



For and on behalf of:
**Seventh Day Adventists Schools
(NNSW), The Heights Learning
Community**




Town Planning Report

Alterations and Additions to School

The Heights Learning Community
209 Cessnock Road, Gillieston Heights, 2321
Lot 113 in DP703265

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Disclaimers

The following report has been provided to support an application for development approval pursuant to Part 4 of the Environmental Planning and Assessment Act 1979 (As Amended). The has been undertaken in accordance with the Regulations and Section 4.15 of the Act. Assessment conclusions and detail has been undertaken to the best of our knowledge and ability in response to the information made available to us at the time of writing.

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Town Planning Report

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The Heights Learning Community
209 Cessnock Road, Gillieston Heights, 2321

1 Introduction

Valley Planning has been engaged by the *Seventh-day Adventist Schools (NNSW), The Heights Learning Community*, to seek a development consent from *Maitland City Council* for several external improvements to the existing School located at 209 Cessnock Road, Gillieston Heights.

This report has been compiled in the form of a Statement of Environmental Effects (*SEE*) undertaken in accordance with the *Environmental Planning and Assessment Regulations 2000* to support an application to Council pursuant to *Section 4.12* of the *EP&A Act 1979* and is to be read in conjunction with the application form, the traffic assessment report and associated architectural plans.

The improvements involve creating a safer and more functional layout to the forecourt and site entrance. They aid for better site amenity and site identification.

The works are minor in nature and would otherwise be considered exempt development. The RU1 zoning that remains over this site does require separate approval to be obtained under Part 4 of the EP&A Act.

The following report provides a detailed description of the building and site in its current context; it considers the proposals against the legislative requirements and provides a detailed environmental assessment against the criteria outlined in *s4.15* of the *EP&A Act*.

2 Site

2.1 Location & Context

SDAS have an existing educational establishment on the subject site at 209 Cessnock Road, Gillieston Heights. Established as a primary school under a DA consent in 1984 for up to 40 students, the site was rezoned to support a 5(a) private school use. The school was temporarily closed in 1996.

The school building remained largely unaltered and was utilised as a community centre and place of worship in this time. The expanding residential subdivisions of the urban release areas of Gillieston Heights within the Maitland City Council Local Government Area (LGA) created a much necessary demand for this school in this location and it was subsequently re-opened in 2019 with Maitland Council's support.

The site is a rectangular parcel of land located at the northern end of the more recent residential subdivision release area, known as Gillieston Heights Urban Release Area, an R1 zoned residential land release. The parcel forms a parallelogram shape comprising of a 140m frontage to Cessnock Road and 246m in depth. Although previously zoned as a special uses private school in a past instrument, the 3ha parcel of land was not carried forward into the new standard instrument and was zoned to RU1 – Primary Production.

The site benefits from existing use rights being confirmed as 'savings provision of an existing consent'.

The site currently supports a single storey brick building and car park area which was originally constructed in approximately 1984 to support a primary school. The existing consent limits the students to 40 and the car park to 7 spaces. This application does not alter these conditions.



Figure 1: Broader Site Context (Source: SIX Maps)



Figure 2 – Site context (Source: SIX Maps)



Figure 2 – Site location (Source: Sixmaps)

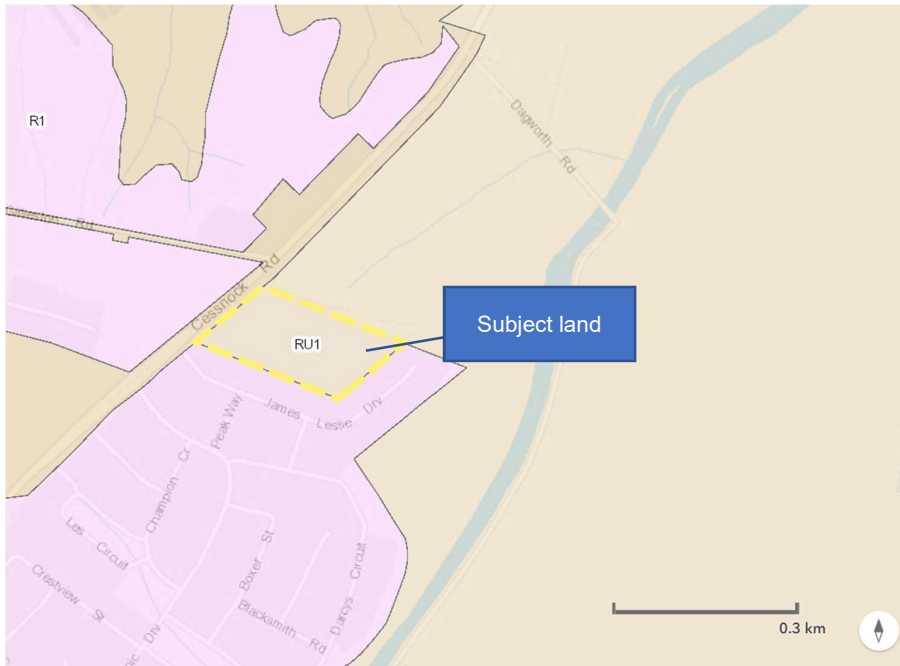


Figure 4 – Extract of MLEP 2011 Zoning Map (Source: NSW Planning Portal)

2.2 Permissibility

The land is zoned RU1 within the Maitland LEP and education facilities are not permissible in the zone. The site however, benefits from the savings provisions of an existing consent and is an operational current school.

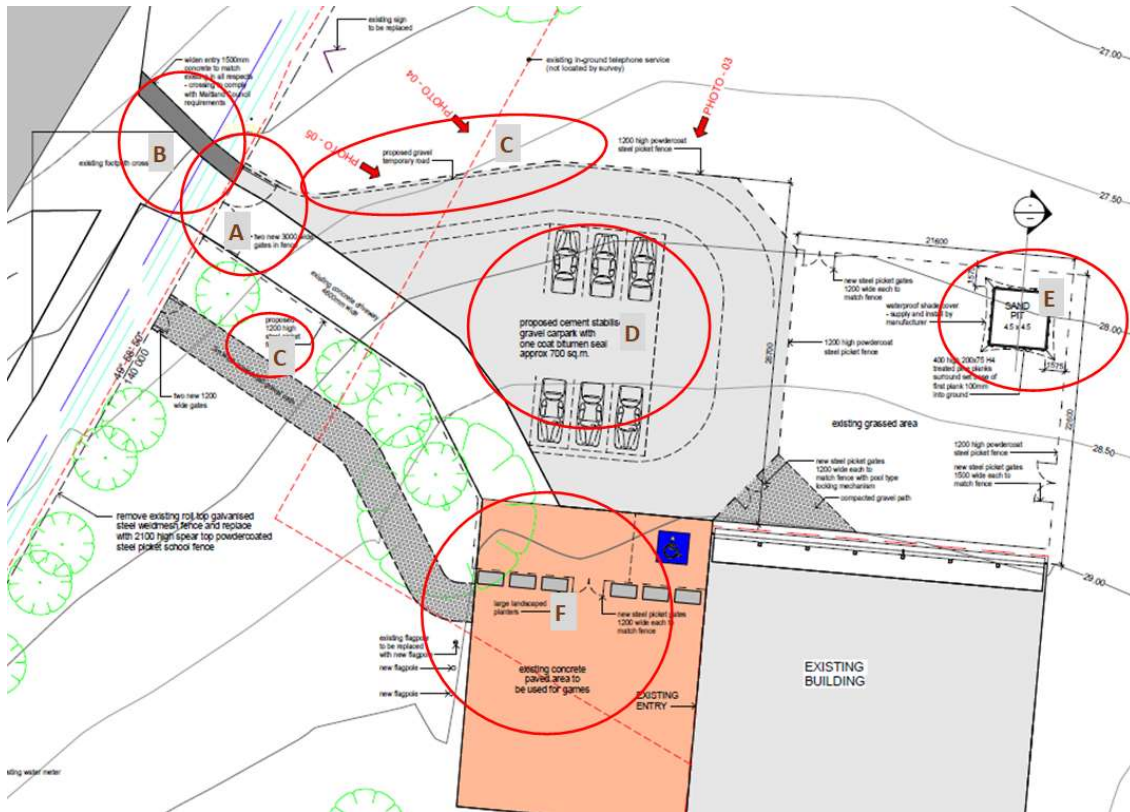
Pursuant to clause 3.36(1) of the Transport and Infrastructure SEPP, consent can be granted as an expansion to an existing school within the boundaries of an existing school.

3 Proposed Development

3.1 Summary

Several minor external improvements are proposed to support the operations of the school.

These include a modified car park and entrance, site fencing and play areas. The figure below identifies each element and is labelled accordingly.



3.2 Detailed Description

3.2.1 A – New Pedestrian Path and Gates

A new 3m wide compacted gravel path is to be constructed from the site entry to the concrete hardstand. (see F) two new 1200mm high picket gates will be added to the fence to secure access out of hours.

3.2.2 B – Widen Vehicle Access and site entry gates

The existing vehicle access to the site requires to be widened by a further 1.5m. This requires a further s138 permit under the Roads Act. The widened driveway will facilitate the extension of a new two-way internal turning circle head and car park. New gates are proposed to secure the site after hours.

3.2.3 C – New picket fencing

1200mm high steel picket style fencing is proposed around the immediate area of the school building to secure the remainder of the site. The fencing will delineate pedestrian paths, car parking and play areas.

3.2.4 D – Bitumen Sealed carpark and turning head

A new bitumen sealed car park and turning head is proposed within the site to provide a more functional, safer and suitable arrangement for the operations of the school. Currently, the school operates with a small concrete hardstand for 7 vehicles. These require all people to park and reverse creating conflicts and safety risks.

3.2.5 E – Sand Pit and Shade Sail

A new small sand pit for students is proposed in the front of the building with a small shade sail over.

3.2.6 F – Re-use of previous car park area

6 x large new planters will be installed on the existing car park area to delineate the previous car park and allow this area to be utilised by students as a hard surface play area.

3.3 Likely Environmental Impacts

Valley Planning has reviewed the proposal considering the existing area and context. The only notable impacts will relate to the possible disturbance and environmental control required during the construction phase of the car park. Operationally, the revised internal layout will provide for added security and better functionality of the site for a safer space and school use.

This is expanded on below.

Short term - Likely construction Impacts

Earthworks associated with the driveway widening and new bitumen car park will likely involve larger machinery and will disturb the ground surface resulting in possible impacts of noise, dust, erosion and sediment.

The time for construction is minimised with works expected to be completed within 6-8 weeks. There is adequate space on the site to adequately manage soils and site works without impacting upon neighbouring properties. The site is located a significant distance from neighbouring properties that would limit impacts from noise and dust.

The impacts are expected to be well contained and limited in time that minimal environmental impacts are warranted.

Long term/ Ongoing – Likely environmental impacts

The alterations and additions are considered to be site improvements. The likely impacts will result in a more functional layout that would reduce safety hazards and traffic risks. The impacts are positive.

Social impact

The proposed alterations and additions result in a more functional and modern layout that would provide a more pleasing space for current and future students.

The proposal directly offers a positive social impact to the immediate local area.

4 Matters for Consideration - General (s4.15)

4.1 Current and Proposed Environmental Planning Instruments

4.1.1 Regional Environmental Plans

The Hunter Regional Plan 2036

The Hunter is the leading regional economy in Australia and is a region which is growing in population due to the liveability and location to diverse thriving communities which extends from Morisset to the North Coast, and the Central west and Orana to the East Coast. The vision of the Regional Plan intends to meet the regionally focused goals:

- The leading regional economy in Australia;
- A biodiversity-rich natural environment;
- Thriving communities; and
- Greater housing choice and jobs.

Gillieston Heights is one of the fastest growing residential suburbs in the Hunter and the proposed school will supply a much-needed resource for these existing and future expanding and growing communities.

The alterations and additions are improvements to the existing school. The improvements will better assist the school in servicing the local community.

4.1.2 State Environmental Planning Policies

SEPP 55 – Remediation of Land

The State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55) applies to the proposed development. Clause 7 requires a consent authority to consider the contamination status of the land and be satisfied that the land is, or will be made, suitable for the purpose for which the development is proposed to be carried out.

The site has been utilised as a school since the early 1980's. Prior, the site was consistent with rural uses including grazing. An area of the site is utilised for onsite sewerage management.

The site works are not likely to be affected by the contaminated lands policy.

State Environmental Planning Policy (Koala Habitat Protection) 2019

This policy applies to this site as the City of Maitland Local Government Area is listed as a LGA in Schedule 1 of relevant LGA's. This SEPP, however, does not apply to the subject site as the site is not located opposite or within a listed 'Koala Management Area'.

SEPP (Vegetation in Non-Rural Areas) 2017

The State Environmental Planning Policy (Vegetation in Non-Rural Areas) provides for the removal of vegetation in non-rural areas, as well as matters for consideration in the assessment to remove vegetation. In accordance with Clause 5 of the SEPP, this site is not located in a Local Government Area which is classified as a non-rural area therefore this SEPP does not apply to this proposal.

4.1.3 Local Environmental Plans

Maitland Local Environment Plan 2011 is relevant and applicable to this site.

Zoning

The subject site is zoned RU1 – Primary Production under the Maitland LEP 2011. Educational facilities are not a permissible land use in this zone. The school was approved and established on the site when the educational facilities were permissible. The alterations are made permissible by the Transport and Infrastructure SEPP 2021.

Heritage

The site is not listed as a heritage item or located within a heritage conservation area. There are two heritage items located some 1.5km from the site location at Louth Park and Mount Dee, and the Maitland City Centre located further away at some 1.7km. These have no bearing or impact on the proposed development.

Floor Space Ratio (FSR) and building height

The site is not affected by the FSR or height of buildings map.

Urban Release Area

Despite the RU1 zoning, the site is located within the Gillieston Heights Stage 1 Urban Release Area. Clause 6.1 (2) indicates that consent must not be granted for development on land in

an urban release area unless a development control plan is in place that provides for the matters specified in Clause 6.1(3) has been prepared for the land. The site is affected by an active and relevant DCP.

Acid Sulfate soils

The land is affected by Acid Sulfate Soils. The area of works are within a mapped area of class 5. ASS are unlikely to be of impact.

Flooding and Hunter Valley Flood Mitigation Scheme Development Consent Area

The site is not affected by flooding. The nearest land affected by flooding is to the east of the site some 80 metres.

Bushfire Prone Land

The site is not located within a Bushfire Prone area. The nearest land classified as Bushfire Prone land is located some 300 metres to the south-west of the site.

4.2 Development Control Plans

The *Maitland Development Control Plan 2011 (DCP)* is relevant to the proposal. Being minor works ancillary to the school there are no specific elements applicable to this type of development proposal. The key aspects relate to character in a rural zone and signage. These along with other relevant sections are considered below.

- **Part B.5 Tree Management**
There are 5 established trees of varying size in the vicinity of the works. The new bitumen and compacted gravel path avoids the tree locations. The works are not likely to impact upon the trees to require their removal. Tree protection will be required to be implemented during construction.
- **Part B6 Waste Not – Site Waste Minimisation & Management**
As the works do not impact the operational capacity of the building, the proposal does not require any further waste management documentation.

During construction, waste minimisation techniques will be managed by the contractor.

- **Part C.11 Vehicular Access & Car Parking**
The proposal involves the improvement of the existing access arrangements. All vehicles will be better facilitated through these alterations to minimise and reduce any impact to the road network. Car parking complies with the original operational consent.
- **Part C.12 Crime Prevention through Environmental Design**
The alterations have come about as a result of ensuring the design and layout is safe for the current users.
- **Part F.5 Gillieston Heights Urban Release Area**
The improvements will facilitate the School to provide a safe and functional environment for the students which are the local population. The school services the significant growth area of the Urban Release Area.

4.3 Planning Agreements

The site is not affected by any planning agreement.

4.4 Environmental Planning and Assessment Regulation 2000

- cl50 – The prepared application supporting this report contains all information required by this clause noting in particular, and not limited to this Statement of Environmental Effects.
- cl98 – Building work is associated with the change of use. All works will be compliant with the BCA.

4.5 Impacts on the Natural Environment

4.5.1 Hydrology

A civil plan has been prepared to ensure the stormwater can be managed adequately from the new hardstand areas. The plans demonstrate the stormwater discharging into Council's stormwater system to the front of the site.

4.6 Impacts on the Built Environment

4.6.1 Built Form and Character

The works are proposed on the ground surface. The area impacted is minimal, disturbing some 700sqm of land only. The school building is unaffected, and the alterations will add suitable not intrusive palisade fencing for operational purposes. The setting and design of these improvements are considered to have minor to little impact on the built form and character of this part of Gillieston Heights.

4.6.2 Traffic and Parking

The application replaces the existing carpark for 7 spaces. Efficiencies are proposed from these new works. There will be no further impact for consideration.

4.7 Suitability of the site

The site is utilised as a school. The improvements will not alter the land use. The site is suitable for the alterations and additions.

4.8 Public Interest

The school improvements will create a more functional and safer environment for parents, students and teachers. The school supports a growing population and is in the public interest.

5 Conclusions

Valley Planning was approached by The Seventh Day Adventists Schools (NNSW) - The Heights Learning Community to assist in the obtaining of necessary approvals to provide external site improvements to the existing school grounds.

The improvements are minor in nature and designed to facilitate a more functional and safer outcome for the operations undertaken on the site and the day – to –day management of the school and its pupils.

This report is in the form of a formal Statement of Environmental Effects and has considered all relevant aspects as required by the *Environmental Planning and Assessment Act 1979*. Valley Planning concluded that the proposed use would have minimal to no negative environmental impacts to the area or to the amenity of neighbouring properties.

The proposal in its proposed form is considered suitable for this location and this site and would provide a positive economic and social impact.

Valley Planning are confident in supporting the use and recommend that Council consider a positive determination for this application.

Kind regards

A handwritten signature in black ink, appearing to read 'Chris Speek', with a stylized flourish at the end.

Chris Speek
Director
Valley Planning Pty Ltd