

ENVIRONMENTAL IMPACT STATEMENT

**PROPOSED EDUCATIONAL ESTABLISHMENT
No. 57-59 CARRINGTON STREET, WEST WALLSEND
Lot 12 Section B DP 2252 & LOT A DP 382915**

**Prepared by:
ALLAMBI CARE**



**Prepared for Submission to:
DEPARTMENT of PLANNING, ENVIRONMENT & INDUSTRY**



DECLARATION

Environmental Impact Statement (EIS) – Proposed Change of use-Educational Establishment 57 Carrington St West Wallsend

Prepared under Part 4 of the *Environmental Planning and Assessment Act 1979*

EIS Prepared by:

Name Fiona Wade
Qualifications BA (Human Geography), M.Env.Studies. RPIA
Address Allambi Care
28 Fraser Parade
Charlestown NSW 2290
Proponent name Allambi Care
Proponent address 28 Fraser Parade
Charlestown NSW 2290

Address of the land on which the project is to be carried out

Lot 12 Section B DP 2252, being No. 57 Carrington Street, West Wallsend and Lot A
DP 382915, being No. 59 Carrington Street. West Wallsend

Proposed project Proposed Change of use to Education Establishment

Certification I certify that I have prepared the contents of this environmental impact statement and to the best of my knowledge:

- the document has been prepared in accordance with Part 4 of the *Environmental Planning and Assessment Act 1979* and Schedule 2 of the Environmental Planning and Assessment Regulation 2000.
- the contents of the environmental impact statement have been prepared in accordance with the NSW Department of Planning & Environment Secretary's Environmental Assessment Requirements.
- the document contains all available information that is relevant to the environmental assessment of the activity to which the document relates; and
- the information contained in the document is neither false nor misleading.

Signature

Name Fiona Wade
(Allambi Care)
Date 18 August 2021



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Prepared by:	Reviewed by:	Released by:
Name: Fiona Wade (RPIA: 9329) Position: Quality and Planning Project Officer	Name: Mark Said Position: Director-Organisational Development	Name: Fiona Wade Position: Quality and Planning Project Officer Date: 13 August 2021



EXECUTIVE SUMMARY

This Environmental Impact Statement (EIS) has been prepared by Allambi Care (AC) to accompany a development application (DA) for a change of use of the ground floor of the former “Clyde Inn” Hotel on Lot 12 Section B DP 2252, being No. 57 Carrington Street, West Wallsend, and Lot A DP 382915, being No. 59 Carrington Street, West Wallsend (“the site”) from a ‘*commercial premises*’ to a new school, ‘*educational establishment*’. No. 59 is a vacant block.

This EIS should be read in conjunction with the Secretary’s Environmental Assessment Requirements (SEARs) dates 6 July 2021 (**Appendix 1**) and the supporting technical documents provided in the attached appendices.

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).



1. INTRODUCTION

1.1 Overview of Proposal

This Environmental Impact Statement (EIS) has been prepared by Allambi Care (AC) to accompany a development application (DA) for a change of use of the ground floor of the former “Clyde Inn” Hotel on Lot 12 Section B DP 2252, being No. 57 Carrington Street, West Wallsend, and Lot A DP 382915, being No. 59 Carrington Street, West Wallsend (“the site”) from a ‘commercial premises’ to a new school, ‘educational establishment’. No. 59 is a vacant block. The proposed development is for the purpose of a new school and as such is identified as State significant development under Clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 and Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The capital investment value (CIV) for the proposed development is \$19,615 at the most as the site is currently utilised by Allambi staff for offices and training with little alterations required to enable the building to operate as a school, (**Appendix 2**)

The proposed change of use is required for AC to become a registered school through NSW Education Standards Authority (NESA) which is a process we are currently undertaking. Registration will enable AC to be eligible for funding which presently is not available to the Learning Centre.

As part of the registration process and evidence of capacity:

“The proposed non-government school must:

- *provide written evidence that the proposed premises and buildings comply with all legislation relevant at the time of occupation;*
- *provide written evidence that the proposed premises have approval from the local Council to be used for their intended purpose;*

Architectural plans and project summary are provided in this EIS. The EIS has been prepared to address matters referred to in Part 4 of the EP&A Act, matters required to be addressed as outlined in the Environmental Planning and Assessment Regulation 2000 and the Department of Planning and Environment Secretary’s Environmental Assessment Requirements (SEARs) issued 6 July 2021 (**Appendix 1**).

The purpose of this EIS is to:

- Describe the land to which the proposal relates and the character of the surrounding area
- Describe the proposed activity
- Define the statutory framework within which the proposal is to be assessed
- Determine environmental impacts of the proposed development
- Provide environmental mitigation measures to manage potential environmental impacts.

1.2 The Proposal

Allambi Care are currently going through the relevant process with the NSW Education Standards Authority (NESA) to become a registered and accredited non-government independent special assistance school. As part of the registration process, Allambi Care is currently working with the NSW Department of Planning to gain development consent for the change of use of the ground floor of the Clyde Inn located at 57 Carrington Street, West Wallsend, into an Educational Facility. The proposal is limited to internal alterations to the ground floor. There is no plan to demolish or alter the external appearance of the existing building.



The Allambi Care School is in response to the increasing number of young people in out-of-home care, who are disengaged or excluded from both mainstream and alternative school options.

The school will specialise in education for vulnerable young people in out-of-home care who have experienced disadvantage and/or trauma. It aims to provide a safe and welcoming space in which a young person can experience acceptance, healthy connections, and positive relationships with educational staff for them to engage or re-engage in formal education.

Allambi students are typically in the care of Allambi and will come to the school with their Support Worker.

The school would operate from 8:30am to 5pm Monday to Friday. It will offer several flexible support avenues, times, and learning spaces to suit individual student needs. It will also offer a range of programs that target identified needs and explore different opportunities through experiential learning programs.

Small group education classes will be a focus of the school where students who are enrolled will compete school-based requirements.

Our enrolment capacity will be 20 – Realistically, there could be up to 12 kids on site, 6 per class. 2 classes running at the same time.

Students will have a range of learning spaces that will cater for this. These include, but are not limited to:

- The Learning Centre (Charlestown)
- The community (Beaches, local parks, local libraries etc)
- The students OOH placement



1.3 Approvals Pathway

The development is for the purpose of a new school. Pursuant to Schedule 1 Clause 15(1) of State Environmental Planning Policy (State and Regional Development) 2011 identifies State Significant Development as follows:

"Development for the purpose of a new school (*regardless of the capital investment value*)."

The proposal is for a new school and as such is identified as State significant development under the SEPP.

1.4 Need for Proposal

Allambi Care are currently going through the relevant process with the NSW Education Standards Authority (NESA) to become a registered and accredited non-government independent special assistance school.

The Allambi Care school will be a registered and accredited non-government independent special assistance school through NESA.

The Allambi Care School

The Allambi Care School and the Learning Without Walls Model that it will provide refers to an approach to the provision of education and support services targeting young people in out-of-home care who have been excluded from formal schooling. It is based on an understanding of the key needs of these young people and is informed by years of experience in service delivery as well as the research, theoretical and practice literature in the fields of special education, human development, and developmental trauma.

The proposed school will continue the Learning Without Walls model and continue to educate the children and young people in our care however it will also enable us to become a Registered School and therefore attract funding for the work we currently undertake enabling this program to be sustainable.

The proposed development will provide long-term benefit to students and educators.

1.5 Alternatives Considered

Options have been considered with the aim of ensuring students who are who are chronically disengaged, from both mainstream and alternative school options have an opportunity to experience acceptance, healthy connections, and positive relationships with educational staff for them to engage or re-engage in formal education.

Four options were considered as follows:

- Utilising The Clyde Inn as proposed
- Utilise the existing approved Learning Centre at Charlestown
- Alternative school location
- Do not proceed.

Option 1 involves the change of use of the ground floor to the Clyde Inn as proposed. Allambi Care currently owns the site and have previously used the ground floor for offices and training so little work is needed to ensure the building is appropriate for a school. The school and associated facilities are proposed to meet ongoing educational needs of the children and students we care for.



Option 2, utilise the existing approved Learning Centre at Charlestown. The existing Learning Centre is an approved use pursuant to DA 1016/2010A, however due to Bushfire constraints an educational establishment would not meet the requirements of the Rural Fires Act 1997, therefore Option 2 is not the preferred option.

Option 3 involves constructing the school at a different location. Constructing the school at another location may result in different environmental impacts in another location. Option 3 may impact on the environment through potential tree clearing, additional materials for infrastructure, increased costs in purchasing another site and additional traffic movements to ensure adequate private and public transport options are available. Option 3 is not the preferred option due to potential costs and environmental impact.

Option 4 involves not proceeding with the proposed development. The proposed school will continue the Learning Without Walls model and continue to educate the children and young people in our care however it will also enable us to become a Registered School and therefore attract funding for the work we currently undertake enabling this program to be sustainable. Therefore, not proceeding with the proposed development is not an option.

Option 1 is preferred and is considered throughout this EIS as it will facilitate the change of use of the ground floor of The Clyde Inn.

1.6 Structure of the EIS

- Section 2 presents a summary of the proposed development
- Section 3 presents the site, its attributes and location
- Section 4 presents the statutory context
- Section 5 outlines consultation with agencies and the community
- Section 6 provides an environmental assessment of the proposed development and likely impact on the environment
- Section 7 provides a conclusion and justification for the proposed development



2. THE PROPOSAL

2.1 Introduction

This EIS accompanies an application for State Significant Development. The EIS has been prepared by Allambi Care and includes matters referred to in Part 4 of the EP&A Act and matters required to be addressed as outlined in the NSW Department of Planning and Environment SEARs issued 6 July 2021 (**Appendix 1**). The proposed development will provide Allambi Care with additional facilities to meet ongoing education needs of the children and young people in our care.

2.2 Existing Development

The existing development on the site is clearly shown in photographs below, and the Survey Plan and Site Plan in **Appendix 3 & 4**.

A Development Application (DA 2152/2008) was approved for a change of use to the ground floor of the Clyde Inn on 12 June 2008 to a Community Facility. DA2152/2008/A was approved on 23 November 2020, this application was for the Correction of development description, to be consistent with original application and referenced within the assessment report being a '*commercial premises*'.

It is relevant to note, at the time of possession the use of a Group Home (on first floor) was permitted without consent under the provisions of Division 11 Housing, Subdivision 2 Group Homes of State Environmental Planning Policy (Infrastructure) 2007 ("SEPP 2007"). At the time, Clause 60(2) of SEPP 2007 permitted use of the first floor without consent and as such use of the first floor did not form part of the change of use DA and did not require assessment by Council.

A Construction Certificate (CC) was approved on 3 July 2009 for a youth refuge (group home) on the first floor, and commercial premises on the ground floor.



Photo 1: 57-59 Carrington Street, West Wallsend

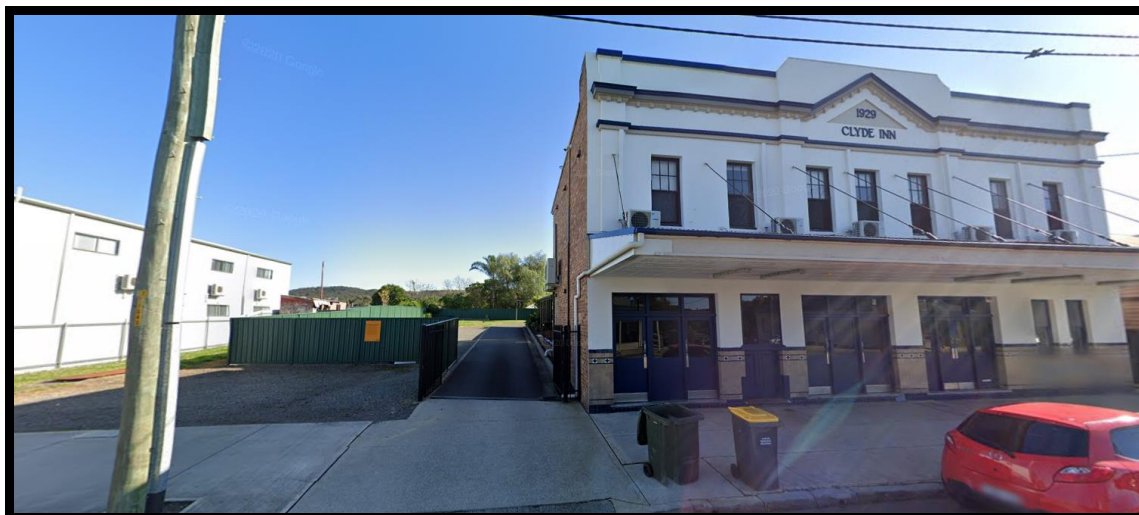


Photo 2: 57-59 Carrington Street, West Wallsend

2.3 Proposed Development

Given the previous commercial approval on the ground floor of the building where the school will be contained, there are minimal works proposed as part of this application.

2.3.1 Description

The school will offer several flexible support avenues for students to access such as; smaller class sizes, flexible time tables and individualised program supports.

The schools' values will be central around: Relational. Experience. Opportunity

Student Enrolment: Our enrolment capacity will be 20 – Realistically, there could be up to 12 kids on site, 6 per class. 2 classes running at the same time.

The students who will be enrolled at this school will be in the care of Allambi Care.

Staff Numbers: 6

- 1 = Director
- 2 = Manager
- 3 = Teacher
- 4 = Teacher
- 5 = Teacher
- 6 = Education Support Officer

Grade: Year 7 to Year 10.

Curriculum: Year 7 to 10 New South Wales curriculum and Life skills options

Learning Areas: The school will operate all Stage 4 and 5 subjects as required by the NSW Education Standards Authority (maths, English, geography, history, creative arts, science, technology, languages & PDHPE/theory/practical).



Maths, English, geography, history, creative arts, technology, languages, science, and PDHPE-theory will be operational indoors. The school will use the kitchenette, classroom 1, 2 and the Breakout Space to conduct these subjects.

PDHPE-practical will use a combination of the Breakout Space, local parks and they have a written agreement with Allambi Care head office (28 Fraser Parade Charlestown) to use their auditorium on an ongoing basis to conduct PDHPE lessons if a larger space is required.

Setting: Special Assistance School. Children of a Kind / School of a kind.

Under the Education Act 1990, children of a kind are prescribed by the Regulations as:

- *children who need special instruction because of sensory, physical, intellectual, or emotional disabilities*
- *children who are, or are the children of, foreign nationals.*

A school that is only registered for education of a kind, or for children of a kind, prescribed by the Regulations must only have students enrolled at that school that meet those criteria.

Where a school is registered as providing education of a kind, or for children of a kind, the Education Act 1990 makes provision for the school to provide a specific curriculum to cater to the needs of its students.

Classroom facilities:

Indoor facilities

- 2 Classrooms & alternative learning area.
- Classroom 1: General Classroom (English, Maths, History, Geography, PDHPE & Languages).
- Classroom 2: General Classroom (Science, Creative Arts, Technology).
- Breakout space: PDHPE Indoor sports and alternate learning area.
- Small Library space.
- 1 x office space.
- Kitchenette.

Outdoor Learning space: show on plans

- Garden beds.
- Seating.
- Outdoor cooking area

Operations: The school's main operation hours will be between 8:30am and 5:00pm. The student's attendance hours will range between 9:00am and 3:00pm.

The school will cater for high school students who are in Year 7 to Year 10. Their ages will range from 12 years of age until 16/17 years of age. Majority of students who will be attending the school will be offered a Life Skills Curriculum.

The school's enrolment capacity will be up to 20 students.

Enrolment and attendance patterns for each student will vary during the day, meaning not all 20 students are likely to be on site at once.



Students will have access to outdoor play times varied throughout the day to minimise the number of students in the area.

The main outdoor play times will be around 10:15am to 10:30am (first break), 2:30pm to 1:00pm (lunch). The fenced outdoor play area will be located at the rear of the property and will have outdoor BBQ and table facilities along with a ping pong table and sensory/garden beds. A focus of the outdoor area will be a calm space for students.

Transportation: The young people who will be attending the school, are in the care of Allambi Care. They will not require public transport to the school and will have private transport arranged by their Youth Workers.

2.4 Signage

No Signage is proposed as part of this application.

2.5 Landscaping

Given the site is already developed minimal works are proposed. Landscaping associated with the site will remain unaffected.

2.6 Materials and Finishes

No external works are proposed as part of this application.

The bulk of the works is to the ground floor interior of the building to convert a large, long room to two Classrooms and form a small reference Library off Classroom 2. The Breakout Space involves removal of a raised platform installed to cover over the area where the former bar space and services was located.

The area proposed for conversion to two Classrooms has an existing false ceiling which will remain in situ. Above this ceiling is the original decorative metal ceiling which will remain preserved for any future works that may result in removal of the false ceiling.

2.7 Utilities

The site is currently serviced with power, water, and sewer. These existing service connections will be adequate for the proposed change of use and upgrades are not anticipated.

2.8 Construction Management

Given the proposed development is for a change of use, physical works on site will be limited and mainly associated with internal fit out.

The proposed construction works will be undertaken during the following hours:

- Monday to Friday – 7:00am to 5:00pm
- Saturdays – 7:00am to 1:00pm
- Sundays and Public Holidays – No Work

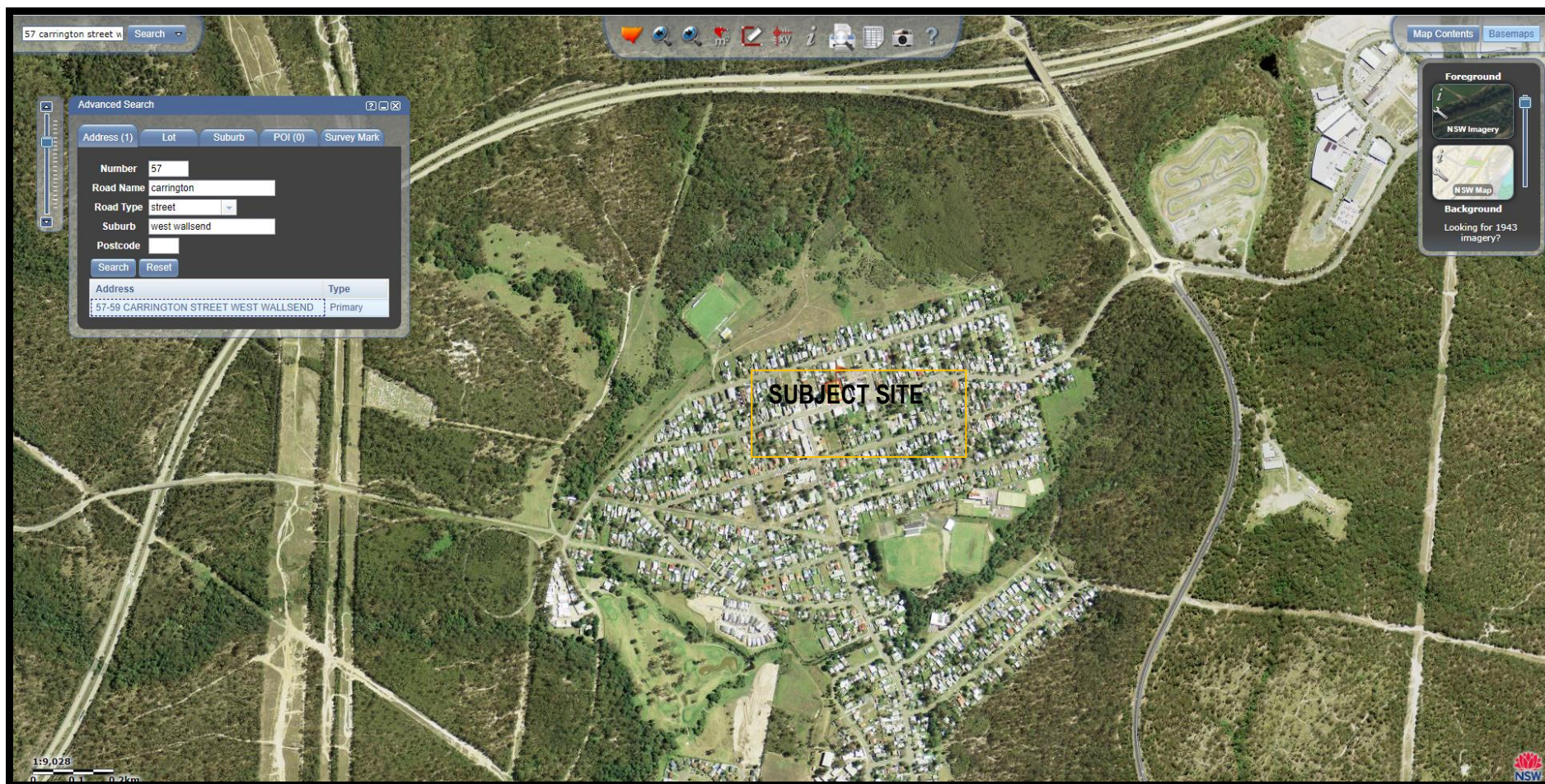


Figure 2: Site Plan



3.2 Title Details

The site comprises Lot 12 Section B DP 2252 on which The Clyde sits and Lot A DP 382915 being a vacant block (refer to Survey Plan in Appendix 3).

3.3 Area and Frontages

The site has a total area of around 1,012 square metres with a 20.115 metre frontage to Carrington Street and is zoned B1 Neighbourhood Centre pursuant to Lake Macquarie LEP 2014 (**Figure 3**).

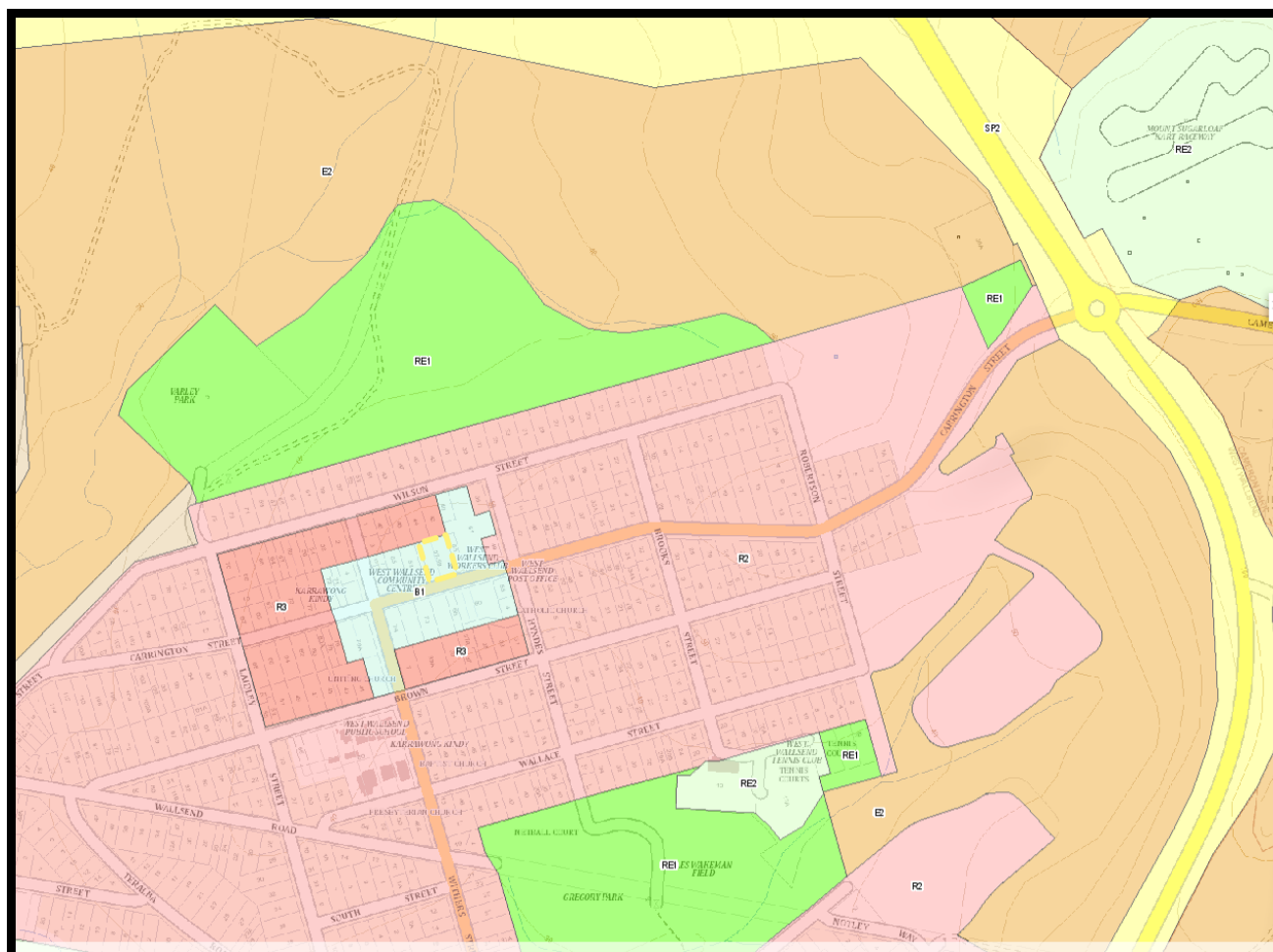


Figure 3: LMCC Zoning Map (LEP 2014)



3.4 Physical Features

3.4.1 Topography

The site is relatively flat.

3.4.2 Geotechnical

The site has been identified in Council's records as being within Geo 3 and Geo 5 Geotechnical Zone.

3.4.3 Flooding

As detailed on Council's property flooding information system, Council records do not indicate the property as affected by flooding.

3.4.4 Acid Sulphate Soils

Council records indicate the site is not affected by acid sulfate soils.

3.4.5 Vegetation and Trees

The site is largely devoid of vegetation.

3.4.6 Drainage

Drainage is presently managed by overland flow towards the street and the infrastructure associated with the existing building on the site.

3.4.7 Traffic and Access

Access to the site is presently via a 2.51m wide driveway along the eastern boundary of the site. Parking is available both on site and on the adjoining site also owned by Allambi Care as can be seen in the photo below. This site is sealed and presently utilised for parking as with numerous other vacant blocks along Carrington Street.

Carrington Street is a wide street with on-street parking available.



Photo 3: Existing car park



3.4.8 Bushfire Prone Land

The site is not classified as bushfire prone land pursuant to Council's Bushfire Prone land maps.

3.4.9 Coastal Zone

The site is not located within the coastal zone.

3.5 Aboriginal Heritage

A search of the Aboriginal Heritage Information System on 4 June 2021 found 0 Aboriginal sites are recorded in or near the above location. (**Appendix 5**).

3.6 Non-Aboriginal Heritage

The site is listed as having local heritage significance (L-202) pursuant to Schedule 5 of the LEP 2014.

The subject site falls within the West Wallsend Heritage Conservation Area pursuant to Part 3 Schedule 5 of LEP 2014. A Statement of Heritage Impact Assessment has been prepared by John Carr and can be found in **Appendix 6**.

3.7 Easements

The site is not burdened by any easements.

3.8 Mine Subsidence

The land is proclaimed to be in a mine subsidence district within the meaning of Section 15 of the *Mines Compensation Act 1961*.

3.9 Surrounding Area

The general character of the surrounding area is shown in the aerial photo in **Figure 2** and the Photo's within this report. The site is located on the northern side of Carrington Street in the Neighbourhood centre of West Wallsend and falls within the West Wallsend Heritage Conservation Area.

3.9.1 Land to the West

The land to the west of the subject site is zoned B1 Neighbourhood Centre. To the west of the Clyde Inn is No. 59 Carrington Street, West Wallsend. This site is presently vacant as seen in Photo 3 however it is relevant to note that No. 59 Carrington Street is listed as having local heritage significance (L-203) pursuant to Schedule 5 of LEP 2014 however Council approved the demolition of the cottage previously erected on site on 8 September 2006 (DA1522/2001). Further to the west of the subject site is a 2-storey weatherboard dwelling occupied a dance studio and coffee shop. Further to the west is the West Wallsend Community Centre, commercial premises, and Sugarloaf Animal Hospital.



Photo 4: To the west of the subject site

3.9.2 Land to the North

As seen in **Figure 3** land immediately to the north of the subject site is 42 and 44 Wilson Street zoned R3 Medium Density Residential with land beyond this further to the north is zoned R2 Low Density Residential pursuant to LEP 2014.

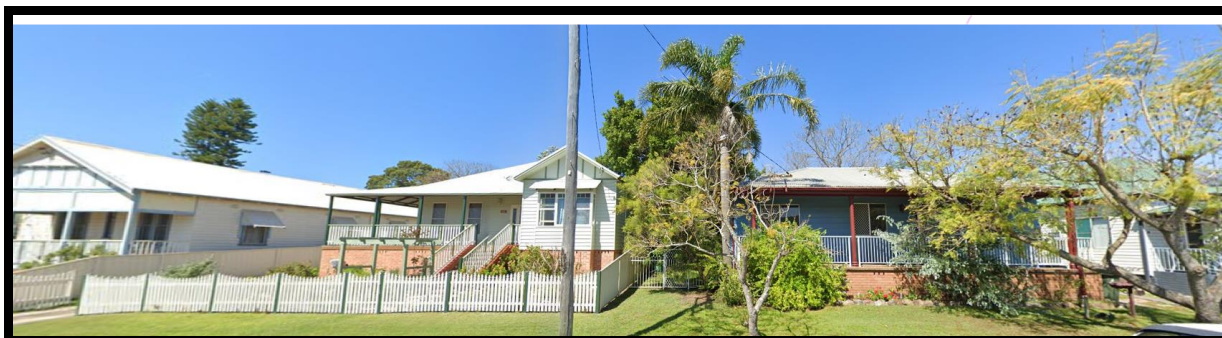


Photo 5: No 42 and 44 Wilson Street, immediately north of the subject site.

3.9.3 Land to the South

Immediately to the south of the site is Carrington Street. Beyond Carrington Street to the south is a vacant block and several small businesses on land zoned B1 Neighbourhood Centre. These businesses include John Hodder Auto Repairs on the corners of Carrington and Hyndes Street, adjoining this is a vacant lot and the West Wallsend Medical Centre, Kapoor's Indian Take away, Blue Bells Take away, and No Bull Real Estate.



Photo 6: Looking south -west of Subject Site.

3.9.4 Land to the East

The area to the east is B1 Neighbourhood Centre pursuant to LEP 2014. Immediately to the east of the subject site is a single storey weatherboard and corrugated dwelling with shop front being number 55 Carrington Street. Adjoining this is the West Wallsend Workers Club which is listed as having local heritage significance pursuant to Schedule 5 of LEP 2014. A DA was previously approved for alterations and additions to the Club (DA 270/2007/A).



Photo 7: No. 55 Carrington Street (Curly Curl Hair Salon) adjoining the subject site



Photo 8: No. 60 Carrington Street further to east of Subject Site is West Wallsend Workers Club



4. STATUTORY CONTEXT

4.1 Commonwealth Legislation

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides a national framework for environmental protection and management of nationally and internationally important flora, fauna, ecological communities, and heritage places. Part 3 of the EPBC Act lists nine matters of National Environmental Significance (NES) that may require approval from the commonwealth minister for the Environment.

An action taken by any person on Commonwealth land that is likely to have a significant impact on the environment (Section 26(1)) or an action taken by any person outside of Commonwealth land that is likely to have a significant impact on Commonwealth land (Section 26(2)) may require approval from the commonwealth minister for the Environment. The proposal does not involve work by a Commonwealth agency and will not impact or be impacted by an activity, or impact on Commonwealth land.

4.2 Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act) provides a framework for addressing impacts on biodiversity from development and clearing. It establishes a framework to avoid, minimise and offset impacts on biodiversity from development through the Biodiversity Offsets Scheme (BOS).

Section 7.9 of the BC Act requires SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless an exemption from this requirement has been provided in the form of an approved BDAR waiver request.

To deciding whether the requirement for a BDAR can be waived, a proposed development could be considered as unlikely to have any significant impact on biodiversity values if it will not clear or remove native vegetation other than:

- a few single trees with no native understorey in an urban context
- planted native vegetation that is not consistent with a Plant Community Type (PCT) known to occur in the same Interim Biogeographic Regionalisation of Australia (IBRA) subregion (e.g., street trees, trees in carparks, landscaping)
- will have negligible adverse impacts on threatened species or ecological communities, considering habitat suitability, abundance and occurrence, habitat connectivity, movement and water sustainability including consideration of any nonnatural features, non-native vegetation and human-built structures
- will have negligible adverse impacts on protected animals because of impacts to flight path integrity.

The site is devoid of vegetation. No external works are being proposed as part of this change of use DA therefore no vegetation will be impacted up. An exemption for a BDAR Waiver has been sought and approved and is now provided in **Appendix 11**.

The Biodiversity and Conservation Division have advised:

“The Department have determined that the application for the Allambi Care New Educational Establishment at 57-59 Carrington Street, West Wallsend (SSD-21822247) is not required to be accompanied by a Biodiversity Development Assessment Report (refer attached documents).”



4.3 Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000

The proposal is development that requires consent pursuant to Part 4 the EP&A Act. The development is State Significant Development in accordance with Section 4.36(2) of the EP&A Act that states State Significant Development may include development identified within a State Environmental Planning Policy, in this case State Environmental Planning Policy (State and Regional Development) 2011.

“Development for the purpose of a new school (regardless of the capital investment value)”.

Permissibility

The proposed development involves a new school. Clause 35 of SEPP (Education and Child Care) states development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone. The proposed development is permissible with consent in the B1 Neighbourhood Centre pursuant to Clause 35 of SEPP (Education and Child Care).

Contributions

The Lake Macquarie Section 7.12 Citywide Contributions Plan is the relevant contributions plan applying to the site

It is expected that any contributions will form a condition of consent.

Information requirements

Section 4.39 of the EP&A Act requires a development application for State Significant Development to be accompanied by an EIS prepared by or on behalf of the applicant in the form prescribed by the EP&A Regulation. Schedule 2 of the EP&A Regulation outlines the requirements of the Secretary of the Department of Planning & Environment and approval bodies relating to the preparation of an EIS.

In accordance with Schedule 2, Section 3, an application was made to the Secretary for the SEARs with respect to the proposed development. SEARs were provided on 6 July 2021 (**Appendix 1**) and are summarised in Table 4.1 with a corresponding comment on where each requirement has been addressed in the EIS.



Table 1 – Summary of Secretary's Environmental Assessment Requirements (SEARs)

Matter	Key Issues to be addressed	Relevant Section of EIS
The Department of Planning and Environment – NSW Government		
General requirements	Prepared in accordance with Schedule clauses 6 and 7 of Schedule 2 the EP&A Regs	Section 1 and throughout
	Environmental Risk Assessment	Section 6.17
	Environmental impact and environmental management measures	Section 4
	Quantity surveyor providing CIV, estimated number of jobs during construction and operation and certification	Section 1.1, Section 6.12 and Appendix 2
Key Issues	Statutory and Strategic context	Section 4
	Policies	Section 4
	Operation	Section 2.3
	Built Form and Urban Design	Section 6
	Trees and Landscaping	Section 6.2
	Environmental amenity	Section 6.3
	Transport and accessibility	Section 6.4 and Appendix 7
	Ecologically sustainable development	Section 6.5
	Heritage	Section 3.6, 6.6 and Appendix 6
	Social impacts	Section 6.7
	Noise and Vibration	Section 6. and Appendix 10
	Contributions	Section 6.9
	Staging	Section 6.10
	Utilities	Section 6.11
	Biodiversity Assessment	Section 6.12
	Stormwater Drainage	Section 6.13
	Flooding	Section 6.14
	Waste	Section 6.15
	Contamination	Section 6.16
Plans and documents	Site plans	Section 3.1 and Appendix 4
	Architectural	Appendix 4
	Survey	Appendix 3



Matter	Key Issues to be addressed	Relevant Section of EIS
	Site analysis	Appendix 4
	Accessibility report	Section 6.4 and Appendix 9
	Traffic Report	Section 6.4 and Appendix 7
	Noise Assessment	Section 6.8 and Appendix 10
Consultation	Local, State and Commonwealth government authorities	Section 5

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

SEPP (State and Regional Development) identifies development that is considered State significant and requires an EIS and approval from the Department of Planning and Environment.

Schedule 1 of SEPP (State and Regional Development) states:

15 Educational establishments

(1) Development for the purpose of a new school (regardless of the capital investment value).

The proposed development is a new school and as such is identified as State significant development under the SEPP.

4.5 State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) provides the legislative planning framework for infrastructure and the provision of services across NSW.

The project is not considered traffic generating development and is not located on or near a rail corridor or classified road.

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

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 SEPP (Education and Child Care) seeks to improve certainty and efficiency of planning for education and early education establishments. Clause 35 of the SEPP (Education and Child Care) states development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone. The proposed development is permissible with consent in the B1 Neighbourhood Zone pursuant to Clause 35.

The proposal has considered development controls in Part 3 of the Education and Child Care SEPP that identify specific development controls for schools' facilities and Part 4 which identifies specific development controls for schools.



Table 2: Assessment against Part 4 of Education SEPP

Clause	Proposal	Compliance
Clause 35 Schools—development permitted with consent		
(1) Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.	The subject site is part zoned B1 Neighbourhood Centre which are defined as prescribed zones.	Yes
(2) Development for a purpose specified in clause 39 (1) or 40 (2) (e) may be carried out by any person with development consent on land within the boundaries of an existing school.	Development consent is sought for the proposed works.	Yes
(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: (a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4, and (b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.	This EIS addresses the design quality of the development and is further described in the table below. Given the scale of the school proposed and use of the first floor as a refuge it is unlikely the site and school facilities will be able to be shared with the broader community.	Yes
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 effect, regardless of when the development control plan was made.	Noted.	Yes
(10) Development for the purpose of a centre-based childcare facility may be carried out by any person with development consent on land within the boundaries of an existing school.	A centre-based childcare facility is not proposed	Yes
(11) Development for the purpose of residential accommodation for students that is associated with a school may be carried out by any person with development consent on land within the boundaries of an existing school.	Residential accommodation for students is not proposed.	Yes
Clause 42 – Development Standards		
State significant development for the purpose of schools—application of development standards in environmental planning instruments	N/A	N/A



Development consent may be granted for development for the purpose of a school that is State significant development even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted.		
Clause 57 – Traffic Generating Development		
Development for the purposes of an 'educational establishment' that will accommodate 50 or more students and will involve the development of a new premises on a site that has direct vehicular or pedestrian access to any road requires referral to the RMS.	<p>The proposed education establishment will not accommodate 50 or more students. Notwithstanding,</p> <p>Transport for NSW (TfNSW) have been consulted with by way of referral of the scoping report for the project. There comments included as part of the SEARs have been considered during the design of the development and during the preparation of the Traffic Impact Assessment Report (Appendix 7).</p>	Yes

4.6.1 Schedule 4 – Design Quality Principles

Minimal works are proposed as this is a change of use for a school which will provide for 20 students. Notwithstanding, the proposal will respond to the design quality principles as outlined in Table 3 and will be designed to enable the use of school facilities to be shared with the community.

Table 3. Design Quality Principles

Principle	Comment
Principle 1 - Context, built form and landscape	<p>The proposed change of use only applies to the ground floor of the existing development and will not result in any real intensification of the use or increase in occupancy given its previous commercial use (offices occupied by Allambi staff) and no additional building or construction works to the external building are proposed. Minor works internally are proposed.</p> <p>The proposed change of use will not impact upon the existing built form and landscaping.</p>
Principle 2 - Sustainable, efficient and durable	The site is developed, notwithstanding where necessary, consideration for the Government Architect of New South Wales (GANSW) Environmental Design in Schools will be given
Principle 3 - Accessible and inclusive	An access report has been prepared and can be found in Appendix 9 of this EIS. The school will meet the relevant requirements to be accessible and inclusive.
Principle 4 – Health and safety	Crime Prevention Through Environmental Design is addressed in Section 6.1.1 of this EIS.



Principle 5 – Amenity	As with the existing Learning Centre the new school has been designed to provide enjoyable and appealing spaces that are accessible to all our students. No external works to the building are proposed as part of this change of use however an outdoor space for students has been incorporated into the design.
Principle 6 - Whole of life, flexible and adaptive	The school has been designed to provide flexible and adaptive spaces.
Principle 7 – Aesthetics	No changes to the external building are proposed as part of this proposal, minor alterations are proposed internally with minimal impact upon the aesthetics of the building and area of West Wallsend.

Part 7, Clause 57 relates to traffic generating development. Educational establishments that have a capacity of 50 or more students is considered a Traffic Generating Development that needs to be referred to Transport for NSW (TfNSW) previously Roads and Maritime Services (RMS). No change is proposed in the number of students attending which is 20 and therefore the proposal is not considered traffic generating.

Notwithstanding, Transport for NSW (TfNSW) have been consulted with by way of referral of the scoping report for the project. Their comments included as part of the SEARs have been considered during the design of the development and during the preparation of the Traffic Impact Assessment Report (**Appendix 7**).

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

State Environmental Planning Policy No.64 – Advertising and Signage (SEPP 64) aims to ensure that signage communicates effectively and suits the desired amenity of an area.

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.

No signage is proposed as part of this proposal.

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

State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55) aims to promote remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. The sites previous use before being purchased by Allambi Care in 2008 was a hotel. Since the time of purchase Allambi Care have utilised the ground floor for training and office purposes.

No earthworks are proposed, the site has not been identified as contaminated land on the EPAs contaminated land register and given the previous uses no further investigation is considered necessary.



4.9 Draft State Environmental Planning Policy– Remediation of Land

The Draft State Environmental Planning Policy (Remediation of Land) is the proposed new land remediation SEPP set to replace SEPP 55. Public exhibition of the 'explanation of intended effect' for the Draft Remediation SEPP and draft planning guidelines was completed in April 2018.

The Draft Remediation SEPP will retain the objectives of SEPP 55 and reinforce the successful aspects of the framework. In terms of relevant changes applicable to development applications, clause 7 of SEPP 55 is proposed to be incorporated into the Draft Remediation SEPP. In addition, the list of potentially contaminating activities and the purpose of a 'preliminary site investigation' (PSI) and 'detailed site investigation' (DSI) will be integrated into clause 7 of the Draft Remediation SEPP.

4.10 Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities)

The proposed amendments to the Education SEPP and SEPP (State and Regional Development) include increasing the CIV value to \$20 million for new schools before triggering the SEPP (State and Regional Development).

The increase in CIV value would have enabled this proposed change of use application involving minor works to be assessed under Part 4 of the EP&A Act and therefore be assessed by Council.

4.11 Lake Macquarie LEP 2014

Section 4.38 of the EP&A Act states development consent may not be granted if the development is wholly prohibited by an environmental planning instrument. The Lake Macquarie Local Environmental Plan 2014 (LEP) provides a planning framework to facilitate development in an appropriate manner with due consideration to ecologically sustainable development. Relevant Clauses of the LEP are discussed in Table 5.

Educational establishments are permitted in the B1 zone under the LEP, as well an educational establishment is achieved through Clause 33 A DN Clause 35(1) of SEPP Education and Child Care as the proposed development would occur in a prescribed zone.

Table 5: Relevant Clauses of the LEP

Clause	Consistency
1.2 Aims	The LEP provides for appropriate development within the LGA. The proposal has given due consideration to the site and surrounds and is in keeping with the aims of the LEP.
2.1 Land use zones	The site area where the development will be contained in zoned B1 Neighbourhood Centre.
2.3 Zone objectives	<p>The objectives of the B1 zone are:</p> <ul style="list-style-type: none">➤ To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.➤ To encourage employment opportunities in accessible locations.➤ To create urban centres for safe and vibrant social, cultural, recreational and community activity.



	<p>➤ To provide for shop top housing as part of mixed-use developments.</p> <p>An 'educational establishment' is not listed as prohibited within the B1 zone and therefore by default is a permissible use.</p> <p><i>“Educational establishment means a building or place used for education (including teaching), being—</i> <i>(a) a school, or</i> <i>(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.</i></p> <p>It is considered that the proposed development is consistent with the above objectives.</p>
4.3 Height of buildings	No works are proposed therefore the height will not change.
5.10 Heritage Conservation	No works to the external part of the building is proposed and only minor works internally. Council's Heritage Planner has been consulted with and a Statement of Heritage Impact (SOHI) has been prepared and can be found in Appendix 6 of this EIS.
7.1 Acid sulfate soils	Council records indicate the site is not affected by acid sulfate soils. No earth works are proposed as part of this application.
7.2 Earthworks	<p>The objectives of this clause are to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighboring uses, cultural or heritage items or features of the surrounding land.</p> <p>No works are proposed.</p>
7.21 Essential services	Essential services will be provided to the proposed development.

4.12 NSW Plans and Policies

4.12.1 NSW State Priorities

The NSW State priorities include:

- A Strong Economy
- Highest Quality Education
- Well-connected communities with quality local environments
- Breaking the cycle of disadvantaged

The proposed school will provide for vulnerable young people in out-of-home care who have experienced disadvantage and/or trauma. schools. The proposed development is in keeping with the NSW State priorities.



4.12.2 A Plan for growing Sydney

This plan is not applicable to the Lake Macquarie LGA.

4.12.3 Future transport strategy 2056 and supporting plans

The Future Transport Strategy 2056 sets the 40-year vision, directions, and outcomes framework for customer mobility in NSW and will guide transport investment over the longer term. This plan aims to place the customer at the centre and with feedback harness the rapid advancement of technology and innovation across the transport system to transform customer experience, improve communities and boost economic performance (TfNSW 2017).

Given the scale of this application and the fact that students will be driven to site by their youth workers the strategy is largely irrelevant to this proposal.

4.12.4 Crime Prevention Through Environmental Design (CPTED)

Crime Prevention through Environmental Design (CPTED) aims to mitigate the risk of offences occurring within and surrounding the development. The Department of Infrastructure, Planning and Natural Resources ("DIPNR") developed guidelines under Section 4.15 of the EP&A Act and Councils are required to consider the provisions of CPTED when assessing DAs.

Security for staff and students is paramount. An assessment against the CPTED principle is provided in section 6.1.1 of this EIS.

4.12.5 Healthy Urban Development Checklist, NSW Health

Reflecting the understanding of healthy urban development and the determinants of health, the ten characteristics of healthy urban development focused on in the Healthy Urban Development Checklist are:

- Healthy food
- Physical activity
- Housing
- Transport and physical connectivity
- Quality employment
- Community safety and security
- Public open space
- Social infrastructure
- Social cohesion and social connectivity
- Environment and health.

As an educational establishment focused on all-inclusive education, Allambi Care will promote physical activity, healthy food, community involvement, life skills and quality education. Allambi Care will provide appropriate levels of sporting activity and facilities for students and allows for healthy lifestyle options.

4.12.6 Draft Greener Places Policy (Greener Places)

Greener Places is a design framework for urban green infrastructure. It seeks to help to create a healthier, more liveable, and sustainable urban environment by improving community access to recreation and exercise, supporting walking, and cycling connections, and improving the resilience of our urban areas.

Given the scale of this application and the fact that students will be driven to site by their Youth workers the strategy is largely irrelevant to this proposal, notwithstanding the development meets the policies principles by providing:



- the adaptive reuse of an existing building
- implementation of a green travel plan to discourage car use.
- Located in an area with good access to community facilities, open space, and public transport.

4.12.7 Better Placed — An integrated design policy for the built environment of NSW 2017

“Better Placed is an integrated design policy for the built environment of NSW. It seeks to capture our collective aspiration and expectations for the places where we work, love 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.” (GANSW 2017)

Better Placed advocates for a shared responsibility in realising good design processes and outcomes for NSW.

This policy highlights education opportunities as a way for communities to address wider economic and social trends. Well-designed education environments enhance productivity, the attractiveness of the design creates a sense of local pride and identity, thus are more likely to be well maintained.

The proposal is a change of use with minimal works proposed, notwithstanding, the proposed development links to the outcomes of the policy through modern and interesting designs, while also providing a visually stimulating environment for both students and staff.

4.13 Regional Plans

4.13.1 Hunter Regional Plan 2036

The Hunter Regional Plan aims to guide NSW Government's land use planning priorities over the next 20 years. The plan states all levels of government, the private sector and the community will have to work together to deliver the plan (NSW Government 2016).

The proposal is consistent with the Hunter Regional Plan 2036 Goals,

- a leading regional economy in Australia
- a biodiversity-rich natural environment
- thriving communities
- greater housing choice and jobs.

The delivery of a new school (albeit small in nature) in this area will be consistent with the Hunter Regional Plan through the delivery of additional educational facilities.

4.13.2 Hunter Regional Transport Plan 2014

Movement of traffic to and from the site has been considered in the development.

A Traffic Impact Assessment (**Appendix 7**) found that the additional traffic movements generated by the development will have a manageable impact on the surrounding road network. The typical parking demands associated with the development can be accommodated on site, with the parking provided in accordance with the Lake Macquarie Council Development Control Plan (DCP) and as such will not impact upon the adjacent road network.

4.13.3 Greater Newcastle Future Transport Plan

The Greater Newcastle Future Transport Plan is a supporting plan for the Future Transport Plan 2056 (TfNSW, 2017), with a vision, state-wide direction and initiative to deliver set outcomes.

Given the nature of this proposal the Greater Newcastle Future Transport Plan is not relevant.

4.13.4 Greater Newcastle Metropolitan Plan

The plan aims to:



- connect strategic centres in Greater Newcastle
- develop a national Centre of Excellence for Health and Education
- expand the capacity of Global Gateways – Newcastle port and airport; and
- establish governance.

Given the scale and nature of the proposed school the Greater Newcastle Metropolitan Plan is largely irrelevant notwithstanding, the establishment of a new school can potentially lead to important services within the area, thus providing more employment and activity within the region albeit marginally.

4.13.5 Lake Macquarie Development Control Plan 2014

Lake Macquarie Development Control Plan 2014 (DCP 2014) provides guidance to development of land under LEP 2014 and is intended to act as an integrated planning document. The purpose of DCP 2014 is to implement Council's LEP 2014 by facilitating ecologically sustainable development.

The general provisions of each subsection and location with this EIS in each part of DCP 2014 are presented as follows in Table 6.

Table 6 – Summary of Lake Macquarie DCP

Control	Assessment	Comply
2.Context and Setting		
2.1 Site Analysis	A Site Analysis Plan has been submitted with the application which identifies the existing site conditions and constraints.	Yes
2.2 Scenic Views	The development is a change of use, and the built form will not impact on the scenic values of the area.	Yes
2.4 Mines Subsidence	The land is within a declared Mine Subsidence District under section 20 of the Coal Mine Subsidence Compensation Act 2017. Subsidence Advisory NSW (SA NSW) offers deemed approval for some minor construction works as listed below. Any development activity that is not explicitly listed requires SA NSW approval. Change of use is identified as a deemed approval. As such approval is not required.	Yes
2.7 Stormwater management	No earthworks are proposed and therefore no change to the existing stormwater system is proposed.	Yes
2.13 Preservation of Trees and Vegetation	No trees are being removed as part of the development.	Yes
2.17 Social Impact	There is a need within the community for education pathways for children and young people in the care of Allambi that do not fit into mainstream education establishment. Allambi offers a learning space to these children and young people, and this new space will enable Allambi to provide opportunities for these young people to prove their capabilities in an environment that is designed specifically for their inclusion and experiences. The approval of the school in this location will enable more students to access an education.	Yes
2.18 Economic impact	The proposed development will have a positive economic through the creation of jobs in the educational field.	Yes



3 Development Design		
3.1 Streetscape	The proposed development is for a change of use with no external alterations to the existing buildings. The overall streetscape amenity remains unchanged. (Appendix 4)	Yes
4.7 Traffic and Transport	A Traffic Assessment has been by Seca Solution and accompanies this application. (Appendix 7)	Yes
4.11 Car parking	The LMDCP requires 1 space per 2 full time equivalent staff plus 1 space per 50 students. Applying these rates, the proposed school would require 2.5 car spaces for staff plus 2 spaces for students. Appendix 7)	Yes



4.13.6 Lake Macquarie Local Strategic Planning Statement 2020

The LSPS describes how to achieve the City's vision and values by guiding the growth of the city over the next 20 years.

To achieve this, the LSPS identifies:

- The Community's vision for future land use in the City
- Seven Planning Priorities that articulate the special characteristics of the City;
- Strategies that summarise how we will deliver on the Planning Priorities
- Key change and growth areas.

The LSPS identifies West Wallsend role as *“Local centres typically provide a range of day-to-day services, community facilities, retail, and employment to a catchment usually comprising a suburb or group of neighbourhoods.”*

The LSPS talks about implementing relevant actions from the West Wallsend Heritage Management Strategy and Streetscape Masterplan to conserve the heritage significance of the area and to manage development in the historic suburb.

No works are proposed to the building externally and the proposal is consistent with the LSPS.



5. CONSULTATION

5.1 State Agencies

Transport for NSW

Transport for NSW (TfNSW) have been consulted with by way of referral of the scoping report for the project. There comments included as part of the SEARs have been considered during the design of the development and during the preparation of the Traffic Impact Assessment Report.

Office of Environment and Heritage

Office of Environment and Heritage have been consulted with by way of referral of the scoping report for the project. There comments included as part of the SEARs have been considered during the design of the development and during the preparation of the SOHI Report (**Appendix 6**).

5.2 Lake Macquarie Council

Lake Macquarie City Council have been consulted with by way of referral of the scoping report for the project.

There comments included as part of the SEARs have been considered during the design of the development.

5.3 Hunter Water

The proposal is for a change of use with no additional toilets proposed. Notwithstanding, a Section 50 Application has been lodged with hunter Water.

5.4 Community

A letter box drop was undertaken on 27 July 2021 to nearby properties. The letter advised the owners of the change of use, an overview of Allambi Care and an overview of the proposed works and operational details of the new school. Contact details were provided for anyone wanting further information. A copy of the letter is provided in **Appendix 8**.

5.5 Exhibition

After lodgement of the application, community consultation will be undertaken in accordance with the EP&A Act. Schedule 1(9) of the EP&A Act outlines exhibition and notification requirements for State Significant Development and requires the consent authority to:

- (a) place the application and any accompanying information on public exhibition for a period (of not less than 30 days) prescribed by the regulations (the submission period) commencing on the day after which notice of the application is first published as referred to in paragraph (b), and
- (b) cause notice of the application to be given and published in accordance with the regulations.



6. ENVIRONMENTAL ASSESSMENT

6.1 Built form and Urban Design

The proposed change of use is for a change of use of the ground floor of the existing building and will not result in an intensification of the use or increase in occupancy given its approved use for commercial premises and has been used by Allambi staff for offices. No additional building or construction works is proposed to the external building and only minor works are proposed internally.

Given the sites previous uses on site as a licenced premises (hotel) and then commercial use it is anticipated the proposed change of use will result in limited impact to the surrounding environment. Notwithstanding, consideration has been given to adjacent land uses and addressed in this report.

The design of the school has been carried out in consideration of Schedule 4 Schools – Design Quality Principles and the GANSW Design Guide for Schools.

As detailed in this report, Allambi Care School is in response to the increasing number of young people in out-of-home care, who are chronically disengaged, expelled, or suspended from both mainstream and alternative school options.

The school will specialise in education for vulnerable young people in out-of-home care who have experienced disadvantage and/or trauma. It aims to provide a safe and welcoming space in which a young person can experience acceptance, healthy connections, and positive relationships with educational staff in order for them to engage or re-engage in formal education.

The needs and design requirements differ to that of a mainstream school.

The proposed development is an appropriate adaptive reuse of an existing building, consistent with the surrounding amenity while providing a quality educational facility to meet the unique needs of the students we care for.

6.1.1 Crime Prevention Through Environmental Design

The four principles that are central to CPTED are:

Surveillance – The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical. From a design perspective, “deterrence” can be achieved by the following:

- Clear sightlines between public and private places
- Effective lighting of public places
- Landscaping that makes places attractive but does not provide offenders with a place to hide or entrap victims.

Access Control – Physical and symbolic barriers can be used to attract, channel or restrict the movement of people. They minimise opportunities for crime and increase the effort required to commit crime. Effective access controls can be achieved by creating:

- Landscapes and physical locations that channel and group pedestrians into target areas.
- Public spaces which attract, rather than discourage people from gathering.
- Restricted access to internal areas or high-risk areas (like car parks or other rarely visited areas). This is often achieved through the use of physical barriers.



Territorial Reinforcement/Ownership – Community ownership of public spaces sends positive signals. People are more likely to visit, and feel comfortable in, places which feel owned and cared for. Community ownership also increases the likelihood that people who witness crime will respond to it quickly. Territorial reinforcement can be achieved through:

- Design that encourages people to gather in public space and to feel some responsibility for its use and condition.
- Design with clear transitions and boundaries between public and private space.
- Clear design cues on who is to use space and what it is to be used for.

Space Management

Activity and space management involves the supervision, control and care of space. Activity and space management, while identified at the design stage through allocation of uses, are heavily dependent on management and enforcement.

Table 7 – CPTED Assessment

CPTED Principle	Proposed Development
Surveillance	<p>Building orientation provides good natural surveillance of the public street network. The windows on the northern and southern side of the building and outdoor play area on the northern side promote surveillance of building entries, the site access and driveways, and other areas internal to the site.</p> <p>Entry to the existing building off Carrington Street provides good sightlines to and from the street. Use of appropriate lighting throughout the site will also improve surveillance.</p>
Access Control	<p>The existing driveway, parking, pathways, and internal spaces enables appropriate access control measures to be put in place enabling secure access for carers and staff.</p> <p>The site has defined entry and exit points for vehicles and defined pathways: to the entrance. The site is small and all entrances and paths can be, seen and interpreted visually from the carpark and site boundary areas.</p>
Territorial Reinforcement/Ownership	<p>Site boundaries are clearly defined through the existing built form, landscaping, and fencing.</p> <p>Transition between private and public spaces is managed through the appropriate design of spaces and can also be managed using access control measures.</p> <p>Signage can be used to clearly identify public and private areas of the site, uses and any access restrictions.</p> <p>Good environmental maintenance promotes a sense of ownership and help deter crime by increasing the perceived risk of detection.</p>
Space Management	<p>Signage, lighting, and management may be used to reinforce and encourage the appropriate use of spaces.</p> <p>Signage and good management will promote activity to assist natural surveillance, guardianship, and crime mitigation. Signs would be required in areas which are restricted, prohibited or under surveillance.</p>



Summary

It is considered that there is a low residual risk of crime occurring within and around the development site due to the implementation of appropriate design measures. Subject to further consideration of lighting, maintenance, and access control, it is likely that criminal activity will be reduced and the safety of children, carers, staff and visitors, and the security of their property will be increased.

6.2 Trees and Landscape

The site is predominantly devoid of trees. An outdoor area is proposed as detailed on the DA drawings (**Appendix 4**).

No physical works are proposed to the existing building structure. Suitable landscaping is considered to exist, and be maintained. It is considered that the no supplementary site landscaping should be required for this use. The site is not identified as a scenic protection area and the use of the existing building will in no way detracts from the area or alter the existing streetscape or amenity.

6.3 Environmental Amenity

The proposed change of use is not anticipated to have an impact on the environmental amenity of the area. The site has previously been used for commercial and a licenced premises. An acoustic report has been undertaken by RAPT Consulting (**Appendix ADD**). The report concludes:

“Based on the results and the information provided regarding the development, compliance with all noise goals is expected for the development on neighbouring residences and commercial operators. While compliance is expected, It has been recommended the school implement a site noise management plan to deal with circumstances where excessive noise may be occurring particularly from isolated student outdoor activities.”

Given the scale of the proposed school it is not anticipated that the site will be utilised outside of school hours including weekend and therefore there is no impact on the immediate locality.

No works are proposed, impacts on the environment and surrounding properties is considered to be negligible.

6.4 Transport and Accessibility

Access to the site is presently via a 2.51m wide driveway along the eastern boundary of the site. Parking is available both on site and on the adjoining site also owned by Allambi Care. This site is sealed and presently utilised for parking as with numerous other vacant blocks along Carrington Street. Six parking spaces are provided on site.

Carrington Street is a wide street with on street parking.

A transport assessment of the development has been undertaken by Seca Solution included in **Appendix 7**. Key findings of this assessment are presented below. The report identifies that the overall traffic impacts of the proposal are considered acceptable.

From the site visit completed and the above assessment of parking, traffic and access against the requirements of the Guide to Traffic Generating Developments and Lake Macquarie Development Control Plan 2014, it is concluded that the proposed development shall have an



acceptable impact upon the surrounding road network and should be recommended for approval.

- The unique nature of the school sees attendance typically in the order of 40-60%. This, coupled with the aged of students (Years 7-10) will see minimal demands for parking.
- Parking shall be contained within the site with parking provided in accordance with the DCP.
- The additional traffic movements generated by the development shall be minimal and have an acceptable impact on the road network given low staff and student numbers. The change of use over the prior use as a commercial space would see minimal change on traffic demands with the overall increase in the order of 12 additional trips per day. Traffic generated by the development is well within the capacity of the local road network and shall see no change to the overall level of service on Carrington Street or Withers Street.
- There is no change proposed to the existing parking on site nor the current access. The straight alignment of Carrington Street can provide suitable sight lines, with motorists taking care to allow for parked cars.
- Sight lines to pedestrians to the east can be impacted by the existing building, being the historic Clyde Inn. Motorists using the driveway will be familiar with the situation.
- Given the provision of six onsite parking spaces the driveway meets the width requirements of AS2890.

As discussed previously, the proposed development is not considered Traffic Generating Development and require referral to TfNSW.

An Access Report has been prepared by Lindsay Perry Access and can be found in **Appendix 9**. The Report concludes:

“This report demonstrates that the fundamental aims of accessibility legislation are achievable within the new work proposed to the Proposed Educational Establishment located at 57 Carrington Street West Wallsend. Spatial planning and general arrangements of facilities will offer inclusion for all building users.”

6.4 Ecologically Sustainable Development

Clause 7(1)(f) of Part 3 of Schedule 2 of the EP&A Regulation requires an EIS to include the reasons justifying the carrying out of the development in the manner proposed, having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development.

Ecologically Sustainable Development (ESD) is defined in Section 6(2) of the *Protection of the Environment Administration Act 1991*. ESD and how it has been considered in this EIS is presented in Table 8.

Table 8. Ecologically Sustainable Development Principles

ESD Principle and Programme	Comment
(a) the precautionary principle—namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:	No external works are proposed and therefore no impacts to the environment are expected.



(i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and (ii) an assessment of the risk-weighted consequences of various options	
(b) inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations	Environmental impacts of the development have been minimised through appropriate design and environmental mitigation measures.
(c) conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration	No external works are proposed and therefore no impacts to the environment are expected.
(b) improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as: (i) polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement, (ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste (iii) environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.	Environmental attributes of the site have been identified throughout this EIS. Impact to the environment has been avoided, where practicable, and environmental mitigation measures are identified to ameliorate environmental impact.

6.5 Heritage – Aboriginal

A search of the Aboriginal Heritage Information System on 4 June 2021 did not identify any Aboriginal sites or places (**Appendix 5**).

Aboriginal heritage is protected under the *National Parks and Wildlife Act 1974*.

Given no earthworks are proposed An Aboriginal Heritage Due Diligence Assessment is not considered necessary.

6.6 Heritage – non-Aboriginal

The site is listed as having local heritage significance pursuant to Schedule 5 of the LEP (L-202) pursuant to the provisions of LEP 2014. The subject site falls within the West Wallsend Heritage Conservation Area pursuant to Part 2 Schedule 5 of LEP 2014.

A Statement of Heritage Impact (SOHI) will be prepared and submitted with the EIS (**Appendix 6**). Onsite consultation has occurred with Council's Strategic Heritage Planner and Heritage Assessment Planner as well as John Carr, Heritage Consultant. No potential impacts are anticipated.

The SOHI concludes:



"The former Clyde Inn building was a replacement for the earlier 1893 building, constructed in 1928. As a mining town, West Wallsend had up to six hotels however this changed after the coal company closed in the early 1920s.

The Clyde Inn kept trading until early 2007 after which it was advertised for sale. Allambi Care purchased the building in 2008 for a Group Home, which at the time was allowed under the Housing SEPP 2007.

The proposed minor works associated with this DA are internal alterations which have been assessed as having a minimal impact on the heritage significance of the building with no changes to the external fabric and therefore no impact on the surrounding Heritage Conservation Area."

6.7 Social and Economic

The site is currently developed and used for commercial uses and has been used by Allambi staff for office space. The work undertaken by Allambi Care has obvious social benefits which are backed by Australian and international research.

Positive impacts will occur from this change of use as registration of the school will enable funding which will enable the provision of education to the children in our care to continue.

6.8 Noise and Vibration Impacts

The site is currently developed and used for a Commercial Premises and was previously used as a licenced premise. On the first floor is a youth refuge

No potential impacts anticipated as the proposal given the small number of people attending the school each day, with a maximum of 12 kids on site at any one time.

The noise associated with the school will not be dissimilar to that associated with the Youth Refuge existing on the first floor and far less than any noise previously associated with the Licenced Premises.

A Noise Assessment has been prepared by RAPT Consulting (**Appendix 10**). The report concludes:

"Based on the results and the information provided regarding the development, compliance with all noise goals is expected for the development on neighbouring residences and commercial operators."

6.9 Section 7.12 Contributions

The Lake Macquarie Section 7.12 Citywide Contributions Plan is the relevant contributions plan applying to the site. It is expected that any contributions will form a condition of consent.

6.10 Staging

Given the minor nature of works the proposed development will not be staged.

6.11 Utilities

The site is currently serviced with power, water and sewer. These existing service connections will be adequate for the proposed change of use and upgrades are not anticipated.



6.12 Biodiversity Assessment

The site is devoid of vegetation. No external works are being proposed as part of this change of use DA therefore no vegetation will be impacted up. An exemption for a BDAR Waiver and been sought and approved and is now provided in **Appendix 11**.

The Department has advised:

"The Department have determined that the application for the Allambi Care New Educational Establishment at 57-59 Carrington Street, West Wallsend (SSD-21822247) is not required to be accompanied by a Biodiversity Development Assessment Report (refer attached documents)."

6.13 Stormwater Drainage

No works are proposed externally and given the number of people utilising the site no impact upon the existing stormwater system is anticipated.

6.14 Flooding

No external works are proposed as part of this application and therefore there will be no impact upon water quality and flooding.

6.15 Waste

Waste is currently removed from site by way of Council's kerbside collection.

No demolition is proposed.

Operational waste will continue to be managed in accordance with the current waste management arrangements previously approved under DA2152/2008.

The operational requirements of the school will be the same as those currently associated with the commercial premises and therefore no additional waste is anticipated.

Waste collection for the proposed development is to be undertaken from the kerbside area directly outside the site frontage in Carrington Street, with the bins to be lined up on "bin night" for collection the following day.

6.16 Environmental Risk Assessment

Environmental risks have been considered based on specialist investigations, findings of this EIS and proposed environmental mitigation measures. The EIS found that environmental risks can be appropriately managed through the environmental mitigation measures and is unlikely to have a significant impact on the environment.



Table 9 –Environmental Risk Rating Following Implementation of Environmental Mitigation Measures

Environmental Issue	Risk	Comment
Traffic and Transport	Low	Refer to Traffic Assessment in Appendix 7 .
Soils, Geology and Contamination	Low	No earth works are proposed as part of this change of use.
Water Quality and Flooding	Low	No external works are proposed as part of this application and therefore there will be no impact upon water quality and flooding.
Air Quality	Low	No external works are proposed as part of this application and therefore there will be no impact upon Air Quality. Notwithstanding, appropriate dust control during construction will ameliorate potential off site dust emission.
Noise	Low	Noise will be managed during construction through mitigation strategies, vibration management and monitoring. Refer to Appendix 10 .
Flora, Fauna and Bushfire	Low	The subject site is not within a bushfire zone. No external works are proposed. The development proposes no physical works on the site. The existing building and hard stand areas will be retained. No vegetation is proposed to be removed due to the proposed school. The site is not known to contain any flora or fauna groups recognised as vulnerable or threatened and it is considered the proposal will have no adverse impacts on the biodiversity of the area.
Heritage	Low	No historical heritage items or areas of archaeological potential were identified within the study area. A search of the Aboriginal Heritage Information System on 4 June 2021 found 0 Aboriginal sites are recorded in or near the above location. (Appendix 5). Non-Aboriginal Heritage The site is listed as having local heritage significance (L-202) pursuant to Schedule 5 of the LEP 2014. The subject site falls within the West Wallsend Heritage Conservation Area pursuant to Part 3 Schedule 5 of LEP 2014. A Statement of Heritage Impact Assessment has been prepared by John Carr and can be found in Appendix 6 .
Visual	Low	No works are proposed and will therefore have no visual impact.
Social	Low	The proposal will result in positive social impacts through a new educational facility. Several measures to be implemented in the school to reduce crime risk including surveillance opportunities, landscaping treatments, maintenance and lighting.
Economic	Low	The development will create new employment opportunities for staff and relevant suppliers.
Waste Management	Low	Waste collection for the proposed development is to be undertaken from the kerbside area directly outside the site frontage in Carrington Street, with the bins to be lined up on "bin night" for collection the following day.



7. CONCLUSION AND JUSTIFICATION FOR THE PROPOSAL

The proposed for a change of use of the ground floor of the former “Clyde Inn” Hotel from a ‘*commercial premises*’ to a new school, ‘*educational establishment*’ will enable Allambi Care to become a registered school enabling the continuation of ADD.

The school will specialise in education for vulnerable young people in out-of-home care who have experienced disadvantage and/or trauma. It aims to provide a safe and welcoming space in which a young person can experience acceptance, healthy connections, and positive relationships with educational staff for them to engage or re-engage in formal education.

The proposed development will provide long-term benefit to students, who are chronically disengaged, expelled, or suspended from both mainstream and alternative school options.

Although only minor works are proposed, the development is consistent with the principles of ecologically sustainable development. There is unlikely to be significant impact on the environment as a result of the proposed development provided environmental mitigation measures proposed in Section 6 of this EIS are adopted.

The proposal will not have a significant impact on the environment, including threatened species, populations or ecological communities, or their habitats under the EPBC Act, therefore referral to the Commonwealth Minister of the Environment is not deemed necessary for the current proposal.





APPENDICES



APPENDIX 1

Secretary's Environmental Assessment Requirements 6 July 2021



APPENDIX 2

CIV_Quantity Surveyor Report prepared by APLAS Group



APPENDIX 3

Survey Plan prepared by de Witt Consulting



APPENDIX 4

Architectural Drawings prepared by CKDS Architects



APPENDIX 5

Aboriginal Heritage Information System Search Results



APPENDIX 6

Statement of Heritage Impact prepared by John Carr Heritage Consultant



APPENDIX 7

Traffic Assessment prepared by SECA Solutions



APPENDIX 8

Community Consultation Letter



APPENDIX 9

Access Report prepared by Lindsay Perry Access



APPENDIX 10

Noise Assessment prepared by RAPT Consulting



APPENDIX 11

BDAR Waiver