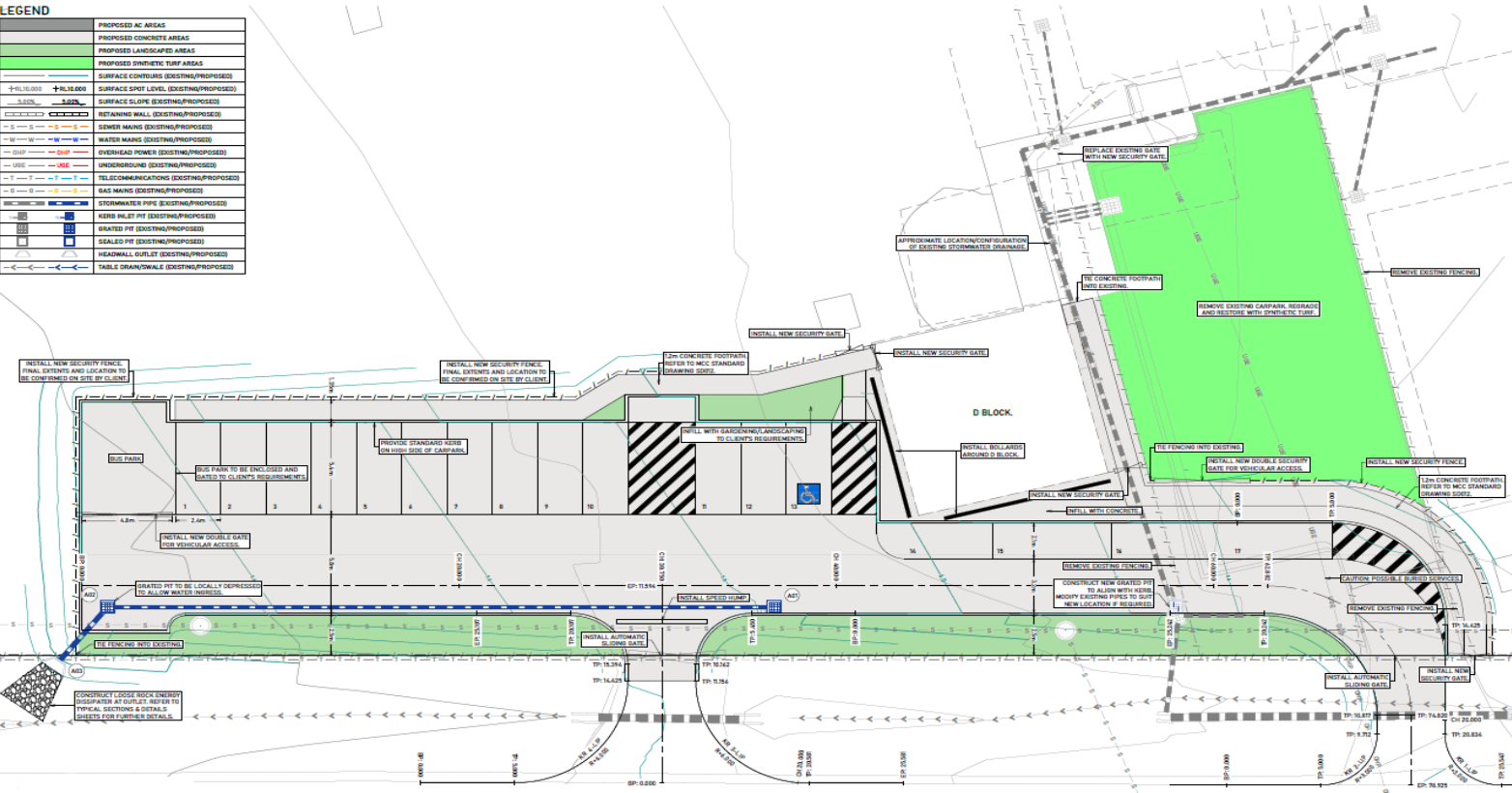


**LEGEND**

[Symbol]	PROPOSED AC AREAS
[Symbol]	PROPOSED CONCRETE AREAS
[Symbol]	PROPOSED LANDSCAPE AREAS
[Symbol]	PROPOSED DRIVEWAY TARP AREAS
[Symbol]	SURFACE CONTIGUOUS (EXISTING/PROPOSED)
[Symbol]	SURFACE SPOT LEVEL (EXISTING/PROPOSED)
[Symbol]	SURFACE SLOPE (EXISTING/PROPOSED)
[Symbol]	RETAINING WALL (EXISTING/PROPOSED)
[Symbol]	SEWER MAINS (EXISTING/PROPOSED)
[Symbol]	WATER MAINS (EXISTING/PROPOSED)
[Symbol]	OVERHEAD POWER (EXISTING/PROPOSED)
[Symbol]	UNDERGROUND (EXISTING/PROPOSED)
[Symbol]	TELECOMMUNICATIONS (EXISTING/PROPOSED)
[Symbol]	GAS MAINS (EXISTING/PROPOSED)
[Symbol]	STORMWATER PIPE (EXISTING/PROPOSED)
[Symbol]	KERB INLET PIT (EXISTING/PROPOSED)
[Symbol]	GRADED PIT (EXISTING/PROPOSED)
[Symbol]	SEALED PIT (EXISTING/PROPOSED)
[Symbol]	HEADWALL OUTLET (EXISTING/PROPOSED)
[Symbol]	TABLE DRAIN/SWALE (EXISTING/PROPOSED)



School Infrastructure NSW (SINSW)

# Statement of Environmental Effects

Facility Improvements including New Car Park, Vehicle Crossovers,  
Pedestrian Pathways and Tree Removal

Woodberry Learning Centre

July 2022

ENGINEERING  
PLANNING  
SURVEYING  
CERTIFICATION

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Project No.	210490
Author	AR
Checked	LW
Approved	BM

Rev No.	Status	Date	Comments
1	Draft	04.07.2022	For Review
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- Appendix B – Arboricultural Impact Assessment
- Appendix C – Geotechnical Assessment
- Appendix D – Bushfire Assessment Report
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## 1 Introduction

This report has been prepared on behalf of School Infrastructure NSW (SINSW).

This application seeks development consent for facility improvements to Woodberry Learning Centre including construction of a new car park, vehicle crossovers, pedestrian pathways, fencing, tree removal and associated works.

A detailed description of the proposal is provided at Section 3.0.

Development plans are included in the appendices to this report.

This report has determined that the proposal is generally compliant with relevant State and the various Maitland City Council Planning Instruments.

The application is a Crown development application (a development application made by or on behalf of the Crown). The New South Wales Department of Education / Schools Infrastructure New South Wales is a statutory body representing the Crown.

## 2 Site Analysis

### 2.1 Site Description

Woodberry Learning Centre is located at the corner of Lawson Avenue and Woodberry Road, Woodberry. The real property description is Lot 1 DP 557998. The greater site area accommodates two educational establishments; Woodberry Learning Centre within the eastern portion of the site and Woodberry Public School to the west. Figure 1 illustrates the features of the site and outlines the development area.

Vehicular and pedestrian access to Woodberry Learning Centre is provided from Woodberry Road.

The total site area is approximately 3.541 hectares. Existing development for the Woodberry Learning Centre includes four demountable classroom/administration buildings, sealed car park area, paved area for basketball courts and undercover area, and boundary fencing. The site of the proposed car park is located to the south of the Woodberry Learning Centre.

The site has been largely disturbed due to construction of the school buildings, playing fields and associated facilities. Areas of the site away from structures are generally vegetated by established grass cover, and a number of scattered established trees, generally close to the lot boundaries, including the eastern side of the proposed car park and driveway areas.

The school has convenient access to public transport with bus stops located along the northern frontage of the site on Lawson Avenue to the west of the Woodberry Learning Centre. Beresfield Train Station is located 1.9km south west of the site.



Figure 1: Aerial photo of site (Source: Nearmap; 04.04.2022)

## 2.2 Locality

The surrounding locality of Woodberry Learning Centre is characterised by a mix of residential, community and recreation and light industrial developments, as shown in Figure 2 below. Development and land surrounding the subject site, includes the following:

- North: low density residential development, Bristol Street Park and Environmental Conservation lands;
- East: light industrial development, rural lands and low density residential development;
- South: rural lands and environmental conservation lands; and
- West: low density residential development, Woodberry Commercial precinct, community hall, playground and sporting complex.



Figure 2: Aerial photo of locality (Source: Nearmap; 04.04.2022)

## 2.3 Infrastructure

The site is serviced by water, sewer, telecommunication and power services.

Nearby public transport includes bus facilities approximately 200 metres from the site and train infrastructure approximately 1.9 kilometres southwest from the site.

## 2.4 Photographs

The following photographs show the site and surrounding development.

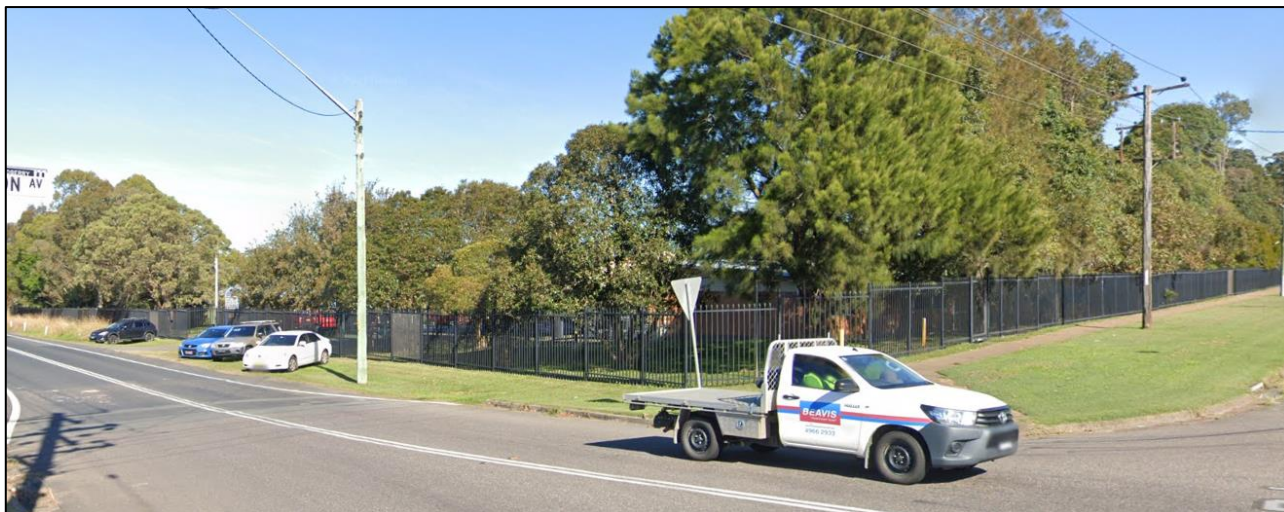


*Photograph 1: View of area where car park is proposed to be located*



*Photograph 2: View of Woodberry Learning Centre looking east from Lawson Avenue (Source: Google Street View; May 2022)*





Photograph 3: Woodberry Learning Centre looking west from the corner of Lawson Avenue and Woodberry Road (Source: Google Street View; May 2022)



Photograph 4: Front of Woodberry Learning Centre from Woodberry Road (Source: Google Street View; May 2022)



Photograph 5: View of area where car park is proposed from Woodberry Road (Source: Google Street View; May 2022)

### 3 Proposal in Detail

#### 3.1 Proposed Development

Development approval is being sought for facility improvements to Woodberry Learning Centre including provision of a new car parking area. The existing parking facilities to the north of the proposed development footprint are to be removed, regraded and restored with synthetic turf.

An extract from the proposed Detail Plan is provided in Figure 3 and specific elements are discussed in more detail in headings below. Proposed works on the site generally include the following:

- Tree removal;
- Construction of a 17 space at grade car park containing one accessible space, bus parking space and pick up/drop off zone;
- Two new ingress/egress vehicle crossovers to Woodberry Road;
- Construction of new concrete footpath adjacent to the car parking area and extension of pedestrian pathways within the site;
- Removal of existing car park, regrade and restore with synthetic turf;
- Landscaping and minor earthworks;
- Stormwater works;
- Erosion and sedimentation controls;
- Bin storage area; and
- Security to parking area including fencing and security gates.

An extract of the Detail Plan is included in Figure 3. Refer to Appendix A for further detail.

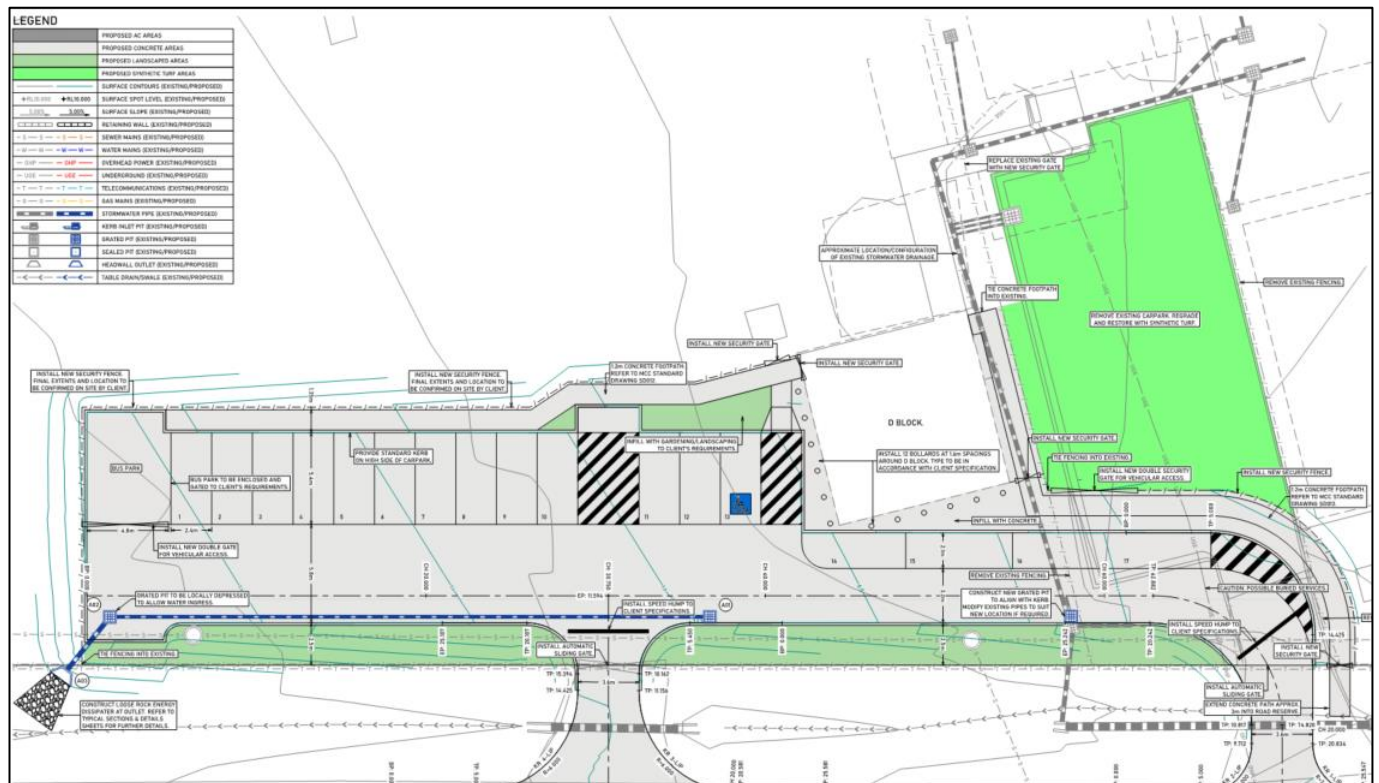


Figure 3: Extract from Detail Plan (Metiri; 07/06/2022)

**3.1.1 Tree Removal**

There are sixteen (16) trees located within proximity of the car park works area as illustrated in Figure 4 below. The proposed car park requires the removal of fourteen (14) of these trees. Fourteen (14) medium size suitable replacement trees will be planted within other areas of the school grounds to compensate for the removal of the trees.

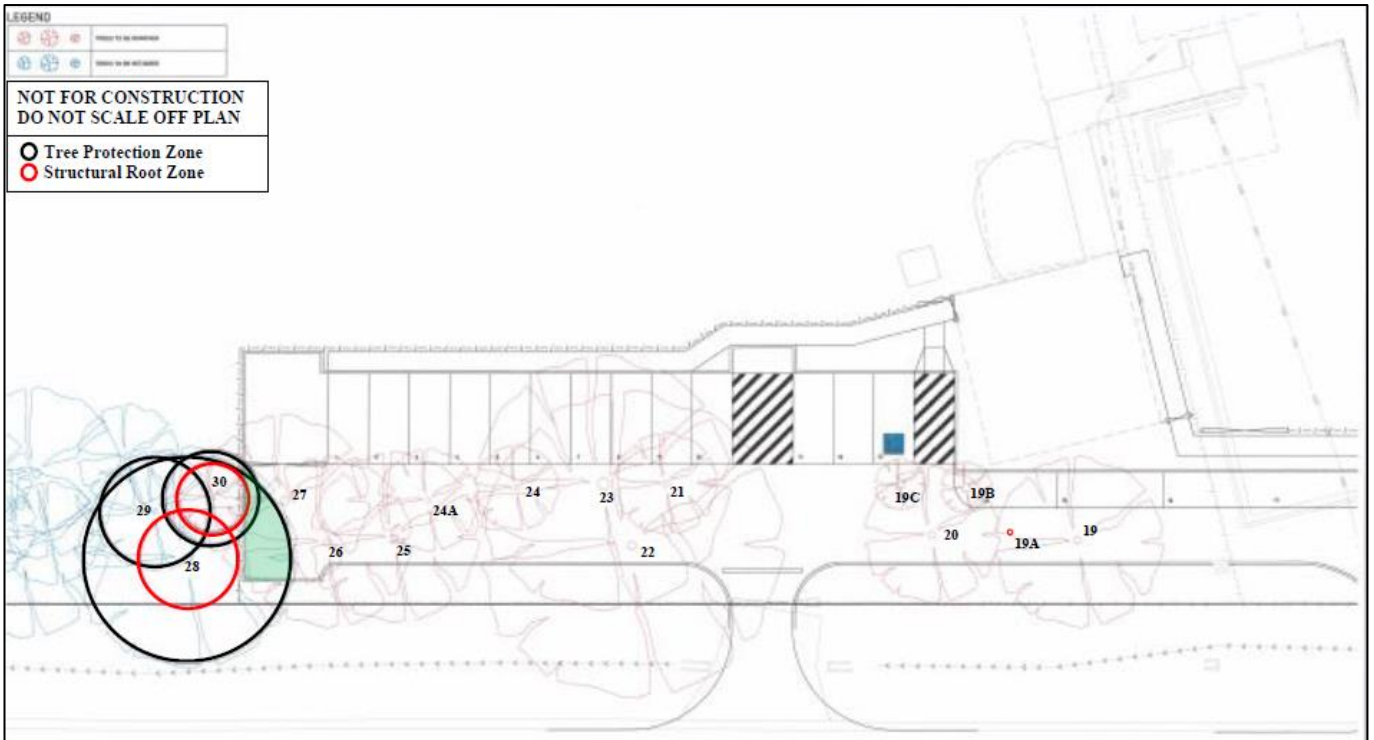


Figure 4: Tree removal plan extracted from AIA (Joseph Pidutti Consulting Arborist; 28/06/2022)

Two (2) trees are to be retained within the development area, which are identified as Tree 28 and Tree 29. Both trees are located within the site to the south of the proposed car park. Although construction may occur within the Tree Protection Zone (TPZ) of Tree 28, it is expected that encroachment will be less than 10% and as the area lost to encroachment is outside the Structural Root Zone (SRZ) the tree should not be significantly impacted upon by the proposed development. This tree will be protected during works and any excavation within the root zone must be carried out carefully to avoid excessive damage to roots. Tree 29 within the site is to be retained as construction is not expected to encroach within the calculated TPZ of the tree and as such is not expected to be impacted upon by construction. For further detail refer to the Arboricultural Impact Assessment included in Appendix B.

**3.1.2 Stormwater**

Stormwater runoff from the proposed hardstand surfaces will be collected via a series of pits and pipes within the eastern portion of the car park. This stormwater will be discharged to the existing swale drain along Woodberry Road via a headwall outlet and geotextile and rock energy dissipater. Stormwater management for the existing buildings and hard stand surfaces within the site will be retained. Concept engineering plans detailing stormwater management for the proposed development are provided in Appendix A.

### 3.1.3 Earthworks

Earthworks are proposed as part of the development to create a suitable area for the car park. Proposed earthworks are illustrated on the concept engineering plans within Appendix A. The existing car park area is to be removed and regraded to create a suitable surface for installation of synthetic turf.

Appropriate erosion and sedimentation control measures will be implemented during construction as detailed on the Erosion and Sediment Control Plan in Appendix A.

### 3.1.4 Waste Management

A Waste Management Plan is to be prepared for the proposed development detailing waste management procedures for site preparation, construction and use of the development. This plan will be prepared by the contractor and provided prior to issue of the Crown Certificate for the works. Appropriate waste management and minimisation procedures will be implemented.

## 4 Statutory Matters

### 4.1 State Environmental Planning Policies

State Environmental Planning Policies (SEPPs) relevant to the proposed development are identified in Table 1 below.

Table 1: Assessment of Relevance of SEPPs

State Environmental Planning Policy	Relevant	Comment
<b>SEEP (Transport and Infrastructure) 2021</b>	<b>Yes</b>	<b>See below</b>
Chapter 2 Infrastructure	No	
Chapter 3 Educational establishments and child care facilities	Yes	See below
Chapter 4 Major infrastructure corridors	No	
Chapter 5 Three ports – Port Botany, Port Kembla and Newcastle	No	
<b>SEPP (Resilience and Hazards) 2021</b>	<b>Yes</b>	<b>See below</b>
Chapter 2 Coastal management	No	
Chapter 3 Hazardous and offensive development	No	
Chapter 4 Remediation of land	Yes	See below
<b>SEPP (Biodiversity and Conservation) 2021</b>	<b>Yes</b>	<b>See below</b>
Chapter 2 Vegetation in Non-Rural Areas	Yes	See below
Chapter 4 Koala Habitat Protection 2021	Yes	See below

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

State Environmental Planning Policy (Transport and Infrastructure) 2021 outlines requirements for the provision of transport and infrastructure throughout the State.

##### Chapter 3 Educational Establishments and Childcare Facilities

Chapter 3 Educational establishments and child care facilities includes requirements for alterations and additions to schools. Table 2 details compliance with the requirement of this SEPP.

Table 2: Compliance with Chapter 3 of SEPP (Transport and Infrastructure) 2021

SEPP REQUIREMENT	COMMENTS
<b>Part 3.1 Preliminary</b>	
Sections 3.1- 3.7	Noted
<b>Part 3.2 General</b>	
Division 1 Consultation and notification	Not applicable – development consent is sought for the proposal.
Division 2 Site compatibility certificates	Not applicable
Division 3 Additional uses of State land	Not applicable
Division 4 Exempt development	Not applicable
Division 5 Complying development	Not applicable
<b>Part 3.3 Early Education and Care Facilities – Specific Development Controls</b>	
Sections 3.22-3.33	Not applicable
<b>Part 3.4 Schools – Specific Development Controls</b>	
3.34 Definition of “prescribed zone”	The site is zoned R1 General Residential, which is identified as a prescribed zone within the definition.
3.35 Development for the purpose of student accommodation	Not applicable
3.36 Schools – Development permitted with consent	Schools are permissible with consent in any prescribed zone (including R1). Should the local environmental plan (LEP) prohibit schools or educational establishments, the SEPP will override the LEP. The design quality principles detailed in Schedule 8 of the SEPP have been considered in the design of the proposal. Reference to the applicable development control plan (DCP) is detailed below. However, Subclause 3.37 subsection (9) advises that any requirement, standard or control included in a DCP is of no effect when related to a school.
3.37 Schools – Development permitted without consent	The proposal does not comply with these provisions and therefore, requires development consent.
3.38 Notification of carrying out of certain development without consent	Not applicable
3.39 Existing schools – exempt development	The proposal is not considered to be exempt development.

SEPP REQUIREMENT	COMMENTS
3.40 Existing schools – complying development	Not applicable
3.41 School-based child care – complying development	Not applicable
3.42 Complying development certificates – additional conditions	Not applicable
3.43 State significant development for the purpose of schools – application of development standards in environmental planning instruments	The proposed works are not classified as State significant development.
<b>Part 3.5 Universities – Specific Development Controls</b>	
Sections 3.44-3.50	Not applicable
<b>Part 3.6 Tafe Establishments – Specific Development Controls</b>	
Sections 3.51-3.57	Not applicable
<b>Part 3.7 General Development Controls</b>	
3.58 Traffic-generating development	Not applicable – development will not result in the existing school being able to accommodate 50 or more additional students.

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

SEPP (Resilience and Hazards) 2021 contains planning provisions regarding land use planning within coastal zones, consistent with the objectives of the Coastal Management Act 2016. It also provides provisions on how to manage hazardous and offensive development and provides a state-wide planning framework for the remediation of contaminated land to minimise the risk of harm. Chapter 4 is applicable to the subject development.

##### Chapter 4 Remediation of Land

Clause 4.6 of SEPP (Resilience and Hazards) 2021 requires the consent authority to consider whether land is contaminated during the development application process.

The site has been historically used as an educational facility and it is unlikely any contaminating activities have occurred at the site. The proposed works can therefore be undertaken and are consistent with the requirements of clause 4.6.

#### 4.1.3 State Environmental Planning Policy (Biodiversity and Conservation) 2021

SEPP (Biodiversity and Conservation) 2021 contains a range of planning provisions relating to environmental biodiversity and conservation within the state. Chapters 2 and 4 are applicable to the subject development.

##### Chapter 2 Vegetation in Non-Rural Areas

Chapter 2 of SEPP (Biodiversity and Conservation) 2021 aims to protect the biodiversity values of vegetation in non-rural areas of the State and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

Vegetation removal forms part of the DA in accordance with Clause 2.6 of the SEPP. An Arboricultural Impact Assessment has been prepared for the tree removal and is included in Appendix B.

#### Chapter 4 Koala Habitat Protection 2021

This Chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population. The site is located within the Maitland Local Government Area, which is listed under Schedule 2 of SEPP (Biodiversity and Conservation) 2021. There is no approved koala plan of management for the site.

Development consent is sought for the removal of fourteen (14) trees as outlined within the Arboricultural Impact Assessment included in Appendix B. Some of the trees proposed to be removed are listed as koala use tree species under Schedule 3 of the SEPP. The Arboricultural Impact Assessment recommends that suitable replacement trees be planted within other areas of the school grounds to compensate for the removal of the trees.

As per Clause 4.9 of the SEPP, if the council is satisfied that the development is likely to have low or no impact on koalas or koala habitat, Council may grant consent to the development application. Given the nature of the existing vegetation, number of trees and existing use of the site, the site is not considered to represent 'core koala habitat' or 'potential koala habitat' in accordance with the SEPP. As the vegetation to be removed is recommended to be replaced on the site, it is therefore considered that the development is likely to have low or no impact on koalas or koala habitat and therefore consent may be granted for the application.

## **4.2 Local Environmental Plans**

### **4.2.1 Maitland Local Environmental Plan (LEP) 2011**

Under the provisions of the Maitland Local Environmental Plan 2011 the site is zoned R1 General Residential, as shown in Figure 5 below. The zone objectives are:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposal is consistent with the zone objectives as it will improve facilities and related infrastructure at Woodberry Learning Centre to meet the needs of students, teachers and the local community.

Educational establishments are not prohibited in the R1 zone and are therefore permitted with consent. The proposal can be defined as development ordinarily incidental and ancillary to the educational establishment and is therefore permissible subject to development consent.



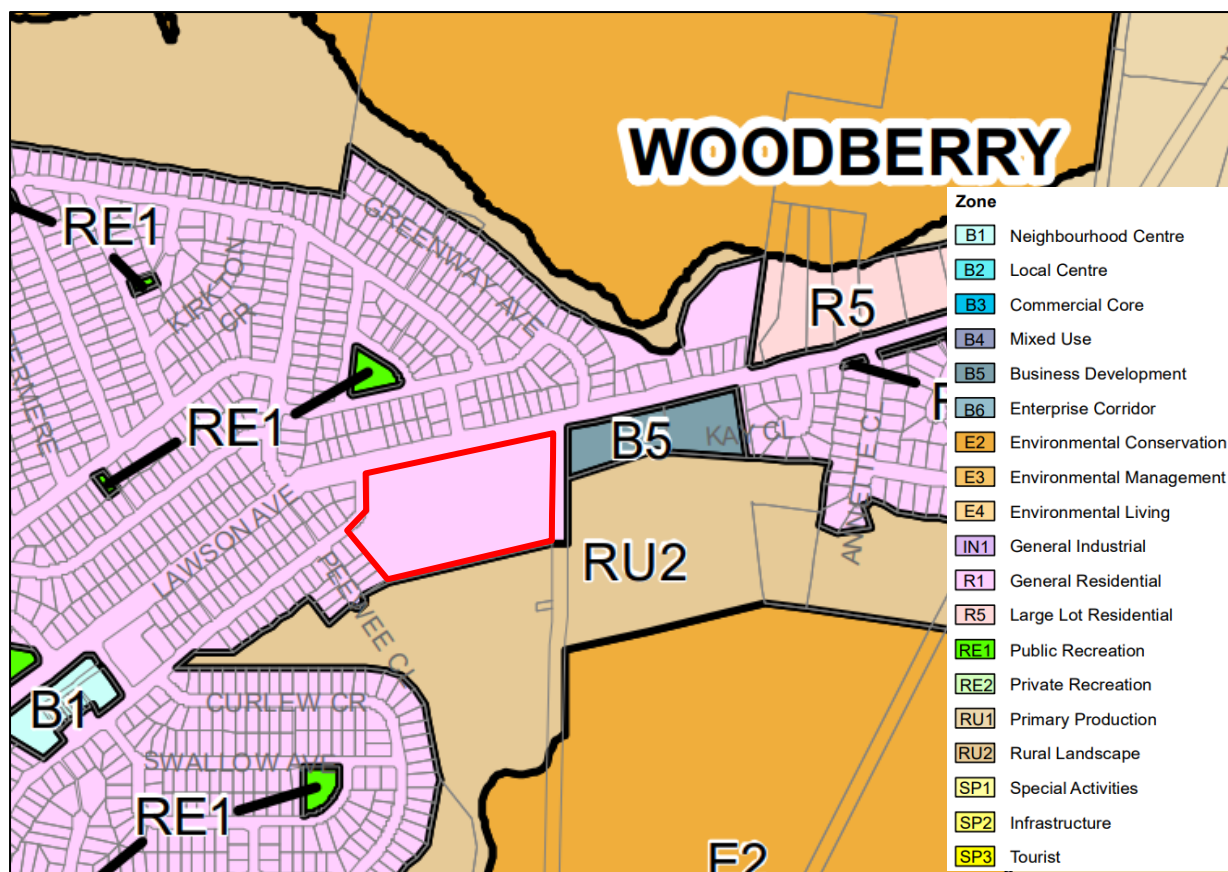


Figure 5: Extract from Land Zoning Map (Maitland Local Environmental Plan 2011 Sheet LZN\_007)

Additional relevant Maitland LEP 2011 clauses are addressed in Table 3 below.

Table 3: Additional Relevant Maitland LEP 2011 Provisions

Relevant Provisions / Development Standards			
Control	Required	Proposed	Compliance
<b>Principal development standards</b>			
4.3 Height of Buildings	No maximum building height mapped for the site, under Maitland LEP 2011.	No changes proposed to building heights.	N/A
4.4 Floor space ratio	No maximum FSR under Maitland LEP 2011.	No change proposed to FSR.	N/A
<b>Miscellaneous provisions</b>			
5.10 Heritage	Not applicable. The site does not contain any heritage items or areas and it is not located in the vicinity of any heritage items or areas.	N/A	N/A
5.21 Flood planning	The site is mapped as flood prone land along the rear southern	The proposed works are mostly located above the flood planning level for the site, with the southern	Yes

Relevant Provisions / Development Standards			
Control	Required	Proposed	Compliance
	boundary, see Figure 6 below.	<p>portion of the design located on the edge of the identified flood planning area.</p> <p>The proposed development is compatible with the flood function and behaviour on the land and the position of the development will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood.</p> <p>The design levels for the proposed car park will not adversely affect the flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties.</p>	
<b>Additional local provisions</b>			
7.1 Acid Sulfate Soils	The site is mapped as Class 5 Acid Sulfate Soils as illustrated in Figure 7 below.	<p>The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</p> <p>The works proposed are not below 5 metres Australian Height Datum (AHD) and by which the watertable is likely to be lowered below 1 metre AHD in adjacent Class 1, 2, 3 or 4 land. No further assessment is therefore required nor the preparation of an acid sulfate soils management plan for the proposed development.</p>	Yes
7.2 Earthworks	... any earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses or	Earthworks have been minimised where possible and the development has been designed to generally follow the natural	Yes

Relevant Provisions / Development Standards			
Control	Required	Proposed	Compliance
	heritage items and features surrounding land...	<p>topography of the site. Minor cut and fill is required to provide suitable finished levels for the car park and appropriate trafficable pathways across the site which are in keeping with the general slope of the site.</p> <p>The proposed earthworks and car parking area have been designed in accordance with the geotechnical investigation included in Appendix C.</p> <p>Appropriate erosion and sediment control measures will be implemented during the works. Refer to Appendix A.</p>	
7.4 Riparian Lands and Watercourses	Not applicable. The site is not identified in the Maitland LEP Riparian Lands and Watercourses mapping as being within 40m of a watercourse.	N/A	N/A

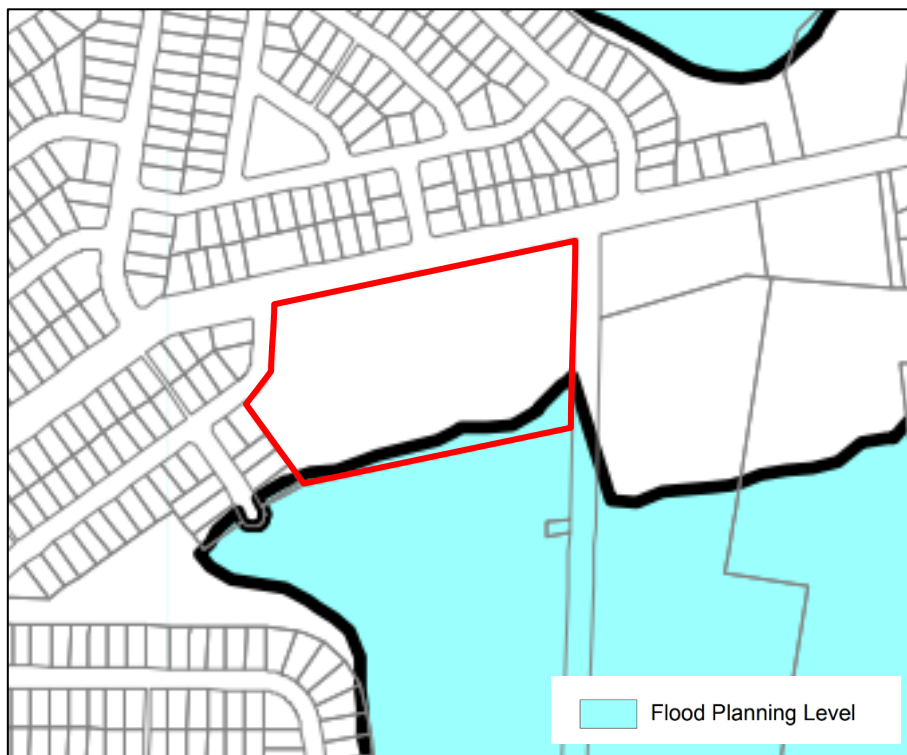


Figure 6: Extract from Flood Planning Map (Maitland Local Environmental Plan Sheet FLD\_007)

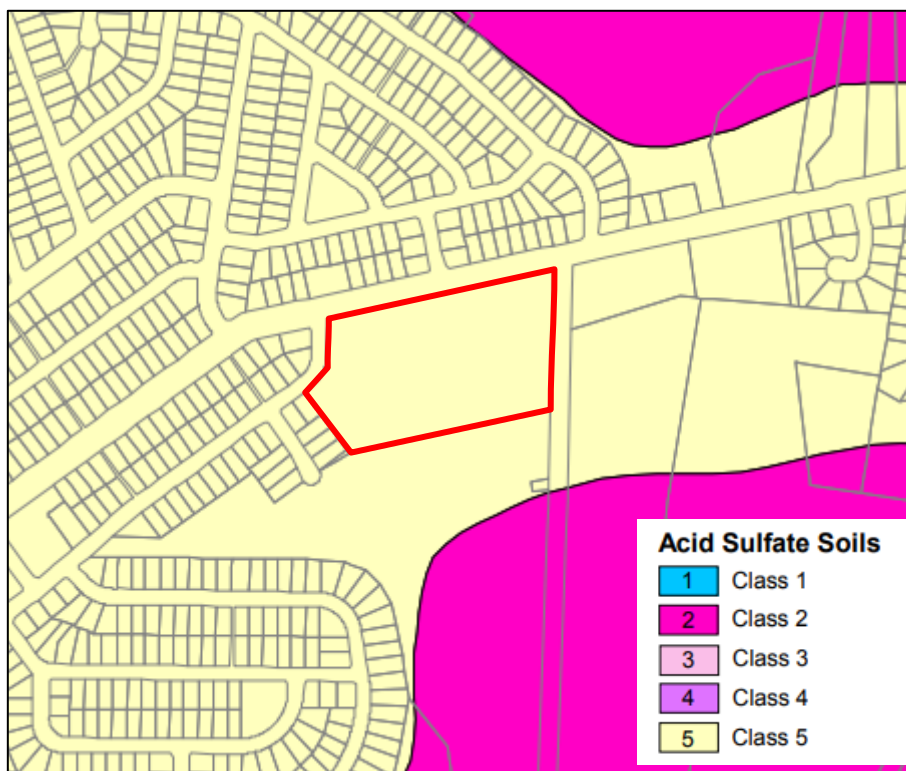


Figure 7: Extract from Acid Sulfate Soils Map (Maitland Local Environmental Plan Sheet ASS\_007)

### 4.3 Development Control Plan

#### 4.3.1 Maitland Development Control Plan 2011

Our assessment of the development confirms that the proposal generally satisfies Council's relevant development controls included within the Maitland Development Control Plan (DCP) 2011. Notwithstanding the inclusion of DCP assessment in Table 4, Clause 3.36 (9) of SEPP (Transport and Infrastructure) 2021 confirms that any requirement, standard or control included in a DCP is of no effect when related to a school. Relevant considerations of the DCP controls are provided in Table 4 below.

Table 4: Development Control Matrix

DCP Requirement	Comment
<b>Part B Environmental Guidelines</b>	
B.2 Domestic Stormwater	Stormwater management has been designed for the proposed car parking and driveway area in accordance with the DCP controls. Stormwater runoff from the proposed hardstand surfaces will be collected via a series of pits and pipes within the eastern portion of the car park. This stormwater will be discharged to the existing swale drain along Woodberry Road via a headwall outlet and geotextile and rock energy dissipater. Stormwater management for the existing buildings and hard stand surfaces within the site will be retained.

DCP Requirement	Comment
B.3 Hunter River Floodplain	<p>The proposed works are mostly located above the flood planning level for the site, with the southern portion of the design located on the edge of the identified flood planning area.</p> <p>The proposed development is compatible with the flood function and behaviour on the land and the position of the development will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood.</p> <p>The design levels for the proposed car park will not adversely affect the flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties.</p>
B.5 Tree Management	<p>Development consent is sought for the removal of fourteen (14) trees as outlined within the Arboricultural Impact Assessment included in Appendix B. It is recommended that suitable replacement trees be planted within other areas of the school grounds to compensate for the removal of the trees.</p> <p>Two (2) trees are to be retained within proximity to the development area with both trees located within the site to the south of the proposed car park. The tree located closest to the work are Although construction may occur within the TPZ of Tree 28, it is expected that encroachment will be less than 10% and as the area lost to encroachment is outside the SRZ the tree should not be significantly impacted upon by the proposed development. This tree will be protected during works and any excavation within the root zone must be carried out carefully to avoid excessive damage to roots. Tree 29 is not expected to be impacted upon by construction. For further detail refer to the Arboricultural Impact Assessment included in Appendix B.</p>
B.6 Waste Not – Site Waste Minimisation & Management	<p>A Waste Management Plan is to be prepared for the proposed development detailing waste management procedures for site preparation, construction and use of the development. This plan will be provided prior to issue of the Crown Certificate for the works. Appropriate waste management and minimisation procedures will be implemented.</p>
<b>Part C Design Guidelines</b> <b>C.11 Vehicular Access &amp; Car Parking</b>	
2. General Requirements	<p>The proposed development does not propose to increase the number of students or staff at the school. Considering that DCP provisions are of no effect in accordance with cl 3.36(9) and that the proposal will increase the number of car parking spaces available for the existing school and the proposal will not increase the number of people using the site, a traffic study is not required to accompany this application. The increase in car parking will ensure that a suitable number of car parking spaces are provided for the school and will reduce any current on-street car parking by staff.</p>
3 Guidelines for the Design, Layout and Construction of Access and Parking Areas	<p>We understand the proposed car parking area has been designed in accordance with the relevant Australian Standards AS 2890.1 and DCP</p>

DCP Requirement	Comment
	<p>requirements. Refer to the concept engineering plans included in Appendix A.</p> <p>Vehicular access to the site is provided from Woodberry Road. The proposed driveway locations have been positioned within the vicinity of the existing access points to the site off Woodberry Road. The access points have been positioned to avoid potential conflicts between pedestrians and vehicles through the provision of footpaths to separate pedestrian and vehicle movements.</p> <p>The parking spaces are proposed to be 2.4m wide x 5.4m long, with the parking spaces alongside the kerb being 2.1m wide and have been designed in accordance with AS 2890.1.</p> <p>A bus parking bay has been provided at the southern end of the car park to provide a suitable parking area for the schools mini bus.</p> <p>The parking areas are to be clearly signposted with line-marking proposed to delineate the parking spaces and shared areas. Perimeter security fencing and electronic gates are also proposed to surround the car park.</p>
5. Car Parking for Persons With a Disability	<p>One parking space for persons with a disability has been made available in the provision of car parking facilities, in accordance with Australian Standard AS2890.1. In general, where 10 or more vehicle spaces are required, Council require one designated parking space for people with disabilities is required per 100 (or part thereof) car spaces provided.</p> <p>The accessible parking space is located close to the school entrance and footpath and will be clearly marked the convenience of users. The proposal is therefore considered to be consistent with Councils requirements.</p>
6. Bicycle Parking	<p>Appropriate existing bicycle parking facilities are provided within the school grounds for staff, student and visitors.</p>

#### 4.4 Water Management Act 2000

Under Part 3 of Chapter 3 a person must obtain a permit for water use approval, water management work approval or activity approval.

No building works are proposed in close proximity to a water course and the integrated approval of Natural Resources Access Regulator is not required in this instance.

#### 4.5 Rural Fires Act 1997 & Planning for Bushfire Protection

The subject site is located within a designated bushfire prone area as shown in Figure 8 below. The proposed development will not introduce habitable structures to the school grounds and therefore does not constitute Special Fire Protection Purpose (SFPP) development under Clause 100B of the Rural Fires Act 1997. Consequently, the application will not require referral to the NSW Rural Fire Service for concurrence.

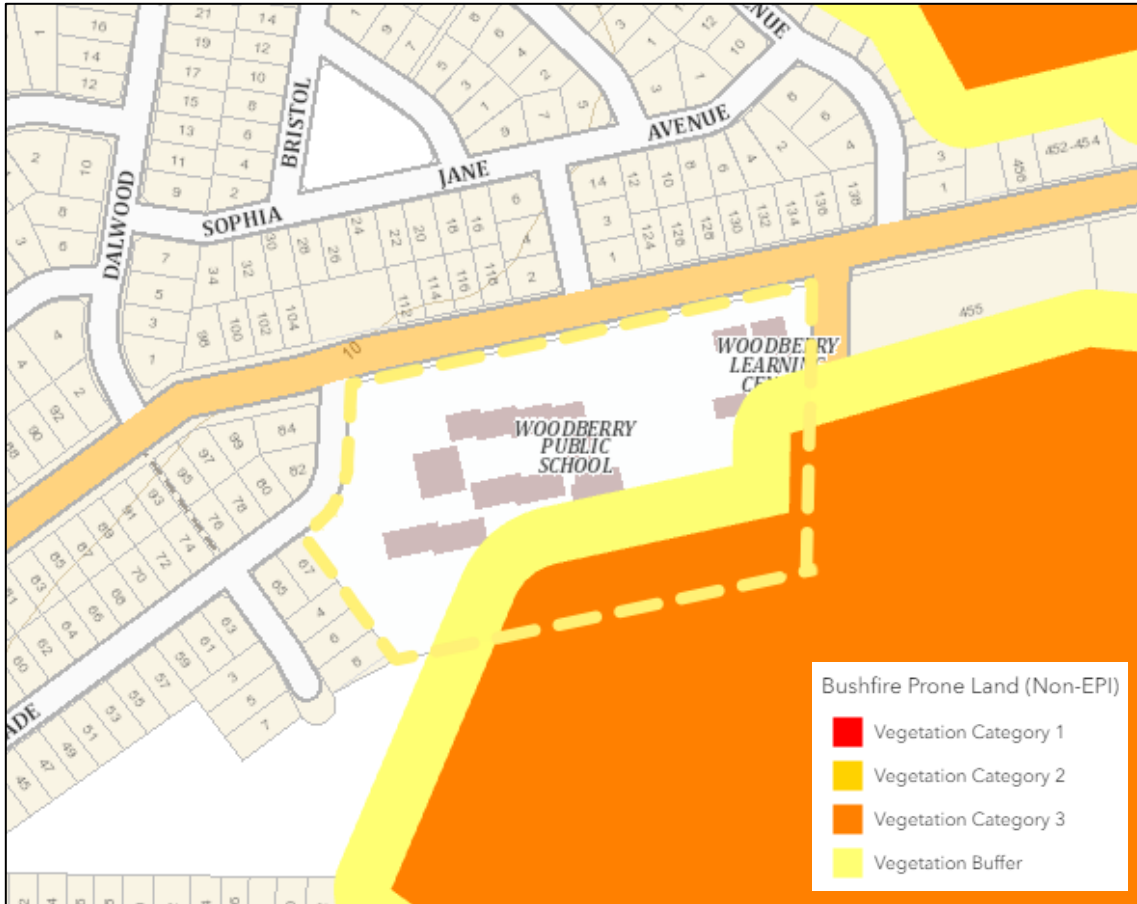


Figure 8: Bushfire Prone Land Mapping (NSW DPIE; 06.06.2022)

The application includes a detailed Bushfire Assessment Report (refer Appendix D). Note the bushfire assessment also includes assessment of class 10 structures that do not form part of this application. The report notes the following:

*the proposed civil works does not require assessment of bushfire protection. The existing access arrangements at the school comply with PBP. Fire-fighters can gain direct access to buildings from the two street frontages.*

It can therefore be concluded that the proposed development (civil works) are not classified as SFPP development and further bushfire protection requirements therefore do not apply.

#### 4.6 Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 and its regulations outlines the 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 Offset (BOS) program.

As shown in Figure 9 below, the subject land or adjacent properties are not mapped as containing any biodiversity value.

In accordance with Part 7 of the Biodiversity Conservation Act, the proposal does not require a supporting biodiversity development assessment report because:

- the development is not likely to significantly affect threatened species or ecological communities, or their habitats,
- the development does not trigger any biodiversity offsets schemes; and
- the development is not proposed in a declared area of outstanding biodiversity value.

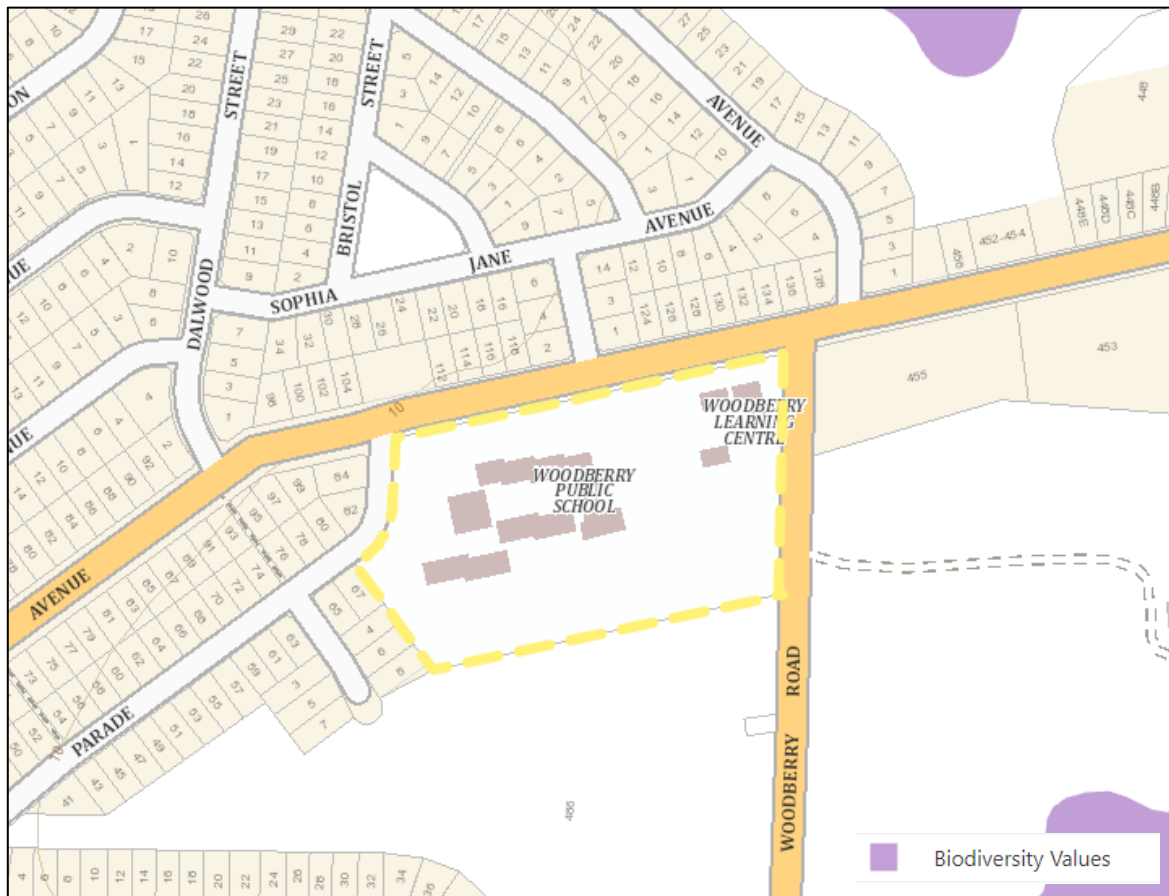


Figure 9: Extract from NSW Biodiversity Values Map (NSW DPIE; 06.06.2022)

#### 4.7 Heritage Act 1977

The Heritage Act 1977 contains provisions relating to the protection of items of heritage significance or items of potential significance. The integrated development provisions are triggered by development of items listed in the State Heritage Register or to which an interim heritage order applies. No such items are located on the school site.

#### 4.8 Coal Mine Subsidence Compensation Act 2017

The site is not mapped as being located within a Mine Subsidence District. This Act is therefore not applicable to the development.

#### 4.9 Roads Act 1993

Section 138 of the NSW Roads Act 1993 requires the consent of the appropriate road authority for any works or activities in a public road reserve. Woodberry Road is classified as a local Road and is managed by Maitland City Council. This application will require approval pursuant to the Roads Act 1993 due to the proposed vehicle crossover works.



## 5 Section 4.15 Assessment

### 5.1 (a)(i) The provisions of any Environmental Planning Instrument

As outlined in Section 4.0 the proposal has been prepared in light of the relevant environmental planning instruments.

### 5.2 (a)(iii) The Provisions of any Development Control Plan

The proposal has been prepared having regard for relevant DCP requirements, refer Section 4.0.

### 5.3 (b) The Likely Impacts of That Development

#### Environmental Responsibility and Land Capability

##### Ecological Values

Native remnant vegetation is proposed for removal. An Arboricultural Impact Assessment has been prepared to support the proposal. Tree plantings will be provided to offset impacts of the vegetation removal and positively contribute to the biodiversity values of the site and surrounding area. The works will not significantly impact the ecological values of the site and appropriate mitigation measures will be implemented during the construction and operational phases of the development.

##### Scenic Values

The at grade parking proposed is limited to the southern portion of the site within an area containing buildings, cleared land and some trees. The proposal will not significantly impact the scenic aesthetics of the site.

Existing landscaping, trees and vegetation will be retained where possible, which will assist in preserving the scenic value of the site.

##### Acoustic Impact

The proposed development is sited to ensure the built form will generate no additional acoustic impacts to the adjoining Woodberry Public School or surrounding development.

##### Tree Preservation and Management

The proposed development includes tree removal, and an Arboricultural Impact Assessment has been prepared and included in Appendix B. Tree protection measures will be implemented for the trees within the site that are to be retained. Suitable replacement trees are proposed as part of the development as per the Arboricultural Impact Assessment in Appendix B.

##### Erosion Prevention and Sediment Control

Appropriate erosion and sediment control measures will be implemented during construction.

##### Energy Efficiency / Sustainability

The development has been designed to be as sustainable as possible implementing stormwater and soil controls as well as reuse and recycling of materials during construction.

### Overshadowing

The proposed car park will cause no adverse overshadowing impacts.

### Privacy

The proposal will result in no adverse privacy impacts considering the car park is positioned to the south of the existing educational establishment and adjoins rural and business land uses. The works will also generate minimal impact to the existing Woodberry Public School located to the west of the development footprint noting the existing sports fields and playground which separate the two educational establishments.

## Social Impact & Economic Impact

The proposed car park and associated works will generate short term construction benefits for local tradespeople and suppliers. The improved school facilities will better assist with the delivery of education and social benefits.

Overall, it is considered that the proposal will generate positive ongoing social and economic impacts.

## Heritage

There are no known European heritage items on or near the site, refer to LEP heritage discussion in Section 4.2.1 for further information.

There are no known Aboriginal objects or Aboriginal places recorded on or near the site. An AHIMS search confirmed that no known sites of significance have been registered in a 200m vicinity of the subject land. Refer to Appendix E. Considering the site has previously been disturbed for the purposes of the school and associated infrastructure, the likelihood of undiscovered Aboriginal objects or places within the works area is low.

## Infrastructure and On-site Services

The site is serviced by power, telecommunication, sewer and water.

The concept engineering plans provide details on proposed stormwater drainage. Refer to Appendix A.

## Transport, Access, Parking and Servicing

The proposed car park will be accessed via Woodberry Road. An additional access point will be provided as part of the proposed works to allow entry and exit to the proposed car parking area. The driveway and car park have been designed and will be constructed in accordance with the relevant Australian Standards. The proposal will not increase student or teacher capacity and nor is the proposal expected to significantly increase traffic movements.

The proposed development is unlikely to cause any adverse traffic or parking issues.

## Amenity

The proposal will not cause any inappropriate impacts for the adjoining Woodberry Public School or light industrial land and is consistent with the amenity of the area.

### **5.4 (c) The Suitability of the Site for the Development**

The Statement of Environmental Effects has determined that there are no constraints that would restrict the development proposed. The site is therefore suitable for the development proposed.

### **5.5 (e) Public Interest**

The public interest is best served by promoting sustainable development that is rational, orderly and economic. The proposal will generate positive social, environmental and economic benefits.

Accordingly, the proposal is considered to be in the public interest.

## 6 Conclusion

The Statement of Environmental Effects has been prepared addressing relevant matters outlined in section 4.15 of the Environmental Planning and Assessment Act 1979 and satisfies all relevant planning legislative requirements.

Our assessment of the proposal confirms:

- the subject site is suitable for the proposed development and will not result in any significant or adverse overshadowing, acoustic, privacy or amenity issues;
- the proposed upgrades will improve school facilities and provide a safe and efficient parking area for the benefit of students, teachers and the community;
- the design of the proposed car park has appropriately considered the surrounding area, existing streetscape and surrounding locality; and
- the development will facilitate additional employment opportunities during and after construction.

The proposal represents rational, orderly, economic and sustainable use of the land and should therefore be supported.

## **Appendix A – Concept Civil Engineering Plans**

## **Appendix B – Arboricultural Impact Assessment**

## **Appendix C – Geotechnical Assessment**

## **Appendix D – Bushfire Assessment Report**



## **Appendix E – AHIMS Search**