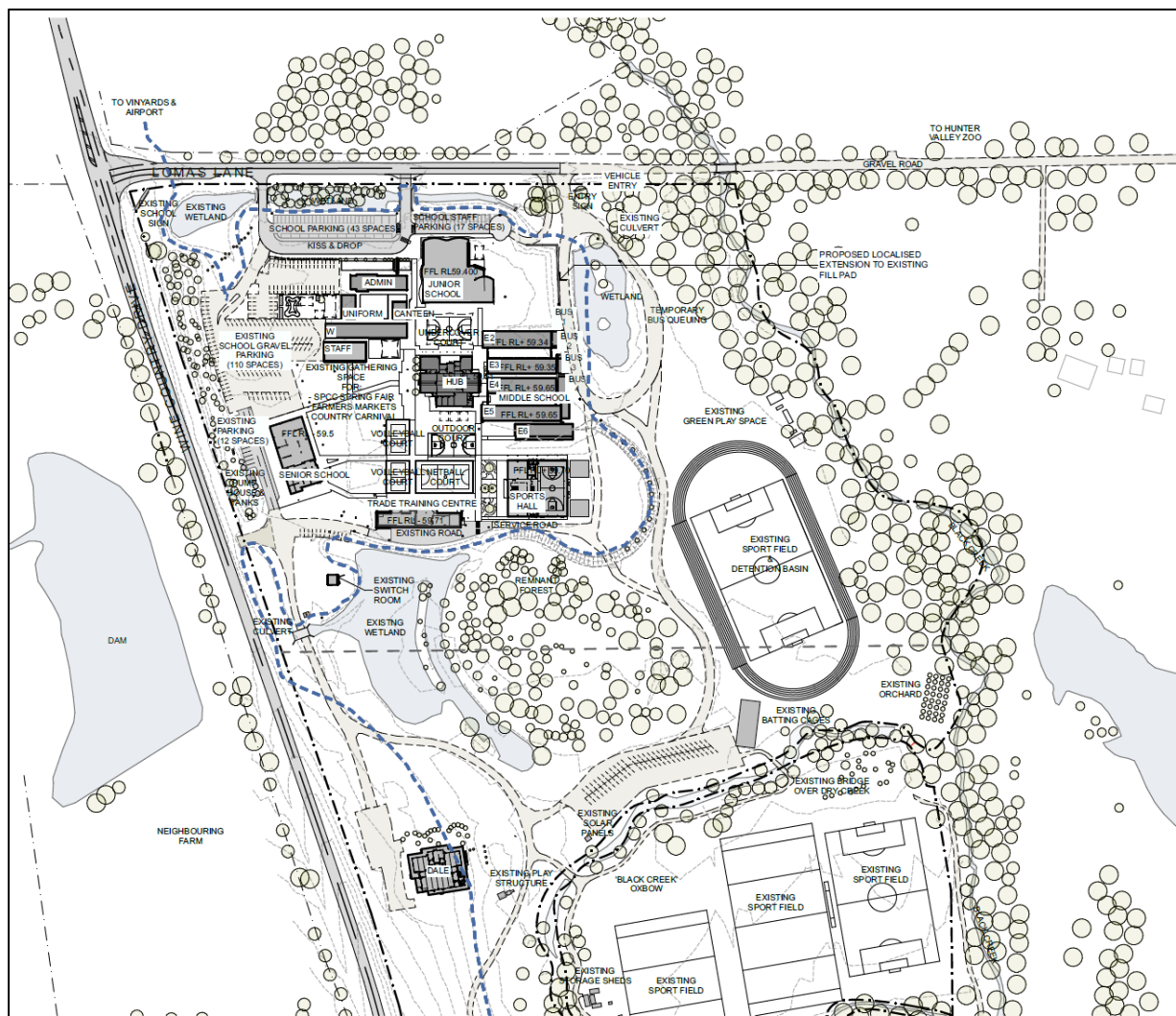


Figure 3 Existing Site Plan – North. Source: SHAC 2022

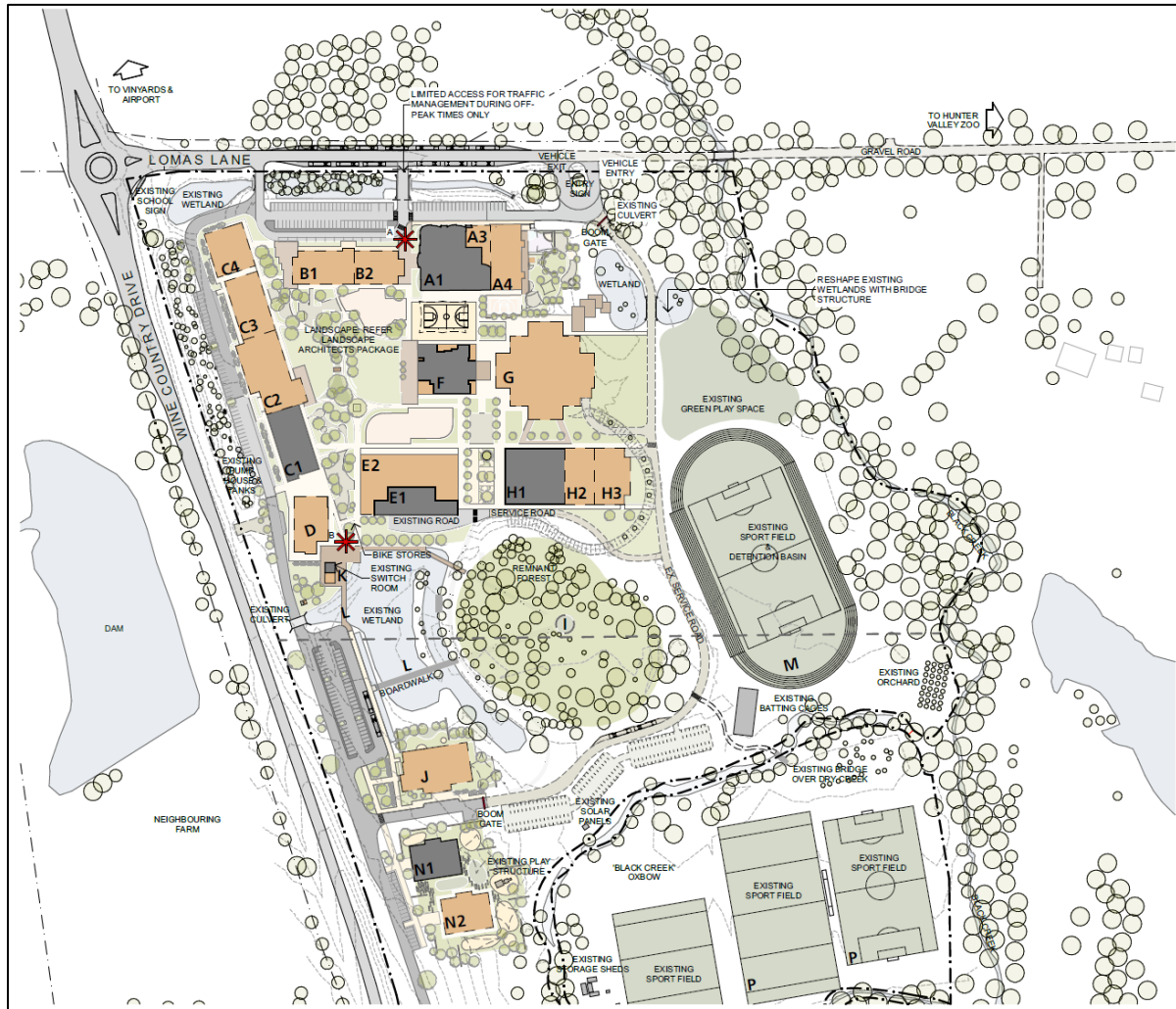


Figure 4 Proposed Site Plan – North. Source: SHAC 2022



Figure 5 Existing Site Plan - South. Source: SHAC 2022



Figure 6 Proposed Site Plan - South. Source: SHAC 2022

Table 5 Project Summary

Project Element	Summary of the Project
Project Site Area	Total Site Area: 41.8 ha
	Application site area: 10 ha
Site Description	Lot 1, DP 126765 Lot 1, DP 744377 Lot 2, DP 600895 Lot 518, DP 837571 10 Lomas Lane, Nulkaba
Use of land	Change of use of land from rural to educational establishment for: <ul style="list-style-type: none"> Lot 2, DP 600895 Lot 518, DP 837571

Project Element	Summary of the Project		
Buildings	8 new buildings Additions to 6 existing buildings		
Maximum Height	2 storeys 14.1 metres		
Sporting or other facilities	Staged extension to indoor sports hall including second indoor multicourt.		
Total Student Numbers	1,732 (including early learning centre, “prep” program and special school)		
Total Staff Numbers	216		
Access	Vehicle: <ul style="list-style-type: none"> (Existing) Northern entry from Lomas Lane (290m from Wine Country Drive) and exit onto Lomas Lane (95m from Wine Country Drive) (Proposed) Southern entry/exit from Wine Country Drive (870m from Lomas Lane) Pedestrian: <ul style="list-style-type: none"> (Existing) Main pedestrian access off Lomas Lane (190m from Wine Country Drive) 		
Total parking spaces	250 formalised car spaces, including 5 designated accessible spaces 100 overflow parking spaces (these spaces also service playing fields)		
Cycle Parking	Bicycle racks to be provided at main entrances to Junior/Middle Schools and Senior School respectively.		
Construction Hours	7am to 5pm (Monday to Saturday)		
	8am to 3pm (Saturday)		
	No work on Sundays and Public Holidays		
School operational hours	Prep School (4-5 year olds)	07:00 – 1800	Monday - Friday School Terms
	Junior School Middle School Senior School DALE Special School	08:00 - 15:00	Monday - Friday School Terms
	Administration / Office	07:00 – 1800	Monday – Friday
	OOSH	07:00 – 1800	Monday - Friday All year (except four weeks in summer)

Project Element	Summary of the Project		
	Narnia Early Learning Centre	07:00 – 1800	Monday – Friday All year (except four weeks in summer)
	Gymnasium	05:00 - 20:00	Monday – Saturday. School Terms only
	Performing Arts Centre	15:00 - 22:00	Limited times during the year for school productions, events etc
	Sports Fields	15:00 - 22:00 07:00 - 18:00 08:00 - 17:00	Monday - Friday Saturday Sunday
	Aquatic Centre	05:00 - 20:00 07:00 - 18:00	Monday – Saturday Sunday
	*Ancillary activities such as cleaning, deliveries, waste collection may also occur outside of these hours		
Capital Investment Value	\$138,980,000		

3.2 Project Objective

The objective of the project is to construct alterations and additions to an existing school that will allow the school to grow to accommodate 1,732 students while meeting future demands for modern teaching and sporting facilities. The project aims to:

- Expand and improve an existing educational establishment facility to meet the demand for quality education within the growing Cessnock Local Government Area;
- Create both temporary and permanent job opportunities during the demolition, construction, and operational phase of the development;
- Implement CPTED principles in the site's design to deter crime;
- Provide a safe and accessible expanded educational establishment;
- Create a series of high quality and modern teaching spaces which are flexible and promote increased social interaction among students and teachers;
- Promote the principles of ecologically sustainable development through a responsive design that is energy efficient;
- Provide a design that celebrates connection to country and which capitalises on the natural and historic attributes of the site;
- Minimise impacts relating to flooding, noise, visual amenity, traffic or any other such impacts on nearby rural properties; and
- Provide areas within the new school for indoor and outdoor recreation to improve the health and wellbeing of students and the broader community.

3.3 Project Area

The site, being within the grounds of the existing SPCC Cessnock, is located on the corner of Lomas Lane and Wine Country Drive, Nulkaba. The site is legally described as Lot 1 DP 126765, Lot 1 DP 744377, Lot 2 DP 600895 and Lot 518 DP 837571.

The site is irregular in shape and has an overall area of 41.8 hectares. The site's northern boundary has frontage to Lomas Lane of approximately 390 metres and its western boundary fronts Wine Country Drive with a length of approximately 1030 metres. The site's eastern boundary coincides approximately with Black Creek.

The majority of the site area is below the 1 in 100 year flood level. Consequently, both existing and proposed buildings are clustered within those parts of the site above the flood-affected area, generally in the north of the site and close to the western boundary. The importation of fill will be required in some locations to achieve required ground levels for new buildings and access roads. Flood modelling has been employed to ensure proposed areas of filling will not result in unacceptable flood impacts on other sites.

3.4 Project Details

This section provides a detailed description of the scope of works for which approval is sought and the basis on which the environmental impact assessment has been undertaken.

The proposed land use can be categorised as a school with ancillary land uses including a centre-based child care facility and an indoor recreation facility, specifically an aquatic centre.

3.4.1 Use of Land

The existing school was established on Lot 1, DP 126765 and Lot 1, DP 744377 in line with the first tranche of development approvals. This application proposes to change the use of Lot 2, DP 600895 and Lot 518, DP 837571 from rural to educational establishment consistent with the remainder of the site. This will enable future development to be carried out as existing or complying development, as it will be on land within the boundaries of an existing school, as required by Clause 38 and 39 of the Education SEPP.

3.4.2 Building Design

The development will consist of seven (7) new buildings and additions/alterations to six (6) existing buildings as summarised in the table below.

Table 6 Building Design Details

Building Identifier/ Stage	New building or addition to existing	Height in metres (Stories)	Use	Additional Floorspace (m ²)
A3	Addition	9.45 (2)	Junior School	680
A4	Addition	9.45 (2)	Junior School	1,510
B1	New	10.1 (2)	Middle School	2,040
B2	New	10.1 (2)	Middle School	1,290
C2	Addition	11.3 (2)	Senior School	2,125
C3	Addition	10.1 (2)	Senior School	1,670
C4	Addition	9.2 (2)	Library/Chapel	1,120
D	New	8.35 (2)	Administration/ Welcome Centre	1,235
E2	Addition	9.5 (2)	Trade Training Centre	3,710
F	Addition	7.5 (1)	The Hub Canteen/Cafe	1,190
G	New	14.1 (3)	Performing Arts Centre	4,325
H2	Addition	10.25 (1)	Sports Hall	690
H3	Addition	12.25 (2)	Sports Hall	1,050
J	New	6.5 (1)	Narnia Early Learning Centre	1,170
K	Addition	3.2 (1)	Café	45
N2	New	6.4 (1)	DALE Special School	775
O	New	9.05 (2)	Aquatic Centre	2,920

(i) *Junior School Building*

The existing Junior School building was one of the original permanent buildings constructed at the site. As part of the proposed development, the two-storey building will undergo minor internal alterations and will be extended in an easterly direction. The building will increase from its current GFA of 2,300m² to 4,490m². The building extension, labelled A3 and A4, will contain seven (7) GLAs, a library, offices and storerooms on the ground floor. The first floor will comprise an additional eight (8) GLAs and a meeting room.

Included within the Junior School Building is 235m² allocated to a new Prep area. The Prep will offer a pre-kinder program to assist in the transition for school. However, it is classified as a Child Care Facility for the purposes of this application. Adjoining the Junior School building to the east will be a new deck and enclosed landscaped playground area incorporating a separately fenced softfall area with sandpit.

(ii) *Middle School Building*

The new Middle School building is a two-storey building designed in two sections capable of staged construction. The western section, labelled B1, will comprise six (6) GLAs, two (2) seminar rooms, a

staff room, amenities and a central practical activities area (PAA) on the ground floor. The first floor will contain a further five (5) GLAs, three (3) seminar rooms, amenities, a large PAA and north and south facing covered outdoor learning areas. The Middle School will eventually be connected to the Senior School via an elevated covered walkway.

The eastern section of the Middle School, B2, will comprise six (6) GLAs, a PAA and seminar room on the ground floor, along with a reception and clerical area, interview room and office. The first floor will effectively be the mirror reverse of section B1, containing a further five (5) GLAs, three (3) seminar rooms, a large PAA and extensions to the covered outdoor learning areas.

(iii) Senior School Building

The existing two-storey Senior School building was constructed in 2019 and was designed to be extended in a northerly direction as the school population increased. It is of tilt-slab concrete construction with a sheet metal roof. The western façade, which faces Wine Country Drive, features a first-floor screening device with large triangular-shaped apertures integrated into an extended roof overhang. These design features will be incorporated into the building extensions. Building C2 will be the first extension to the Senior School. It will feature four (4) GLAs, three (3) art workshops adjoining an outdoor terrace, a design studio, digital media room, amenities, store room and café on the ground floor. The first floor will contain a further four (4) GLAs, four (4) science laboratories including a chemistry laboratory, preparation room and exhibition gallery.

Building C3, a subsequent extension to the Senior School, will contain four (4) GLAs and four (4) studio spaces for dance, movement and drama on the ground floor. The first floor will comprise two (2) additional GLAs, two (2) music studios, eight (8) practice rooms, two (2) seminar rooms, two (2) tutorial rooms and a staff room.

(iv) Library/Chapel

The Library/Chapel building, labelled C4, will be a two-storey building located to the north of the Senior School building. It will feature a double-height library / chapel space, a breakout room, small kitchen, administration room, small meeting rooms and amenities on the ground floor. The first floor will be a dedicated staff area including staff study, staff kitchen, three (3) small meeting rooms and amenities. The building will be connected at the first floor level to the adjoining Senior School and Middle Schools by an elevated covered walkway.

(v) Administration Building

The Administration and Welcome Centre building, labelled building D, will be a two-storey building located immediately south of the Senior School and to the west of the Trade Training Centre. The ground floor will include a large reception and gallery space, a board room and three separate meeting rooms, principal and deputy principals' offices, kitchenette, amenities and a uniform shop. The first floor will comprise a large, open plan space for administration staff along with amenities and four (4) additional offices/meeting rooms. It will also feature an elevated covered walkway connecting to the Senior School building.

(vi) Trade Training Centre

The existing Trade Training Centre building, Building E, will undergo a major expansion from its current GFA of 2,275m² to 3,710m². The ground floor will include large rooms dedicated to various trades including welding, construction, automotive, electrical, wood technology, metal technology, food technology and semi-commercial hospitality with student café. Smaller rooms are to include two (2) seminar rooms, nine (9) materials/storerooms and amenities. A mezzanine floor will incorporate a large STEM laboratory, separate rooms for Robotics, Multimedia and Textiles, a staff hub/lounge area and additional amenities.

(vii) Canteen / Café Hub

The existing Canteen and Café Hub, Building F will be expanded to create a centralised gathering and cafeteria space with kitchen, servery areas, smaller meeting rooms, amenities, clinic spaces, and wellbeing room. It will have a total floor area of 1,190m², with additional outdoor covered spaces for gathering and eating.

(viii) Sports Hall

The existing Sports Hall, building H, was constructed in 2017 and was designed to be extended in an easterly direction as the school population increased. It is of tilt-slab concrete construction with a sheet metal roof. The first extension (H2) will provide for a second full-sized basketball/netball court. The second extension (H3) includes a stage and three (3) studio spaces adjoining an outdoor deck, along with amenities. A lower ground floor is proposed beneath the studios providing space for equipment storage and an office for a grounds manager.

(ix) Performing Arts Centre

The Performing Arts Centre, building G, is a large, free-standing building, to be located immediately north of the Sports Hall and east of the Student Hub building. It features a main theatre with seating for 774 people including stalls and a dress circle. A second blackbox theatre with seating for 108 people adjoins the main theatre. The building also contains reception/foyer/lounge areas, four (4) meeting rooms, two (2) dance/drama rehearsal rooms, green room, offices and amenities. A lower ground floor contains an orchestra pit/rehearsal space, change and makeup rooms, toilets and showers and a band/instrument storage room.

(x) Narnia Early Learning Centre

The new Narnia early learning centre, building J, will be a stand-alone single-storey building located on the southern side of the large dam that separates the main school precinct from the remainder of the site. The building will include a nursery room, toddler room and pre-school room, along with a large room for Out of School Hours care (OOSH). It will also include a reception area, meeting room, office, staff room, kitchen, laundry and amenities. A large, covered verandah along the northern and eastern walls of the building will provide for undercover outdoor play, while separate covered decks

adjoining the southern and western building facades provide weather protection for an outdoor staff area and main building entry respectively.

(xi) Welcome Café

The Welcome Café, labelled Building K, is a small standalone single storey building located near the Administration Centre. The building will contain the main switchboard room, café and store. Seating for the café will be provided on the large deck overlooking the lake and surrounding the building. This space has been specifically designed to provide a gathering space for parents outside of the main education precinct but within the school grounds.

(xii) DALE Special School

A new building, labelled N2, will provide a second building for the DALE special school. It will feature four (4) GLAs, each with a withdrawal room, a central hub, reception/office area, staff room, store room and amenities. The building will also feature a full wrap-around verandah.

(xiii) Aquatic Centre

The Aquatic Centre will be approximately 9 metres tall, 37 metres wide with a length of 72 metres. The main entrance is accessed from the west and the reception, amenities and storage are primarily along the western and southern sides of the building. There are two pools, a 25-metre pool to the south of the building and the 15-metre pool to the north. They are separated by the marshalling and viewing area along with the café. The café will be used to sell pre-packaged foods and drinks. The second tier/level of the building is on the western side where the grandstand is located. This level also contains the wellness centre and storage. There is a lift included to allow access to both levels for all visitors.

3.4.3 Construction

Existing infrastructure is utilised as part of the masterplan for the St Philip's Cessnock site. All existing permanent buildings including the Junior School, The Hub, Trade Training Centre are adapted into the design with some changes to internal layouts and extension of building footprints.

The proposal will generate approximately 280 construction jobs over the entire project. However, the number of construction workers on site at any given time will be lower.

The project will be delivered in stages. The staging of new building construction and the use of modular buildings as necessary to decant students and staff will ensure that the school can operate without interruption during the course of construction activities on site.

The construction of each stage including the construction compound housing equipment laydown areas, materials store, construction worker parking and amenities will be able to be quarantined and segregated from the main school areas.

3.4.4 Subdivision

The project does not propose any subdivision.

3.4.5 Access and Parking

Existing vehicular access to the site is from Lomas Lane only, apart from an emergency egress/construction access onto Wine Country Drive, located approximately 250 metres south of Lomas Lane.

The existing Lomas Lane school entry is proposed to be retained, the eastern entrance is to be consolidated into a single access with the bus turnaround. It is proposed to permanently close the central access to vehicles and use it to create a dedicated pedestrian access to connect students with new bus zones on Lomas Lane.

The proposed development includes a new second point of vehicular site entry and exit on Wine Country Drive approximately 900 metres south of Lomas Lane and 130 metres north of the site's southern boundary. The new access will support the intent of the school's set-down/ pick-up operations and act as a secondary school access. It will provide the school with critical permanent flood free access in addition to the existing emergency access on Wine Country Drive. The new access will necessitate road pavement widening along Wine Country Drive to facilitate a northbound turning lane and southbound deceleration lane.

Additionally, construction of a roundabout at the intersection of Wine Country Drive and Lomas Lane is proposed in conjunction with Stage 2 of the development to improve safety and reduce queuing on both roads during peak periods.

Operation details during construction of the new access off Wine Country Drive will be developed in consultation with TfNSW as part of the Works Authorisation Deed (WAD) process. This also applies to the proposed upgrade of the intersection of Wine Country Drive and Lomas Lane.

The site currently contains 140 formalised car parking spaces and several areas which provide for informal parking. The development proposes several new parking areas in the western part of the site in the vicinity of proposed new buildings, including 50 car spaces servicing the new aquatic centre. This will bring the total number of formal on-site car spaces to 250. The site also contains areas suitable for informal or overflow parking, including a flat gravel-covered area located to the west of the existing DALE building with parking capacity for 100 vehicles.

3.4.6 Stormwater and Drainage

The development drains to Black Creek, which forms the site's eastern boundary. The proposed Integrated Water Cycle Management Plan incorporates both water quality and quantity measures to manage stormwater runoff from the proposed development site. It is proposed to modify the existing basins/wetland areas which were sized for a smaller development footprint. These modifications will ensure that current industry best practices are adopted for the site and that the proposed stormwater

management basins are sized to achieve stormwater quality requirements. By adopting a similar design intent to the current stormwater management strategy, the majority of the existing stormwater network can be maintained and utilised.

Runoff generated during a minor storm event is to be conveyed via the below ground piped drainage system to Black Creek via a water quality treatment system. Stormwater runoff from gravel roads and carparks is to be conveyed via vegetated swales to Black Creek. Runoff during major storm events (including the 1% AEP storm event) is proposed to be conveyed via a combination of the below ground network, road carriageways, and swales/channels.

Stormwater retention is proposed via a series of rainwater reuse tanks that will capture 100% of runoff from roof areas. In line with previous development approvals for the school, onsite stormwater detention is not required due to the site's proximity to Black Creek and location within the floodplain.

In addition to first flush devices on rainwater tanks, stormwater quality will be controlled through the use of gross pollutant traps, pit inserts, sedimentation basins, a bioretention basin and constructed wetland.

3.4.7 Servicing

All essential services are currently available to the site.

The school is currently serviced by a 150mm private water service directly connected to the 300mm watermain in Wine Country Drive. Hunter Water Corporation (HWC) has advised that there is sufficient capacity in the water network to service the proposed development.

The school is currently serviced by a private wastewater pump station and 80mm rising main which discharges to a manhole in Fletcher Street to the south of the school. From here, wastewater gravitates to Nulkaba 1 wastewater pump station, which HWC has advised has limited pump capacity and emergency storage.

Electricity is supplied via high voltage overhead cables running along Wine Country Drive. The site is currently fed via an on-site 800kVA kiosk substation, which provides a 1000A supply to a 1000A rated main switchboard. The proposal includes the installation of an additional 1000kVA kiosk substation adjacent to the existing 800kVA kiosk substation in Stage 1.

3.4.8 Operation

The project is located wholly within land owned by an existing school, and the proposed development will largely operate as per the existing approved development. However, This SSD application provides an opportunity to update and formalise approval for operational details relating to hours of operation and staff and student numbers as detailed below.

(i) Proposed Student and Staff Numbers

The maximum proposed number of staff and students is below:

Table 7 Proposed Student and Staff Numbers

Sub-school/Facility	Student Numbers	Staff Numbers
Junior School	488	49
Middle School	535	41
Senior School	546	46
DALE Special School	80	20
Admin		45
Sub-total	1649	200
Narnia Early Learning Centre	83	16
Total	1732	216

(i) *Proposed Hours of Operation*

The proposed hours of operation are detailed below.

It is important to note this is not an extension of the existing hours of use, but a formalisation of hours that reflect the contemporary use of the school facilities, including allowance for activities outside of regular school hours such as the gymnasium and the Performing Arts Centre which will be utilised for rehearsals, performances and meetings outside of school hours. These hours are inclusive of the school teaching hours being 8am to 3pm and office hours for administrative and teaching staff.

The proposed hours of operation for Narnia are reflective of typical hours of operation of a long day care service. The proposed hours of operation for OOSH are typical hours of operation for after school care.

Table 8 Proposed Hours of Operation

Facility	Hours of operation	Days
Prep School (4 - 5 year olds)	07:00 – 1800	Monday - Friday School Terms
Junior School Middle School Senior School DALE Special School	08:00 - 15:30	Monday - Friday School Terms
Administration / Office	07:00 – 1800	Monday – Friday
OOSH	07:00 – 1800	Monday - Friday All year (except four weeks in summer)

Narnia Early Learning Centre	07:00 – 1800	Monday – Friday All year (except four weeks in summer)
Gymnasium (located with Sports Hall)	05:00 - 20:00	Monday – Saturday. School Terms only
Performing Arts Centre -After Hours *Also used during school hours	15:30 - 22:00	Limited times during the year for school productions, events etc
Sports Fields – After Hours *Also used during school hours	15:30 - 22:00 07:00 - 18:00 08:00 - 17:00	Monday - Friday Saturday Sunday
Aquatic Centre	05:00 - 20:00 07:00 - 18:00	Monday – Saturday Sunday

Ancillary activities such as cleaning, deliveries, waste collection may also occur outside of these hours.

The hours of operation for the Sports Fields and Aquatic Centre are reflective of the hours of operation these facilities are or likely to be utilised by both the school and the community. The sports fields are not flood lit or illuminated so are only available for use during day light hours. These will be made available for community use outside of the nominated school hours.

The Aquatic Centre has extensive hours in order to facilitate, squad training, swimming lessons and general community swimming. The use of the Aquatic Centre by the school and community will be strictly segregated, with the facility being used by the school and community at different times of the day. Typically, the school will utilise the Aquatic Centre during school teaching hours.

(ii) Out of School Hours (OOSH) Services

The school currently provides OOSH services for a maximum of 40 students. This service will continue to operate with the same capacity, and will operate from a designated area within the Narnia Early Learning Centre with a separate outdoor playground. This will complement the hours of operation proposed for Narnia.

3.4.9 Waste Management

Waste generated by the current school operations is currently separated and stored in bulk bins at an informal storage compound near the Lomas Lane eastern entrance. These are collected by private contractors.

The proposal includes the construction of a new compound / waste depot in the south-west part of the site approximately 125 metres south of the proposed aquatic centre. The compound will provide for general waste and recycling to be stored in bulk mobile garbage bins for collection by a private waste service provider. Bulk bins include two × 3m³ bins for general waste, two × 3m³ bins for paper

and cardboard and one $\times 1.5\text{m}^3$ bin for co-mingled recycling. Waste collection vehicles will use the Wine Country Drive access with collection to occur outside school peaks.

Additional waste will be managed through the addition of bin infrastructure including 240 litre bins for recycling, general waste, and paper and cardboard and 60-120 litre bins for food organics. School cleaning and maintenance staff will also maintain the waste storage and management areas located on the ground level.

Management of construction and demolition waste will be undertaken by the building contractor utilising local waste management companies including waste collection contractors, off-site recyclers, and licensed landfill sites.

3.4.10 Signage

A signage and wayfinding strategy is proposed in accordance with SPCC corporate branding guidelines and DoE EFSG which outlines wayfinding and safety signage requirements. The following signage types will form part of the school's wayfinding:

- Entry Signage –located on the most North building readable from Wine Country Drive, and at the south entry access point. These feature signs will adopt SPCC crest logo.
- Directional Signage – Maps and markers will be placed throughout the site providing directions to key locations.
- Building Identification Signage – Buildings will be labelled with their associated building name.

3.4.11 Additional Enabling Works

The following additional enabling works are proposed to facilitate the project in various stages:

- Ten existing pre-fabricated buildings will be progressively removed from site to make way for proposed permanent buildings in accordance with the staging plan outlined below.
- Removal of nine (9) trees to facilitate construction of bus turning bay off Lomas Lane.
- Filling of land to achieve a balance, approximately $16,280\text{m}^3$ of imported fill material will be required.
- Road pavement widening, construction of kerb and gutter and stormwater pits and pipes, and linemarking/signage in Lomas Lane

3.5 Staging

3.5.1 Stages

The proposed development will be constructed over five broad stages as outlined in table below. Various infrastructure upgrades will accompany each stage of development. An interim student cap will apply to the first stage of development, with an increased cap to apply from stage two onward

following construction of the proposed roundabout at the intersection of Wine Country Drive and Lomas Lane.

Table 9 Development Stages

Stage	New Buildings	New/upgraded infrastructure	Student cap
1	Junior School extension (A3, A4), Senior School extension (C2), Narnia Early Learning Centre (J), New temporary administration building (E7), New Middle School (B1, B2), Waste Depot (S)	New southern vehicular site access and associated works on Wine Country Drive, widening of Lomas Lane, new bus turning facility and reconfiguration of northern car park, new 1000kVA electrical kiosk substation.	1,471
2	Trade Training Centre extension	Roundabout at intersection of Wine Country Drive and Lomas Lane	1,732
3	Senior School extension (C3), Welcome/Admin Centre (D), Café (K), New DALE building (N2)	Formalise internal access road and angle parking adjacent building C3	1,732
4	Sports Hall extension (H2), Library/Chapel (C4)	Construct new wetland and internal access road adjacent building C4	1,732
5	Sports Hall extension (H3), Canteen/Café Hub extension, Aquatic Centre, Performing Arts Centre	Service driveway and ramp from service road to Performing Arts Centre	1,732

3.5.2 Sequencing

The above stages will be broken down further into 10 sub-stages. The school currently contains nine demountable buildings which will be progressively removed to make way for permanent buildings. Details of the sequencing of removal of existing buildings and upgrades to roads and other infrastructure relative to staging of new buildings is contained in the following table.

Table 10 Development sequencing

Stage	Nominal timing	Build ing	Building description	Existing buildings to be removed	Infrastructure
1a	2022 – 2024	A3	Junior School	Nil	<ul style="list-style-type: none"> New southern access off WCD and new internal road / angle parking as far north as Building C2 Widening of Lomas Lane for bus bays
		A4	Junior School		
		C2	Senior School		
		J	Narnia		
		E7	Demountable (TBC)		

Stage	Nominal timing	Building	Building description	Existing buildings to be removed	Infrastructure
					<ul style="list-style-type: none"> ▪ New bus turnaround area and connection to northern carpark (+ 5 spaces) ▪ New 1000kVA Substation ▪ Minor upgrade to intersection of Lomas Lane and WCD
1b	2025 – 2027	B1	Middle School	Administration (existing)	<ul style="list-style-type: none"> ▪ Reconfiguration of existing northern car park
		B2	Middle School	Narnia (existing)	
		S	Waste Depot		
2	2027 – 2031	E2	Trade Training Centre	Nil	<ul style="list-style-type: none"> ▪ Roundabout at intersection of Lomas Lane and WCD ▪ Upgrade sewer pump station (if required)
3a	2032 – 2034	C3	Senior School	Demountable E3, E4, E5, E6, E7	<ul style="list-style-type: none"> ▪ Extend internal access road / angle parking adjacent to Building C3
3b	2034 – 2036	D	Welcome and Admin Centre	Nil	Nil
		K	Café		
		N2	DALE		
4a	2038 – 2040	H2	Sports Hall	Nil	Nil
4b	2040 – 2041	C4	Library/Chapel	Nil	Extend internal access road to wrap around Building C4
5a	2043 – 2045	H3	Sports Hall	Nil	Nil
5b	2048 – 2050	F	Canteen/Café Hub	Nil	
		O	Aquatic Centre	Nil	Nil
5c	2050 – 2052	G	Performing Arts Centre	Demountable E2	Service access driveway/ramp to PAC

4 Statutory Context

This Chapter identifies the relevant statutory requirements for the project to be considered in the assessment and determination of the application.

A statutory compliance table as Appendix C to the EIS, which identifies all the relevant statutory requirements for the project and indicates where they have been addressed in the EIS or approved DA form for the project.

4.1 Planning Pathway

The Environmental Planning and Assessment Act 1979 (EP&A Act) and the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) provide the framework for the statutory environmental planning in NSW. They include provisions relating to approval of development to ensure that proposal which have the potential to impact the environment are subject to detailed assessment.

In accordance with Division 4.7 of the EP&A Act and Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011, the proposed development constitutes State Significant Development as it comprises *“Development for the purposes of the erection of a building, or alterations or additions to an existing building, at an existing school that has a capital investment value of more than \$50 million”*.

4.2 Permissibility

The site is zoned RU2 Rural Landscape in the Cessnock LEP 2011, as illustrated in Figure 7. This is the Environmental Planning Instrument (EPI) governing land use within the Cessnock LGA.

An educational establishment (and therefore associated alterations and additions) and centre based child care facility, is permissible with consent in the RU2 zone under the Cessnock LEP 2011. Furthermore, RU2 is a prescribed zone under the Education SEPP in which schools are permissible with consent.

A centre-based child care facility means a building or place used for the education and care of children that provides any one or more of the following, long day care, occasional child care, out-of-school-hours care (including vacation care), preschool care. The new Narnia building will provide long day care and out-of-school-hours care. The Prep area in the Junior School will provide preschool care.

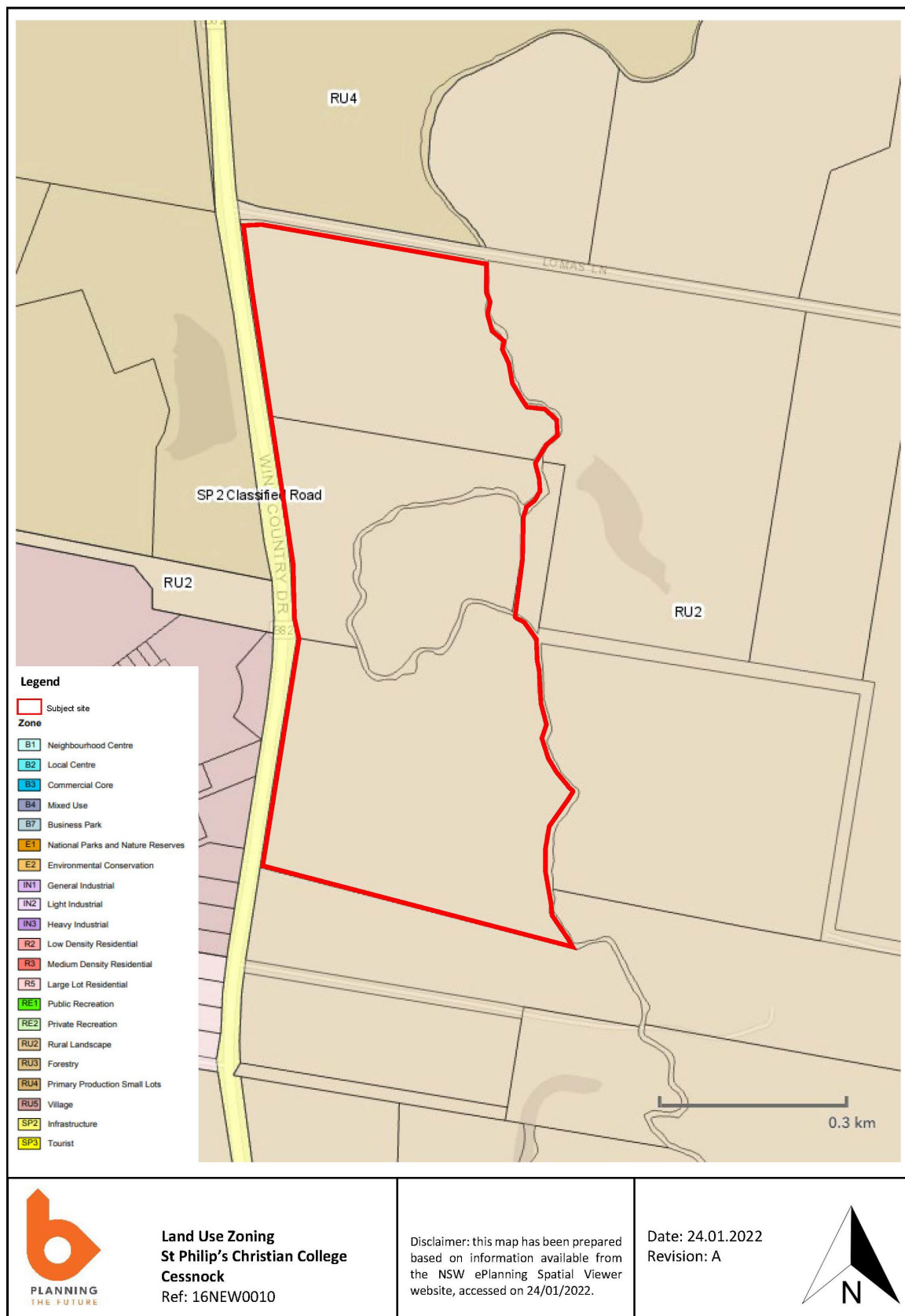


Figure 7 Land Zoning Map. Source NSW ePlanning Spatial Viewer

4.2.1 Zone Objectives

The objectives of the RU2 zone are set out below together with a statement explaining how the development supports each objective .

Objective: To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.

SPCC Cessnock capitalises on its extensive land holdings and rural setting by incorporating an agriculture program within its curriculum, facilitating the teaching and learning of sustainable primary industry production.

Objective: To maintain the rural landscape character of the land.

The clustering of school buildings in the northern part of the site means the majority of the school grounds will continue to be devoid of structures and essentially appear as rural land.

Objective: To provide for a range of compatible land uses, including extensive agriculture.

The school offers a comprehensive agriculture program within the school's curriculum utilising the former rural activities located at the southern part of the site. The proposed improvements in vehicular access to the southern part of the site will further enhance the accessibility of this part of the site and support this zone objective.

Objective: To enable other forms of development that are associated with rural activity and require an isolated location or support tourism and recreation.

The school's agriculture program is compatible with the rural location and zoning of the site, as are the existing and proposed recreation facilities on the site, which include multiple playing fields and a new Aquatic Centre.

Objective: To ensure that the type and intensity of development is appropriate in relation to the rural capability and suitability of the land, the preservation of the agricultural, mineral and extractive production potential of the land, the rural environment (including scenic resources) and the costs of providing services and amenities.

The majority of proposed buildings are to be clustered amongst existing school buildings in the northern part of the site, with the most prominent new buildings (the Sports Hall and the Performing Arts Centre) to be set back more than 150 metres from Wine Country Drive. Proposed new buildings in the southern part of the site will be a scale that does not dominate the landscape. The majority of the site is below the 100 year average recurrence interval (ARI) flood level means the site will retain agricultural production potential.

Objective: To maintain and enhance the scenic character of the land.

The majority of the site will remain sparsely developed, retaining the scenic character of the land, while the more intensively developed northern precinct will continue to be screened from Wine Country Drive by a landscaped mound.

Objective: To ensure that development does not create unreasonable or uneconomic demands for the provision or extension of services.

The site already has access to existing services including reticulated water, sewer, electricity, NBN and natural gas. As such the proposed development will not create uneconomic demands for the provision or extension of services.

4.2.2 Aquatic Centre – Ancillary Use

The proposed indoor aquatic centre, which is defined as recreation facilities (indoor), is prohibited in RU2 Zoning under Cessnock LEP 2011. While an outdoor pool would be permissible, given the challenges of the local climate with an average minimum July temperature of 4 degrees, and the desire to operate the aquatic centre year-round, this was not considered a feasible alternative.

It is considered that the indoor aquatic centre is ancillary to the dominant use of the site as an educational establishment, whilst still being compatible with the objectives of the zoning.

The Aquatic Centre will be owned by the school and used primarily for the purpose of swimming instruction, sport and swimming carnivals. The school currently offer an extensive PDHPE curriculum that requires access to a pool facility. The provision of this pool will provide year-round access to a pool facility, instead of relying on the local public pool which is not open April to September. The facility would be managed by an external operator and be made available for general community use when not required for school use.

The NSW Planning Circular PS 13-001 - 21 February 2013 'How to characterise development' assists to characterise development that is ancillary. It outlines seven considerations for whether a use is ancillary or independent, as listed below:

1. Is the component going to serve the dominant purpose of the development or is it independent?

It is considered that the aquatic centre would support the dominant use of the school, by being provided primarily for the instruction of students in swimming and providing a recreational facility for use in the PDHPE curriculum.

2. What is the amount of land to be used for a certain component, relative to the amount of land proposed to be used for other purposes? If the amount of land is relatively small, it is more likely to be ancillary.

The area of land to be taken up by the aquatic centre, including parking will be approximately 0.8 hectares compared to the school's overall site area of 41.8 hectares. In percentage terms, the aquatic centre takes up 2% of the site area.

3. Evidence of a purpose that is inconsistent with the dominant purpose is likely to undermine a claim that a component is ancillary.

While the aquatic centre will be made available to the public outside of times when in use by the school, this is still considered consistent with the dominant purpose of the site as a school in light of Principle 3b of the Schools – design quality principles within the Education SEPP. This principle states: Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.

4. If the component is temporary, it is more likely to be ancillary; if it is regular (that is, will constitute an ongoing use for a long period of time), it is likely to be an independent use.

The establishment of the aquatic centre is not temporary. However, its operation and use by the school is critical to its long-term viability. It could not operate as an independent use and is ancillary to the long-term operation of the school.

5. If the component goes beyond what is reasonably required in the circumstances for the development to implement the dominant purpose, it is likely to be an independent use (regardless of whether it has ancillary qualities).

It is reasonable for a school to have a pool. The Education SEPP pre-empts this in clause 39(1)(a)(ii) which allows under complying development 'a gym, indoor sporting facility or hall' in terms of a use supported by a school.

6. Related components of a development are likely to have an ancillary relationship, although this is not necessarily determinative of such a relationship.

The Aquatic Centre is proposed to be constructed on land that is owned by the school, with access proposed for students via the internal vehicle and pedestrian network.

7. Physical proximity of the component to the rest of the development is likely to be evidence of an ancillary relationship, although again not necessarily determinative.

The rural setting of the existing school means that it is afforded extensive grounds allowing for a dispersed development footprint. The proposed aquatic centre will be located on land immediately adjoining the existing school and will form part of the school's enlarged grounds. Consistent

landscaping, signage and building style together with the internal pedestrian and vehicular network will reinforce the physical proximity of the aquatic centre and the school.

It is considered that the aquatic centre satisfies these considerations for characterisation as ancillary development.

4.3 Pre-Conditions

There are no formal Pre-Conditions that must be satisfied prior to the consent authority granting consent to the SSD application.

4.4 Matters for Consideration

The proposal has been assessed in accordance with the matters for consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 as outlined below:

Table 11 Section 4.15 Matters for Consideration

Consideration	Comments
Environmental Planning Instruments (4.15(1)(a)(i))	State and Local Environmental Planning Instruments have been assessed in Chapter 4 of this EIS.
Draft Environmental Planning Instruments (4.15(1)(a)(ii))	Draft Environmental Planning Instruments are assessed in Section 4.7.7 of this EIS.
Development Control Plans (4.15(1)(a)(iii))	The proposal has been assessed against the Cessnock Development Control Plan 2010 in Section 4.9 of this EIS.
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 (4.15(1)(a)(iia))	The are no planning agreements to which this proposal relates
Any matters prescribed by the Regulations (4.15(1)(a)(iv))	This EIS has been prepared in accordance with, Part 3 in Schedule 2 of the Environmental Planning and Assessment Regulation 2000.
Likely Impacts of the Development (4.15(1)(b))	Impacts of the development are assessed in Chapter 6 of this EIS.
Suitability of the Site (4.15(1)(c))	The suitability of the site is assessed in Chapter 6 of this EIS.
Any Submissions made in accordance with this Act or Regulations (4.15(1)(d))	Submissions will be considered following exhibition of the application.
The Public Interest (4.15(1)(e))	The public interest is best served by the orderly and economic use of land for permissible purposes in a form which is cognisant of and does not impact unreasonably on development on surrounding land. The proposal satisfies

	the needs and requirements of the application to provide additional school and child care facilities at this location that adequately meets the educational needs of anticipated enrolments growth in the Cessnock LGA.
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4.5 Objects of Act

The proposed development demonstrates consistency with the objects of the EP&A Act as discussed in the below table:

Table 12 Objectives of EP&A Act

Object	Consideration
<i>(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i>	<p>The proposed development will promote the social welfare of the community through the provision of modern educational facilities for local students. The use of labour and materials during the construction phase will promote economic welfare of the broader area, as will the operation of the school as it will improve the quality of educational service offerings for local families.</p> <p>Additionally, certain recreational and cultural facilities proposed as part of the development, including an indoor aquatic centre, are intended to be made available for use by the general public, providing a further community benefit. The school will continue to utilise treated wastewater effluent pumped from Black Creek as a sustainable source of irrigation water.</p>
<i>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	<p>The proposed development will facilitate ecologically sustainable development. The development has been designed with sustainability in mind, including use of materials and consideration of environments and landscapes. The expanded use of the school will lead to increased social and economic outcomes through high quality education and employment opportunities in the local area.</p>

<i>(c) to promote the orderly and economic use and development of land,</i>	The proposed development represents the orderly and economic use of land as it will expand upon an existing school to cater for projected local demand for educational services. The development will intensify building densities within the existing footprint, as well as expand recreational facilities to optimise use of existing access infrastructure.
<i>(d) to promote the delivery and maintenance of affordable housing,</i>	The proposed development does not include housing.
<i>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	<p>The Biodiversity Assessment Methodology (BAM) 2020 was used as the assessment method to establish impacts on threatened species and threatened ecological communities in the locality under the Biodiversity Conservation Act 2016.</p> <p>No threatened species listed as under the BC Act were recorded within the development area.</p> <p>The development area was selected due to the largely cleared or managed lands with low native species diversity as a result of past and present land use. A total of 3.22ha of native vegetation is to be entirely removed under this proposal within the site. As far as possible, the design has sought to avoid impacts on native vegetation in the first instance, with mitigation measures recommended for the construction phases of the project.</p>
<i>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	The proposed development will not affect European heritage items. Aboriginal heritage on site will be managed in accordance with recommendations of the Aboriginal Cultural Heritage Assessment.
<i>(g) to promote good design and amenity of the built environment,</i>	The proposed development will promote good design and amenity of the built environment through quality architectural design and site master planning. Demonstration of quality design and amenity, and adherence to the design quality principles under Education SEPP,

	is contained within the Concept Design Statement.
<i>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>	The development will be constructed and maintained in accordance with the relevant codes, regulations, and standards.
<i>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i>	The SSD application will be prepared, submitted, and assessed in accordance with the relevant provisions of the EP&A Act, which will allow for the appropriate input and responsibility of multiple levels of government.
<i>(j) to provide increased opportunity for community participation in environmental planning and assessment.</i>	Community participation will be invited in accordance with the relevant provisions of the EP&A Act.

This EIS has been prepared in accordance with Clauses 6 and 7 of the EP&A Regulation.

4.6 Environmental Planning Instruments

The following sections outline the environmental planning instruments relevant to the proposed development.

Section 10.7(2) and (5) Planning Certificates are provided at Appendix F identifying the name of each environmental planning instrument that applies to the carrying out of development on the subject site.

4.7 State Environmental Planning Policies

State Environmental Planning Policies (SEPPs) are environmental planning instruments administered under the EP&A Act. SEPPs deal with issues considered to be of significance for the State and the people of NSW. In the determination of the development application, the consent authority will consider these matters pursuant to section 4.15(a)(i) of the EP&A Act. The SEPPs relevant to the proposed development, and the land on which the development is situated, are considered below.

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

The aim of State Environmental Planning Policy (State and Regional Development) 2011 is to identify development or infrastructure that is State or regionally significant.

Clause 15 of Schedule 1 nominates development for the purpose of a new school (regardless of the capital investment value) as State Significant Development. Alterations or additions to an existing school with a CIV of greater than \$50 million is also nominated as SSD. As the development is for alterations and additions to of an existing school, and the CIV is \$138,980,000, it is State Significant Development.

The proposal has accordingly been prepared and submitted in accordance with the State Significant Development planning pathway.

4.7.2 State Environmental Planning Policy (Infrastructure 2007)

The aim of State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) is to facilitate the effective delivery of infrastructure across the State. The ISEPP applies to all land in the State.

Section 104 of the ISEPP requires that certain traffic-generating development be notified to TfNSW. Prior to determination of the application, the consent authority must take into consideration any submission made by TfNSW, as well as the accessibility, traffic safety, congestion, and parking implications of the development.

The proposed development is traffic-generating development under Schedule 3 as it will access the classified road Wine Country Drive and will have a peak traffic generation exceeding 50 vehicles per hour. The proposed development must therefore be notified in accordance with Section 104 of the ISEPP.

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

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP) seeks to facilitate the delivery of educational establishments and early education facilities across NSW. The Education SEPP applies to all land in the State.

Part 3 of the Education SEPP applies to the development as it outlines specific development controls for child care centres. The proposal has been assessed against the relevant provisions of Part 3 in the following table.

Table 13 Education SEPP Part 3 Compliance Table

Clause	Proposal	Compliance
23 Centre base child care facility		
Before determining a development application for development for the purpose of a centre-based child care facility, the consent authority must take into consideration any applicable provisions of the <i>Child Care Planning Guideline</i> , in relation to the proposed development.	This EIS addresses the <i>Child Care Planning Guideline</i> in Section 4.10 and the Concept Design Report at Appendix G5.	Yes
25 Centre-based child care facility—non-discretionary development standards		

Clause	Proposal	Compliance
<p>(2) The following are non-discretionary development standards for the purposes of section 4.15(2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based child care facility—</p> <p>(a) location—the development may be located at any distance from an existing or proposed early education and care facility,</p> <p>(b) indoor or outdoor space:</p> <p>(i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the <i>Education and Care Services National Regulations</i> applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or</p> <p>(ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the <i>Children (Education and Care Services) Supplementary Provisions Regulation 2012</i> applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,</p> <p>(c) site area and site dimensions—the development may be located on a site of any size and have any length of street frontage or any allotment depth,</p> <p>(d) colour of building materials or shade structures—the development may</p>	<p>There are no other child care centres within proximity of the site.</p> <p>Applicable</p> <p>Not Applicable</p> <p>The proposed Narnia and Prep are located with the existing school site, a large rural zoned site in Nulkaba.</p> <p>The colour scheme for the proposed Narnia and Prep within the Junior School</p>	<p>Yes</p>

Clause	Proposal	Compliance
be of any colour or colour scheme unless it is a State or local heritage item or in a heritage conservation area.	Building are consistent with the overall project.	
26 Centre-based child care facility—development control plans		
(1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers or the like, of children) does not apply to development for the purpose of a centre-based child care facility— (a) operational or management plans or arrangements (including hours of operation), (b) demonstrated need or demand for child care services, (c) proximity of facility to other early education and care facilities, (d) any matter relating to development for the purpose of a centre-based child care facility contained in— the design principles set out in Part 2 of the <i>Child Care Planning Guideline</i> , or the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).	The proposed development has been assessed against car parking rates for child care centres in the Cessnock DCP 2010, in Section 4.9 .	Yes

Part 4 of the Education SEPP applies to the development as it outlines specific development controls for schools. The proposal has been assessed against the relevant provisions of Part 4 in the following table.

Table 14 Education SEPP Part 4 Compliance Table

Clause	Proposal	Compliance
35 Schools – development permitted with consent		

<p>(1) Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.</p>	<p>The site is located in a prescribed zone being RU2 Rural Landscape. The development is permissible within the zone under Section 25(1), as development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.</p>	<p>Yes</p>
<p>(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 development or welfare of the community, whether or not it is a commercial use of the establishment.</p>	<p>The existing school accommodates community uses of the school outside of school hours including park run and a training facility for the Pokolbin Reds Rugby Club.</p> <p>The proposal includes the construction and use of a new aquatic centre that is intended to be available for community use outside of school hours.</p> <p>Use of the chapel and performing arts building are likely to be used by various community groups on an ad-hoc basis.</p>	<p>Yes</p>
<p>(6) Before determining a development application for development of a kind referred to in subclause (1), (3) or (5), the consent authority must take into consideration—</p> <p>(a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4, and</p> <p>(b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.</p>	<p>This EIS addresses the design quality of the development. A formal response to the Schedule 4 School Design Principles is included in the Concept Design Report at Appendix G5</p> <p>The existing and proposed facilities including sports fields, the proposed aquatic centre and various buildings will continue to be used by the community for shared purposes.</p>	<p>Yes</p>
<p>(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 subclause (1), (2), (3) or (5) is of no</p>	<p>Noted. Notwithstanding this an assessment against the relevant provisions of the Cessnock DCP 2010 is provided at Section 4.9 of this EIS</p>	<p>Yes</p>

effect, regardless of when the development control plan was made.		
(10) Development for the purpose of a centre-based child care facility may be carried out by any person with development consent on land within the boundaries of an existing school.	A new building to accommodate the existing centre based child care facility, the Narnia Early Learning Centre, is proposed as part of the project.	Yes

4.7.4 State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No. 64—Advertising and Signage (SEPP 64) provides for the regulation of signage development, however the policy does not apply to signage that is exempt development in accordance with the SEPP or another policy. The Education SEPP provides, at Schedule 1, circumstances in which signs are exempt development. For identification, directional, community information or safety signs, the criteria for the signage to be exempt include:

- Surface area must not exceed 8m².
- Must be located wholly within property boundary or be attached to existing boundary fence and not projecting more than 100mm from fence.
- Obtrusive effects of outdoor lighting must be controlled in accordance with AS 4282 - 1997, Control of the obtrusive effects of outdoor lighting.
- Distance between ground level (existing) and bottom edge of sign must not be more than 6m.
- Must not involve electronic signage or moving displays.

Most signage associated with the development will comply with the above criteria, with the exception of the two proposed new free-standing pylon signs either side of the new southern site access. These pylon signs will be positioned to be clearly visible to northbound and southbound traffic on Wine Country Drive.

Each of the pylon signs will have a height of 5.85 metres, a width of 3 metres and a depth of 1 metre. The advertising display of each sign will measure 3 metres x 4.5 metres and have an advertising display area of 13.5m². This will include the school logo as well as the digital noticeboard used to display dates, events and messages. See Figure 8 for display of the proposed signage design. An assessment of the pylon signs against the requirements of SEPP 64 is provided.

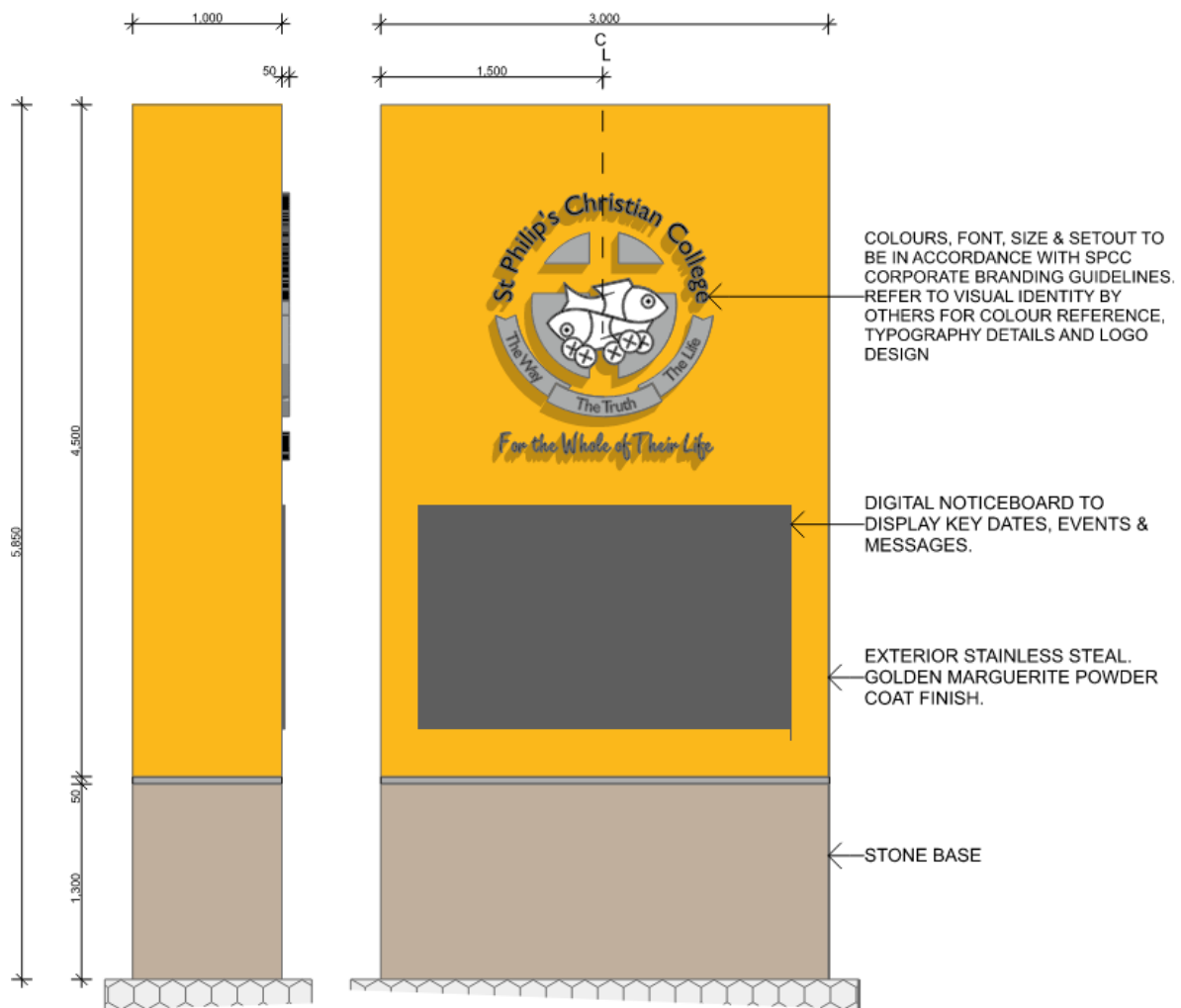


Figure 8 Proposed Signage at South Entrance. Source: SHAC 2022

The standard dictionary defines business identification sign to mean a sign that

- (a) *that indicates—*
 - (i) *the name of the person or business, and*
 - (ii) *the nature of the business carried on by the person at the premises or place at which the sign is displayed, and*
- (b) *that may include the address of the premises or place and a logo or other symbol that identifies the business,*

but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

Note—

Business identification signs are a type of signage—see the definition of that term in this Dictionary.

The proposed pylon signs are considered business identification signs as they will:

- indicate the name of the business, namely SPCC.
- indicate the nature of business carried on at the premises, namely activities of the school by displaying key dates, events and messages on the digital noticeboard.
- include the school logo which will clearly identify the school to vehicular traffic travelling along Wine Country Drive.
- will not contain advertising relating to persons who do not carry on business at the premises.

Clause 6 of SEPP 64 states the following:

(1) This Policy applies to all signage that—

- (a) can be displayed with or without development consent under another environmental planning instrument that applies to the signage, and*
- (b) is visible from any public place or public reserve,*
- (c) except as provided by this Policy.*

The proposed pylon signs are permitted with consent under Cessnock LEP 2011 within the RU2 Rural Landscape zone as ‘any other development not specified in item 2 or 4’ and will be visible from a public place. As such, SEPP 64 applies to the proposed signage and the relevant provisions of the SEPP are assessed as follows.

Clause 8 of SEPP 64 states the following:

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 Policy as set out in clause 3(1)(a), and*
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.*
- (c) An assessment of SEPP 64, Schedule 1 criteria is provided in the table below.*

Table 15 Assessment of SEPP 64 Schedule 1 Criteria

Criteria	Assessment
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?	The proposed signage is consistent with the desired amenity and visual character and of the area and is consistent with the existing and proposed visual identity of St Philip’s Christian College Cessnock.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	NA – there is no current outdoor advertising theme in the area.

Criteria	Assessment
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?	No. The proposed signage is of modest scale and form and is positioned in a location which will not adversely impact or detract from the amenity or visual quality of the rural landscape.
3 Views and vistas	
Does the proposal obscure or compromise important views?	No. The proposed signage does not obscure or compromise important views.
Does the proposal dominate the skyline and reduce the quality of vistas?	No. The proposed signage will not dominate the skyline and will be integrated into the overall bulk and scale of the school.
Does the proposal respect the viewing rights of other advertisers?	NA – there is no existing advertising on the site.
4 Streetscape, setting or landscape	
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	NA – there is no existing advertising on the site.
Does the proposal screen unsightliness?	NA – there is no existing unsightliness to screen.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No. The sign will be clearly visible, however will not protrude above tree canopies or structures in the area.
Does the proposal require ongoing vegetation management?	No. The proposed signage does not require ongoing vegetation management.
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?	Yes. The proposed signage will be consistent with the scale and proportion of the other buildings proposed on the site and will maintain a consistent visual identity with the rest of the signage of the school.
Does the proposal respect important features of the site or building, or both?	Yes. The proposed signage will maintain consistent visual identity including colour, font, size and set out with the design and features of the school.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	Yes. The proposal will integrate both static and electronic display and serve multiple purposes. It will provide business identification of the school, indicate the southern entry to the school as well as provide a digital noticeboard to advertise key dates, events and messages.

Criteria	Assessment
6 Associated devices and logos with advertisements and advertising structures	
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?	Yes. The proposed signage will be set on top of a stone base platform. The signage will integrate a digital noticeboard into the display.
7 Illumination	
Would illumination result in unacceptable glare?	No. The proposed signage will include a digital noticeboard which will have an illuminated face, however, it will not result in unacceptable glare.
Would illumination affect safety for pedestrians, vehicles or aircraft?	No. The illumination will not affect the safety of pedestrians, vehicles or aircraft.
Would illumination detract from the amenity of any residence or other form of accommodation?	No. The illumination will not detract from the amenity of neighbouring residential dwellings.
Can the intensity of the illumination be adjusted, if necessary?	No. The illumination of the signage will not have capacity to be adjusted, however will not detract from the amenity of neighbouring residential dwellings or pose risk to safety of the public road.
Is the illumination subject to a curfew?	No, however the consent authority may apply a condition of consent with curfew times for the display of the digital noticeboard.
8 Safety	
Would the proposal reduce the safety for any public road?	No. The proposal will not reduce the safety of Wine Country Drive.
Would the proposal reduce the safety for pedestrians or bicyclists?	NA – there is no existing footpaths or bicycle paths along the adjoining section of Wine Country Drive
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	NA – the proposal will not obstruct or obscure sightlines to public areas.

4.7.5 State Environmental Planning Policy (Koala Habitat Protection) 2020

Outside of Metropolitan Sydney and the Central Coast, the State Environmental Planning Policy (Koala Habitat Protection) 2021 does not apply to rural zoned land and therefore it does not apply to the subject site, being zoned RU2 Rural Landscape. As such, the requirements of the SEPP (Koala Habitat Protection) 2020 apply to this development.

The BDAR concluded that the site is not considered to represent core or potential Koala habitat, nor serve an important ecological function for Koalas, nor to be important for the recovery of the Koala, and further assessment is therefore not required.

4.7.6 State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 Remediation of Land (SEPP 55) seeks to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health and the environment. SEPP 55 applies to all land in the State.

SEPP 55 specifies that a consent authority must not consent to development unless it has considered whether the land, and if so whether it is suitable of the development in its contaminated state or if it requires remediation. If site does require remediation, the remediation must be carried out prior to the proposed development taking place.

A Preliminary Site Contamination Assessment Report prepared by RCA has been submitted to the satisfaction of Section 7(2) of SEPP 55. The Preliminary Site Contamination Assessment Report concludes that the land is suitable in its existing state for the proposed development, thereby satisfying the provisions of Section 7 of SEPP 55.

4.7.7 Draft State Environmental Planning Policy (Remediation of Land)

An Explanation of Intended Effects (EIE) and draft guidelines relating to the draft Remediation of Land SEPP were exhibited in early 2018, and are currently under consideration by the Department of Planning, Industry and Environment.

The draft SEPP will retain key elements of the current SEPP 55, whilst also introducing provisions related to approvals for remediation, categorisation of remediation work, and environmental management plans. The draft SEPP instrument is not available, however the EIE does not suggest additional implications for the proposed development beyond the requirements of SEPP 55 discussed above.

A timeline for the gazettal of the draft SEPP is not known.

4.8 Cessnock Local Environmental Plan 2011

Cessnock Local Environmental Plan 2011 (CLEP 2011) applies to the site. CLEP 2011 contains permissibility, development standards, and further provisions relevant to development within the Cessnock LGA. Relevant provisions have been discussed below, with the exception of permissibility as discussed within Section 4.2 of this EIS.

(i) Minimum Lot Size

The site has a minimum lot size of 40 hectares under 4.1. Subdivision is not proposed as part of this application.

(ii) Height of Building

Height of building controls under Section 4.3 do not apply to the site.

(iii) Floor Space Ratio

Floor space ratio controls under Section 4.4 do not apply to the site.

(iv) Airspace Operations

Under Section 7.4 of CLEP 2011, a development must not be granted consent if it will penetrate the Limitation or Operations Surface unless the relevant Commonwealth body has been consulted. The development will not penetrate the Limitation or Operations Surface of nearby Cessnock Airport.

(v) Development in areas subject to Aircraft Noise

Section 7.5 of CLEP 2011 provides for development in areas subject to airport noise. The site is located nearby to Cessnock Airport, however it is not located within an ANEF contour. The clause does not have implications for the proposed development.

4.9 Cessnock Development Control Plan 2010

The site is located within the Cessnock LGA and is therefore subject to the provisions of the Cessnock Development Control Plan (DCP) 2010.

Pursuant to Clause 11 of the SRD SEPP, the application of local development control plans is excluded when assessing development applications for SSD projects. Further, Clause 35(9) of the Education SEPP provides that a provision of a development control plan that specifies a requirement, standard or control in relation to development is of no effect. Notwithstanding, the SEARs issued for this EIS required the EIS to assess the project against the Cessnock DCP 2010. Only part C of Cessnock DCP 2010 is relevant to this EIS. Each chapter of Part C is addressed as follows:

Chapter 1: Parking and Access

The following car parking requirements apply to the development:

Table 16 Cessnock DCP 2010 Parking Requirements

Land Use	Parking Requirement
Child Care centre	1 space per employee PLUS 1 space per 4 children enrolled for visitors and for parent parking
Education Establishment	1 space per 2 staff PLUS 1 space per 15 students over 17 years for high schools 1 space per 5 students for higher education establishments
Indoor Recreation Facility	16 spaces per court, OR (if there are no courts) 1 space per 25m ² of gross floor area PLUS 1 space per 2 employees PLUS 3 spaces per court for spectators.

The table below shows how these ratios apply to the school and child care components of the proposed development.

Table 17 Educational Establishment Parking Requirements

Parking Requirements		Rate		Required Spaces
Education Establishment (K-12, DALE)	Staff	200	1 per 2	100
	Senior Students	210 ^[1]	1 per 15	14
Child Care (Narnia and Prep)	Staff	16	1 per 1	16
	Students	83	1 per 4	21
Sub total				151

[1] Based on the assumption that an average of 70 per cent of year 11 and all year 12 students are over 17 years

Car Parking provided within the school precinct includes the following.

Table 18 Car Parking Spaces Proposed

Car Park	Number of Spaces
Junior and Middle School (Lomas Lane)	82
Senior School	42
Boardwalk (Admin / Welcome Centre)	50
DALE / Narnia	19
Overflow (Sports fields)	100
Total	293

The proposed number of car spaces across the site serving the educational establishment will exceed the DCP requirement. This is due to the school's rural location which results in a high degree of car dependence, particularly for staff.

Separate calculations have been done for the proposed aquatic centre, which, although ancillary to the school, is sufficiently separated from other parts of the site that it warrants its own parking. However, given the complimentary nature of the facility it is appropriate that a first-principles based assessment be undertaken, rather than reliance on the DCP rate. This analysis appears in the table below.

Table 19 Aquatic centre parking demand

Use	Size	Anticipated Parking Demand
Office	52 m ²	2
Café	104m ² , 2 staff	2
Aquatic facilities	152m ² , 8 staff	6
	541m ² , 8 staff	32
Wellness centre	195m ²	15

Use	Size	Anticipated Parking Demand
Grandstand	232m ²	0
Total		57 spaces

Fifty (50) parking spaces are located close to the aquatic centre which is considered an appropriate provision relative to the anticipated demand.

Chapter 3: Contaminated Lands

Cessnock DCP 2010 requires that development applications address land contamination in accordance with the requirements of SEPP 55, as previously acknowledged in Section 4.7 of this EIS. Investigations have been carried out in accordance with relevant policies and the EIS satisfies the requirements of Chapter 3.

A Preliminary Site Contamination Assessment has been prepared as part of the EIS in accordance with the DCP requirement. The Assessment did not identify a need to remediate the land, and validated the site as suitable for the intended purpose. All investigations have been undertaken in accordance with SEPP 55 and associated guidelines.

Chapter 4: Land Use Conflict and Buffer Zones

Cessnock DCP 2010 seeks to resolve conflict between land uses through buffer zones or other means. The proposed school use is considered a sensitive land use under Category A. The proposed aquatic centre (Sporting facility) is a Category B Land Use, which neither generates nor requires specific protection from other land use conflicts.

As the land is an extension of the existing school onto the adjoining land, the proposal does not pose a conflict with that existing use. Other surrounding uses include large lot residential and tourist facilities, and are identified as Category A land uses. These uses are not considered to introduce unreasonable land use conflicts, but nonetheless risks are mitigated through separation distances.

Chapter 5: Waste Management and Minimisation

Cessnock DCP 2010 provides for the avoidance and minimisation of waste generation and advice on the improvement of existing facilities. Council requires that all relevant development applications be accompanied by a waste management plan, requiring the applicant to specify waste, by type and volume, and to nominate reuse and recycling potential.

Development for the purpose of a school requires details of staff room/kitchen waste storage areas, common waste storage and recycling areas, collection area, and collection vehicle access. A Waste Management Plan must be submitted detailing construction, use of premises, and on-going management.

The Construction Waste Management Plan and Operational Waste Management Plan prepared by MRA Consulting Group has been prepared in accordance with the Waste Management Plan template contained within Cessnock DCP 2010.

Chapter 6: Access and Mobility

Cessnock DCP 2010 provides for the achievement of equity of access requirements under relevant discrimination legislation. The Chapter refers to design elements including exterior (parking, access routes and entrances to buildings) and interior (interior circulation and facilities).

Chapter 8: Social Impact Assessment & CPTED Guidelines for a Proposed Development

Cessnock DCP 2010 provides for the preparation of Social Impact Assessments in support of development proposals.

A Social Impact Assessment prepared by AIGIS Group has been prepared in accordance with the Social Impact Assessment checklist contained within Cessnock DCP 2010. The Social Impact Assessment has been informed by community engagement and rigorous social research methods.

The Concept Design Report includes an Access and Security Strategy and an assessment against CPTED principles, including territorial re-enforcement, natural surveillance, access control and space/activity management.

4.10 Childcare Planning Guideline

The design of the new Narnia Early Learning Centre and the Prep area within the new Junior School Building has had due consideration to the NSW Child Care Planning Guideline. The Guideline establishes the assessment framework to deliver consistent planning outcomes and design quality for centre-based childcare facilities in NSW and contains seven core principles relating to:

- Context
- Built Form
- Adaptive Learning Spaces
- Sustainability
- Landscape
- Amenity and Safety

Further detail is provided in the Concept Design Report.

4.11 Other Approvals

4.11.1 Biodiversity Conservation Act 2016

The purpose of the Biodiversity Conservation (BC) Act is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

The BDAR prepared for the project determined that clearing of 0.16 ha of the threatened ecological community, being River-Flat Eucalypt Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions will require approval under the BC Act, and will necessitate the retirement of four (4) offset credits.

4.11.2 Water Management Act 2000

Section 4.41 of the EP&A Act provides that a water use approval under section 89, a water management work approval under section 90 or an activity approval (other than an aquifer interference approval) under section 91 of the Water Management Act 2000 is not required for State significant development authorised by a development consent.

4.11.3 Rural Fires Act 1997

Section 4.41 of the EP&A Act provides that a bush fire safety authority under section 100B of the Rural Fires Act is not required for development of land for special fire protection purposes, for State significant development authorised by a development consent.

4.11.4 Roads Act 1993

The proposed new southern vehicular access to the school from Wine Country Drive and the proposed upgrade to the intersection of Wine Country Drive and Lomas Lane will require the consent of TfNSW in accordance with Section 138 of the Roads Act 1993.

5 Engagement

This Chapter provides an overview of the engagement activities undertaken to date by the applicant as part of the preparation of the EIS, and the future activities proposed in the assessment and post approval phases for the project.

5.1 Engagement Process

To support the SSD Application process, including the preparation of the site master planning, architectural and land scape design and the EIS, the project team undertook to engage with key stakeholders.

The SEARs specified that in preparing the EIS consultation was to be undertaken with the relevant local, State or Commonwealth Government authorities, service providers, community groups, relevant special interest groups, including local Aboriginal land councils and registered Aboriginal stakeholders and affected landowners. In particular, consultation with the following public authorities was required:

- Cessnock Council
- Government Architect of NSW (through the NSW SDRP process)
- Transport for NSW.

The school's strong emphasis on values and integrity informed the intent of the Stakeholder Consultation Strategy. SPCC sought the involvement of the key stakeholders to ensure the outcome for the surrounding community and the SPCC community, mitigating any concerns and producing positive outcomes.

This process was carried out ahead of the lodgement of the SSD and is complementary to the statutory requirements for public exhibition of an SSD, in accordance with Clause 77 to the EP&A Regulation.

The consultation techniques utilised to engage with various stakeholders are described below.

Table 20 Summary of Engagement Process

Stakeholder	Tool / Technique	Description
Cessnock City Council,	Online Meeting	The meeting was held on 3 September 2021 and was attended by Cessnock Council's Senior Planning Assessment Officer, Principal Development Engineer and Principal Social and Community Planner.

Stakeholder	Tool / Technique	Description
Government Architect - State Design Review Panel	Online Panel Meeting	Online meetings were held with the panel on 21 July 2021 and 20 October 2021. The panel provided feedback which has helped to inform the design of the proposed development.
Transport for NSW	Online Meeting	The meeting was held on 1 September 2021 and attended by TfNSW staff and the project team. Written feedback received on 23 September 2021.
<i>Aboriginal Stakeholders</i>		
Mindaribba Local Aboriginal Land Council (MLALC)	Written Notification Connecting to Country Workshop	Letter sent to MLALC 8 October 2021 providing the design information pack of the project with an invitation to engage with the project and provide input into the preparation of the SSD application. MLALC also participated in the Connection to Country Workshop.
Registered Aboriginal Parties	Connecting to Country Workshop	An initial meeting was held on 19 November 2021 to discuss themes and stories for the project. This meeting was attended by Aboriginal stakeholders, architects, heritage consultants, planner and school representatives. The meeting included an overview of the project and the proposal.
<i>Land Owners</i>		
Local Residents	Mail /	Letters were sent to the residents of 24 properties in the vicinity of the site.
<i>School Community</i>		
School Executive, specialist Teaching staff	Design Workshops	A series of design workshops were facilitated by SHAC through the design process, with school executive and teaching staff were provided with the opportunity to give input into the functional needs and use of space and facilities.

5.2 Outcomes of Engagement

The following section provides a summary of the outcomes of the engagement. Further details regarding the above meetings are contained at Appendix D.

Table 21 Summary of Outcomes engagement

Stakeholder		Issues raised	Response
Cessnock Council	City	<ul style="list-style-type: none"> timeframe for full construction scope of application and expected visual impact of proposed development – especially from Wine Country Drive road safety issues and traffic queuing flood impact assessment shared community use of aquatic centre crime prevention through environmental design (CPTED) public transport 	<p>A staging and sequencing plan including nominal construction timeframe is contained in Section 3.5 of this EIS.</p> <p>A visual impact assessment has been prepared for the proposed development which included mitigation strategies such as additional landscape screening.</p> <p>A traffic impact assessment has informed the proposed design response to road safety and congestion issues.</p> <p>Design of the proposed aquatic centre will facilitate shared community use.</p> <p>An assessment of the design against CPTED principles has been completed in the Concept Design Report Appendix G5.</p> <p>The proposal provides improved bus facilities including bus bays and a bus layover area on Lomas Lane.</p>
Government Architect (SDRP Meeting 1)		<ul style="list-style-type: none"> Demonstrate a meaningful approach to the Connection to Country and impact on architectural and landscape design strategy Strengthen the clarity and legibility of access and circulation through the site Review parking provision requirements and prioritise pedestrian amenity 	<p>Refer to Section 11.2 of Concept Design Report.</p>

Stakeholder	Issues raised	Response
	<ul style="list-style-type: none"> ▪ Differentiate landscape character of different precincts within site ▪ Provide a crime prevention through environmental design (CPTED) assessment of the site ▪ Revise external perspectives to demonstrate how two end buildings at the north and south of the Senior School connect with the external landscape. ▪ Ensure treatment of building addressing the north-west corner of the site accentuates its prominent corner location. ▪ Integrate landscape design with built form, focussing on edges and car-park interfaces. ▪ Consider visual impact of built form on the surrounding rural context ▪ Aim for a net-zero building 	
Government Architect (SDRP Meeting 2)	<ul style="list-style-type: none"> ▪ Provide a stronger response to the Masterplan Motif: Harvest through the landscape approach and teaching opportunities with the Indigenous cultural artefacts throughout the site, including the scar tree and grinding mortar. ▪ Additional consultation should occur with Indigenous stakeholders to inform the landscape strategy and architectural response. ▪ Explore opportunities for the landscape characters of each precinct to strengthen the clarity and legibility of access and circulation through the site. ▪ Explore an alternative orientation for the Library / Chapel building at the north-west corner, and the 	Refer to Section 11.2 of the Concept Design Report.

Stakeholder	Issues raised	Response
	<p>Administration building at the southern entry to better reflect the crescent motif, address key corners and reduce the extensive building elevation to Wine Country Drive.</p> <ul style="list-style-type: none"> Consider relocating car park currently proposed between the Narnia and Welcome/Admin buildings to protect wetland vistas and improve pedestrian amenity. Demonstrate how interim conditions will be managed in relation to access, the entries, wayfinding, landscape amenity and security. Review western elevation which presents an extensive unvaried building length along Wine Country Drive Explore how central space in Senior School buildings can be used to deliver natural light and ventilation to both ground floor and first floor. 	
Transport for NSW	<ul style="list-style-type: none"> The proposed new intersection on Wine Country Drive to provide a second point of access to the school Upgrade options for the intersection of Wine Country Drive and Lomas Lane Assumptions regarding growth in traffic demand Whether any upgrades were proposed on Wine Country Drive in the vicinity of the site 	<p>The project includes both a new, priority controlled, access to the southern part of the site from Wine Country Drive in Stage 1 and the upgrade of the intersection of Wine Country Drive and Lomas Lane to a roundabout as part of Stage 2.</p> <p>A background growth figure of 1.5% was adopted for the traffic impact assessment.</p> <p>It is understood there are no proposed upgrades to Wine Country Drive in the vicinity of the site.</p>
Aboriginal Stakeholders	<ul style="list-style-type: none"> It was acknowledged that there are some past issues with the school's development and the communication 	<ul style="list-style-type: none"> A separate meeting with Aboriginal stakeholders, including Elders who hold

Stakeholder	Issues raised	Response
	<p>between the school and the Registered Aboriginal Parties.</p> <ul style="list-style-type: none"> ▪ The cultural landscape story of the site is important to be told. ▪ The artefacts previously identified in the Project Area have remained on site, however the student and school community do not know about their location ▪ The artefacts sites can potentially be an important educational tool, especially for Aboriginal students and continuation of cultural knowledge. ▪ Buildings and landscapes should connect students Aboriginal and non-Aboriginal to country, as well as acknowledgement of past stories of the place ▪ Wonnarua culture and stories to be valued, the creation of a space where Aboriginal students feel welcome and have the opportunity to learn about the cultural landscape that their school is a part of. 	<p>cultural knowledge, and the school, is to be held to discuss the history of the site and the development, and to resolve past issues</p> <ul style="list-style-type: none"> ▪ Locations for the interpretation have been identified for areas, including: <ul style="list-style-type: none"> ○ the remnant forest in the northern portion of the school ○ the vegetated areas along the creek which runs along the eastern border of the site and then forms an oxbow in the central and southern portion of the site. ▪ Additional options for locations of interpretation will be discussed with the Aboriginal representatives at the next meeting. ▪ Further discussion and collaboration with the RAPs and Junior Aboriginal Executive Group will be undertaken to build on the interpretation and design strategy.

5.2.1 Aboriginal Stakeholders

In accordance with the Office of Environment and Heritage Guideline and Part 6 of the National Parks and Wildlife Act 1974, the 28 day Aboriginal Stakeholder Consultation was undertaken to inform the preparation of the ACHAR. The following parties registered as stakeholders to the ACHAR process:

- Culturally Aware
- Didge Ngunawal Clan
- Ungooroo Aboriginal Corporation
- Widescope Indigenous Group

▪ Indigenous Services Pty Ltd

All registered stakeholders were given a copy of the Aboriginal Cultural Heritage Assessment (ACHA) Information Packet including details of the research methodology and given 28 days to respond to this methodology. No formal responses were received to the proposed methodology by any of the registered stakeholders.

During this process, the RAPs did not disclose any specific traditional/cultural knowledge or information of sites or places associated with spiritual, mythological, ceremonies or beliefs from the pre contact period within the project area or surrounding area. The stakeholders did not disclose any information pertaining to sites or places of cultural significance associated with the historic or contemporary periods within the project area or surrounding area. However, it is noted that traditional/cultural knowledge and/or information regarding sites and/or places of cultural significance may exist, that were not divulged.

All registered stakeholders were given a copy of the draft ACHAR and were given a minimum of 28 days to comment. No responses were received, and all RAPs were provided a copy of the final report. Appendix A of the ACHAR (at Appendix G11) includes details of all correspondence with Registered Aboriginal Parties with regards to the stages outlined in the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010).

Further engagement with Aboriginal stakeholders was undertaken through an on-line meeting held on 19 November 2021. The Designing with Country process has been initiated with the Aboriginal stakeholders. Some initial areas for interpretation have been identified, but further consultation with the Aboriginal stakeholders will be undertaken to build on the interpretation and design strategy.

5.2.2 Affected Land Owners

Of the 24 properties invited to engage with the project, two responses were received. Details of which and a response to issues raised, is contained in the table below.

Table 22 Summary of Engagement with Affected landowners

Stakeholder	Issues raised	Response
Property owners of 307, 309 and 311 Wine Country Drive, Nulkaba	Concern about light spill from illumination of school at night, and visual impact of large school buildings.	Lighting will comply with Australian Standard AS4282 – Control of the obtrusive effects of outdoor lighting. A Visual Impact Assessment has been prepared for the proposed development which includes mitigation strategies such as additional landscape screening.
	Concerns about noise on school days in particular during recess	An Acoustic Assessment has been carried out for the proposed development. Noise

Stakeholder	Issues raised	Response
	and lunch breaks. The school public address system can be clearly heard from neighbouring properties.	modelling of the anticipated outdoor activities will generally achieve a LA90 background + 10dBA emission. Noise impacts will be mitigated by limiting the use of whistles and the public address system where feasible.
	Concerns about traffic, in particular congestion around the intersection of Wine Country Drive and Lomas Lane at peak drop-off times.	To mitigate traffic impacts, the proposed development includes a new southern access point to the school from Wine Country Drive and a proposed upgrade to the intersection of Wine Country Drive and Lomas Lane to a roundabout.
	Safety concerns were also raised around access to the landowners' share driveway on Wine Country Drive, and the current 80km/hr speed limit.	Discussions with TfNSW have been initiated to reduce the speed limit on Wine Country Drive from 80km/hr to 70km/hr to improve safety.
Property owner of 313 Wine Country Drive, Nulkaba	Concerns over school-related vehicle movements on the northern side of Lomas Lane encroaching on private land.	The proposed development will provide for upgrades to Lomas Lane including pavement widening and a signposted bus layover lane on the northern side of Lomas Lane. This will prevent vehicles inadvertently encroaching on private land.
	Concerns over implications of any upgrade to the intersection of Wine Country Drive and Lomas Lane on landowner's driveway/property access.	Concept civil engineering plans for a roundabout at the intersection of Wine Country Drive and Lomas Lane been prepared. The concept design demonstrates that there will be no impact on adjoining properties.

5.3 Further Engagement

If the project is approved, further engagement would occur with affected or potentially affected landowners and the school community regarding expected timing of works and proposed impact mitigation measures. Direct consultation will occur with property owners on Wine Country Drive in relation to detailed design of road and intersection upgrades.

Additionally, an ongoing program of interaction and engagement with relevant Aboriginal stakeholders will continue to inform the development of the school and its landscape.

6 Environmental Impact Assessment

The SEARs identify the need to undertake an assessment of potential environmental risks as part of the EIS. This Chapter describes how the matters identified in the SEARs have been assessed and how any potential impacts have been avoided, minimised or offset, as well as identifying any residual impacts.

6.1 Built Form, Urban Design and Design Excellence

SPCC Cessnock is already a well-established school, with one and two storey buildings and associated sports courts/fields and car parking having been constructed on the site over the past 10 years. The height, density, bulk and scale, setbacks and interface of the proposal in relation to the surrounding development and topography have been considered in detail in the Concept Design Report.

6.1.1 Built form and Urban Design

The majority of new buildings will be clustered in the northern part of the site amongst existing school buildings, and will, in the case of the proposed Middle School and Performing Arts Centre, replace modular classroom buildings. The proposed Early Learning Centre and DALE special school buildings, to be located centrally within the site, will be of a lower height and smaller footprint than most buildings in the main (northern) part of the site, thereby minimising visual/urban design impacts on the surrounding rural landscape. Buildings are setback a minimum of 30 metres from Wine Country Drive and Lomas Lane. The proposed aquatic centre, while having a height of 9 metres and a length of 72 metres, features an articulated skillion roof to reduce the bulk and scale of the building. Its ground floor will be at RL 60.5, approximately 2 metres lower than the road pavement level of Wine Country Drive adjacent to the building, thereby reducing the building's impact on the surrounding landscape.

6.1.2 Landscaping

The proposal will result in a net increase in the number of trees on the site, with the small number of trees requiring removal to be more than offset through new planting. The school's large site has been characterised into four separate activity precincts as shown in Figure 9.

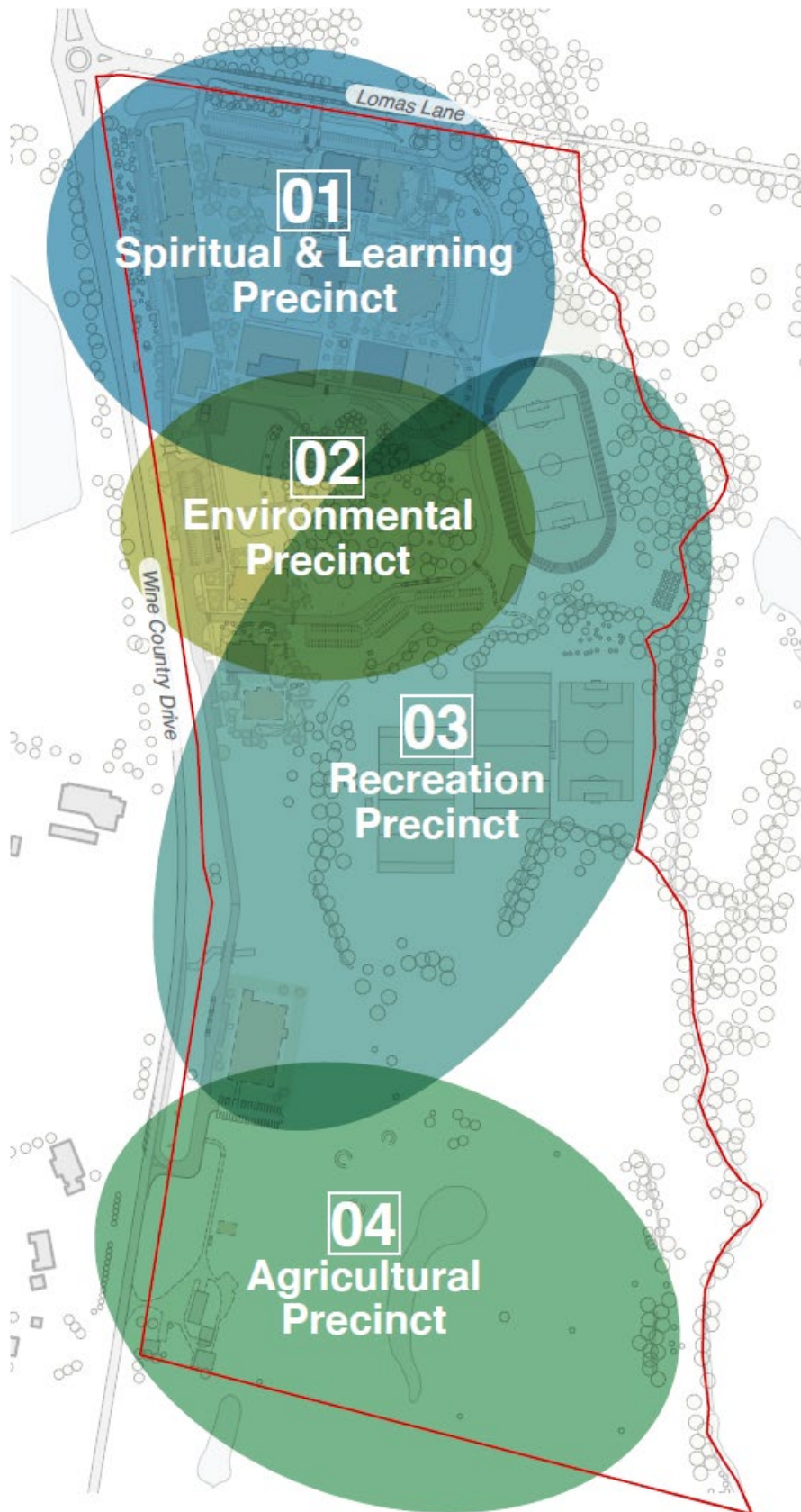


Figure 9 Proposed Precinct Plan. Source: Moir 2021

A site-wide landscape strategy, included at Appendix G7 identifies the unique character of each of the four key activity precincts, while ensuring an overall design coherence across the site. The design seeks to enhance the site's overall amenity and sustainability through consideration of connectivity, shade, views, materiality and water management using best practice water sensitive urban design. Tree planting will also serve to screen and soften the appearance of buildings from Wine Country Drive and nearby rural properties.

6.1.3 Disability Discrimination Access

A Disability Discrimination Act (DDA) Report was prepared by Lindsay Perry Access and is attached at Appendix G21. This assessment has been made against Access Legislation including:

- The Commonwealth Disability Discrimination Act 1992 (DDA) [2] Disability (Access to Premises (Buildings)) Standards 2010
- Access Code for Buildings 2010 [3] The National Construction Code Building Code of Australia Volume 1, Amendment 1 2019 (BCA) - Section D2.14 / D2.15 / D2.17 – landings, thresholds and slip resistance - Section D3 – Access for People with Disabilities - Section E3.6 – Passenger Lifts - Section F2.4 – Accessible Sanitary Facilities
- Australian Standard AS1428.1 (2009) Amendment 1 & 2, – Design for Access and Mobility
- Australian Standard AS1428.2(1992) – Design for Access and Mobility: Enhanced and additional requirements – Buildings and facilities
- Australian Standard AS1428.4.1 (2009) Amendment 1 – Design for Access and Mobility: Means to assist the orientation of people with vision impairment – Tactile ground surface indicators
- Australian Standard AS2890.6 (2009) – Parking Facilities – Off street carparking For People with Disabilities.
- Australian Standard AS1735.12 – Lifts, escalators and moving walks: Lifts for persons with a disability

The Cessnock DCP Section C.6 Access and Mobility is also applicable to this development.

The assessment confirms that the fundamental aims of accessibility legislation are achievable by the proposed development. Spatial planning and general arrangements of facilities will offer inclusion for all building users. The Access Report identifies generally accessibility features that apply throughout the proposed development to ensure an inclusive and equitable environment is created for all building occupants. These will be addressed during detailed design stages to ensure compliance of the built form.

6.1.4 Design Quality

The project architects have embraced the design quality principles listed in the Education SEPP in the design of the project. An assessment against these principles is provided in the Design Report and demonstrates how the school:

1. Responds to its context, having regard to landscape, built form and heritage;

2. Has been designed to be sustainable, efficient and durable;
3. Will be accessible and inclusive;
4. Optimises health, security and safety;
5. Provides a high-amenity environment conducive to student learning;
6. Considers future needs through flexible and adaptive design and whole-of-life planning; and,
7. Has been designed to be aesthetically pleasing for both users of the site when viewed from outside the site.

The built form addresses the north-west corner of the site and serves to accentuate its prominent corner location.



Figure 10 View of Library/Chapel facing south on Wine Country Drive. Source: SHAC 2022

A new southern entry is to be provided to the “spiritual and learning precinct”, providing a high-amenity entry experience for students and visitors to the site as shown in Figure 11.



Figure 11 View of entry to Welcome Cafe, Administration Building and Central Courtyard. . Source: SHAC 2022

6.1.5 Crime Prevention through Environmental Design

Crime Prevention through Environmental Design (CPTED) principles are to be integrated into development. This will be achieved through:

(i) Territorial Re-Enforcement

The landscape berms, ponds, swale fringe, and fencing act as actual and symbolic boundary markers, helping to delineate space from shared public space to private school land. The yellow Entry portal structures, provide thresholds into the secure school areas. Meanwhile artwork and facade treatment, express ownership and pride, consequently putting others on alert that they are coming into an area that is owned and cared for.

(ii) Natural Surveillance

Window outlook to every direction of the site, outdoor and centralised circulation spines and optically permeable fencing/facade design increases the perception of human presence and/or maximised visibility.

(iii) Access Control

Natural access control is achieved through the swale feature lining the boundary of the site. Other design measures including pathway configuration, bridges locations and lockable gates assist by providing controlled access points. Signage, colour and lighting further help with orientation and direction.

(iv) Space/Activity management

The judicious placement of Administration and Library offices ensures casual supervision throughout the school during school operating hours. Additionally, the U-shaped orientation of the building ensures interior open spaces are promoted with activities more contained.

6.2 Environmental Amenities

6.2.1 Overshadowing and Solar Access

The large open rural site provides for relatively unconstrained solar access. There are no adjoining buildings or dwelling on adjoining properties that will overshadow or be overshadowed as a result of the proposed development.

Shadow Diagrams have been prepared to illustrate the extent of overshadowing within the site. These are included in the Concept Design Report.

6.2.2 Visual Impact

A Visual Impact Assessment has been prepared for the project by Moir Landscape Architecture and is contained in Appendix G8. Survey work was undertaken using six key viewpoints / locations with potential views towards the site.

6.2.3 Methodology and Existing Conditions

The methodology adopted included the following steps:

1. Existing landscape character assessment
2. Visual sensitivity analysis
3. Visual magnitude assessment
4. Determine visual impact
5. Prepare photomontages of select view points
6. Recommend mitigation measures

The existing environment has a low level of urban development and consists of a mix of large lot residential, semi-rural agricultural lots and commercial premises. A large part of the local land use is associated with the Hunter Valley tourism operations, including wineries and their cellar doors, restaurants and accommodation.

6.2.4 Impacts and Mitigation

The assessment concluded that it is unlikely the proposal will have significant impact on the overall visual character of the area. In the context of surrounding residential and commercial development, the proposed additional built form would be seen as being in context with other developments in the area. As the proposal is concentrated to the northern portion of the site any new built form will be in character with existing buildings located on the site.

Mitigation measures for visual impact of the proposed development include:

- Retention of existing canopy trees where possible during construction.
- Consideration of construction materials to minimise visual contrast for passing motor vehicle and aviation traffic.
- Replicate building setbacks as seen with commercial developments to the North of the site allowing a buffer to the road reserve for tree and shrub planting.
- Implement screen planting following construction to replicate existing successful planting along the northern portion of the Wine Country Drive site frontage.
- Implement screen planting to the southernmost portion of the site to aid in visually fragmenting the built form from the residential dwellings located to the south of the fuel station site along the Western portion of Wine Country Drive and those existing dwellings immediately located along the southern boundary.

6.2.5 External Lighting

Exterior lighting is required principally for security purposes and to facilitate after hours use of school facilities. Standard mitigation measures will be employed to minimise any light spill impacts associated with the development. This includes adherence to AS 4282:2019 Control of the obtrusive effects of outdoor lighting.

6.3 Transport and Accessibility

A Transport and Accessibility Impact Assessment (Appendix G9) has been prepared to identify the anticipated transport implications of the proposed development. The components of that assessment and a summary of each are as follows:

6.3.1 Existing transport and Access

Wine Country Drive, which delineates the school's western boundary, is a classified State Road that functions as a key arterial road providing connection between Cessnock and Branxton. It has a posted speed limit of 80 km/h along the school frontage, reducing to 70 km/h at the southern end of the site (about 200 metres north of the southern site boundary). It is an important tourist route providing access to various vineyards and wineries in the Hunter Valley. Lomas Lane, from which the school currently derives its only access, is a local road along the site's northern boundary. The Wine Country Drive/ Lomas Lane priority-controlled intersection provides for all existing school traffic.

Existing on-site parking totals 140 formal spaces, while there are several areas on-site which provide for informal parking. Parking on the northern side of Lomas Lane is within the unsealed shoulder, with marked kerbside parking along the southern side. There is space for approximately 60 to 70 cars to park along Lomas Lane, between Wine Country Drive and the Black Creek bridge further east.

Access to the site via public transport is limited to school bus services. School services are run by Rover Coaches, with 11 services in the morning and a corresponding 13 services in the afternoon. According to a recent survey of the school population, 35% of students travel to school by bus and 49% travel

home by bus. At present, buses enter the site from Lomas Lane where they turn around using a large loop road surrounding a dam. The buses set down and pick up students from within the site.

A two-metre-wide footpath is provided on the southern side of Lomas Lane and extends about 160 metres between Wine Country Drive and the eastern school access. There are limited cyclist facilities within the transport network surrounding the school. Wine Country Drive has sealed shoulders that provide opportunities for cyclists travelling north and south past the site. In practice, the site's rural location and broad student catchment means neither walking nor cycling are safe or feasible options for the vast majority of staff and students. This is reflected in travel survey results which showed that 100% of staff travelled to school by car while 99% of students travelled to school – and 98% travelled from school – by car or bus.

6.3.2 Existing Traffic Distribution and Intersection Operation

Traffic movement counts were completed at the intersection of Wine Country Drive and Lomas Lane during both the morning and afternoon school peak periods. Results are detailed in the Transport and Accessibility Impact Assessment.

The percentage of vehicles turning right from Lomas Lane is relatively low in both the AM and PM peak periods and reflective of the current constraints associated with this movement. Site observations and general commentary in the travel mode surveys confirm that many turn left from Lomas Lane into Wine Country Drive and use the service station further south to turn around and travel north.

An analysis of the intersection using SIDRA, a computer-based modelling package which calculates intersection performance, shows that the right turn from Lomas Lane into Wine Country drive during the AM peak is assessed as having a level of service "E", indicating the intersection is at capacity and requires another control mode.

6.3.3 Traffic Assessment

An assessment has been completed based on existing staff and student travel patterns and mode splits to understand the anticipated change in traffic generation as a result of the increase in enrolments from the current 1,281 students to 1,732 students. It is anticipated that students and staff (existing and additional) are expected to maintain similar travel patterns. The proposal to increase the student population to 1,732 students will generate an additional 167 vehicle trips in the AM peak half hour and 175 vehicle trips in the PM peak half hour when compared with the current student population.

SIDRA Network was used to model the intersections surrounding the site, with isolated intersection models used to assess the operation of the following intersections:

- Wine Country Drive / Lomas Lane
- Wine Country Drive / new southern access

Three modelling scenarios were assessed to reflect both existing and future operating conditions. The models have been developed for the following scenarios:

- Scenario 1 - Base – proposed intersection layout and existing traffic volumes modelled to reflect existing conditions
- Scenario 2 - Future Base – proposed intersection layout modelled with projected 2031 traffic volumes (1.5 per cent background growth to through traffic) with the new southern access only added when student numbers increase
- Scenario 3 - Future with Development – proposed intersection layout modelled with projected 2031 traffic volumes (1.5 per cent background growth to through traffic) with additional school traffic generated by increased student and staff numbers added.

A comparison between the future base and future with development scenarios will show the potential impacts associated with the proposal. Future models have been developed for the year 2031 when it is anticipated that the school will reach its maximum capacity.

6.3.4 Impacts and Mitigations

A key feature of the proposed development which will mitigate poor performance of the existing intersection of Wine Country Drive and Lomas Lane is the construction of a new southern access to the site directly from Wine Country Drive, located approximately 870m south of Lomas Lane.

The proposed layout for the new access on Wine Country Drive includes a priority controlled intersection with a dedicated right turn bay and left turn slip lane on Wine Country Drive. The right turn exit from the school is proposed to be banned during school peaks only.

This would be the access for the Senior School, main administration centre, Narnia Early Learning Centre, DALE special school and proposed Aquatic Centre. The existing northern site access would remain the access for the Junior and Middle Schools and would continue to be used by school buses. Splitting school-related traffic between the intersection of Wine Country Drive and Lomas Lane and the proposed new access will significantly alleviate pressure on the former. Traffic consultants GTA Stantec have advised that the second access would allow for an increase of 200 students over existing (2021) enrolments prior to the requirement for further mitigation to alleviate pressure on the intersection of Wine Country Drive and Lomas Lane.

Stage 1 works will include a new bus turning bay in the north east corner of the site and widening of Lomas Lane to allow for seven bus layover bays on the northern side of the road and six bus bays for set down and pick up on the southern side of the road. These works will facilitate safer and more efficient bus movements compared to the current arrangements, however will result in the loss of the existing on-street parking for approximately 60 cars in Lomas Lane during school hours.

This loss of on-street car parking will be offset by the construction of 60 additional parking spaces within the school grounds (not including the 50 spaces which would service the proposed aquatic centre). A total of five spaces will provide for disabled access, and seven (7) motorcycle spaces will also be provided.

The Master Plan provides for select bicycle racks at the main school entrances to cater for any future cycle demand. It is recommended that should cycle connectivity to the school and surrounding area be improved, further bicycle parking and facilities should be explored.

Service vehicles will access and egress the school via the existing Lomas Lane and proposed Wine Country Drive crossovers. Waste collection and servicing is anticipated to occur outside school peaks minimising the interaction with set-down and pick-up traffic and student activity.

Construction of the roundabout is proposed in Stage 2 including the extension of the Trade Training Centre. Prior to total student numbers being allowed to exceed 1,471 it is proposed the intersection of Wine Country Drive and Lomas Lane be upgraded from a priority-controlled intersection to a roundabout.

(i) Construction Traffic Management Plan

The environmental impacts associated with construction traffic will be mitigated through the implementation of a Construction Traffic Management Plan (CTMP). A preliminary CTMP forms part of the Transport and Accessibility Impact Assessment at Appendix G9 and is based on the following principles:

- minimise the impact on pedestrian and cyclist movements
- maintain appropriate public transport access
- minimise the loss of on-street parking
- minimise the impact on adjacent and surrounding buildings
- maintain access to/ from adjacent buildings
- restrict construction vehicle movements to designated routes to/ from the site
- manage and control construction vehicle activity near the site
- carry out construction activity in accordance with approved hours of works.

(ii) School Travel Plan

A preliminary School Travel Plan has been prepared as part of the Transport and Accessibility Impact Assessment and seeks to mitigate traffic impacts by:

- encouraging reduced car use
- supporting sustainable travel (such as active transport, public transport and multi-occupant vehicle use)
- reducing the need to travel or make travelling more efficient

(iii) Operational Traffic Management Plan

An operational traffic management plan (OTMP) will be implemented to support future growth of the school associated with the development. The OTMP would include the following measures to manage traffic impacts during peak drop-off and pick-up periods:

General Drop-off and Pick-up Information:

- Recommended speed within the zone is 10km/h.
- Vehicles to approach from the east (via the reconfigured access) and travel west to depart via the western exit driveway.
- Bus zones are for buses only and no private vehicle drop-off or pick-up is permitted on Lomas Lane or Wine Country Drive.

Drop-off Procedures:

- Vehicles enter the student drop-off/ pick-up area via Lomas Lane for the junior and middle schools and via Wine Country Drive for the senior school.
- Parents/ carers to remain within their vehicle and continue to move forward as the 'rolling queue' proceeds.
- Staff will be available to welcome students at the drop-off zone approximately 30 minutes before the start of school.
- Parents/ carers to remain in the vehicle with staff assisting students in exiting the vehicle quickly and safely (mostly for the junior school).
- Parents/ carers depart safely.

Pick-up Procedures:

- Vehicles enter the student drop-off/ pick-up area via Lomas Lane for the junior and middle schools and via Wine Country Drive for the senior school.
- Display colour coded 'pick-up sign' (provided by the school) with student surname displayed in the passenger side windscreen.
- When the bell goes, students (and their siblings) go to their respective colour seating area (bag tags to also identify area).
- Parents/ carers approach the zone in their vehicle with surname displayed and staff call the students.
- Parents/ carers to remain within their vehicle and continue to move forward as the 'rolling queue' proceeds.
- Staff to assist students into their respective vehicles.
- Parents/ carers depart the area.

6.4 Trees and Landscaping

The majority of the 41.8-hectare site has been cleared of vegetation, however some areas of remnant native vegetation remain, including along the riparian corridor of Black Creek and the oxbow, in the low-lying north east corner of the site near Lomas Lane, and in a 1.6-hectare area of remnant forest located immediately south of the existing Sports Hall and east of the athletics track. The proposed

development largely avoids impacts on existing trees, with the exception of the proposed bus turning bay which comes off Lomas Lane in the northeast part of the site.

An Arboricultural Impact Assessment was undertaken to assess the impact of the proposed development on 23 trees in the vicinity of the proposed bus turning area. That assessment concluded that nine (9) endemic native trees will require removal, which will cause a minor environmental and landscape amenity impact. The retention of the additional 14 trees assessed by the arborist will require the implementation of protection measures in accordance with AS4970-2009. These measures are detailed in the Arboricultural Impact Assessment Report at Appendix G13

The impacts of tree removal will be mitigated by compensatory replacement planting of endemic native trees within the site. A Site-wide Landscaping Strategy has been prepared which proposes extensive tree planting, including a mix of native and exotic species.

6.5 Ecologically Sustainable Development

Schedule 2(4) of the EP&A Regulations outlines the four principles of ESD that have been considered in this EIS.

Table 23 ESD Considerations

ESD Principal	Comment
The <i>precautionary principle</i> , namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by— careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and an assessment of the risk-weighted consequences of various options,	Careful consideration has been afforded to flood risk on the site, including minimising the effect of development on off-site flooding. This has included factoring in the effects of climate change on flood modelling. The project has been designed to minimise disturbance of existing vegetation, and will involve the planting of dozens of new trees in accordance with a landscape master plan.
<i>inter-generational equity</i> , namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,	The project seeks to ensure the long-term growth of a quality educational facility catering to children from age 0 to 18. The design of the project will facilitate teaching that highlights the importance of land stewardship and inter-generational equity through features such as water-sensitive urban design and the protection of water quality in Black Creek.

ESD Principal	Comment
<i>conservation of biological diversity and ecological integrity</i> , namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,	The project seeks to minimise impacts to biological diversity that exists on the site by avoiding the need for clearing to the extent possible.
<i>improved valuation, pricing and incentive mechanisms</i> , namely, that environmental factors should be included in the valuation of assets and services, such as— polluter pays, that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement, the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste, environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.	Compensation will be provided for the small loss of required clearing through the planting of replacement trees on site and the purchase of biodiversity credits under the NSW Biodiversity Offset Scheme. As outlined below, a waste management plan will encourage the most sustainable and cost-effective methods of waste disposal at both the construction and operational stages of the project

6.6 Non Indigenous Heritage

A Statement of Heritage Impact (SHI) prepared by Heritage Now has been submitted as part of this EIS at Appendix G10. The SHI considers historic and legislative contexts and findings of a site visit to develop mitigation and management recommendations.

The site was part of the early subdivisions of the Parish of Pokolbin in the Hunter Valley. The site has been known to be used for agricultural purposes since the late 19th century. Early uses likely included the grazing of bullocks, cows, and horses, with dairy operations taking place at a later date. Aerial imagery from 1975 suggests the presence of some buildings in the south west corner near Wine Country Drive. SPCC, Cessnock moved to its present location on the site in 2013 to accommodate growing student numbers.

It is unlikely that there are early 20th century buildings present on the site, however there may be archaeological potential for this period including past building foundations. No national, state, or local

heritage listed items are located on the site. The closest heritage item is the locally listed Potters Brewery located 380 metres south of the site.

The proposed development will not have an impact on non-indigenous or European heritage. There are no items of heritage significance nor relics or evidence of archaeological deposit present on the site. There will be no visual impacts to surrounding heritage items as they cannot be seen from the project area.

Mitigation measures will be implemented to ensure that the unlikely event of an archaeological discovery is appropriately managed. These will include a heritage induction provided to on-site construction personnel detailing their obligations for protecting heritage under the Heritage Act 1977, including the reporting of archaeological or suspected archaeological material.

If archaeological or suspected archaeological material is uncovered during works, then works in that area are to cease and the area cordoned off. The material will be inspected by a heritage consultant and works will recommence once heritage clearance has been gained and/or mitigation and management measures are implemented.

6.7 Aboriginal Cultural Heritage

An Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared by McCardle Cultural Heritage has been submitted as part of this EIS at Appendix G11.

6.7.1 Existing conditions and assessment

The ACHAR identifies areas of indigenous cultural heritage value, determines impacts on any indigenous cultural heritage (including potential subsurface evidence), and develops mitigation and management recommendations where appropriate.

Findings from the ACHAR are based on community consultation, consideration of landscape and environmental context, ethno-historic analysis, and archaeological considerations.

The National Heritage List, the Commonwealth Heritage List, the Australian Heritage Database, Australia's National Heritage List, The National Trust Heritage Register State Heritage Inventory the and the Cessnock Local Environmental Plan do not list any Aboriginal objects, sites or places within the site.

Based on the field survey documented in the ACHAR, the site contains areas of disturbance, flats, and various orders of creek. Disturbed land includes existing developed areas modified by earthworks and built forms. Though some vegetation remains, none of the original landform remains at these locations. The flats include areas not impacted through excavation, and have been previously cleared for agricultural and grazing uses.

The first order creek, located in the southern paddock, has previously been subject to clearing, ploughing, and grazing, with a dam constructed at the northern end. Vegetation at the first order creek comprises dense grasses and creek bank erosion has led to a high quantity of exposures.

The second order creek, located north and east of the first order creek, has previously been subject to clearing with some banks vegetated by trees and grasses. The creek bank has moderate levels of erosion. Low levels of impacts along the creek suggest the potential for in situ subsurface deposits.

The third order creek, located at the centre of the site, has previously been subject to clearing. Most banks are vegetated by trees and grasses. Various sections of the creek, including a large section at the southern extent, have been excavated for access and crossings. Low levels of impacts along the creek suggest the potential for in situ subsurface deposits.

The ACHAR found nine artefacts and artefact scatters identified on the site within 50 metres of a water source. The ACHAR determined that the artefacts and artefacts scatters were unlikely to face harm as a result of the project, and consequently there will be no loss of value to the items.

6.7.2 Impacts and Mitigation

The project, including buildings, internal roads, car parking areas and other structures have been located to stay outside all potential archaeological deposit (PAD) areas. This includes stormwater infrastructure which has been designed to mimic natural water flows prior to reaching PAD areas associated with the creek and oxbow riparian corridors.

Additional mitigation measures are not proposed for the identified Aboriginal heritage items as they will not be harmed by the project. However, the persons responsible for the management of onsite works will be required to ensure that all staff, contractors and others involved in construction and maintenance related activities are made aware of the statutory legislation protecting sites and places of significance. Of particular importance is the National Parks and Wildlife Amendment (Aboriginal Objects and Aboriginal Places) Regulation 2010 under the National Parks and Wildlife Act 1974. Should any Aboriginal objects be uncovered during works, all work will cease in that location immediately and the Environmental Line will be contacted.

6.8 Noise and Vibration

A Noise and Vibration Impact Assessment prepared by RAPT Consulting has been submitted as part of this EIS at Appendix G12. The report assesses the potential for noise impacts on the development and surrounds. It also considers noise sources that could impact the proposed development including traffic noise from Wine Country Drive and aircraft noise from the nearby Cessnock Airport.

Existing background and ambient noise were established by noise monitoring located at 311 Wine Country Drive between 22 and 28 July 2021, and at the south western extent of the existing DALE building between 20 and 26 August 2021. The 311 Wine Country Drive monitoring location represented locations situated further away from the proposal and Wine Country Drive, while the DALE monitoring location was representative of locations situated closer to Wine Country Drive.

6.8.1 Construction Noise

An assessment of construction noise impacts found that noise emissions will comply with noise management levels (NML), with the exception of construction of the Aquatic Centre, where there is a predicted exceedance of NMLs at three receiver locations. All receiver locations, however, will comply with the highly noise affected level. Mitigation measures to manage construction noise will be implemented through the preparation of a Construction Noise Management Plan (CNMP). Mitigation measures are to include:

- Notification to the community before and during construction.
- Best practice construction measures including adherence to standard construction hours, management and minimisation of simultaneous operation of noise generating plant equipment, intermittent shutdown of non-essential plant, location of plant, stockpiles, and transport away from sensitive receivers, and other methods discussed in the Acoustic Assessment.
- Monitoring and assessment of noise and vibration upon receipt of any complaint.

6.8.2 Vibration

The intensity, duration, frequency content and number of occurrences of vibration, are all important aspects in both the annoyances caused and the strains induced in structures. Vibration during works is considered an intermittent source associated with two main types of impact, disturbance at receivers and potential architectural/structural damage to buildings. Generally, if disturbance issues are controlled, there is limited potential for structural damage to buildings. Where vibratory rollers are proposed it is recommended.

6.8.3 Operational Noise

The following operational noise sources were assessed in the Acoustic Assessment:

- sports, presentations, and performances taking place in the and existing extended Sports Hall and the new Performing Arts Centre.
- the new Aquatic Centre was assumed to have a noise impact representative of a swim carnival event.
- Vehicles entering and exiting the site including the new and existing school pick-up/drop off points with in the school.
- The school public address (PA) system and bell.
- Outdoor sports fields and play areas.

The assessment found that all activities will comply with noise trigger levels including sleep disturbance, with the exception of an exceedance for daytime outside play activities at one receiver location as a worst-case scenario. This exceedance will, however, comply with the Association of Australasian Acoustical Consultants Childcare Guideline for outdoor play. Road traffic noise generated by the development was assessed as compliant with the NSW Road Noise Policy for all surrounding receivers.

The Acoustic Report noted that the location and extent of mechanical plant such as air conditioning will take place during the detailed design phase. Acceptable noise levels due to plant operation are likely to be achieved given the location of plant within services zones and the distance between plant locations and receivers.

The Acoustic Assessment recommended the following measures to mitigate operational noise:

- Restriction of outdoor play prior to 7.00am.
- Appropriate location and use of speakers and PA systems, including downward angling of speakers, low powered devices, and appropriately trained users.

Operational noise management methods are recommended for inclusion in any site management plan.

6.8.4 External noise sources

Internal amenity for the development has the potential to be affected by external noise including traffic noise from Wine Country Drive and aircraft noise. Based on the noise monitoring undertaken at the DALE building, the Acoustic Assessment recommended the following minimum configurations are considered:

Table 24 Minimum Building Configurations

Component	Minimum Configuration
Wall Rw40	Timber Frame or cladding: 6mm fibre cement sheeting or weatherboards or plank cladding externally, 90mm deep timber stud or 92mm metal stud, 13mm standard plasterboard internally. Brick Veneer: 110mm brick, 90mm timber stud or 92mm metal stud, minimum 50mm clearance between masonry and stud frame, 10mm standard plasterboard internally
Glazing Rw35	Minimum 10.38mm laminated glass with acoustic seals
Entry Doors Rw30	Minimum 45mm solid core timber door fitted with acoustic seals
Ceiling / Roof Systems Rw40	Minimum pitched steel sheet roof, 13mm sound check plasterboard, 215 Gold Batts 4.1 cavity infill
Other options exist provided the Rw ratings are satisfied.	

6.9 Biodiversity

A Biodiversity development assessment report (BDAR) was prepared by ecologists from MJD Environmental (see Appendix G14).

6.9.1 Methodology and Assessment

The Biodiversity Assessment Methodology (BAM) 2020 was used as the assessment method, to establish impacts on threatened species and threatened ecological communities in the locality under the BC Act 2016. In addition, preliminary assessment was also undertaken having regard to those threatened entities listed under the Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999. Assessment has been considered against the KHSEPP.

Field surveys identified a single PCT within the areas subject to development, being: 1594 – Cabbage Gum-Rough-barked Apple grassy woodland on alluvial floodplains of the lower Hunter.

6.9.2 Impacts and Mitigation

No threatened species listed as under the BC Act were recorded within the development area. Additionally, the Site is mapped on the Important Areas Map as habitat for *Anthochaera Phrygia* (Regent Honeyeater) listed as Critically Endangered under both the BC and EPBC Acts, however no impact to mapped vegetation is proposed.

The development area was selected due to the largely cleared or managed lands with low native species diversity as a result of past and present land use. A total of 3.22ha of native vegetation is to be entirely removed under this proposal within the site. All measures have been incorporated into the design (avoidance) in the first instance with mitigation measures assessed for the construction phases of the project.

Of the area requiring vegetation removal, only 0.16 hectares achieves a vegetation integrity score that requires mitigation in accordance with the NSW biodiversity offset scheme.

Additionally, a range of mitigation measures have been outlined in the BDAR which cover impacts relating to:

- Timing of vegetation clearing
- Control of weeds and edge effects
- Protection of vegetation to be retained
- Noise and light impacts

6.10 Utilities

Utilities associated with the proposed development are largely already in place, with relatively minor augmentation works required to service new and extended buildings.

It is understood the school's existing sewer system was sized for a total school population of 1,720 staff and students. Based on enrolment forecasts, this number would be exceeded in 2029. In the event that the capacity at HWC's pump station is exceeded, upgrades may be required to the either the school's pump station and/or the HWC pump station. This would be determined in consultation with HWC during detailed design and application for a "Section 50" certificate.

The Electrical Services Masterplan prepared by Electrical Projects Australia found in Appendix G23, has reviewed the existing power supply to the site, including existing spare capacity and determined that, based on the future power demands for the site, upgrades to the existing power supply will be required. This will include installing a new 1000kVA kiosk substation adjacent to the existing 800kVA kiosk substation. This will be installed in Stage 1 to coincide with the occupation of the Junior School (A3 and A4) and Senior School (C2 and C3) and Narnia Early Learning Centre.

Trenching required for water and sewer pipes and electrical and telecommunications conduit will be carried out in accordance with best practice for erosion and sediment control.

6.11 Stormwater

An Integrated Water Cycle Management Plan has been prepared for the proposed development by Northrop Consulting Engineers and is attached in their Civil Engineering Design Report at Appendix G4.

6.11.1 Methodology and Existing Conditions

The Integrated Water Cycle Management strategy devised for the project incorporates both water quality and quantity measures to manage stormwater runoff from the proposed development site. It is based on a previously approved stormwater management plan prepared by Worley Parsons in 2009 for the existing school. Amendments to that strategy are proposed to accommodate the proposed alterations and additions to the school.

The strategy proposes the continuation of an approach of stormwater retention instead of on-site detention due to the site's proximity to Black Creek. By adopting a similar design intent to the current stormwater management strategy, the majority of the existing stormwater network can be maintained and utilised.

The development area associated with the project was divided into five internal stormwater sub-catchments. Local meteorological data was obtained and used, along with various other rainfall-runoff parameters as an input to the MUSIC computer program. This program was used to model each sub-

catchment and the effects of various water quality treatment devices on reducing gross pollutants as well as total suspended solids, total phosphorus and total nitrogen.

6.11.2 Impacts and Mitigations

The development proposes the construction of new buildings and internal roadways and carparks. As such, there will be an increase in impervious area across the site which may result in an increase in the frequency of low return period events. To account for this, a minimum 25mm retention storage per unit area of impervious surface has been integrated into the rainwater tank storage and permanent pond volume of the proposed basins.

Water quality treatment has been assessed generally in accordance with the Cessnock DCP 2010 and Technical Manuals. Through the implementation of a number of devices within the stormwater treatment train, the assessment showed that the proposal will effectively meet Council's pollutant reduction targets.

Impacts to stormwater quality discharging from the site as a result of the development will be mitigated through use of the following:

- Rainwater reuse tanks to collect roof runoff from all buildings
- Gross pollutant traps at the outlets of certain sub-catchments and pit inserts to intercept garbage from car park hardstand areas
- Re-shaped sedimentation basins
- Bioretention basin adjacent to proposed new car park north of new Narnia building
- Retrofit constructed wetland within existing basin in north west corner of site
- Vegetated swales to filter runoff from gravel roads and car parks

6.12 Flooding

A Flood Impact Assessment (FIA) was undertaken by BMT, provided at Appendix G17.

6.12.1 Methodology and Existing conditions

The school site is located within the Black Creek floodplain and is affected by backwater flooding from the creek. It is therefore necessary to undertake a FIA to assess and ensure that the proposed development will not cause an adverse flood impact beyond the boundaries of the site. The report also included a high-level review and commentary on the flood emergency response plan (FERP) previously prepared by Worley Parsons as part of the 2009 Development Application (DA) submission relative to the development proposed within the current application.

The FIA utilised the XP-RAFTS hydrologic and TUFLOW hydraulic models of the local study area developed previously as part of the SPCC masterplan FIA undertaken in 2017 (BMT, 2017). Necessary modifications have been incorporated within the TUFLOW model to reflect the latest site information and the proposed development conditions as per the current application.

The study determined that Lomas Lane is subject to inundation and not trafficable during rare flood events up to and including the 1 in 50 Annual Exceedance Probability (AEP) flood event. However, the northern carpark is elevated and flood-free for flood events up to and including the 1 in 200 AEP. The proposed internal road along Wine Country Drive (north-south alignment) leading to the new access point via Wine Country Drive on the southern side is also predicted to be flood-free during flood events up to and including the 1 in 500 AEP.

6.12.2 Impact and Mitigations

The FIA investigated the pre and post-development flood outcomes, including peak flood level, depth and flood hazard, for a range of design flood events up to and including the Probable Maximum Flood (PMF) events.

The FIA found that the proposed development will not result in an adverse increase in peak flood level beyond the boundaries of the site for events up to and including the 1 in 20 AEP (i.e., the afflux is within 20mm which is considered minor and acceptable). For events larger in magnitude than the 1 in 20 AEP, the proposed development has been predicted to result in increases in peak flood level greater than 20mm beyond the boundaries of the site. However, the exceedance above the 20mm threshold is marginal. During the PMF event, the proposed development is predicted to result in a maximum offsite afflux of 140mm predominately to the east of Black Creek.

The proposed development is not predicted to significantly alter the flood hazard level (classification) in the areas impacted and surrounding roads. Hence, as the proposed development will not result in a change in the peak flood hazard level beyond the boundaries of the site, it is considered that the development does not significantly alter existing flood risks in the PMF event.

A review of Cessnock City Council's flood mapping indicates that Wine Country Drive leading to Cessnock is flood-free during the 1% AEP event, except at the intersection with Fleming Street. During the PMF event, Wine Country Drive is inundated for the section between SPCC and Cessnock.

The Flood Emergency Response Plan for the proposed development site consists of onsite refuge located above the PMF level based on the approved FERP prepared by Worley Parsons (2009). The review indicates that the FERP needs to be updated at a detailed design phase or prior to construction works to ensure that the plan is fit for the amended development masterplan. It is noted that a number of proposed buildings contain ample floor area at a first floor level to provide refuge in the event of a major flood.

Overall, BMT concluded that the proposed development is not anticipated to cause adverse social and economic impacts associated with flooding.

6.13 Soil and Water

A Civil Engineering Design Report and a Preliminary Engineering Design Report Concept have been prepared by Northrop Consulting at Appendix G4 and G16.

The proposed development will typically involve stripping, bulk earthworks, service construction (trenching), road/ carpark construction, building construction and shaping of wetlands and channels. These works pose the risk of erosion, sediment and pollutant runoff into adjacent waterways. This risk will be mitigated through erosion and sediment control practices as outlined in the concept erosion and sediment control plan included in the engineering design report prepared by Northrop Consulting Engineers (see Appendix G4).

6.13.1 Site Grading and Bulk Earthworks

Due to the flood-prone nature of the majority of the site, filling within certain areas is required to ensure proposed buildings can achieve floor levels above the relevant flood planning level (equal to the 1 in 100 year level plus a 500mm 'freeboard' allowance).

A 3D data terrain model was produced for the site including the proposed development levels and compared against current topography to determine fill depth and extent. This model was supplied to flood engineers BMT to ensure off site flood impacts as a result of proposed bulk earthworks remained within acceptable limits.

In addition to flood levels, consideration was given to the following as part of the bulk earthworks and grading design:

- Longitudinal grading for the proposed internal road networks is generally 0.5-1%, ensuring an absolute minimum of 0.5% and maximum of 8% longitudinal grade.
- Grading for proposed carparks comply with AS2890 and generally have a total fall of 1-2%.
- Grading for gravity drainage of stormwater. Generally, a minimum fall of 1% was adopted across the site.
- Interface with surrounding undeveloped land. Generally, a 1V:4H batter has been adopted, however in some areas retaining walls are proposed up to approximately 2m.

Based on a design surface to existing surface volume calculation, it is anticipated that 8,220m³ of cut and 24,500m³ of fill will be required to achieve the proposed design levels. To achieve a balance, approximately 16,280m³ of imported fill material will be required.

6.13.2 Geotechnical

A Preliminary Geotechnical Investigation Report prepared by RCA has been submitted as part of this EIS at Appendix G18. Fieldwork undertaken to assess the geotechnical conditions of the site included:

- Excavation of 13 test pits to between 0.9 metres and 2.6 metres depth

- Drilling of four boreholes to depths of between 2 metres and 3 metres depth
- Obtaining bulk, disturbed and thin wall tube samples of the subsurface materials for laboratory testing
- Dynamic cone penetrometer testing at selected test locations
- Observations and mapping of site conditions and features

An assessment of subgrade conditions at test locations has allowed RCA to provide recommendations relating to pavement design and drainage. Preliminary advice has also been provided in relation to footing design for proposed new buildings. Where deep foundations are required for support of building loads, further investigation comprising deep boreholes at building locations is expected to be required.

Based on the elevation of the site it is considered unlikely that earthworks associated with the proposed development will impose an environmental risk associated with the disturbance of potential acid sulfate soils.

6.14 Waste

A Construction and Demolition Waste Management Plan (CDWMP) and Operational Waste Management Plan (OWMP) prepared by MRA Consulting Group have been submitted as part of this EIS at Appendix G22.

The CDWMP addresses waste generation and storage associated with the excavation and construction of the proposed development. Demolition and construction activities will generate a range of waste types. Throughout the development process, all materials will be reused and recycled where possible, minimising the disposal of materials other than those that are contaminated or unsuitable for reuse or recycling processes. Construction waste storage will include stockpiling of reusable material as well as separated wheeled bins for recyclable construction materials, residual waste, and contaminated material.

Demolition waste is anticipated to be low and may include minor amounts of excavated material, concrete, and vegetation in quantities suitable for onsite reuse or offsite recycling. Construction waste is likely to include bricks, concrete, tiles, timber, plasterboard, glass, and ferrous metal. Construction waste will be managed and reused, recycled, or disposed in accordance with the CDWMP.

Management of construction and demolition waste will be assisted through the engagement of local waste management companies including waste collection contractors, off-site recyclers, and licensed landfill sites. Suitable contractors are identified within the CDWMP.

The OWMP addresses ongoing waste management issues relating to the operation of the proposed development. At maximum capacity, the school is anticipated to generate 16,064 litres of general waste, 5,323 litres of paper and cardboard, and 1,183 litres of recycled material per week. General

waste and recycling will be stored in bulk mobile garbage bins for collection by a waste service provider.

Additional waste will be managed through the addition of bin infrastructure including 240 litre bins for recycling, general waste, and paper and cardboard and 60-120 litre bins for food organics. School cleaning and maintenance staff will also maintain the waste storage and management areas located on the ground level. Problem waste management contractors will be engaged where necessary to recover E-waste, printer cartridges, batteries, furniture, and other such problem wastes. The OWMP provides further solutions and recommendations for food waste, soft plastics, and reuse of materials.

6.15 Contamination

A Preliminary Site Contamination (PSC) Assessment prepared by RCA has been submitted as part of this EIS at Appendix G19. The assessment considers the potential for contamination to be present on the site and whether the site is suitable for proposed uses without remediation or long-term management. A site inspection was carried out by RCA on 21 June 2021.

One waste stockpile comprising timber, furniture, and tree branches was observed at the south-west of the site. No further items of concern were observed on the site, including erosion, asbestos, plant stress, odours, evidence of petroleum facilities, waste burial, or visual signs of contamination.

A previous PSC Assessment was undertaken in 2009 prior to the initial development of the school site. The previous assessment noted that the site had been used for farming and residential purposes since 1894, with part of the site also used as informal trotting tracks. In this assessment, no contaminating activity was identified within the area of the site proposed to be developed at that time, noting that a large proportion of the site is to remain undeveloped.

The previous assessment identified that the site was suitable for the proposed use as an educational facility with recreational land. No potential for contamination from site use was identified at the site since the time of the previous assessment. With the exception of construction and demolition of buildings in the south of the site, the site remains unchanged.

6.15.1 Impacts and Mitigations

The PSC Assessment considers that the site is suitable for the proposed development. Any removal of material synthetic mineral fibres (SMF) will have a minimal impact due to its handling in accordance with RCA recommendations.

In the event that excavated soil, is surplus to requirements and requires removal off-site, it is likely to be classified as excavated natural material, and underlying rock is likely to be classified as virgin excavated natural. All material will be certified prior to removal from site. Documents, material tracking and documentation relating to the receiving site will be retained for provision to regulatory authorities as required.

6.15.2 Hazardous Materials Survey

No hazardous materials (asbestos, lead based paint, or polychlorinated biphenyls in light fittings) were identified by way of inspection of the demountable buildings or other buildings requiring demolition / renovation as part of the proposed extension. The potentially hazardous material SMF were visually identified within the demountable buildings and is understood, based on discussion with maintenance personnel, to be present within the ceiling cavities of lower floor rooms at the Sports Hall.

To mitigate any impacts from SMF, and any insulation not specifically confirmed not to be SMF, must be handled, transported and disposed of in a manner which minimises the potential for contact and does not allow release of the SMF to the environment.

6.16 Bush Fire

A Bush Fire Assessment Report prepared by Newcastle Bushfire Consulting has been submitted as part of this EIS at Appendix G15. The Bush Fire Assessment Report establishes appropriate mitigation measures for the proposed development in accordance with Planning for Bush Fire Protection 2019 (PBP 2019).

The site contains forest remnant vegetation. Vegetation within the site is considered to be of low-threat or able to be managed. The site is mainly level, with a range of one to five degrees downslope at the south and level/upslope to the west. The site has relatively low bush fire attack levels (BAL) with BAL-12.5 from the north and east and BAL-LOW from the south and west.

The Bush Fire Assessment Report determines that the proposed development can comply with the requirements of PBP 2019. As the proposed development will increase asset protection zones to the existing school, improve vehicular access, and improve water supply throughout the site, it will result in a better bush fire outcome, than if the development did not proceed.

The Bush Fire Assessment Report details that the proposed development is consistent with the following aims and objectives of PBP 2019:

- Afford occupants of any building adequate protection from exposure to a bush fire;
- Provide for a defendable space to be located around buildings;
- Provide appropriate separation between a hazard and buildings which, in combination with other measures, prevent direct flame contact and material ignition;
- Ensure that safe operational access and egress for emergency service personnel and building users is available;
- Provide for ongoing management and maintenance of bush fire protection measures, including fuel loads in the asset protection zone (APZ);
- Ensure that utility services are adequate to meet the needs of firefighters (and others assisting in bush fire fighting).

As the proposed development is considered to improve the existing bush fires of the site, the impact will be positive, and the development will not present new adverse effects to be mitigated. The Bush Fire Assessment Report establishes nine recommendations to support the bush fire safety of the school, as follows:

- The proposed building works for buildings A3 and A4 (Junior School), G (Performing Arts Centre), H2 and H3 (Sports Hall) will comply with BAL-12.5 in accordance with AS3959 (2018) Construction of buildings in bushfire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and the additional construction requirements contained within Section 7.5.2 of PBP 2019.
- A minimum 50 metre asset protection zone will be managed within grassland surrounding the buildings. A 20 metre break in the vegetation will be managed with the vehicle crossings that dissect the riparian corridor that circles the sporting fields.
- A bushfire maintenance plan will be prepared for the site.
- Water, electricity and gas provision will comply with Section 6 of PBP 2019.
- Site access will comply with Section 6 of PBP 2019.
- Landscaping will be undertaken in accordance with Appendix 4 of PBP 2019 and managed and maintained in perpetuity.
- An emergency/evacuation plan will be prepared consistent with AS 3745 'Emergency control organisation and procedures for buildings, structures and workplaces' which includes consideration of bushfire.

6.17 Social Impacts

A Social Impact Assessment (SIA) provided at Appendix G20, was prepared by Agis Consulting in relation to the proposed development and forms part of the technical documentation supporting this EIS. The SIA was informed by engagement with neighbouring land owners and occupants to obtain these stakeholders' perspectives. Four (4) responses were received of a total of 24 properties notified. The issues of interest that were identified were the potential for increased school-related traffic, potential light pollution and noise impacts. Certain respondents noted SPCC's cooperative approach to resolving previous issues.

The school is the only existing independent, non-denominational K-12 school in the Cessnock LGA. As such, it draws students from a wide area, resulting in the LGA and the broader Lower Hunter Statistical Area Level 3 (SA3) being considered as the social locality of the school. The SA3 is expected to record school-aged population growth at similar rates to NSW to 2041, which is indicative of the need to expand school capacity to meet demand increases.

SPCC Cessnock's enrolments over recent years have increased at a higher rate than other schools in the social locality as the school has expanded. Taking into account the effects identified in consultation with neighbouring landholders, it is likely that there will be some cumulative effects, the most

apparent of these being traffic movements. In other respects, given the school is established and operating, additional material impacts are unlikely to be imposed on other parties.

The inclusion of infrastructure such as the aquatic centre may result in positive outcomes for the community once access to the facility becomes available. In the context of the established presence of SPCC, the projected growth in school-aged population and the likely positive outcomes for students, additional school staff, and potentially members of the community, it is concluded that, on balance, the proposed expansion of the school will be socially and economically positive for the LGA and its surrounding areas.

Mitigation measures for the identified potential effects on local amenity are described elsewhere in this report. In summary, however:

- traffic issues will be addressed through the construction of a second, southern access to the school from Wine Country Drive and the staged upgrade of the intersection of Lomas Lane and Wine Country Drive.
- Light pollution will be minimised through adherence to the relevant Australian Standard for outdoor lighting.
- Construction noise will be kept to an acceptable level through preparation and implementation of a Construction Noise Management Plan (CNMP). Operational noise has been modelled, and noise emissions will be managed by restricting use of whistles and the school PA system prior to 7:00 am.

6.18 Economic Impacts

The proposed development will have a significant positive economic impact within the Cessnock LGA.

The overall CIV of the proposed works is \$138,980,000. It is noted that the works are to be staged over 30 years, however even the initial stages of development will generate economic benefit due to construction activity, which, when economic multipliers are applied, will have a positive influence on the local economy.

In addition, growth of the school will generate 56 new operational jobs for both teaching and non-teaching staff. Moreover, the availability of student places and the enhancement of quality educational facilities in the only non-government school in the Cessnock LGA will serve to attract more population and economic activity to the area.

7 Project Justification

This chapter provides a justification and evaluation for the project as a whole, having regard to the economic, environmental and social impacts of the project and the principles of ecologically sustainable development.

As outlined in this EIS

- The development will constitute an expansion of the established use of the site as a school;
- The site is zoned R2 Rural Landscape which is identified as a 'prescribed zone' under Clause 33, Part 4 of the Education SEPP. Clause 35(1) of the Education SEPP permits development for the purpose of a school to be development with consent within a prescribed zone;
- The proposal has been designed such that the school remains sympathetic to the rural character of the location and respects visual and acoustic amenity of adjoining or adjacent residential dwellings;
- The proposal is consistent with the objectives of relevant planning controls and achieves a high level of planning policy compliance and design excellence.
- Flooding constraints applying to the site have been thoroughly investigated and accounted for in the project design such that all buildings will be above the flood planning level and offsite flood impacts will remain within acceptable limits.
- Management of transport impacts has been integral to the design of the proposal, which features a staged response to mitigating traffic impacts through improvements to access and road infrastructure.
- Biodiversity impacts will be minimal, with vegetation removal to be offset in accordance with the BDAR recommendation, and compensatory planting to occur within the site as per the landscape master plan;
- The proposal respects the Aboriginal cultural heritage of the site and surrounds and avoids impacts on Aboriginal items and PAD areas.
- The proposal will result in the development of a high-quality educational environment for staff and students, with sporting and cultural facilities to be made available for community use – providing a positive social impact and relieving demand for public facilities; and
- The proposal will contribute positively to energy efficiency and environmental sustainability. The design has incorporated many ESD features to reduce energy consumption during the life of the proposed development.

The proposal satisfies each item within the SEARs. All reasonably foreseeable environmental impacts have been identified and assessed, and mitigation measures applied or recommended where necessary.

Considering the above and the content contained in this EIS, it is recommended that the Department approve this SSD Application, subject to appropriate conditions.

8 References

Cessnock City Council 2017, *Community Strategic Plan Cessnock 2027*, <https://www.cessnock.nsw.gov.au/Council/Forms-and-documents/Integrated-planning-and-reporting/Community-Strategic-Plan-10-year-plan>

Cessnock City Council 2020, *Cessnock Local Strategic Planning Statement 2036*, <https://www.cessnock.nsw.gov.au/Council/Forms-and-documents/Plans-and-strategies/Local-Strategic-Planning-Statement-LSPS#:~:text=The%20LSPS%20sets%20a%20strong,%2C%20productive%2C%20sustainable%20and%20unique.>

Department of Planning, Industry and Environment 2018, *Greater Newcastle Metropolitan Plan 2036*, New South Wales Government, <https://www.planning.nsw.gov.au/-/media/Files/DPE/Plans-and-policies/greater-newcastle-metropolitan-plan-2018.pdf>

Department of Planning, Industry and Environment 2016, *Hunter Regional Plan 2036*, New South Wales Government, <https://www.planning.nsw.gov.au/-/media/Files/DPE/Plans-and-policies/Plans-for-your-area/Regional-plans/Hunter-Regional-Plan-2036.pdf>

Government Architect New South Wales 2017, *Better Placed: an integrated design policy for the built environment of NSW*, New South Wales Government, <https://www.governmentarchitect.nsw.gov.au/resources/ga/media/files/ga/strategy-documents/better-placed-a-strategic-design-policy-for-the-built-environment-of-new-south-wales-2017.pdf>

Government Architect New South Wales 2020, *Draft Greener Places Design Guide*, Issue No 4, New South Wales Government, <https://www.governmentarchitect.nsw.gov.au/resources/ga/media/files/ga/discussion-papers/discussion-guide-greener-places-2020-06-03.pdf>

Infrastructure NSW 2018, *State Infrastructure Strategy 2018 – 2038 Building the Momentum*, Infrastructure NSW, https://insw-sis.visualise.today/documents/INSW_2018SIS_BuildingMomentum.pdf

NSW Ministry of Health 2020, *Healthy Built Environment Checklist*, New South Wales Government, <https://www.health.nsw.gov.au/urbanhealth/Publications/healthy-built-enviro-check.pdf>

NSW Government 2019, *Premiers Priorities*, New South Wales Government, <https://www.nsw.gov.au/premiers-priorities>

NSW Rural Fire Service 2019, *Planning for Bushfire protection 2019*, New South Wales Government, https://www.rfs.nsw.gov.au/__data/assets/pdf_file/0005/130667/Planning-for-Bush-Fire-Protection-2019.pdf

Transport for NSW 2018, *Future Transport Strategy 2056*, New South Wales Government, <https://future.transport.nsw.gov.au/sites/default/files/media/documents/2021/FutureTransportStrategy2056.pdf>

9 Appendices

9.1 Appendix A – SEARs Compliance

Requirement	Location in EIS or Application	Supporting Technical Report(s)
General Requirements		
Executive Summary	Page 14	
<ul style="list-style-type: none"> Need for the development 	Section 1.4 – Project objectives	
<ul style="list-style-type: none"> Justification for the development 	Section 7 – Project justification	
<ul style="list-style-type: none"> Suitability of the site 	Section 2.3 – Key features of the site	G5 – Concept Design Report G8 – Visual Impact Assessment G9 – Transport and Accessibility Impact Assessment G10 – Statement of Heritage Impact G11 – Aboriginal Cultural Heritage Assessment Report G14 – Biodiversity Development Assessment Report G15 – Bush Fire Assessment Report G17 – Flood Impact Assessment G18 – Preliminary Geotechnical Investigation Report G19 – Preliminary Site Contamination Assessment
<ul style="list-style-type: none"> Alternatives considered 	Section 2.6.2 – Options considered	
<ul style="list-style-type: none"> Likely interactions between the development and existing, approved and 	Section 2.4 – Cumulative impacts;	G20 – Social Impact Assessment

Requirement	Location in EIS or Application	Supporting Technical Report(s)
proposed operations in the vicinity of the site	Section 5.2.2 – Affected land owners	
▪ Description of proposed building works	Section 3.4.2 Building Design	G2 – Architectural Plans
▪ Existing/proposed staff and student numbers, hours of operation	Section 1.2 – Project Summary and 1.3 Project Overview	
▪ Details of how the aquatic centre would operate integrally with the school as an ancillary use	Section 4.2.2 Aquatic Centre – Ancillary Use	
▪ details of any proposed before/after school care services and/or community use of school facilities including aquatic centre	Section 3.4.8 – Operation	
▪ details of how school would continue to operate during construction activities including site management and mitigation measures	Section 3.4.3 – Construction; Section 6.3.4 – Impacts and mitigations, 6.8.1 – Construction noise; Section 6.14 - Waste	Appendix G9 – Transport and Accessibility Impact Assessment Appendix G12 – Noise and Vibration Impact Assessment Appendix G22 – Construction and Demolition Waste Management Plan.
EIS		Declaration
▪ Site Survey Plan		Survey Plan by Marshall Scott – Appendix G1
▪ Constraints Map		Appendix G2 – Sheet CD0104
▪ Architectural Plans elevations, and sections		Appendix G2
▪ Cladding, window and floor details, external materials		Appendix G2 – Sheets CD5001, CD5003
▪ Site Plan	Section 2.3.1 – Regional context	Appendix B
▪ Signage Plans and Detail	Section 3.4.10 – Signage	Appendix G2 – Sheet CD5002
▪ Staging Plan	Section 3.5.1 – Stages	Appendix G2 – Sheets CD2001 - CD2006

Requirement	Location in EIS or Application	Supporting Technical Report(s)
<ul style="list-style-type: none"> Construction and decommissioning details 	Section 3.5.2 - Sequencing	Design Report – Appendix G5 – Page 64
<ul style="list-style-type: none"> Construction and operational jobs 	Section 3.4.3, Section 6.18	CIV Estimate Report – Appendix G6
Detailed assessment of the key issues		
<ul style="list-style-type: none"> a detailed assessment of the key issues identified below, and any other significant issues identified in the risk assessment. 	Refer to Key Issues section below.	Refer to Key Issues section below.
<ul style="list-style-type: none"> a consolidated summary of all the proposed environmental management and monitoring measures, identifying all commitments included in the EIS. 	Appendix E – Mitigation Measures	
<ul style="list-style-type: none"> the reasons why the development should be approved and a detailed evaluation of the merits of the development, including consequences of not carrying out the development 	Section 2.6 – Analysis of Project Alternatives; Section 7 – Project justification	
QS Report detailing Capital Investment value as per Clause 3 of EP&A Regulation		Appendix G6 - CIV Estimate Report
Key Issues		
1. Statutory and Strategic Context		
<ul style="list-style-type: none"> State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 State Environmental Planning Policy No 64 – Advertising and Signage State Environmental Planning Policy No 55 – Remediation of Land State Environmental Planning Policy (Koala Habitat Protection) 2019 	Section 4.7.1 Section 4.7.2 Section 4.7.3 Section 4.7.4 Section 4.7.6 Section 4.7.5	
2. Policies		
<ul style="list-style-type: none"> NSW State Priorities Hunter Regional Plan 2036 Greater Newcastle Metropolitan Plan 2036 	Section 2.2.1 Section 2.2.2 Section 2.2.3	

Requirement	Location in EIS or Application	Supporting Technical Report(s)
<ul style="list-style-type: none"> State Infrastructure Strategy 2018 – 2038 Building the Momentum Future Transport Strategy 2056 Crime Prevention through Environmental Design (CPTED) Principles Better Placed: An integrated design policy for the built environment of New South Wales (Government Architect NSW (GANSW), 2017) Healthy Urban Development Checklist (NSW Health, 2009) Draft Greener Places Design Guide (GANSW). Cessnock Local Strategic Planning Statement 2036 Koala Habitat Protection Guideline (DPIE, 2020) Cessnock Development Control Plan 2010 	<p>Section 2.2.4</p> <p>Section 2.2.5</p> <p>Section 2.2.6</p> <p>Section 2.2.7</p> <p>Section 2.2.8</p> <p>Section 2.2.9</p> <p>Section 2.2.1</p> <p>Section 2.2.10</p> <p>Section 2.2.11</p>	<p>Appendix G5 – Concept Design Report – Section 7.3</p> <p>Appendix G5 – Concept Design Report – Section 4.3</p> <p>Appendix G7 – Site-wide Landscaping Strategy</p> <p>Appendix G14 – Biodiversity Development Assessment Report</p>
3. Built Form and Urban Design		
<p>Height, density, bulk and scale, setbacks and interface of the proposal in relation to the surrounding development, topography, streetscape and any public open spaces. design quality and built form, with specific consideration of the overall site layout, streetscape, open spaces, façade, rooftop, massing, setbacks, building articulation, materials and colour palette</p> <p>Crime Prevention through Environmental Design (CPTED) principles are to be integrated into development. o how good environmental amenity would be provided, including access to natural daylight and ventilation, acoustic separation, access to landscape and outdoor spaces and future flexibility.</p> <ul style="list-style-type: none"> how design quality will be achieved in accordance with Schedule 4 Schools – design quality principles of State Environmental 	<p>Section 6.1.1 – Built form and urban design</p> <p>Section 2.1.6 - Crime Prevention through Environmental Design (CPTED) principles</p> <p>Section 6.1.4 – Design Quality</p>	<p>Appendix G2 – Architectural Plans; Appendix G5 – Concept Design Report</p> <p>Appendix G5 – Concept Design Report – Section 7.3</p> <p>Appendix G5 – Concept Design Report – Section 4.3</p>

Requirement	Location in EIS or Application	Supporting Technical Report(s)
<p>Planning Policy (Educational Establishments and Child Care Facilities) 2017 and the GANSW Design Guide for Schools (GANSW, 2018)</p> <ul style="list-style-type: none"> how services, including but not limited to waste management, loading zones, and mechanical plant are integrated into the design of the development. 	<p>Section 6.3.4 – Impacts and Mitigations</p> <p>Section 6.10 - Utilities</p> <p>Section 6.14 – Waste</p>	<p>Appendix G9 – Transport and Accessibility Impact Assessment</p> <p>Appendix G22 – Construction and Demolition Waste Management Plan.</p>
Detailed site analysis	Section 2.3 – Key features of the site	Appendix G5 – Concept Design Report – Section 3
Visual Impact Assessment	Section 6.2.2 - Visual Impact	Appendix G8 - Visual Impact Assessment
4. Trees and Landscaping		
<p>Provide:</p> <ul style="list-style-type: none"> where relevant, an arboricultural impact assessment prepared by a Level 5 (Australian Qualifications Framework) Arborist, which details the number, location and condition of trees to be removed and retained, includes detailed justification for each tree to be removed and details the existing canopy coverage on-site. a detailed site-wide landscape strategy, that: <ul style="list-style-type: none"> details the proposed site planting, including location, number and species of plantings, heights of trees at maturity and proposed canopy coverage. provides evidence that opportunities to retain significant trees have been explored and/or informs the plan. considers equity and amenity of outdoor play spaces, and integration with built form, security, shade, topography and existing vegetation. 	<p>Section 6.4 - Trees and Landscaping</p> <p>Section 6.1.2 – Landscaping</p>	<p>Appendix G13 - Arboricultural Impact Assessment</p> <p>Appendix G7 Site-wide Landscape Strategy</p>

Requirement	Location in EIS or Application	Supporting Technical Report(s)
<ul style="list-style-type: none"> a detailed landscape plan prepared by a suitably qualified person. 		Appendix G3 – Concept and Detailed Landscape Plans
5. Environmental Amenity		
<p>Assess amenity impacts on the surrounding locality, including solar access, visual privacy, visual amenity, overshadowing, wind impacts and acoustic impacts. A high level of environmental amenity for any surrounding residential land uses must be demonstrated.</p> <p>Provide:</p> <ul style="list-style-type: none"> shadow diagrams. a view analysis, where relevant, of the site from key vantage points and streetscape locations and public domain including photomontages or perspectives showing the proposed and likely future development. an analysis of proposed lighting that identifies lighting on-site that will impact surrounding sensitive receivers and includes mitigation management measures to manage any impacts. details of the nature and extent of the intensification of use associated with the proposed development, particularly in relation to the proposed increase in staff and student numbers and detail measures to manage and mitigate the impacts. a view impact assessment that has been prepared in accordance with the established planning principles. 	<p>Section 6.2 – Environmental Amenity</p> <p>Section 6.2.2 – Visual Impact</p> <p>Section 6.2.5 – External Lighting</p> <p>Section 6.3 – Transport and Accessibility; Section 6.8.3 – Operational Noise</p> <p>Section 6.2.2 – Visual Impact</p>	<p>Appendix G5 – Concept Design Report – Section 7.1</p> <p>Appendix G8 – Visual Impact Assessment</p> <p>Appendix G9 – Transport and Accessibility Impact Assessment; Appendix G12 – Noise and Vibration Impact Assessment</p> <p>Appendix G8 – Visual Impact Assessment</p>
6. Transport and Accessibility		
<p>Provide a transport and accessibility impact assessment, which includes, but is not limited to the following:</p> <ul style="list-style-type: none"> 	Section 6.3 – Transport and Accessibility	Appendix G9 – Transport and Accessibility Impact Assessment

Requirement	Location in EIS or Application	Supporting Technical Report(s)
<ul style="list-style-type: none"> analysis of the existing transport network to at least the existing or proposed enrolment boundary, details of the proposed development analysis of the impacts due to the operation of the proposed development, impacts of the proposed access to the development from Wine Country Drive including adequate traffic assessment and evidence of consultation with TfNSW. details of the impacts of proposed upgrades to Lomas Lane including evidence of consultation with relevant public authorities. measures to ameliorate any adverse traffic and transport impacts due to the development based on the above analysis, a preliminary school transport plan detailing and operational traffic and access management plan for the site, pedestrian entries, the drop-off / pick-up zone(s) and bus bay(s). analysis of the impacts of the traffic generated during construction of the proposed development, a preliminary Construction Traffic and Pedestrian Management Plan. 		<p>(relevant sections as outlined below)</p> <p>Section 2</p> <p>Sections 3 and 4 Sections 6 and 7</p> <p>Section 6</p> <p>Section 3</p> <p>Section 9</p> <p>Section 9</p> <p>Section 8</p> <p>Section 8</p>
7. Ecologically Sustainable Development (ESD)		
<p>Detail:</p> <ul style="list-style-type: none"> how ESD principles (as defined in clause 7(4) of Schedule 2 of the Regulation) would be incorporated in the design and ongoing operation phases of the development. proposed measures to minimise consumption of resources, water (including water sensitive urban design) and energy. 	<p>Section 6.5 – Ecologically Sustainable Development</p>	<p>Appendix G5 – Concept Design Report – Section 7.1</p>

Requirement	Location in EIS or Application	Supporting Technical Report(s)
<ul style="list-style-type: none"> how the future development would be designed to consider and reflect national best practice sustainable building principles to improve environmental performance and reduce ecological impact. This should be based on a materiality assessment and include waste reduction design measures, future proofing, use of sustainable and low-carbon materials, energy and water efficient design (including water sensitive urban design) and technology and use of renewable energy. how environmental design will be achieved in accordance with the GANSW Environmental Design in Schools Manual (GANSW, 2018). Include: <ul style="list-style-type: none"> an assessment against an accredited ESD rating system or an equivalent program of ESD performance. This should include a minimum rating scheme target level. a statement regarding how the design of the future development is responsive to the NARClIM projected impacts of climate change. an Integrated Water Management Plan detailing any proposed alternative water supplies, proposed end uses of potable and non-potable water, and water sensitive urban design. 	Section 6.11	<p>Appendix G5 – Concept Design Report – Section 9.4</p> <p>Appendix G5 – Concept Design Report – Section 9.3</p> <p>Appendix G5 – Concept Design Report – Section 9.1</p> <p>Appendix G5 – Concept Design Report – Section 9.1</p> <p>Appendix G16 – Preliminary Engineering Design Report – Section 5</p>
8. Heritage		
<p>Address any archaeological potential and significance on the site and the impacts the development may have on this significance.</p> <p>Provide a statement of significance and an assessment of the impact on the heritage significance of the heritage items on and adjacent to the site (where relevant) in accordance with the guidelines in the NSW Heritage Manual</p>	Section 6.6 – Non-Indigenous Heritage	Appendix G10 – Statement of Heritage Impact

Requirement	Location in EIS or Application	Supporting Technical Report(s)
(Heritage Office and DUAP, 1996) and Assessing Heritage Significance (OEH, 2015).		
9. Aboriginal Cultural Heritage		
<p>Provide an Aboriginal Cultural Heritage Assessment Report (ACHAR) that:</p> <ul style="list-style-type: none"> identifies and describes the Aboriginal cultural heritage values that exist across the site. includes surface surveys and test excavations where necessary. has been prepared in accordance with the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) and Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (OEH, 2010). incorporates consultation with Aboriginal people in accordance with Aboriginal Cultural Heritage Consultation Requirements for Proponents (Department of Environment, Climate Change and Water, 2010). documents the significance of cultural heritage values of Aboriginal people who have a cultural association with the land. identifies, assesses and documents all impacts on the Aboriginal cultural heritage values. demonstrates attempts to avoid any impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the ACHAR and EIS must outline measures proposed to mitigate impacts. demonstrates attempts to interpret the Aboriginal cultural heritage significance identified into the development. 	Section 6.7 – Aboriginal Cultural Heritage;	Appendix G11 - Aboriginal Cultural Heritage Assessment
10. Social Impacts		

Requirement	Location in EIS or Application	Supporting Technical Report(s)
<ul style="list-style-type: none"> Provide a Social Impact Assessment, prepared in accordance with the draft Social Impact Assessment Guideline 2020. 	Section 6.17 – Social Impacts	Appendix G20 - Social Impact Assessment
11. Noise and Vibration		
<p>Provide a noise and vibration impact assessment that:</p> <ul style="list-style-type: none"> includes a quantitative assessment of the main noise and vibration generating sources during demolition, site preparation, bulk excavation and construction. details the proposed construction hours and provide details of, and justification for, instances where it is expected that works would be carried out outside standard construction hours. includes a quantitative assessment of the main sources of operational noise, including consideration of any public-address system, school bell, mechanical services (e.g. air conditioning plant), use of any school hall for concerts etc. (both during and outside school hours) and any out of hours community use of school facilities (especially the aquatic centre). outlines measures to minimise and mitigate the potential noise impacts on nearby sensitive receivers. considers sources of external noise intrusion in proximity to the site (including, road rail and aviation operations) and identifies building performance requirements for the proposed development to achieve appropriate internal amenity standards. demonstrates that the assessment has been prepared in accordance with policies and guidelines relevant to the context of the site and the nature of the proposed development. 	<p>Section 6.8.1 – Construction Noise; Section 6.8.2 – Vibration</p> <p>Section 6.8.3 – Operational Noise</p> <p>Section 6.8.4 – External noise</p>	Appendix G12 – Noise and Vibration Impact Assessment

Requirement	Location in EIS or Application	Supporting Technical Report(s)
12. Biodiversity		
<ul style="list-style-type: none"> Provide a Biodiversity Development Assessment Report (BDAR) that assesses the biodiversity impacts of the proposed development in accordance with the requirements of the <i>Biodiversity Conservation Act 2016</i>, <i>Biodiversity Conservation Regulation 2017</i> and Biodiversity Assessment Method, except where a BDAR waiver has been issued in relation to the development or the development is located on biodiversity certified land. 	Section 6.9 - Biodiversity	Appendix G14 – Biodiversity Development Assessment Report
13. Contributions		
<p>Identify:</p> <ul style="list-style-type: none"> any Section 7.11/7.12 Contribution Plans, Voluntary Planning Agreements or Special Infrastructure Contribution Plans that affect land to which the application relates or the proposed development type. any contributions applicable to the proposed development under the identified plans and/or agreements. Justification is to be provided where it is considered that the proposed development is exempt from making a contribution. any actions required by a Voluntary Planning Agreement or draft Voluntary Planning Agreement affecting the site or amendments required to a Voluntary Planning Agreement affected by the proposed development. 	Section 2.5 – Relevant Planning Agreements and Contributions Plans	
14. Staging		
Assess impacts of staging where it is proposed and detail how construction works, and operations would be managed to ensure public safety and amenity on and surrounding the site.	Section 3.5 - Staging	Appendix G2 – Sheets CD2001 - CD2006
15. Utilities		

Requirement	Location in EIS or Application	Supporting Technical Report(s)
<p>In consultation with relevant service providers:</p> <ul style="list-style-type: none"> assess of the impacts of the development on existing utility infrastructure and service provider assets surrounding the site. identify any infrastructure upgrades required off-site to facilitate the development and any arrangements to ensure that the upgrades will be implemented on time and be maintained. provide an infrastructure delivery and staging plan, including a description of how infrastructure requirements would be co-ordinated, funded and delivered to facilitate the development. 	Section 6.10	<p>Appendix G16 – Preliminary Engineering Design Report – Section 6;</p> <p>Appendix G23 – Electrical Services Master Plan</p>
16. Stormwater Drainage		
<p>Provide:</p> <ul style="list-style-type: none"> a preliminary stormwater management plan for the development that: is prepared by a suitably qualified person in consultation with Council and any other relevant drainage authority. details the proposed drainage design for the site including on-site detention facilities, water quality measures and the nominated discharge point. demonstrates compliance with Council or other drainage authority requirements. stormwater plans detailing the proposed methods of drainage without impacting on the downstream properties. Where drainage infrastructure works are required that would be handed over to Council, provide full hydraulic details and detailed plans and specifications of proposed works that have been prepared in consultation with Council and comply with Council's relevant standards. 	<p>Section 6.11 - Stormwater</p>	<p>Appendix G4 – Concept Civil Engineering Plans;</p> <p>Appendix G16 – Preliminary Engineering Design Report – Section 5</p> <p>Appendix G4 – Concept Civil Engineering Plans;</p>
17. Flooding		

Requirement	Location in EIS or Application	Supporting Technical Report(s)
<ul style="list-style-type: none"> Identify any flood risk on-site in consultation with Council and having regard to the most recent flood studies for the project area and the potential effects of climate change, sea level rise and an increase in rainfall intensity. Assess the impacts of the development, including any changes to flood risk on- site or off-site, and detail design solutions to mitigate flood risk where required. <p><u>Relevant Policies and Guidelines:</u></p> <ul style="list-style-type: none"> NSW Floodplain Development Manual (DIPNR, 2005). 	Section 6.12 – Flooding	Appendix G17 - Flood Impact Assessment
18. Soil and Water		
<p>Provide:</p> <ul style="list-style-type: none"> an assessment of potential impacts on surface and groundwater (quality and quantity), soil, related infrastructure and watercourse(s), and adjacent licensed water users (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts, where relevant. details of measures and procedures to minimise and manage the generation and off-site transmission of sediment, dust and fine particles. an assessment of salinity and acid sulphate soil impacts, including a Salinity Management Plan and/or Acid Sulphate Soils Management Plan, where relevant. a detailed and consolidated site water balance analysis, including as appropriate and relevant: the identification of an adequate and secure water supply for the life of the project. This includes confirmation that water can be 		<p>Appendix G16 – Preliminary Engineering Design Report – Section 5</p> <p>G16 – Preliminary Engineering Design Report – Section 3</p> <p>G18 – Preliminary Geotechnical Investigation – Section 4.5</p> <p>G16 – Preliminary Engineering Design Report – Section 5</p> <p>G16 – Preliminary Engineering Design Report – Section 6</p>

Requirement	Location in EIS or Application	Supporting Technical Report(s)
<p>sourced from an appropriately authorised and reliable supply.</p> <ul style="list-style-type: none"> proposed surface and groundwater monitoring activities and methodologies. consideration of relevant legislation, policies and guidelines, including the NSW Aquifer Interference Policy (2012), the Guidelines for Controlled Activities on Waterfront Land (2018) and any relevant Water Sharing Plans 		<p>G16 – Preliminary Engineering Design Report – Section 3</p> <p>G18 – Preliminary Geotechnical Investigation – Section 4.1</p>
19. Waste		
<ul style="list-style-type: none"> Identify, quantify and classify the likely waste streams to be generated during construction and operation. Describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste. Identify appropriate servicing arrangements (including but not limited to, waste management, loading zones, mechanical plant) for the site. 	<p>Section 3.4.9 – Waste Management;</p> <p>Section 6.14 - Waste</p>	<p>Appendix G22 - Construction Waste Management Plan and Operational Waste Management Plan</p>
20. Contamination		
<p>Assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable for the proposed use in accordance with SEPP 55. This must include the following prepared by certified consultants recognised by the NSW Environment Protection Authority:</p> <p>Preliminary Site Investigation (PSI).</p> <ul style="list-style-type: none"> Detailed Site Investigation (DSI) where recommended in the PSI. Remediation Action Plan (RAP) where remediation is required. This must specify the proposed remediation strategy. Preliminary Long-term Environmental Management Plan (LEMP) where containment is proposed on-site. 	<p>Section 6.15 – Contamination</p> <p>(Not applicable)</p> <p>(Not applicable)</p>	<p>Appendix G19 - Preliminary Site Contamination investigation</p>

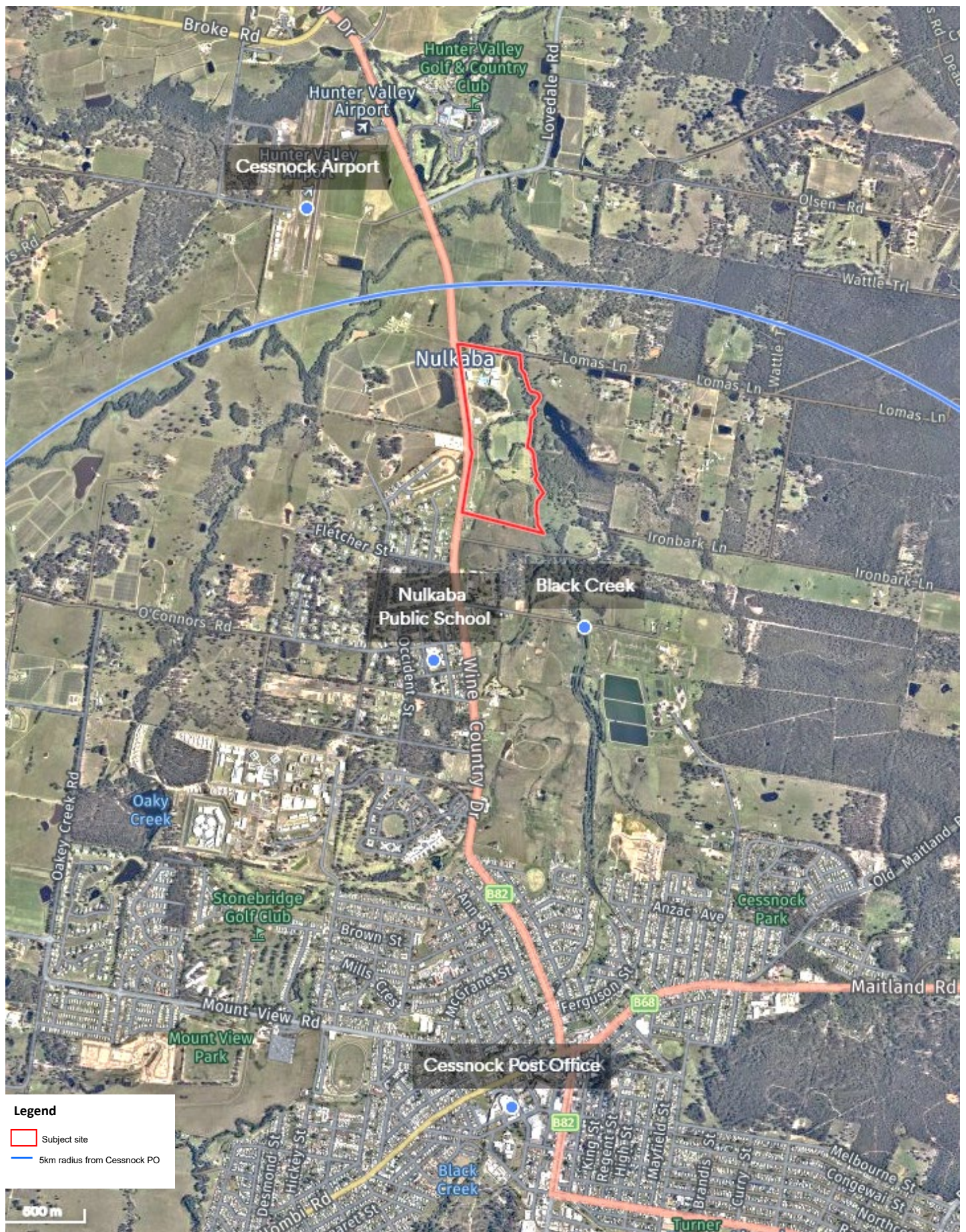
Requirement	Location in EIS or Application	Supporting Technical Report(s)
<ul style="list-style-type: none"> Provide a hazardous materials survey of existing aboveground buildings that are proposed to be demolished or altered. 	Section 6.15.2 – Hazardous materials survey	Appendix G19 – Preliminary Site Contamination investigation – Section 8.3
21. Bush fire		
Provide a bush fire assessment that details proposed bush fire protection measures and demonstrates compliance with Planning for Bush Fire Protection (NSW RFS, 2019).		Bushfire Assessment Report
Plans and Documents		
<p>In addition to the plans and documents required in the General Requirements and Key Issues sections above, the EIS must include the following:</p> <ul style="list-style-type: none"> Section 10.7(2) and (5) Planning Certificates (previously Section 149(2) and (5) Planning Certificate). Design report to demonstrate how design quality would be achieved in accordance with the above Key Issues including: <ul style="list-style-type: none"> architectural design statement diagrams, structure plan, illustrations and drawings to clarify the design intent of the proposal detailed site and context analysis analysis of options considered to justify the proposed site planning and design approach summary of feedback provided by GANSW and NSW State Design Review Panel (SDRP) and responses to this advice summary report of consultation with the community and response to any feedback provided. 	<p>Appendix F – Planning Certificates</p> <p>Section 5.2.2 – Affected Landowners;</p>	<p>Appendix G5 – Concept Design Report</p>

Requirement	Location in EIS or Application	Supporting Technical Report(s)
<ul style="list-style-type: none"> Geotechnical and Structural Report. Accessibility Report. 	Appendix D – Stakeholder Engagement	Appendix G18 – Preliminary Geotechnical Investigation Appendix G21 – Disability Access Report
Consultation		
EIS must describe and evidence the consultation process and the issues raised and identify where the design of the development has been amended in response to these issues.	Section 5 – Engagement	

9.2 Appendix B – Detailed Maps and Plans

Maps and Plans	Author	EIS Location
Site Aerial Plan	Barr Planning	Section 2.1.1
Locality Plan	Barr Planning	Section 2.3.6
Land Zoning Map	Barr Planning	Section 4.2
Survey Plan	Marshall Scott	Appendix G1
Architectural Plans	SHAC	Appendix G2
Concept and Detailed Landscape Plans	Moir Landscape Architecture	Appendix G3
Civil Engineering Design Report	Northrop Consulting Engineers	Appendix G4



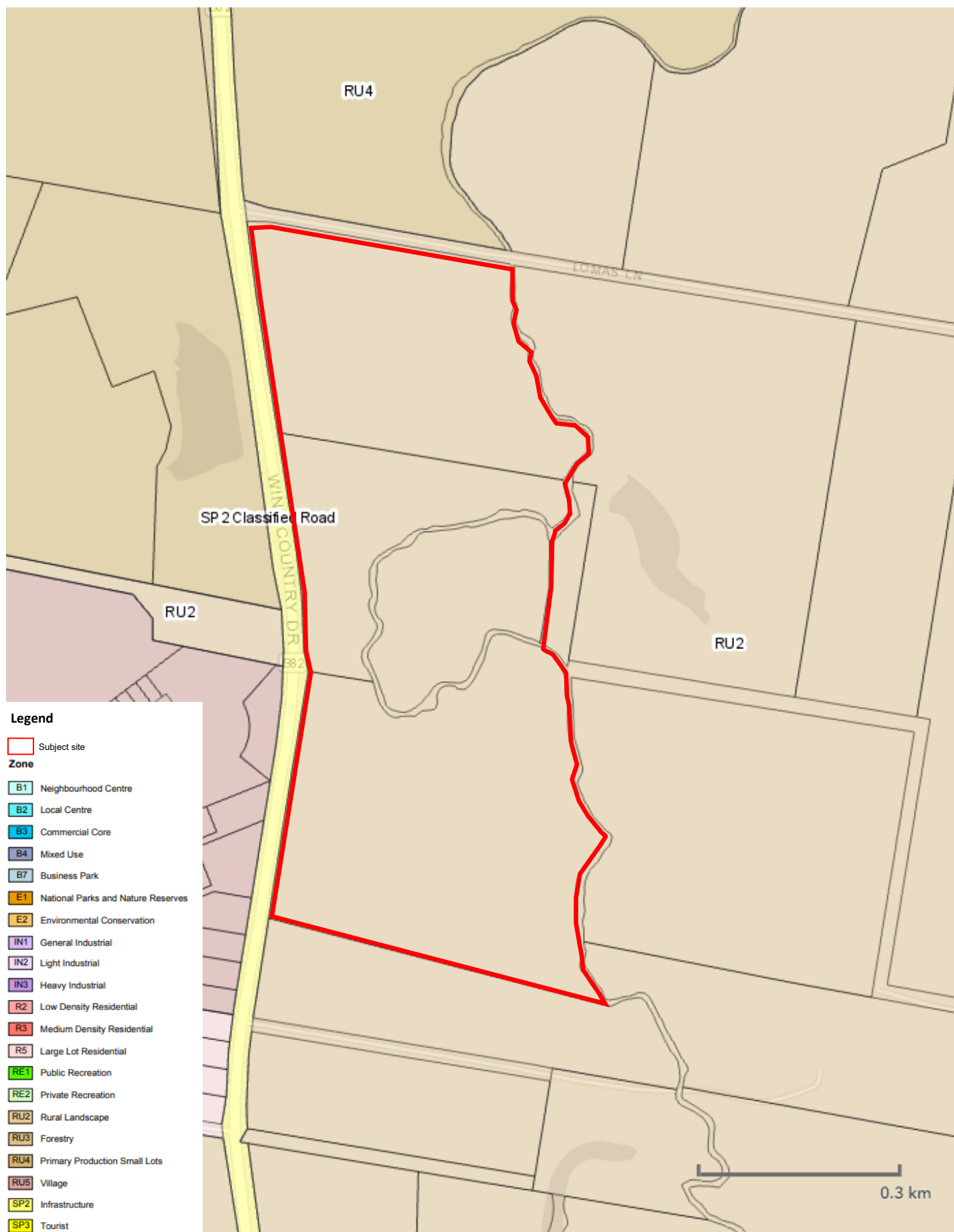


Locality Plan
St Philip's Christian College
Cessnock
 Ref: 16NEW0010

Disclaimer: this map has been prepared based on information available from the NSW ePlanning Spatial Viewer website, accessed on 24/01/2022.

Date: 24.01.2022
 Revision: A





9.3 Appendix C – Statutory Compliance

Section Consideration	Location in EIS
<i>Consideration under the Environmental Planning and Assessment Act and Regulation</i>	
1.3 Relevant objects of the Act (a) 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, (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment, (c) to promote the orderly and economic use and development of land, (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats, (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage), (g) to promote good design and amenity of the built environment, (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants, (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State, (j) to provide increased opportunity for community participation in environmental planning and assessment.	Section 4.5
4.15 Relevant environmental planning instruments	
▪ State Environmental Planning Policy (State & Regional Development) 2011	Section 4.7.1
▪ State Environmental Planning Policy (Infrastructure 2007)	Section 4.7.2
▪ State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	Section 4.7.3
▪ State Environmental Planning Policy No. 64 – Advertising and Signage	Section 4.7.4
▪ State Environmental Planning Policy No.55 – Remediation of Land	Section 4.7.6

Section Consideration	Location in EIS
▪ State Environmental Planning Policy (Koala Habitat Protection) 2019	Section 4.7.5
▪ Cessnock Local Environmental Plan	Section 4.8
<i>4.15 Relevant proposed environmental planning instruments</i>	
▪ Draft State Environmental Planning Policy (Remediation of Land) Environmental Planning and Assessment Act 1979	Section 4.7.8
<i>Considerations under other legislation</i>	
Biodiversity Conservation Act 2016	Section 4.11.1
Water Management Act 2000	Section 4.11.2
Rural Fires Act 1997	Section 4.11.3
Roads Act 1993	Section 4.11.4
Development Control Plans (DCPs)	
Cessnock DCP 2010	Section 4.9

9.4 Appendix D - Stakeholder Engagement

Consultation Agencies	Minutes
Aboriginal Stakeholders	Aboriginal Focus Group Heritage Now Date: 19 November 2021
Cessnock Council	Cessnock Council Consultation – State Significant Development (SSD) Alterations and Additions to St Philips Christian College Cessnock Date: Friday 3 rd September 2021
Government Architect	SDRP Advice – Meeting 1 27 July 2021 SDRP Advice - Meeting 2 20 October 2021
Transport NSW	Memorandum from Transport Engineering Date: 13 September 2021
Community	Consultation Letters
Community Letter 1	From owners of 307, 309 and 311 Wine Country Drive, Nulkaba (R. Wilson, P. Barnes and N. McGuigan) dated 29 July 2021
Community Letter 2	From Councillor Paul Dunn on behalf of owner 313 Wine Country Drive, Nulkaba (G. McGuinness) dated 12 August 2021

Meeting Agenda – Aboriginal Focus Group

Project: HN282-B St Philip's Christian College, Cessnock

Date: 19/11/2021,

Time: 10:45 am-11.45 pm

Location: Online

Attendees:

Person	Organisation & Position	Email
Tessa Boer-Mah	Heritage Now	tessa@heritagenow.com.au
Crystal Phillips	Heritage Now	crystal@heritagenow.com.au
Tara Dever	Mindaribba Local Aboriginal Land Council	ceo@mindaribbalalc.org
Tracey Skene	Culturally Aware	tracey@marrung-pa.com.au
Paul Boyd	Didge Ngunawal Clan	didgengunawalclan@yahoo.com.au
Matt Connett	St Philip's Christian College	matt.connett@spcc.nsw.edu.au
Debbie Boehme	St Philip's Christian College	
Millie and Payton	Junior Aboriginal Executive Group	
Justin Pearson	SHAC	justinp@shac.com.au
Emma Fox	SHAC	emma.fox@shac.com.au
Tim Buykx	Moir Landscape Architecture	tim@moirla.com.au
Annabel Lydon	Moir Landscape Architecture	
Rebecca Johnston	Barr Property and Planning	rjohnston@barrplanning.com.au

Agenda

Notes and Discussion
<p>1 Acknowledgement of Country</p> <ul style="list-style-type: none"> - Tracey welcomed the meeting participants to Wonnarua country, acknowledging Aboriginal people past and present and the young Aboriginal students at St Philip's who are the knowledge holders of the future
<p>2 Introductions and Apologies</p> <ul style="list-style-type: none"> - Rebecca from Barr Property and Planning, Barr has been involved with several SPCC campuses - Andrew Donald apologies for not being able to attend - Tim is a landscape architect and is interested in the site wide landscape themes of the campus - Matt Connett is the Principal at St Philip's, he identifies as an Aboriginal man from Ngemba Country - Auntie Debbie is an Aboriginal support worker, she identifies with the Pyemmairrener people in Tasmania - Justin and Emma are architects from SHAC - Millie and Payton representatives from the Junior Aboriginal Executive Group - Tessa and Crystal – Heritage Consultants from Heritage Now

- Tracey is a Wonnarua Elder who has been involved with working on country for over 30 years. She was involved with the original surveys of the Project Area in the 1990s
- Paul is from Didge Ngunawal Clan and has been working on country for 15 years
- Tara Dever is the CEO of Mindaribba Land Council

3 The Project and Archaeological Background

- Tessa provided some information on the archaeological background to the site including artefacts and potential archaeological deposits (PADs) along Black Creek, as well as an overview of the Designing with Country process

4 Project Proposal

- Justin from SHAC provided an overview of the Project Proposal
- The Proposal is focused near the road and avoids the PADs
- Noted the oxbow as a unique landscape feature in the Project Area

5 Discussion

- It was raised throughout the meeting that there has been past issues with the school development and communication between the school and the Registered Aboriginal Parties
- It was suggested that an in-person meeting be held at the school with the RAPs, separate to the Designing with Country zoom meeting to help resolve these issues
- Tracey suggested that Richard (Wonnarua Elders Council) and Sharon Edgar Jones who hold cultural knowledge to the area be involved with these meetings
- Tracey said that it was important for the cultural landscape story to be told at the site
- Matt acknowledged that previous issues have led to a separation between the school and the Aboriginal community that should have been involved with past projects and he wishes to rectify this. He supports having an in-person meeting at the school with RAPs and the Junior Aboriginal Executive Group
- The artefacts previously identified in the Project Area have remained on site however the student and school community do not know about their location
 - o Matt raised that this issue may be an area of further discussion and collaboration with the RAPs and Junior Aboriginal Executive Group
 - o The artefacts sites can potentially be an important educational tool, especially for Aboriginal students and continuation of cultural knowledge
- Matt hopes that meetings with RAPs will help Aboriginal students find their voice and help the school community on what it means to be where they are, and the stories of the place and the people connected there
- Matt wants buildings and landscapes that connect students Aboriginal and non-Aboriginal to country as well as acknowledgement of past stories of the place
- Tara stressed the importance of listening to local Aboriginal voices as a way to acknowledge the past and walk together into the future. She hopes for the school to value Wonnarua culture and stories and to create a space where Aboriginal students feel welcome and have the opportunity to learn about the cultural landscape that their school is a part of.

6 Review of Outcomes and Action

- A separate in person meeting with Aboriginal stakeholders and the school, including Aboriginal student representatives, is to be held before the next zoom meeting to discuss the history of the site and the development, and to resolve past issues

7. Meeting end

MINUTES

Cessnock Council Consultation – State Significant Development (SSD) Alterations and Additions to St Philips Christian College Cessnock

Date: Friday 3rd September 2021, 10am

Location: Microsoft Teams

SPCC Project Team Rebecca Johnston – Barr Planning
Andrew Donald - Barr Planning
David Price – St Philip’s Christian Education Foundation
Ian Easton – St Philip’s Christian Education Foundation
Matt Connett – Principal SPCC Cessnock
Justin Hamilton – SHAC (Architect)
Carla Bradley – GTA/Stantec (Traffic)

Cessnock Council Kerry Porter – Senior Planning Assessment Officer
Jules Bosco – Principal Development Engineer
Jo Dennis – Principal Social and Community Planner

Project Summary
SSD Application No. SSD-10360337
Alterations and Additions to St Philip’s Christian College Cessnock

Site: 10 Lomas Lane, and 210 Wine Country Drive Cessnock

Project Details The existing school caters for K – Year 12, and an early child care centre ‘Narnia’. The capital investment value for the proposed development is approximately \$70 million with the project to be staged over a 10 year period. The proposal includes the following:

- Road upgrades to Lomas Lane including a bus bay;
- Road upgrades and access at Wine Country Drive;
- Extension to the junior school building;
- Two new buildings for middle school;
- Extend existing senior school building to include a new chapel and two new senior school buildings;

- New building for administration and welcome centre;
- Extend staff and hospitality building;
- Extend sports hall and performing arts centre building;
- New Pre School and Early Learning Centre 'Narnia';
- Indoor aquatic centre that will service the school and public; and
- Increase in student numbers to approximately 1,700.

Purpose: *The purpose of the consultation is to inform Council of the progression of the proposed development proposal, and identify issues that may inform the preparation of the EIS, in accordance with the SEARs issued for the project.*

Matters Discussed:

Introductions

RJ introduced the project team for St Philip's.

KP introduced herself and Council colleagues.

RJ gave an overview of the current school and advised that:

- the proposed state significant development has a CIV of approximately \$70 M and a 10-15-year construction period.
- application seeks approval for increase in student numbers to approximately 1700 students.
- application includes aquatic centre and improved community access to existing sporting fields

School overview

MC spoke regarding the school, where he has been first Deputy Principal and now Principal since the start of 2020.

- Currently 1150 students on site.
- High demand for private schooling, related to growth in the broader community.
- Recent growth rate is 5 – 7% p.a.
- School is looking to be intentional in catering for this growth, hence broad scope of current plans.
- 120 students currently involved in agriculture/primary industries which is expected to become an increased focus
- School keen to build relationships with the community, including links between year 11 and 12 students to local business/industry.

JP gave an overview of the design process and Master Plan which has involved a fresh look at the overall campus.

- Long linear site, extensive interface with Black Creek, ox-bow crescent lagoon, challenge of flood-prone land which limits developable area.
- Project drivers/site-specific influences include celebrating Aboriginal cultural heritage (particularly Wonnarua nation), water in the landscape, motif of harvest, community, spirit of place.
- ESD and green star rating for schools very important
- Campus contains four separate precincts being agriculture, recreation, environmental, spiritual/learning.
- Significant focus on improving arrival/departure and internal circulation, which hinges on provision of new second access to the school on Wine Country Drive in southern part of campus.
- Recent Senior School and Active Learning Centre are examples of quality of design to be delivered in new facilities.

Q&A

KP raised following questions/issues:

- Clarified expected delivery timeframe – 10-15 years.
- Site is an important gateway, hence visual impact important.
- Has consultation occurred with TfNSW?

RJ explained consultation requirements outlined in SEARs specifically required consultation with:

- Cessnock Council
- Transport for NSW
- Government Architect NSW

Meetings have taken place with both the Government Architect and TfNSW, with follow-up consultation proposed with both agencies.

CB spoke about traffic investigations which had resulted in the proposed provision of:

- new access off Wine Country Drive (approx. half way between southern site boundary and new service station)
- upgrade to intersection of Wine Country Drive and Lomas Lane to a full “seagull” intersection. TfNSW indicated this may not be supported, hence a roundabout was also being investigated.

JB raised the following:

- Council road safety team have provided comments about proposed treatments on Lomas Lane (these will be provided to Barr Planning following the meeting).
- Has traffic modelling taken into account queuing in peak times?
- Flood impact assessment should take into account Council's DCP section "Development on Flood Prone Land" and online flood mapping.
- Landscaping should be used to soften the visual impact of the proposed internal road parallel to Wine Country Drive.

CB confirmed that modelling has taken into account current issues around queuing etc.

RJ reinforced strategy to separating traffic associated with Junior/Middle School and Senior School/DALE and Early Learning as well as the staggering of traffic movements due to different hours of early learning, OOSH and staff compared to rest of school.

JD was satisfied that SEARs covers most requirements in relation to social and community impacts, and raised the following:

- Important to consider amenity impacts,
- Sees proposed shared use of aquatic facility as very positive for the local community
- Interested in operational details of aquatic centre including hours of operation, proposed user groups, and how facility is to be managed.
- Providing disability access and infrastructure within the aquatic centre is recommended to maximise its utility.
- CPTED important given proposed increased community use of the site, including after hours
- Public transport needs to be considered

MC stated intention is that Aquatic Centre would be managed by an external operator. School use would likely not occur at the same time as community use.

AD sought information from Council regarding the proposed Bridges Hill Park to Wine Country Drive shared pathway, specifically whether design work was likely to occur prior to lodgement of the school's application.

Next Steps

RJ advised lodgement of application/EIS is proposed to occur in November, and that, in addition to matters raised in today's meeting, we welcome Council feedback and input.

ACTIONS

- 1. KP to provide comments from Council Road Safety Team**
- 2. KP to advise on status of Bridges Hill Park to Wine Country Drive shared pathway**
- 3. Barr Planning to ensure flood consultant references/utilises Council flood controls and mapping**

GOVERNMENT ARCHITECT NEW SOUTH WALES

27 July 2021

David Price
Project Director
St Phillips Christian
College Foundation
Via email –
david@spcc.nsw.edu.au

PROJECT: St Philips Christian College Cessnock
RE: State Design Review Panel (SDRP) 01, 21st July 2021

Dear David,

Thank you for the opportunity to review the above project. Please find below a summary of advice and recommendations arising from the design review session held on 21 July 2021.

The design team's presentation clearly explained the overall site strategy and was commended.

The following elements of the site strategy are supported:

- The establishment of four precincts A to D to support wayfinding and the creation of varied landscape characters and learning programs.
- The logical approach to the site layout and arrangement of the built form.
- The shared use facilities with the community supported by an open campus.
- The intention to open up the two end buildings at the north and south of the Senior School to create strong connections with the landscape.

The following commentary provides advice and recommendations for the project:

Connecting with Country

An understanding of Country can inform richer and more place responsive design solutions. It is acknowledged that research into Aboriginal Cultural Heritage is underway.

1. Articulate a meaningful approach to the connection to Country and how this will inform the architectural and landscape design strategy: for example, using landscape, materials, plant selection, art installations/murals, naming, wayfinding devices, play equipment, paving, colour, texture and so on.
2. Demonstrate how the meaning of Wonnarua 'land of hills and plains' has informed the landscape strategy and a deep connection with Country. Explore how this might inform the school's pedagogical approach.
3. Provide a strategy identifying how the Aboriginal artifacts identified in the 2009 Aboriginal Heritage Assessment will be addressed.
4. Refer to the draft Connecting with Country Framework on the GANSW website.

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GOVERNMENT ARCHITECT NEW SOUTH WALES

Site strategy and Landscape

5. The site strategy and wayfinding within the campus appears confusing, perhaps due to the uncertainty of access from Wine Country Drive. Strengthen the clarity and legibility of access and circulation through the site.
 - a. Consider the wayfinding opportunities presented by the different character precincts.
 - b. Establish a hierarchy of elements including: parking, access, entrances, public and private uses and paths throughout the site.
 - c. Provide an access and circulation strategy for options with and without access from Wine Country Drive.
6. The quantum of car-parking and its location in relation to the flood planning levels appears to be driving the site strategy. Explore opportunities to:
 - a. reduce the quantum of car-parking on-site,
 - b. review the quantum of car-parking that needs to be provided above the 1 in 100 year flood level, and
 - c. prioritise pedestrian amenity.
7. Explore how different approaches to topography, massing, program, materiality and planting might differentiate the landscape character of the four precincts A to D. Provide detail of the water sensitive design strategies and demonstrate how natural systems have informed the school's pedagogical approach.
8. Given the diversity of recreation spaces, open campus and shared communal use facilities provide a CPTED analysis of the scheme and incorporate recommendations to mitigate opportunities for concealment and demonstrate how surveillance will be managed.

Architecture

9. Provide revised external perspectives demonstrating how the two end buildings at the north and south of the Senior School connect with the external landscape.
10. Develop the treatment and expression of the built form addressing the north-west corner of the site to demonstrate how it accentuates its prominent corner location.
11. Integrate the landscape design with the built form, with particular consideration of the landscape character, material and spatial quality of the interstitial spaces, edges and interface with car-parking.
12. Explore how the rural context and the characteristics of the four precincts A-D might inform the architectural expression (scale, materiality, aesthetics) of the built form, particularly the presentation to Wine Country Drive, and consider the visual impact of the built form on the surrounding context.

Sustainability and Climate Change

13. Aiming for a net-zero building is strongly encouraged to reach NSW's Net Zero emissions goal by 2050. Refer to ['NSW, DPIE, Net Zero Plan, Stage 1: 2020-2030'](#) for further information.

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GOVERNMENT ARCHITECT NEW SOUTH WALES

GANSW recommends further review of this project as the design progresses. The issues outlined above are to be addressed at the next SDRP session and the landscape architect should be invited to present.

Please contact GANSW Design Advisor, Liz Bowra (Elizabeth.bowra@planning.nsw.gov.au), if you have any queries regarding this advice.

Sincerely,



Emma Kirkman
Principal Design Advisor
Chair, SDRP

Distribution:

NSW SDRP Panel members	Penny Collins, Marc Deuschle, Diana Griffiths, Emma Kirkman (Chair)
GANSW Design Advisor	Liz Bowra
DPIE	Brent Devine
St Philip's Christian College Foundation	David Price, Ian Easton
SHAC	Justin Hamilton, Joel de Carle
Barr Planning	Rebecca Johnston

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GOVERNMENT ARCHITECT NEW SOUTH WALES

20 October 2021

David Price
Project Director
St Phillips Christian
College Foundation
Via email –
david@spcc.nsw.edu.au

PROJECT: St Philips Christian College Cessnock
RE: State Design Review Panel (SDRP) 02, 13th October 2021

Dear David,

Thank you for the opportunity to review the above project. Please find below a summary of advice and recommendations arising from the design review session held on 13th October 2021.

The design team's presentation provided clear responses to questions raised during the previous SDRP.

The following elements of the site strategy are supported:

- Support was reaffirmed for the establishment of four precincts A to D to support wayfinding and the creation of varied landscape characters and learning programs.
- The thorough landscape analysis, including illustration of the three Masterplan Motifs: Water, Harvest and Community.
- The use of the Central Arbor connecting with the School's northern entry from Lomas Lane as a wayfinding and connecting element.
- The pathway along the eastern side of the Senior School that connects with the southern entry Administration building and Café.

The following commentary provides advice and recommendations for the project:

Connecting with Country

1. Provide a stronger response to the Masterplan Motif: Harvest through the landscape approach and teaching opportunities with the Indigenous cultural artefacts throughout the site, including the scar tree and grinding mortar.
2. The intent to identify place and pathway names as part of the Indigenous Cultural and Heritage approach is commended, but there is opportunity for further consultation with Indigenous stakeholders to deepen this connection and to inform both the landscape strategy and architectural response.

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GOVERNMENT ARCHITECT NEW SOUTH WALES

Site strategy and Landscape

3. Explore opportunities for the landscape characters of each precinct to strengthen the clarity and legibility of access and circulation through the site.
 - a. Consider how the 'Blue green thread' might become a more organic and natural wayfinding element throughout the campus, connecting both entries to the Junior and Senior Schools, and the rest of the campus. The character of the thread might change to reflect the varied characters of each landscape precinct.
 - b. Given the 'Water Motif' is an essential characteristic of the site, strengthen opportunities for WSUD and enhancement of the ecological significance of the site's water bodies, including the Riparian corridor, wetlands, Black Creek and the Oxbow Crescent Lagoon.
 - c. Accentuate the entries to the Junior and Senior School through a landscape and architectural response, so that they are clearly identifiable as the principle campus access point.
4. The Masterplan Motif: Community, represented by use of the Aboriginal crescent symbol for gathering, is not clearly reflected in the proposed orthogonal site strategy, which has both a north-south orientation, and an alignment to Wine Country Drive. Explore an alternative orientation for the Library / Chapel building at the north-west corner, and the Administration building at the southern campus entry to better reflect the crescent motif, address key corners and reduce the extensive building elevation to Wine Country Drive.
5. Concern is raised that the location of on-grade car-parking at the southern campus entry point will congest the entry experience and compromise initial vistas of the wetland. Reconsider opportunities to relocate the car-park elsewhere on-site and prioritise pedestrian amenity, given that the proximity to the central part of the campus is not considered fundamental.
6. In relation to access, the entries, wayfinding, landscape amenity, security, and so on, provide careful analysis to demonstrate:
 - a. how interim conditions will be managed
 - b. the architectural and landscape response during the interim.

Architecture

7. Review the western elevation which presents an extensive unvaried building length along Wine Country Drive.
 - a. Consider reorienting the two end buildings, refer point 4.
 - b. Introduce façade articulation to mitigate the visual bulk of the built form and add richness and rhythm to the composition of the elevation.
 - c. Review the architectural expression of the Library / Chapel to clearly reflect its use and internal layout.

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GOVERNMENT ARCHITECT NEW SOUTH WALES

- d. Explore opportunities to maximise the quantum and/or size of the façade perforations to maximise daylight while still ameliorating noise.
- e. Provide an elevation to Wine Country Drive illustrating points a-d.

Sustainability and Climate Change

- 8. The central open space in the Senior School buildings delivers light and natural ventilation to the adjoining spaces on level one, but not to the ground floor. Liaise with the sustainability consultant to explore how this central space might be developed to deliver light and ventilation to the ground floor also.

The issues outlined above are to be addressed in the EIS. GANSW recommends further review of this project during the Response to Submissions stage.

Please contact GANSW Design Advisor, Liz Bowra (Elizabeth.bowra@planning.nsw.gov.au), if you have any queries regarding this advice.

Sincerely,



Emma Kirkman
Principal Design Advisor
Chair, SDRP

Distribution:

NSW SDRP Panel members	Penny Collins, Marc Deuschle, Diana Griffiths, Emma Kirkman (Chair)
GANSW Design Advisor	Liz Bowra
DPIE	Brent Devine
St Philip's Christian College Foundation	David Price, Matt Connett
Ian Easton Architects	Ian Easton
SHAC	Elizabeth Brown, Justin Hamilton, Joel de Carle
Barr Planning	Andrew Donald
Moir Landscape Architecture	Tim Buykx

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MEMORANDUM

Transport Engineering



TO: Andrew Donald, Rebecca Johnston (Barr Planning)

CC:

FROM: Carla Bradley and Rhys Hazell

DATE: 13 September 2021 REV: 2

OUR REF: 301400263 (N207200)

PAGE 1 OF 9 plus addendum

RE: ST PHILIP'S CHRISTIAN COLLEGE, CESSNOCK – TRANSPORT OVERVIEW

Background

A State Significant Development Application (SSDA) is to be lodged for alterations and additions to the existing St Philip's Christian College (SPCC) Cessnock campus at Nulkaba. GTA, now Stantec is assisting St Philip's College with all transport related aspects to accompany the submission.

The proposed alterations and additions include:

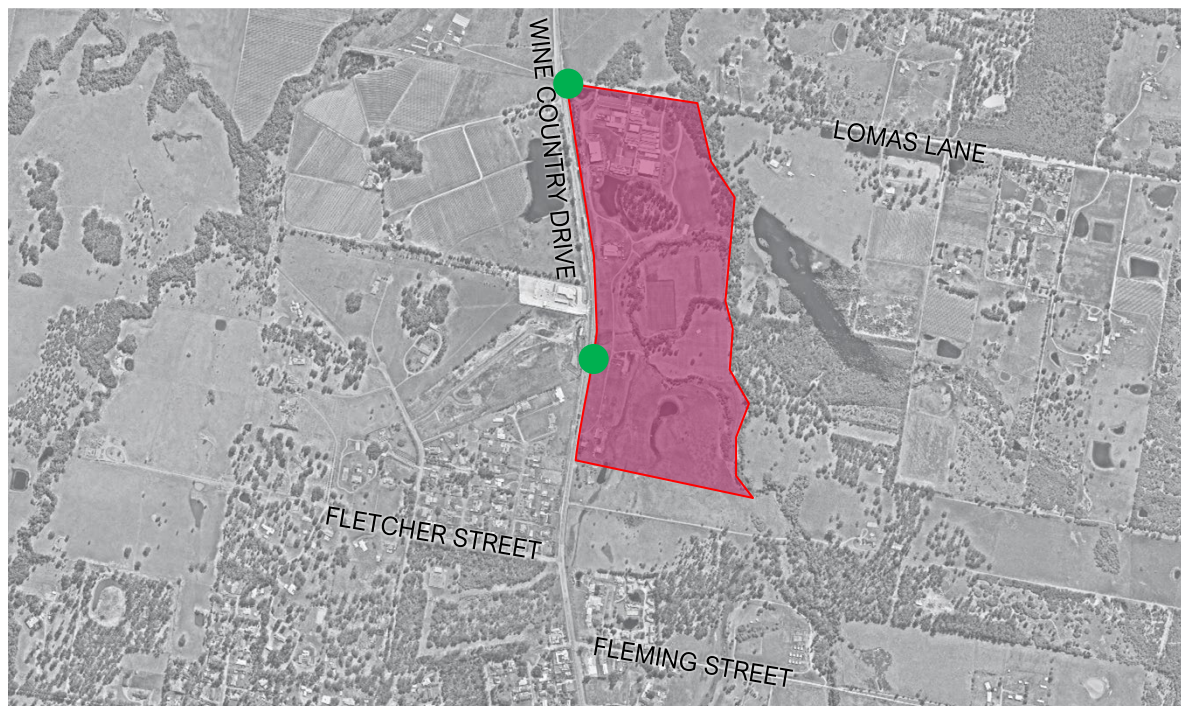
- increase in student numbers to approximately 1,700 (with corresponding minor teaching staff increase)
- upgrades to Lomas Lane, including revised access arrangements and dedicated bus zone
- intersection upgrades at Wine Country Drive/ Lomas Lane
- revised set-down and pick-up arrangements and internal circulation
- new site access road on Wine Country Drive at the southern end of the site
- new building for administration and welcome centre
- extension of the existing junior school building
- addition of two new middle school buildings
- extension of the existing senior school building to include new chapel and two new buildings
- extension of staff and hospitality building
- extension of sports hall and performing arts centre
- addition of new Pre School and Early Learning Centre ('Narnia')
- addition of new indoor aquatic centre to service the school and general public.

Existing Conditions

SPCC Cessnock is at 10 Lomas Lane, and 210 Wine Country Drive Nulkaba and includes Lot 518 DP837571, Lot 2 DP600895, Lot 1 DP744377 and Lot 1 DP126765. The site of 42 hectares has a frontage of 392 metres to Lomas Lane and more than one kilometre along Wine Country Drive. To the east the site is bounded by Black Creek. The surrounding properties mostly including agricultural and residential uses.

The site is operating as the school campus of SPCC. School buildings are located at the northern end of the site with the remainder mostly open space. The subject site and surrounding environs are shown in Figure 1.

Figure 1: Subject site and surrounding environs



Base image source: Nearmap

Surrounding Road Network

Wine Country Drive is a classified State Road that functions as a key arterial road providing connection between Cessnock and Branxton. It has a posted speed limit of 80 km/h along the school frontage, reducing to 70 km/h. at the southern end of the site (about 200 metres north of the southern site boundary). Wine Country carries about 6,670 vehicles per day¹.

It is an important tourist route providing access to various vineyards and wineries in the Hunter Valley. Key intersections to the north of Lomas Lane include Lovedale Road, Broke Road and McDonalds Road. It is broadly recognised that these intersections can experience congestion, particularly during peak periods and on weekends. Seasonal variations and holiday periods cause significant delays.

Lomas Lane is a local road along the site's northern boundary. It is unsealed further east of the site and carries nominal traffic movements (other than that associated with the school). The Wine Country Drive/ Lomas Lane priority-controlled intersection provides for all existing school traffic.

School Travel Mode Share

Mode share surveys were completed at the school with the following noted:

- Staff have a strong reliance on private car, with 94 per cent currently driving and the remainder carpooling.
- Students primarily travel by private car (either as driver or passenger dropped off/ picked up) or by bus, as follows:
 - In the morning peak 64 per cent travel by car and 35 per cent travel by bus.
 - In the afternoon peak 49 per cent travel by car and 49 per cent travel by bus.

¹ Based on the automatic tube traffic counts completed in March 2021.

As is typical with schools, staff begin to arrive before and leave after students in the morning and afternoon periods. There is a high concentration of staff and student arrivals between 7:30am and 8:00am in the morning and most depart 2:30pm and 3:00pm.

As part of the school expansion, adjustments to the school operating hours are currently being considered, including the possibility of staggering finish times for the different school operations. Narnia would also operate for longer hours (e.g., to 5:30pm or 6pm). This will result in the arrival and departure profiles being spread out more than current conditions and will likely help alleviate the 'peak of peak' conditions common to schools.

Traffic Volumes

Traffic counts were completed on Thursday 25 March 2021 and covered the peak morning and afternoon school peaks at the Wine Country Drive/ Lomas Lane intersection.

As expected, the intersection peak half hours coincide with the peak school arrival and departure times, from 7:30am to 8:00am and 2:30pm to 3:00pm. Traffic volumes for the peak half hours are summarised in Figure 3 and Figure 4.

Figure 2: Existing AM peak half hour traffic volumes (7:30am to 8:00am)

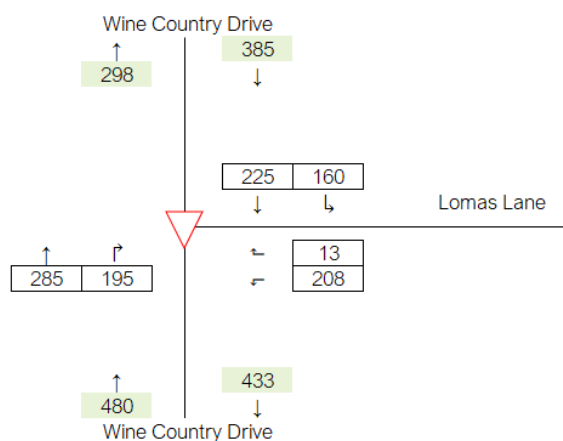
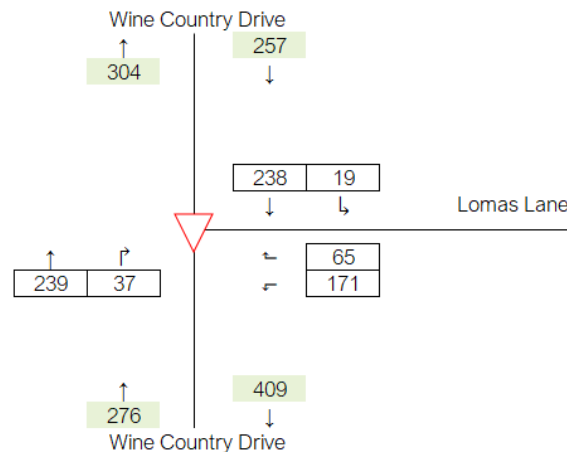


Figure 3: Existing PM peak half hour traffic volumes (2:30pm to 3:00pm)



Proposal

Masterplans for the proposed development comprises a school that will ultimately cater for 1,732 students. The alterations and additions include upgrades to Lomas Lane through the removal of on-street parking and provision of new bus set-down / pick-up space on Lomas Lane. These changes intend to expand and formalise set-down and pick-up activity and manage the critical pedestrian-vehicle interface.

A number of the school's existing buildings are accommodated in modular or temporary facilities. The masterplan aims to enhance the school's facilities through the provision of flexible and permanent learning environments to meet the school's vision.

In addition to changes to school facilities and Lomas Lane, a new aquatic centre is proposed at the southern extent of the site. It is also proposed to be commercially operated (and independent of the school), and be open to the general public, mostly outside the school periods and on weekends. To accommodate this, and to spread traffic demand associated with the school, a new access on Wine Country Drive is critical. Playing fields for use by the school and teenage/ adult weekend sport is also proposed in the section of the site.

Wine Country Drive/ Lomas Lane Intersection

A lot of work has been considered at this intersection over recent years with the intersection operation discussed at various stages. We have assessed with SIDRA for the AM and PM peak half hours to understand worst case scenarios and to reflect what we know to be existing operations. Site observations and additional cameras have also formed a key part of our assessment to date.

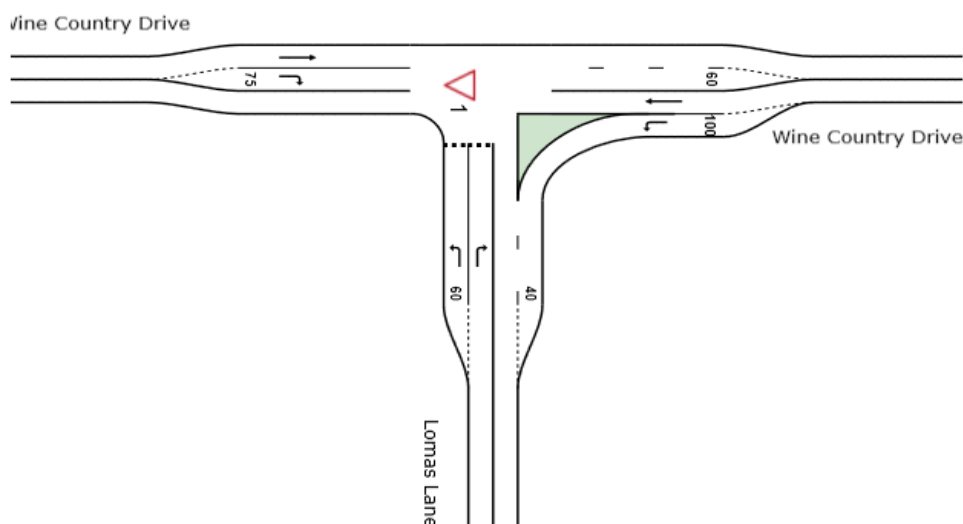
The intersection tends to operate satisfactorily on most days noting that this can vary depending on weather, days/ times etc. This is common for all schools. The right turn exit from Lomas Lane is particularly problematic with short-term queues forming. The efficiency of the set-down/ pick-up internal to the school can also result in some delays back into the intersection. The right turn from Wine Country Drive into Lomas Lane can also form long queues, which in-turn can affect northbound through traffic.

Outside these short school peaks, there is very little turning traffic at Lomas Lane with no delays at all.

Some form of intersection upgrades is necessary to alleviate existing constraints while also considering the development proposal. Several options have been considered to date however upgrades to a seagull intersection layout is the obvious solution. The greatest benefit is to the right turns, and through traffic on Wine Country Drive. Any safety concerns would also be addressed.

An indicative proposed layout is shown in Figure 5.

Figure 4: Potential intersection layout



This layout was modelled using existing traffic volumes and resulted in a significant reduction in delay and queuing. Delays for the right turn out of Lomas Lane reduced from over one minute down to 12.5 seconds, with a corresponding improvement from LOS E to B in the AM peak. Similar results are achieved in the PM. Other works include lengthening the right turn bay on Wine Country Drive and widening the pavement to better allow for through traffic. Such works could also readily be accommodated within the existing road reserve.

A range of future scenarios have also been modelled to understand any such sensitivity of the intersection layout. Increases in student and staff, and other demands associated with the aquatic centre and playing field were added with variations around traffic splits (and proportional use of the proposed southern access). At no time has the modelling indicated any sensitivity with the overall intersection (and individual approaches) continuing to operate well (and well into the future).

The operation of the intersection will also benefit from the changes to school access proposed on Lomas Lane including additional on-site queuing space for vehicles dropping-off and picking-up children.

Furthermore, it is proposed the school would implement additional management on site during peak periods to facilitate operations. Similar management is provided at other SPCC schools and would include name cards in vehicle windscreens on approach, dedicated pick up areas for various years groups, etc.

Proposed Southern Access

The aquatic centre proposed at the southern end of the site (and the playing fields) are proposed to be accessed via a new access on Wine Country Drive. Internal roads would also facilitate some minor movement through the school, as necessary. The additional access will provide the school with critical permanent flood free access in addition to the existing emergency access on Wine Country Drive. The school is proposed to be fenced and secure on weekends.

A new access on Wine Country Drive has similarly been assessed using SIDRA. A priority-controlled layout would include a right turn bay and left turn slip lane on Wine Country Drive. The indicative layout is shown in Figure 5 with the Nearmap aerial of the area in question shown in Figure 6.

Figure 5: Proposed southern access layout

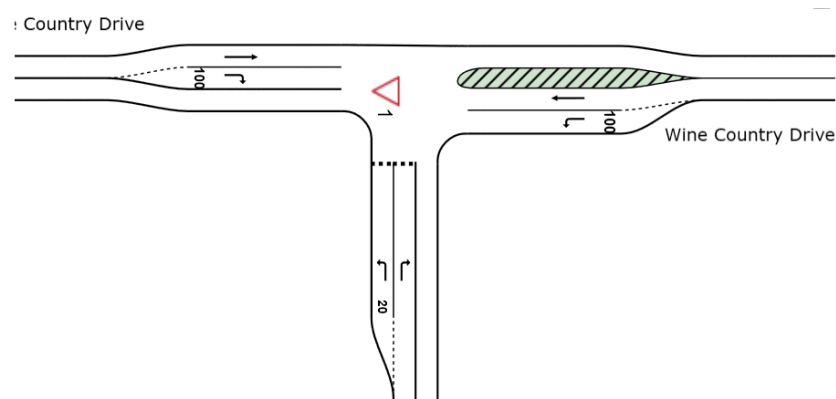


Figure 6: Nearmap aerial of potential southern access location



The necessary location of this southern access intersection and broader road network constraints on Wine Country Drive means that a full seagull intersection layout is not possible. This is mostly due to the effects of the recently constructed service station to the north and slip lane approach to that site. It is anticipated that TfNSW would be concerned for weaving manoeuvres should seagull treatment be implemented. As such, the intersection layout excludes this and instead proposes banning the right turn on exit during school peak periods. The right turn would be possible outside these periods, including on weekends.

The intersection operation has been tested for both school peaks and weekend peak. During school peaks the intersection operates well with minimal queuing and delays for all approaches. The critical movements (right turn in and left turn out) operate well with manageable delays of between 13 and 27 seconds on school days.

The weekend peak was modelled based on the peak through traffic on Wine Country Drive between 12:00pm and 1:00pm. Indicative modelling completely intends to determine the capacity of the intersection to facilitate through traffic and when delays start to occur for the turning movements. In the worst-case scenario where it is the split of traffic is even between the north and south, around 300 vehicles can enter and exit the site (assumed 150 in and 150 out). A more realistic split of 70 per cent of traffic travelling to/ from south increases this to 400 turning vehicles (200 in and 200 out).

Much work has been completed to date with scenarios tested and design parameters considered to ensure a range of scenarios in and around an expanded school have been considered. Some existing traffic related concerns have been addressed with what we consider to be appropriate and timely works that benefit both the school and through traffic on Wine Country Drive.

The opportunity to meet with TfNSW and discuss the matters raised in this memo (and other details relevant to TfNSW) is appreciated. Stakeholder engagement is naturally critical for this project, especially having regard to the SEARs requirements.

ADDENDUM

Following the pre-submission consultation meeting held with TfNSW on 1 September 2021 GTA, now Stantec has undertaken further works to provide clarification and address comments raised at the meeting. Additionally, we seek further inputs from TfNSW as raised at the meeting.

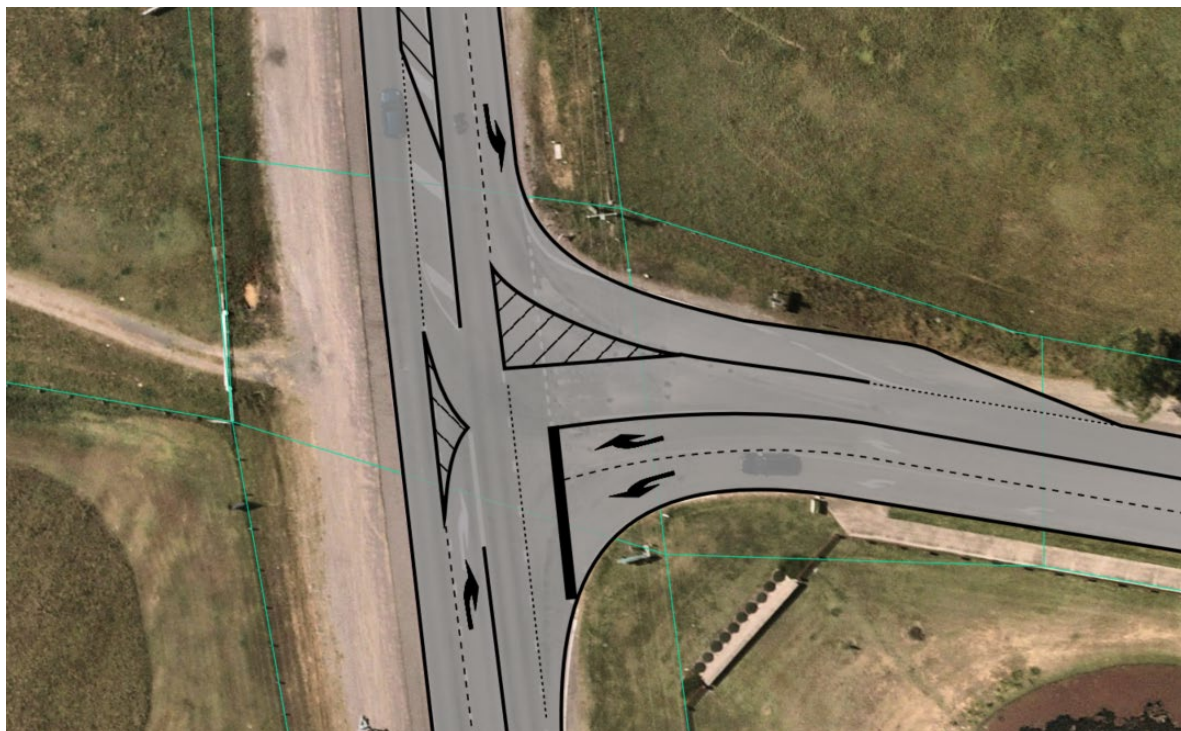
In all instances, access to/ from properties west of Wine Country Drive, particularly those opposite Lomas Lane need to be considered. The road reserve and properties boundaries are also important in this regard.

School Access Strategy

Existing traffic accessing the school all travel through the intersection of Wine Country Drive and Lomas Lane, with the school accessed via Lomas Lane. The planned school expansion to increase numbers to 1,732 students and associated staff increase will increase the demand placed on the intersection. This intersection will continue to play an important role in servicing the school, with most set-down/ pick-up activity planned to continue at the northern end of the school.

Although the intersection still generally operates satisfactorily during the short school peaks, the anticipated additional demand requires intersection upgrades to allow the intersection to continue to operate well and maintain safety for all users. Several options have been considered to date however upgrades to a seagull intersection layout appears to be the obvious solution. A seagull intersection also incorporates the provision of a separated left turn slip lane to remove the conflict with vehicles turning right into Lomas Lane, resulting in left and right turn vehicles merging in Lomas Lane immediately east of the intersection. A concept sketch is provided in Figure 7.

Figure 7: Concept design seagull intersection layout



Key to the access strategy is a secondary school access on Wine Country Drive towards the southern end of the site. This access will alleviate any such short-term traffic intensification at the Lomas Lane intersection and ensure appropriate distribution across the school. It is also critical that this access is able to function independently to the main northern access given the need for the aquatic centre and playing fields to operate

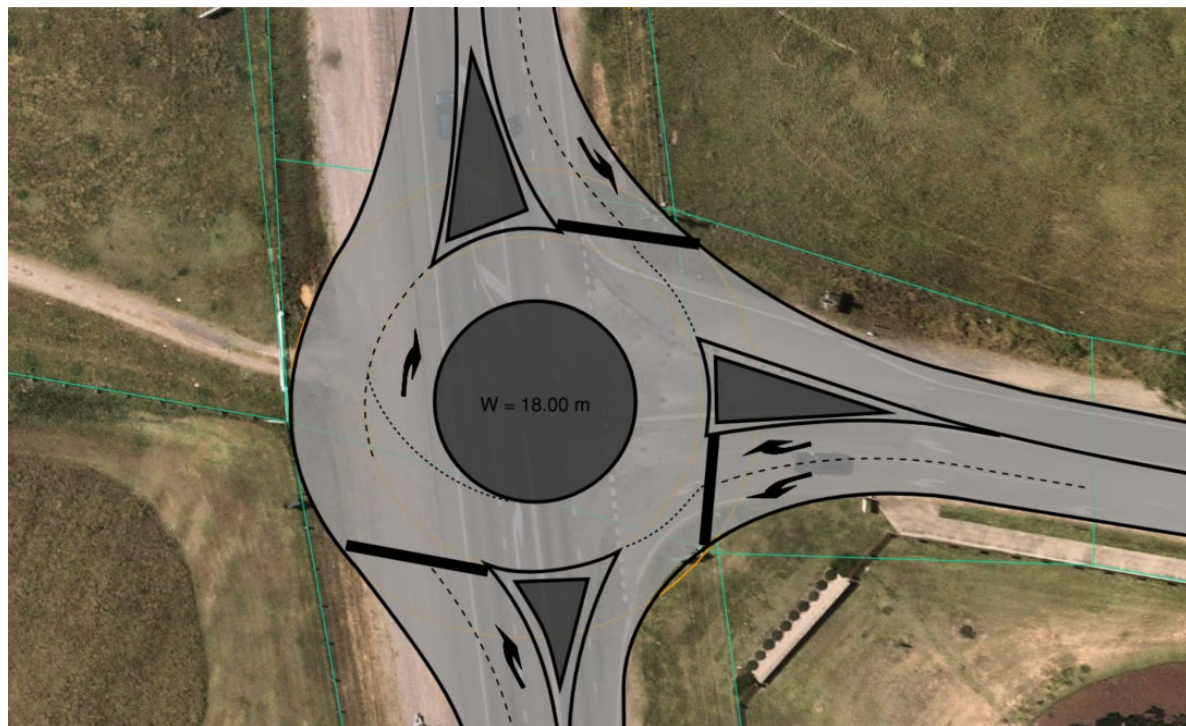
outside school hours and on weekends etc. This will ensure the school can be secured and avoid the need for vehicles to traverse through school grounds unnecessarily. This access will also form a permanent flood evacuation route.

The proposed southern access design is proposed to permit all turning movements outside the peak school morning and afternoon periods. This will ensure that the Aquatic Centre and playing fields can operate independently. It also recognises the short peak demands associated with day-to-day school operations and the need to maintain safety and minimise impacts to through traffic on Wine Country Drive. During school set-down and pick-up periods, all vehicles needing to turn right on exit and travel north on Wine Country Drive will need to use Lomas Lane.

Roundabout Intersection Option

TfNSW has indicated that seagull intersection treatments are not favoured and not considered appropriate or safe where the posted speed limit is 80 km/h or more. In this regard, a roundabout on Wine Country Drive at Lomas Lane has also been considered. Maintaining full turning movements at Lomas Lane is critical for existing and future school operations and existing Lomas Lane residents. In this regard, a roundabout has been modelled with a basic concept sketch layout shown in Figure 8.

Figure 8: Concept design roundabout layout



Such an intersection treatment would require significant intersection upgrades with possible land acquisition requirements. The above concept anticipates an 18-metre diameter central island, and if partially mountable could accommodate buses/ coaches as necessary.

The proposed roundabout layout was modelled under the same parameters as the seagull intersection layout to understand the cumulative impact of the increase in student numbers to 1,732 and a background traffic growth rate of 1.5 per cent.

The roundabout operates well in both weekday AM and PM peak half hours, with a LoS A with minimal delays and queuing. The roundabout provides greater opportunity for vehicles to enter the intersection, providing the greatest benefit to vehicles in Lomas Lane. A roundabout would always impact through vehicles on Wine

Country Drive with regard to minor delay associated with slowing to navigate the roundabout however does also offer an opportunity to mitigate speed.

In comparison, a seagull intersection treatment would operate satisfactorily noting that the right turn exit from Lomas Lane may start to approach capacity with a LoS E in the AM peak. This movement would however operate well in the PM peak (at LoS B). all other movements operate well in both peaks with minimal queuing and delays.

Opportunities and Stakeholder Comment

Overall, there are a range of opportunities available to both manage and improve existing operations along Wine Country Drive in the vicinity of St Philip's and appropriately facilitate future traffic (and traffic growth in the Hunter region more broadly).

With school peaks known to be 'short and sharp', a balance is always necessary to ensure appropriate intersection operation, maintain safety and minimise disruption in all other periods of the day and night. In this regard, while a roundabout does offer operational efficiencies during the school peak hours when compared with a seagull intersection, there are some minor delays to through traffic on Wine Country Drive outside the short school peaks. Access considerations for the properties to the west are also important in determining the most appropriate intersection treatment, as is maintaining access arrangements for Lomas Lane residents.

There may also be opportunity to investigate the potential to extend the existing 70km/h posted speed limit (currently south of the BP service station) further north to incorporate Lomas Lane (and possibly as far north as Broke Road). Opportunity to revisit the need for the 40km/h school zone to incorporate Wine Country Drive may also be timely.

We appreciate TfNSW taking the time to attend the pre-submission meeting and discuss the matters raised in this memo. Naturally to inform the SSDA submission we would appreciate TfNSW comments on the work undertaken to date and input on the following:

- Appropriateness of a seagull intersection in light of extending the 70km/h speed limit north of Lomas Lane and adjusting the school zone to include Wine Country Drive.
- Details of any proposed works to upgrade Wine Country Drive intersections north of the site, including but not limited to Broke Road and Lovedale Road given known congestion at these locations during peak periods and on weekends.
- Comment on the appropriate background traffic growth rate to be adopted in traffic forecasts, noting modelling undertaken to date includes an annual 1.5 per cent growth rate over ten years.

Andrew Donald

29/7/21

Barr Planning

PO Box 96

Carrington NSW 2294

Dear Andrew,

We the undersigned own properties due west of the St Philip's school with access from Wine Country Dr.

We thank you for your letter of July advising us of intended "alterations and additions" to St Philip's Christian College and that associated assessments would need to be performed to support the documentation for a State Significant Development application. Your letter was followed by an email on the 16th of July requesting Barr Planning's acoustic consultant, Greg Collins, from RAPT Consulting to place a noise logging device within the grounds of our property/properties. This request was agreed to, with the positioning of a noise monitoring device being installed on the 22nd of July.

We are writing to you to advise that since the establishment of the school several issues have emerged that need consideration as any expansion would arguably exacerbate our present concerns.

1. Light and Visual Matters

We acknowledge that security lights are essential for the protection of the site, but we have had issues of flood lights being pointed directly to the west which illuminated two of the three houses on the hill. To the credit of school management this issue was resolved relatively quickly after the problem was raised. However, the expansion of the school will clearly increase the number of lights which in turn will increase the level of light coming from the site.

To help minimise the effect of the lights we ask for the following to be considered:

- a) That all security lights to shine onto the buildings and that those lights illuminating open areas are directed to the ground.
- b) A selection of fast growing "screening" trees and slow growing "substantial" trees to be planted on the perimeter of the school grounds, especially on the western and eastern side of the site. More trees would also decrease the visual attribute of the school during the day as the buildings are obvious from our properties especially the Activate Centre.

2. Noise Concerns

On school days there has been an increase in noise level at our sites especially during recess and lunchtimes. The noise level is heightened when the public address system is used which can be heard clearly at all properties. We would recommend that the positioning and the direction of the speakers be reviewed to decrease the intensity and clarity of any announcements.

3. Traffic Flow

a) Lomas Lane Corner

Since the establishment of the school the volume of traffic turning into Lomas Lane from both the north and south of Wine Country Dr has increased dramatically. So much so, that between 7.50 am and 8.20 am on school days it is almost impossible for vehicles exiting our driveway to turn south towards Cessnock. During these times it is often necessary to exit the entrance to the north and make a U turn at Lovedale Rd. At peak drop off times traffic can be banked back to the service station with a line-up of vehicles numbering more than fifty.

b) Entering/Exiting Property Entrance

Before the school was established there was a slip lane on the western side of Wine Country Dr at our entrance that allowed residents and visitors to move off Wine Country Dr and decelerate before the entry. This lane was removed as the main road was moved west to allow for an extended turning lane into Lomas Lane.

Also, attempting to turn right into our entrance from the north is similarly problematic. The tarred verge on the eastern side of Wine Country Dr is a short acceleration lane for vehicles turning from Lomas Lane onto Wine Country Dr and does not allow vehicles to pass safely on the inside if there is a car trying to access our entrance.

c) Speed Limit

The traffic congestion and associated access issues are magnified by the current speed limit of 80 km/hr. There have already been some minor collisions at the Lomas Lane intersection representing a significant elevation in the risk profile of access to the school and our properties. To reduce the risk of a major collision or fatality, future plans must address both the speed limit and the access issues outlined above.

We look forward to your response to our concerns and we are very happy to meet and discuss in person.

Kindest Regards,



Ross Wilson

307 Wine Country Dr

Nulkaba NSW 2325



Peter Barnes PP

309 Wine Country Dr

Nulkaba NSW 2325



Neil McGuigan

311 Wine Country Dr

Nulkaba NSW 2325

Cc Principal, St Philip's Christian College

From: Paul Dunn <pdunn79@icloud.com>
Sent: Thursday, 12 August 2021 10:13 AM
To: feedback <feedback@barrplanning.com.au>
Subject: State significant development - St Philips school

Good Morning, I hope this email finds you well.

Making representations on behalf of neighboring properties to St Philips Christian College, specifically Mr George McGuinness, 92 years of age, not having access to email.

The concerns raised by Mr McGuinness, who owns the property opposite the school, parallel to Lomas Lane to the corner of Lomas Lane and Wine Country Drive, also the property opposite the school on the other side of Wine Country Drive.

- 1) There needs to be clarification that the fence line on Mr McGuinness's property that runs along Lomas Lane is NOT the property boundary.
- 2) The fence line was moved due to flooding continually knocking the fence down.
- 3) The grouping of trees immediately adjacent to the bus entrance to the school on Lomas Lane, outside of the fence line, but on Mr McGuinness's property, was left there as a water break to stop the re-positioned fence from being knocked over by flood water.
- 4) Although the area is being encroached upon by cars and is not fenced in, it still remains the property of Mr McGuinness, and is not in any way a lay-over for cars or busses.





5) Mr McGuinness has concerns with respect to the intersection of Wine Country Drive and Lomas Lane, specifically regarding his driveway that also enters at that intersection. Mr McGuinness will require specific communication as to what the proposals are for it and how the school intends to allow for him to safely enter the road reserve once the intersection is upgraded.

6) And further, if Mr McGuinness's driveway needs to be re-positioned, at who's cost?

7) There is concern about possible left-in, left-out entry-exits on to wine country drive, and that is not a satisfactory option for both local residents and parents dropping children off.

Please do contact either through myself or Mr McGuinness directly on home phone number 02 49902360. He is home between 12:30pm and 1:30pm each day for lunch. He is out on the farm, uncontactable otherwise.

Thank you

Cr Paul Dunn
Cessnock City Council - Ward A
[62 - 78 Vincent Street PO Box 152](#)
[Cessnock NSW 2325](#)
Phone: [\(02\) 4993 4100](#)
Fax: [\(02\) 4993 2503](#)
Mobile: [0408679927](#)
FB: @PaulDunnWardA
T: @PaulDunnWardA
In: @PaulDunnWardA

Sent from my iPad

9.5 Appendix E – Mitigation Measures

Table 25 Summary of Mitigation Measures

Impact	Potential Impact	Approach	Residual Impact
Visual impact	Adverse visual impact on the surrounding rural character and nearby residential dwellings	Implement screen planting along Wine Country Drive in both the north and south of the site	Low
Lighting	Light spill from school at night causes nuisance to surrounding residences and/or visitor accommodation	Comply with AS 4282:2019 Control of the obtrusive effects of outdoor lighting in the development of a lighting strategy for the site	Low
Transport and accessibility	Construction-related traffic causes congestion and safety issues.	Implement construction traffic management plan	Low
	Increased school population exacerbates traffic congestion and queuing during peak drop-off and pick-up times	Stage 1 – construct second school access from Wine Country Drive Stage 2 – construct roundabout at intersection of Wine Country Drive and Lomas Lane	Low - moderate
	Over-reliance on private vehicle trips by students and staff	Implement School Travel Plan	Low - moderate
Crime	Increased crime activity associated with additions to school	Integration of design with Crime Prevention Through Environmental Design Principles	Low – moderate
Ecological sustainability	Construction and operation of proposed facilities results in unsustainable practices or excessive resource consumption	Implement water-sensitive urban design elements, buildings designed to make use of passive solar design, and maximise opportunities for natural light	Low

Impact	Potential Impact	Approach	Residual Impact
		and ventilation. Implement recommendations of ESD audit of existing school facilities.	
Aboriginal cultural heritage	Development impacts on Aboriginal cultural heritage items	All development to remain outside mapped Potential Archaeological Deposit (PAD) areas.	Low
Noise and vibration	Construction noise causes amenity impacts for school users and/or nearby residents	Implement construction noise management plan	Low-moderate
	Operational noise causes amenity impacts for nearby residents	Restrict outdoor activities during sleep disturbance criteria times. Ensure outdoor PA equipment is low-power and directed downwards.	Low
	Road noise from Wine Country Drive causes amenity impacts inside proposed school buildings	Building construction complies with minimum configuration recommended in acoustic report	Low
Biodiversity	Development adversely impacts on biodiversity	Development sited to minimize requirement for vegetation clearing. Implement mitigation actions recommended in BDAR.	Low
Stormwater management	Stormwater runoff causes pollution of waterways	Stormwater quality treatment devices are implemented as per Integrated Water Cycle Management Plan. Construction utilises erosion and sediment control practices outlined in concept erosion and sediment control plan.	Low

Impact	Potential Impact	Approach	Residual Impact
Flooding	Development presents flood risks to future users of the school	Provide new flood-free road access to school from Wine Country Drive. Update School Flood Emergency Response Plan to reflect proposed development.	Low
	Development results in off-site flood impacts	Minimise filling in those parts of the site known to have a greater sensitivity to off site flood impacts and undertake modelling to test impacts	Low
Waste	Development results in excessive or uncontrolled disposal of construction waste	Implement construction waste management plan	Low
	Development results in irresponsible waste practices during school operations	Implement operational waste management plan	Low
Geotechnical contamination and	Development suffers premature structural damage	Adhere to recommendations of geotechnical report in relation to pavement and footing design	Low
	Development results in human exposure to contaminated soil or materials	Implement mitigation measure recommended in Preliminary Site Contamination Assessment	Low
Bush fire	Development increases risk to life or property from bush fire	Provide/maintain Asset Protection Zones and implement other recommendations of Bush fire assessment report.	Low

9.6 Appendix F – Planning Certificates

Planning Certificate	Property Details
10.7 Certificate	10 Lomas Lane Nulkaba NSW 2325 Lot 1 DP: 126765
10.7 Certificate	210 Wine Country Drive Nulkaba NSW 2325 Lot 518 DP: 837571
10.7 Certificate	Wine Country Drive Nulkaba NSW 2325 Lot 1 DP: 744377
10.7 Certificate	Wine Country Drive Nulkaba NSW 2325 Lot 2 DP: 600895



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7(2) and (5)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Laura Robinson
Po Box 96 Carrington 2294

Applicants Reference
16NEW0010

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 1877
DATE OF CERTIFICATE: 10/06/2021

PROPERTY DETAILS

ADDRESS: 10 Lomas Lane NULKABA NSW 2325
TITLE: LOT: 1 DP: 126765
PARCEL NO.: 25869

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

TELEPHONE: (02) 4993 4100. FAX (02) 4993 2500
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EMAIL ADDRESS: council@cessnock.nsw.gov.au Visit us at: <http://www.cessnock.nsw.gov.au>
ABN 60 919 148 928

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7(2) and (5)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

1. Name of relevant planning instruments and DCPs

- (1) **The name of each environmental planning instrument that applies to the carrying out of development on the land:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

[State Environmental Planning Policy No 64—Advertising and Signage](#)

[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

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[State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)

[State Environmental Planning Policy \(Coastal Management\) 2018](#)

[State Environmental Planning Policy \(Concurrences\) 2018](#)

[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

[State Environmental Planning Policy \(State Significant Precincts\) 2005](#)

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[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

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- (2) **The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved):**

There are no Draft Local Environmental Plan/s affecting this land.

- (3) **The name of each development control plan that applies to the carrying out of development on the land.**

Cessnock Development Control Plan 2010

2. **Zoning and land use under relevant LEPs**

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
 (c) **The purposes for which development may not be carried out within the zone except with development consent; and**
 (d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

- 2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

- 3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

- 4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (e) **Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed:**



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No

(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.38 Complying development on flood control lots contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.

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Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the



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	land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
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5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the *Coal Mine Subsidence Compensation Act 2017*.

No

6. Road widening and road alignment

Whether or not the land is affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or
- (b) any environmental planning instrument, or
- (c) any resolution of the council.

The land is not affected by a road widening or road realignment proposal under:

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or
- (b) any environmental planning instrument, or
- (c) any resolution of the council.

7. Council and other public authority hazard risk restrictions

Whether or not the land is affected by a policy:

- (a) adopted by the council, or
- (b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

That restricts the development of the land because of the likelihood of:

- (1) Landslip

No

- (2) Bushfire

No

- (3) Tidal inundation

No

- (4) Subsidence



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No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.**

Yes

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.**

Yes

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

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10. Biodiversity stewardship sites

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

Note. Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as the Council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section.

11. Bush fire prone land

Some of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

13. Orders under *Trees (Disputes Between Neighbours) Act 2006*

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

No

14. Directions under Part 3A

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

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- (2) There are no terms of a kind referred to in clause 18(2) of that policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing

- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

18. Paper subdivision information

- (1) **There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.**
- (2) **There is no subdivision order that applies to the land**

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.

Matters are prescribed by section 59 (2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

- (a) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.



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- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.



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Laura Robinson
Po Box 96 Carrington 2294

Applicants Reference
16NEW0010

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 1877
DATE OF CERTIFICATE: 10/06/2021

PROPERTY DETAILS

ADDRESS: 10 Lomas Lane NULKABA NSW 2325
TITLE: LOT: 1 DP: 126765
PARCEL NO.: 25869

BACKGROUND INFORMATION

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Additional information pursuant to Section 10.7(5) of the *Environmental Planning & Assessment Act 1979*

(5) A council may, in a planning certificate, include advice on such other relevant matters affecting the land of which it may be aware.

Council's records do not indicate that the land the subject of this Certificate is subject to Noise Exposure.

For further information, please contact Council's Strategic Land Use Planning unit, of the Planning and Environment directorate on 02 4993 4100.

A handwritten signature in black ink, appearing to read "P. Mickleson", is written over a light blue horizontal line.

Peter Mickleson
Director Planning and Environment



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Laura Robinson
Po Box 96 Carrington 2294

Applicants Reference
16NEW0010

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 1876
DATE OF CERTIFICATE: 10/06/2021

PROPERTY DETAILS

ADDRESS: 210 Wine Country Drive NULKABA NSW
2325
TITLE: LOT: 518 DP: 837571
PARCEL NO.: 26037

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

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1. Name of relevant planning instruments and DCPs

- (1) **The name of each environmental planning instrument that applies to the carrying out of development on the land:**

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- (2) **The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved):**

There are no Draft Local Environmental Plan/s affecting this land.

- (3) **The name of each development control plan that applies to the carrying out of development on the land.**

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
 (c) **The purposes for which development may not be carried out within the zone except with development consent; and**
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RU2 Rural Landscape

- 2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

- 3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

- 4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (e) **Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed:**



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No

(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.38 Complying development on flood control lots contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.

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Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7(2) and (5)
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	land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
--	---

5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the *Coal Mine Subsidence Compensation Act 2017*.

No

6. Road widening and road alignment

Whether or not the land is affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or
- (b) any environmental planning instrument, or
- (c) any resolution of the council.

The land is not affected by a road widening or road realignment proposal under:

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or
- (b) any environmental planning instrument, or
- (c) any resolution of the council.

7. Council and other public authority hazard risk restrictions

Whether or not the land is affected by a policy:

- (a) adopted by the council, or
- (b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

That restricts the development of the land because of the likelihood of:

- (1) Landslip

No

- (2) Bushfire

No

- (3) Tidal inundation

No

- (4) Subsidence



PLANNING CERTIFICATE

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No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.**

Yes

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.**

Yes

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

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ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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10. Biodiversity stewardship sites

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

Note. Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as the Council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

13. Orders under *Trees (Disputes Between Neighbours) Act 2006*

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

No

14. Directions under Part 3A

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

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ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

- (2) There are no terms of a kind referred to in clause 18(2) of that policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing

- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

18. Paper subdivision information

- (1) **There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.**
- (2) **There is no subdivision order that applies to the land**

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.

Matters are prescribed by section 59 (2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

- (a) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7(2) and (5)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
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- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7(2) and (5)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Laura Robinson
Po Box 96 Carrington 2294

Applicants Reference
16NEW0010

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 1876
DATE OF CERTIFICATE: 10/06/2021

PROPERTY DETAILS

ADDRESS: 210 Wine Country Drive NULKABA NSW
2325
TITLE: LOT: 518 DP: 837571
PARCEL NO.: 26037

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

TELEPHONE: (02) 4993 4100. FAX (02) 4993 2500
POSTAL ADDRESS: PO BOX 152, CESSNOCK, 2325 or DX 21502 CESSNOCK
EMAIL ADDRESS: council@cessnock.nsw.gov.au Visit us at: <http://www.cessnock.nsw.gov.au>
ABN 60 919 148 928



PLANNING CERTIFICATE

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Additional information pursuant to Section 10.7(5) of the *Environmental Planning & Assessment Act 1979*

(5) A council may, in a planning certificate, include advice on such other relevant matters affecting the land of which it may be aware.

Council's records do not indicate that the land the subject of this Certificate is subject to Noise Exposure.

For further information, please contact Council's Strategic Land Use Planning unit, of the Planning and Environment directorate on 02 4993 4100.

A handwritten signature in black ink, appearing to read "P. Mickleson", is written over a light blue horizontal line.

Peter Mickleson
Director Planning and Environment



PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7(2) and (5)
ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979
and associated
ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Laura Robinson
Po Box 96 Carrington 2294

Applicants Reference
16NEW0010

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 1878
DATE OF CERTIFICATE: 10/06/2021

PROPERTY DETAILS

ADDRESS: Wine Country Drive NULKABA NSW 2325
TITLE: LOT: 1 DP: 744377
PARCEL NO.: 21502

BACKGROUND INFORMATION

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PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7(2) and (5)
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1. Name of relevant planning instruments and DCPs

- (1) **The name of each environmental planning instrument that applies to the carrying out of development on the land:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

[State Environmental Planning Policy No 64—Advertising and Signage](#)

[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

[State Environmental Planning Policy \(Aboriginal Land\) 2019](#)

[State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#)

[State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)

[State Environmental Planning Policy \(Coastal Management\) 2018](#)

[State Environmental Planning Policy \(Concurrences\) 2018](#)

[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

[State Environmental Planning Policy \(State Significant Precincts\) 2005](#)

[State Environmental Planning Policy \(Sydney Drinking Water Catchment\) 2011](#)

[State Environmental Planning Policy \(Sydney Region Growth Centres\) 2006](#)

[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

PLANNING CERTIFICATE

ISSUED UNDER SECTION 10.7(2) and (5)
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- (2) **The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved):**

There are no Draft Local Environmental Plan/s affecting this land.

- (3) **The name of each development control plan that applies to the carrying out of development on the land.**

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

- 2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

- 3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

- 4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (e) **Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed:**

PLANNING CERTIFICATE

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No

(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.38 Complying development on flood control lots contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.

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Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the



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	land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
--	---

5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the *Coal Mine Subsidence Compensation Act 2017*.

No

6. Road widening and road alignment

Whether or not the land is affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or
- (b) any environmental planning instrument, or
- (c) any resolution of the council.

The land is affected by a road widening or road realignment proposal under:

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or
- (b) any environmental planning instrument, or
- (c) any resolution of the council.

7. Council and other public authority hazard risk restrictions

Whether or not the land is affected by a policy:

- (a) adopted by the council, or
- (b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

That restricts the development of the land because of the likelihood of:

- (1) Landslip

No

- (2) Bushfire

No

- (3) Tidal inundation

No

- (4) Subsidence



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No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.**

Yes

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.**

Yes

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

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10. Biodiversity stewardship sites

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

Note. Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as the Council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

13. Orders under *Trees (Disputes Between Neighbours) Act 2006*

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

No

14. Directions under Part 3A

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

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- (2) There are no terms of a kind referred to in clause 18(2) of that policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing

- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

18. Paper subdivision information

- (1) **There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.**
- (2) **There is no subdivision order that applies to the land**

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.

Matters are prescribed by section 59 (2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

- (a) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
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- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.



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Laura Robinson
Po Box 96 Carrington 2294

Applicants Reference
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CERTIFICATE DETAILS

CERTIFICATE NUMBER: 1878
DATE OF CERTIFICATE: 10/06/2021

PROPERTY DETAILS

ADDRESS: Wine Country Drive NULKABA NSW 2325
TITLE: LOT: 1 DP: 744377
PARCEL NO.: 21502

BACKGROUND INFORMATION

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and associated

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

Additional information pursuant to Section 10.7(5) of the *Environmental Planning & Assessment Act 1979*

(5) A council may, in a planning certificate, include advice on such other relevant matters affecting the land of which it may be aware.

Council's records do not indicate that the land the subject of this Certificate is subject to Noise Exposure.

For further information, please contact Council's Strategic Land Use Planning unit, of the Planning and Environment directorate on 02 4993 4100.

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Peter Mickleson
Director Planning and Environment



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Laura Robinson
Po Box 96 Carrington 2294

Applicants Reference
16NEW0010

CERTIFICATE DETAILS

CERTIFICATE NUMBER: 1879
DATE OF CERTIFICATE: 10/06/2021

PROPERTY DETAILS

ADDRESS: Wine Country Drive NULKABA NSW 2325
TITLE: LOT: 2 DP: 600895
PARCEL NO.: 19494

BACKGROUND INFORMATION

This certificate provides information on how the relevant parcel of land may be developed, including the planning restrictions that apply to development of the land, as at the date the certificate is issued. The certificate contains information Council is aware of through its records and environmental plans, along with data supplied by the State Government. The details contained in this certificate are limited to that required by Section 10.7 of the *Environmental Planning and Assessment Act, 1979*.

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1. Name of relevant planning instruments and DCPs

- (1) **The name of each environmental planning instrument that applies to the carrying out of development on the land:**

[Cessnock Local Environmental Plan 2011](#)

[Hunter Regional Plan 2036](#)

[State Environmental Planning Policy No 1—Development Standards](#)

[State Environmental Planning Policy No 19—Bushland in Urban Areas](#)

[State Environmental Planning Policy No 21—Caravan Parks](#)

[State Environmental Planning Policy No 33—Hazardous and Offensive Development](#)

[State Environmental Planning Policy No 36—Manufactured Home Estates](#)

[State Environmental Planning Policy No 55—Remediation of Land](#)

[State Environmental Planning Policy No 64—Advertising and Signage](#)

[State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development](#)

[State Environmental Planning Policy No 70—Affordable Housing \(Revised Schemes\)](#)

[State Environmental Planning Policy \(Aboriginal Land\) 2019](#)

[State Environmental Planning Policy \(Affordable Rental Housing\) 2009](#)

[State Environmental Planning Policy \(Building Sustainability Index: BASIX\) 2004](#)

[State Environmental Planning Policy \(Coastal Management\) 2018](#)

[State Environmental Planning Policy \(Concurrences\) 2018](#)

[State Environmental Planning Policy \(Educational Establishments and Child Care Facilities\) 2017](#)

[State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#)

[State Environmental Planning Policy \(Housing for Seniors or People with a Disability\) 2004](#)

[State Environmental Planning Policy \(Infrastructure\) 2007](#)

[State Environmental Planning Policy \(Mining, Petroleum Production and Extractive Industries\) 2007](#)

[State Environmental Planning Policy \(Miscellaneous Consent Provisions\) 2007](#)

[State Environmental Planning Policy \(Primary Production and Rural Development\) 2019](#)

[State Environmental Planning Policy \(State and Regional Development\) 2011](#)

[State Environmental Planning Policy \(State Significant Precincts\) 2005](#)

[State Environmental Planning Policy \(Sydney Drinking Water Catchment\) 2011](#)

[State Environmental Planning Policy \(Sydney Region Growth Centres\) 2006](#)

[State Environmental Planning Policy \(Urban Renewal\) 2010](#)

[State Environmental Planning Policy \(Vegetation in Non-Rural Areas\) 2017](#)

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- (2) **The name of each proposed environmental planning instrument that will apply to the carrying out of development on the land and that is or has been the subject of community consultation or on public exhibition under the Act (unless the Director-General has notified the council that the making of the proposed instrument has been deferred indefinitely or has not been approved):**

There are no Draft Local Environmental Plan/s affecting this land.

- (3) **The name of each development control plan that applies to the carrying out of development on the land.**

Cessnock Development Control Plan 2010

2. Zoning and land use under relevant LEPs

- (a) **The land is identified as being in:**

RU2 Rural Landscape under the Cessnock Local Environmental Plan 2011.

- (b) **The purpose for which development may be carried out without consent within the zone;**
(c) **The purposes for which development may not be carried out within the zone except with development consent; and**
(d) **The purpose for which development is prohibited within the zone.**

RU2 Rural Landscape

2) Permitted without consent

Extensive agriculture; Home occupations; Horticulture

3) Permitted with consent

Aquaculture; Cellar door premises; Dual occupancies; Dwelling houses; Environmental protection works; Farm buildings; Health consulting rooms; Home industries; Hospitals; Neighbourhood shops; Pubs; Restaurants or cafes; Roads; Roadside stalls; Rural supplies; Self-storage units; Any other development not specified in item 2 or 4.

4) Prohibited

Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Depots; Entertainment facilities; Exhibition homes; Exhibition villages; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Heliports; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Mortuaries; Passenger transport facilities; Recreation facilities (indoor); Residential accommodation; Restricted premises; Sex services premises; Storage premises; Transport depots; Truck depots; Vehicle bodrepair workshops; Vehicle repair stations; Warehouse or distribution centres; Wharf or boating facilities; Wholesale supplies

- (e) **Whether any development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on the land and, if so, the minimum land dimensions so fixed:**



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No

(f) Whether the land includes or comprises critical habitat:

The land is not land that includes or comprises critical habitat declared to be critical habitat under Part 3 of the Threatened Species Conservation Act 1995.

(g) Whether the land is a conservation area (however described):

The land is not a conservation area under the Cessnock Local Environmental Plan 2011.

(h) Whether an item of environmental heritage (however described) is situated on the land:

An item of environmental heritage identified in Cessnock Local Environmental Plan 2011 is not situated on the land.

3. Complying Development

- (1) Complying development may be carried out on the land under each of the following codes for complying development, to the extent stated, because of the provisions of clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) Complying development may not be carried out on the land under each of the following codes for complying development, to the extent and for the reasons stated under clauses 1.17A (1) (c) to (e), (2), (3) and (4), 1.18 (1) (c3) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

Housing Code	Complying Development may not be carried out under the Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Rural housing code	Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.38 Complying development on flood control lots contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Complying Development may be carried out under the Rural Housing Code where it meets the requirements of Clause 3A.37 Complying development on bush fire prone land contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Low Rise Housing Diversity Code	Complying Development may not be carried out under the Low Rise Housing Diversity Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.

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Greenfield Housing Code	Complying Development may not be carried out under the Greenfield Housing Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Housing Alterations Code	Complying Development may be carried out on the land under the Housing Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
General Development Code	Complying Development may be carried out on the land under the General Development Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial Alterations Code	Complying Development may be carried out on the land under the Commercial and Industrial Alterations Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Commercial and Industrial (New Buildings and Additions) Code	Complying Development may not be carried out under the Commercial & Industrial (New Buildings and Additions) Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Container Recycling Facilities Code	Complying Development may not be carried out under the Container Recycling Facilities Code as the subject land falls within a Local Environmental Plan zone that does not meet the requirements of the code.
Subdivisions Code	Complying Development may be carried out on the land under the Subdivision Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Demolition Code	Complying Development may be carried out on the land under the Demolition Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
Fire Safety Code	Complying Development may be carried out on the



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	land under the Fire Safety Code, subject to the development complying with the relevant standards contained within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
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5. Mine subsidence

Whether or not the land is proclaimed to be a mine subsidence district within the meaning of the *Coal Mine Subsidence Compensation Act 2017*.

No

6. Road widening and road alignment

Whether or not the land is affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or
- (b) any environmental planning instrument, or
- (c) any resolution of the council.

The land is not affected by a road widening or road realignment proposal under:

- (a) Division 2 of Part 3 of the *Roads Act 1993*, or
- (b) any environmental planning instrument, or
- (c) any resolution of the council.

7. Council and other public authority hazard risk restrictions

Whether or not the land is affected by a policy:

- (a) adopted by the council, or
- (b) adopted by any other public authority and notified to the council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the council,

That restricts the development of the land because of the likelihood of:

- (1) Landslip

No

- (2) Bushfire

No

- (3) Tidal inundation

No

- (4) Subsidence



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No

(5) Acid Sulphate Soils

No

(6) Any other risk (other than flooding)

No

7A. Flood related development controls information

- (1) Whether or not development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) is subject to flood related development controls.**

Yes

- (2) Whether or not development on the land or part of the land for any other purpose subject to flood related development controls.**

Yes

Note: Words and expressions in this clause have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

8. Land reserved for acquisition

Whether or not any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 (above) makes provision in relation to the acquisition of the land by a public authority, as referred to in section 3.15 of the *Environmental Planning & Assessment Act 1979*.

No

9. Contributions plans

The name of each contributions plan/s applying to the land.

Cessnock Section 7.12 Levy Contributions Plan 2017.

Cessnock City Wide Local Infrastructure Contributions Plan 2020.

9A. Biodiversity certified land

The land is not biodiversity certified land under Part 8 of the Biodiversity Conservation Act 2016.

Note. Biodiversity certified land includes land certified under Part 7AA of the *Threatened Species Conservation Act 1995* that is taken to be certified under Part 8 of the *Biodiversity Conservation Act 2016*.

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10. Biodiversity stewardship sites

The land is not a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the Biodiversity Conservation Act 2016, but only insofar as the Council has been notified of the existence of the agreement by the Chief Executive of the Office of Environment and Heritage.

Note. Biodiversity stewardship agreements include biobanking agreements under Part 7A of the *Threatened Species Conservation Act 1995* that are taken to be biodiversity stewardship agreements under Part 5 of the *Biodiversity Conservation Act 2016*.

10A. Native vegetation clearing set asides

The land is not a set aside area under section 60ZC of the Local Land Services Act 2013, but only insofar as the Council has been notified of the existence of the set aside area by Local Land Services or it is registered in the public register under that section.

11. Bush fire prone land

All of the land is bushfire prone land as defined in the Environmental Planning & Assessment Act 1979.

12. Property vegetation plans

The land is not land to which a property vegetation plan approved under Part 4 of the Native Vegetation Act 2003 (and that continues in force) applies, only insofar as the Council has been notified of the existence of the plan by the person or body that approved the plan under the Act.

13. Orders under *Trees (Disputes Between Neighbours) Act 2006*

Whether an order has been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if the council has been notified of the order).

No

14. Directions under Part 3A

There is not a direction by the Minister in force under Section 75P(2)(c1) of the Environmental Planning & Assessment Act 1979 that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project of the land under Part 4 of that Act does not have effect.

15. Site compatibility certificates and conditions for seniors housing

- (1) The land is not land to which the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 applies.

There is no current site compatibility certificate (senior's housing) of which Council is aware, in respect of proposed development on the land.

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- (2) There are no terms of a kind referred to in clause 18(2) of that policy that have been imposed as a condition of consent to a development application granted after 11 October 2007 in respect of the land.

16. Site compatibility certificates for infrastructure

There is not a valid site compatibility certificate (infrastructure) of which Council is aware, in respect of proposed development on the land.

17. Site compatibility certificates and conditions for affordable rental housing

- (1) There is not a current site compatibility certificate (affordable rental housing), of which the Council is aware, in respect of proposed development on the land.
- (2) There are no terms of a kind referred to in clause 17(1) or 38(1) of the State Environmental Planning Policy (Affordable Rental Housing) 2009 that have been imposed as a condition of consent to a development application in respect of the land.

18. Paper subdivision information

- (1) **There is no development plan adopted by a relevant authority that applies to the land of that is proposed to be subject to a consent ballot.**
- (2) **There is no subdivision order that applies to the land**

Note: words and expressions in this clause have the same meaning as they have in Part 16C of the *Environmental Planning and Assessment Regulation 2000*.

19. Site verification certificates

There is not a current site verification certificate, of which Council is aware, in respect of the land.

21. Affected building notices and building product rectification orders

- (1) There is not an affected building notice, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(a) There is not an outstanding building product rectification order, as defined by the Building Products (Safety) Act 2017, in force in respect to the land.
- (2)(b) A notice of intent to make a building product rectification order, as defined by the Building Products (Safety) Act 2017, has not been served in respect to the land.

Matters are prescribed by section 59 (2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate:

- (a) The land or part of the land is not significantly contaminated land within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (b) The land is not subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.



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- (c) The land is not the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (d) The land is not the subject of an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date this certificate is issued.
- (e) The land is not the subject of a site audit statement within the meaning of the Contaminated Land Management Act 1997 (if a copy of such a statement has been provided at any time) to the local authority issuing the certificate.



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CERTIFICATE DETAILS

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For further information, please contact Council's Strategic Land Use Planning unit, of the Planning and Environment directorate on 02 4993 4100.

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Peter Mickleson
Director Planning and Environment

10 Appendix G – Technical Reports

The following technical reports have been prepared and submitted to support this SSD application. These have been provided as separate documents with the NSW Major Projects portal.

Appendix	Document	Consultant	Revision	Date
G1	Survey Plan	Marshall Scott		23/07/2021
G2	Architectural Plans	SHAC	B	18/01/2022
G3	Landscape Concept Masterplan & Detailed Landscape Plans	Moir Landscape Architecture	A B	18/11/2021 17/01/2022
G4	Concept Civil Engineering Plans	Northrop Consulting Engineers	3	14/01/2022
G5	Concept Design Report	SHAC	G	27/01/2022
G6	Capital Investment Value Estimate Report	Muller Partnership		23/12/2021
G7	Site-wide Landscaping Strategy	Moir Landscape Architecture	D	17/01/2022
G8	Visual Impact Assessment	Moir Landscape Architecture	B	03/12/2022
G9	Transport and Accessibility Impact Assessment	GTA Stantec	A	27/01/2022
G10	Statement of Heritage Impact	Heritage Now		20/12/2021
G11	Aboriginal Cultural Heritage Assessment Report	McCardle Cultural Heritage		03/11/2021
G12	Noise and Vibration Impact Assessment	RAPT	1	20/12/2021
G13	Arboricultural Impact Assessment	Accurate Tree Assessments		20/10/2020
G14	Biodiversity Development Assessment Report	MJD Environmental	2	18/01/2022
G15	Bush Fire Assessment Report	Newcastle Bushfire Consulting	2	20/01/2022
G16	Preliminary Engineering Design Report	Northrop Consulting Engineers	C	12/01/2022
G17	Flood Impact Assessment	BMT	1	16/12/2021
G18	Preliminary Geotechnical Investigation Report	RCA Australia	1	19/10/2021
G19	Preliminary Site Contamination Assessment	RCA Australia	2	28/01/2022
G20	Social Impact Assessment	Aigis Consulting		20/12/2021

Appendix	Document	Consultant	Revision	Date
G21	Disability Access Report	Lindsay Perry Access	1	28/01/2022
G22	Construction and Demolition Waste Management Plan and Operational Waste Management Plan	MRA Consulting Group	1	19/01/2022
G23	Electrical Services Masterplan	Electrical Projects Australia	B	18/01/2022