DM Planning

Review of Environmental Factors

Carpark, library and administration building

1078 Oxford Falls Road, Oxford Falls

Report prepared for
Oxford Falls Grammar School

March 2020

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DM Planning

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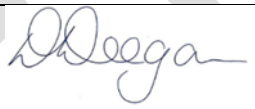
1 Certification

This Review of Environmental Factors, prepared on behalf of Oxford Falls Grammar School (OFGS), provides a true and fair review of the proposal in relation to its potential effects on the environment. It addresses to the fullest extent possible, all matters affecting or likely to affect the environment as a result of the proposal. To the best of my knowledge, the information contained in this Review of Environmental Factors is neither false nor misleading.

Name of the person(s) and who prepared the REF:	Danielle Deegan
Position and Qualifications of the person(s) who prepared the REF:	Director -D.M Planning Pty Ltd Bachelor of Economics Grad Dip Planning
Signature:	 27 March 2020

2 Introduction

This Review of Environmental Factors (REF) has been prepared by DM Planning Pty Ltd on behalf of Oxford Falls Grammar School (OFGS) for a proposed carpark, library and administration building at 1078 Oxford Falls Road, Oxford Falls. It has been prepared in accordance with the Environmental Assessment Code of Practice for Part 5 Activities, for non-registered schools (the Code).

The purpose of this REF is to assess the nature, scale and extent of the proposed development on the environment. This report will:

- Describe the existing site context;
- Identify and evaluate all matters affecting or likely to affect the environment by reason of the activity;
- Assess the likely impacts of the proposed activity in accordance with Section 5.5 of the Environmental Planning and Assessment Act (EP&A Act) and Clause 228 of the Environmental Planning and Assessment Regulation (EP&A Regulation);
- Consider and respond to matters raised during the consultation period; and
- Recommend mitigation measures.

The proposed carpark, library and administration building will be developed as a 'Development Permitted without Consent' under clause 36 of the State Environmental Planning Policy - Educational Establishments and Child Care Facilities 2017 (the ESEPP).

Independent legal advice confirms that the proposed development is capable of being carried out as development without consent, subject to the completion of a REF and compliance with any conditions applying to the carrying out of the activity as identified in this REF. This legal advice is provided at Appendix 1.

The proposal is satisfactory when assessed against all of the relevant requirements. The development will improve the school amenities and make a positive contribution to the community. It is visually sympathetic to its semi-rural setting and will not have any detrimental environmental or amenity impacts.

3 The site, Setting and Background

3.1 The Site

The subject site is Oxford Falls Grammar School (OFGS) at 1078 Oxford Falls Road, Oxford Falls. The site is legally described as Lot 100 in DP 1240806 ('the OFGS site').

The OFGS site is bound by Oxford Falls Road to the east, Dreadnought Road to the south and Wakehurst Parkway to the west.

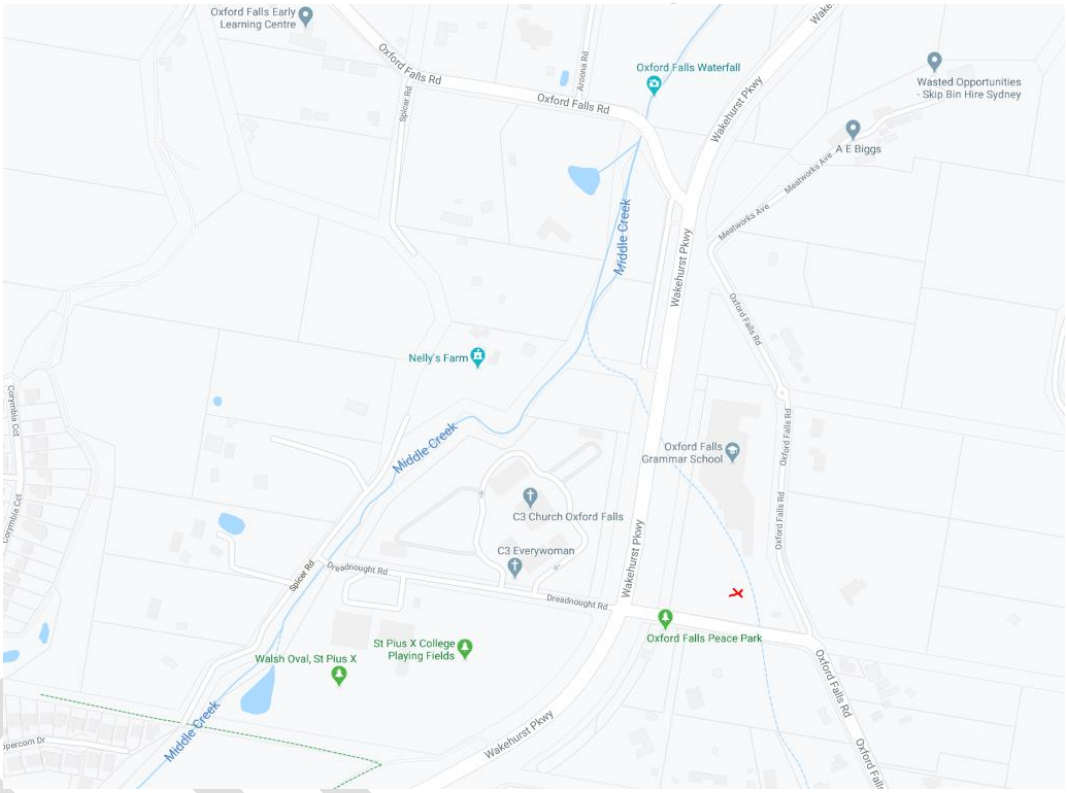


Figure 1. OFGS regional context with approximate location of Carpark, library and administration building shown with red cross (Source: Google Maps)

A tributary of Middle Creek runs through the OFGS site in a north-westerly direction. All school buildings are currently located to the north-east of the creek.

A sports field is located to the south-west of the creek. The sports field is relatively flat and appears to have been levelled by a cut along the western edge and filling along the eastern side, closer to the creek. Batters are present along the western and north-western sides of the sports field.

There are numerous trees located on the OFGS site. These are primarily located around the site perimeter and along the creek line.

Figure 2. Aerial view of the site and its immediate surround (Source: Northern Beaches Council)

The OFGS site is classified as Bushfire Prone Land in the category of Vegetation Buffer on the Northern Beaches Council Bush Fire Prone Land (BFPL) map.

The location of the proposed carpark, library and administration building, the 'development site' is to the south-west of the creek, on a turfed area currently used as part of the playing field.

The OFGS site is detailed in the site survey contained at Appendix 3.

Photographs of the development site location are shown below.

Figure 3. View looking north-east at the development site

Figure 4. Existing driveway access from Dreadnought Road

Figure 5. View from Dreadnought Rd looking toward existing K Block

Figure 6. View of proposed walkway location, looking west from existing K Block

3.2 Surrounding locality

Oxford Falls contains various mixed uses reflecting its semi-rural character. Rural residential properties are located to the south and east of the site.

The Christian City Church is located to the west of the school, on the opposite side of Wakehurst Parkway.

The St Pius College Playing Fields are to the south-west, diagonally opposite the site.

Figure 7. Oxford Falls Peace Park (formerly Oxford Falls Public School)

There are no threatened species, populations or ecological communities likely to occur in the area that will be affected by the proposal.

Figure 8. Informal gravel parking area adjoining the western boundary of the site

Figure 9. Christian City Church located to the west of the site, on the opposite side of Wakehurst Parkway

Figure 10. Driveway to residential Lot 33 Dreadnought Rd located opposite the existing playing field

Figure 11. Entrance to residential 1100 Oxford Falls Road located opposite the site on Dreadnought Rd

Figure 12. St Pius College Playing Fields located diagonally opposite the carpark, library and administration building site to the south-west

Figure 13 Driveway entrance to rural residential property at Por 1083 Oxford Falls Rd

3.3 Past Approvals

The Northern Beaches Council website lists the following applications relating to the site:

- On 21 October 2016, Development Application DA2016/0662 for the subdivision of land adjacent to the site (Lot 21, DP 819277), was approved by Northern Beaches Council.
- On 18 December 2017, Complying Development Certificate CDC2017/0834 was issued for Alterations and additions to the existing classroom block (Block H) & erection of new classroom block (K)
- On 23 October 2015, Complying Development Certificate CDC2015/0574 was issued for alteration & additions to create a new Science Block (Block E).
- On 18 June 2014, approval was issued by Warringah Council to Development Application DA2014/0637 for the removal of a tree.
- On 4 June 2014, Complying Development Certificate CDC2014/0244 was issued for Ancillary development - Administration block renovations and additions.
- On 25 March 2010, Council was advised of Nation Building Project 10/0019 for alterations and addition to Library, hall and first floor and walkway to block.
- On 7 December 2007, Development Consent DA2007/1123 was issued by Council for the erection of two demountable buildings and fencing.
- On 21 December 2006, Development Application DA2006/1248 was issued by Council for Construction of a New Staff Facility and Alterations and Additions to Existing Buildings.
- On 24 February 2006, Development Application DA2006/0126 for the erection of children's play equipment in two stages was approved.
- On 21 June 2005, Modification Application MOD2004/0964/1 for Internal Alterations to Plans Approved Under 2004/0964 DA Provide a Moveable Dividing Wall and Two New Doors.
- On 28 July 2004, Development Application DA2004/0964 for the undercroft Enclosure of an Existing Building was approved.
- In 1979, 3675/P1079-1080 was issued for the "erection of stages of a primary and infants school comprising twelve classrooms, library, hall and administration office, playing field, carpark and associated landscaping.

The most recent development consent issued by Northern Beaches Council (other than a complying development certificate) that applies to any part of the school is Development Application DA2016/0662 for the subdivision of land. This consent is contained at Appendix 2. The proposed carpark, library and administration building do not contravene any conditions of this consent.

On 7 January 2020, OFGS issued a Decision Statement for a sporting kiosk - a small, single storey building, constructed from a retrofitted shipping container located in the south-western corner of the site. The Decision Statement concludes that the proposed activity may proceed stating:

> *"Having taken into consideration the assessment and evaluation of the proposed activity (sporting kiosk) outlined in the REF, I determine that it is not likely to significantly affect the environment, and is not likely to*

significantly affect threatened species, populations, ecological communities or their habitats. I determine that an Environmental Impact Statement (EIS) and Species Impact Statement (SIS) are not required. "

4 The Proposal

The proposal is for the construction of a development comprising of the following building elements:

- A one storey, ground level carpark (84 car spaces) with access via the existing vehicle crossing from Dreadnought Road
- A one storey library (above the carpark)
- A one storey supplementary library
- A suspended walkway, ancillary to the library, over the creek
- A one storey amenities and storage level, ancillary to school administration functions

In detail, the proposal comprises of:

1. **Built form**
   The proposed development is located to the west of the creek and has a building footprint of 3257m^2 and a maximum building height of height of 15.65m

2. **External materials:**

   - Ground floor: concrete structure with masonry cladding
   - Honed concrete finish flooring throughout
   - Level 1 steel framed structure
   - Masonry Cladding to Level 1 eastern façade
   - Profiled metal cladding to Level 1 larger structure at building's southern end
   - Raw finish compressed fibre cement to Level 1 educational facilities facing courtyard
   - Coloured compressed fibre cement sheeting to Level 1 western façade with perforated window shading
   - Glazing
   - Profiled metal roof sheeting to roof and awning structures

3. **Tree removal**
   The proposal requires the removal of 3 x *Ficus rubiginosa* (Port Jackson Figs).

4. **Operation**
   Hours of operation will be the same as the existing school hours.
   The carpark, library and ancillary administration building are for the use of OFGS students and staff only.

5. **Site preparation**
   Associated earthworks, comprising of minor cut and fill to create a level building platform. Installation of above and below ground services will also be required.

6. **Architectural**
   The proposal is depicted in the architectural drawings numbered REF 101, 201, 202, 203, 311, 312, 321, 401 and 601, prepared by AJ+C, dated 11 March 2020, provided at Appendix 4.

7. Landscaping

A comprehensive landscape proposal has been prepared by environmental partnership and is depicted in the plans provided at Appendix 5.
The landscaping works include an internal courtyard as shown in Figure @@ below.

Figure 14. Perspective of central courtyard from balcony (source: AJ+C architects)

There will be no change to the overall number of school students or staff numbers.

The development is classified as a Class 7a (carpark), 7b (storage) and 9b (assembly) under the Building Code of Australia.

Note:

The development may be subject to an application for change in use in the future, at which time OFGS will comply with the relevant provisions of the ESEPP and any other applicable documents and laws

5 The Proponent

The Proponent details are as follows:

Name:	Oxford Falls Grammar School
Address:	1078 Oxford Falls Road, Oxford Falls
Contact:	Mr Greg Morris
Position:	Head of Operations

6 Other approvals

As the proposal involves works to a school, which is classified as a special fire protection purpose, approval (i.e. a bush fire safety authority) is required from the NSW Rural Fire Service pursuant to Section 100B of the Rural Fires Act 1997.

The development site is classified as 'waterfront land' due its' location adjacent the adjoining creek and riparian corridor. Consequently, the proposal will require a 'controlled activity approval' pursuant to the Water Management Act 2000, from the Department of Primary Industries (Office of Water).

7 Justification

The proposed carpark, library and administration buildings are needed to provide on-site carparking, a larger and more functional library and ancillary administration functions to provide the support services for the school in a suitable location, adjacent to the existing school buildings.

OFGS is an independent school that seeks to deliver excellence in education. An important element in achieving this outcome is to operate a high standard of school facilities that provide 21st century, flexible learning spaces, supported by modern administration.

The proposed extensive, modern library facility will accommodate group learning, with large, open and flexible spaces for video conferencing, research and other inquiry-based learning methodologies that have become an important part of the modern educational landscape.

Additionally, on-site car parking is being increased to allow for the allocation of dedicated spaces to staff, thereby improving the retention of excellent teachers in a very competitive employment market. The additional car parking will also have a positive impact on the amenity of the surrounding area.

The current facilities OFGS has to offer no longer meet the standard of excellence or the functional requirements for OFGS to meet the increasing demands of the changing educational landscape.

An alternative is to do nothing and rely upon the current inadequate facilities and street parking. This alternative is rejected on the basis that the size of the library and administration facilities are inadequate. Street parking results in detrimental impacts on the surrounding activity. Such an outcome is be inconsistent with the obligation to provide adequate amenities to the student population.

8 Class of Activity

Under the NSW Code of Practice for Part 5 Activities (the Code), the proposed carpark, library and administration building are classified as Class 1 – Other School Development Works. These are described in the Code as follows:

> *Class 1 includes construction; operation or maintenance of school buildings and additions to existing buildings, particularly those that are close to residential boundaries, located within bushfire zones or affecting heritage items)*

As the proposal involves the construction of a new building located in a bushfire zone and in proximity to a heritage item, the proposal is classified as Class 1.

9 LEGISLATIVE FRAMEWORK

9.1 Environmental Planning and Assessment Act 1979

The proposal is consistent with the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it is considered to promote the orderly and economic use and development of land without resulting in an adverse impact on the environment.

This Review of Environmental Factors (REF) considers the requirements of Clause 228 of the *Environmental Planning and Assessment Regulation 2000* and Section 5.5 of the EP&A Act 1979.

Section 5.5 of the EP&A Act 1979 states:

> ***5.5 Duty to consider environmental impact (cf previous s 111)***
>
> *(1) For the purpose of attaining the objects of this Act relating to the protection and enhancement of the environment, a determining authority in its consideration of an activity shall, notwithstanding any other provisions of this Act or the provisions of any other Act or of any instrument made under this or any other Act, examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity.*

Comment: This REF will examine and take into account, to the fullest extent possible, all matters affecting or likely to affect the environment. The REF concludes that the proposal will have no adverse impacts.

> *(2) (Repealed)*
>
> *(3) Without limiting subsection (1), a determining authority shall consider the effect of an activity on any wilderness area (within the meaning of the Wilderness Act 1987) in the locality in which the activity is intended to be carried on.*

Comment: The site of the proposed development is within a modified environment being a developed area associated with an existing school. The land is not wilderness area.

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

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (the ESEPP) simplifies planning approvals for schools by introducing exempt and complying development provisions, and development without consent for facilities with low amenity impacts. The approval pathways

provided in the ESEPP include exempt development, complying development, **development without consent**, and development permitted with consent.

Certain developments are permitted without a development consent from a consent authority, provided an environmental assessment of the likely impacts of the proposed activity in accordance with Part 5 of the EP&A Act is undertaken.

The proposed carpark, library and administration building are consistent with the types of development that are permitted to be carried out without consent within the boundaries of existing schools. These include single storey buildings for school purposes such as a library, administration, classrooms, tuckshop, cafeteria or bookshop.

Clause 36 of the ESEPP outlines the requirements for development that may be undertaken without consent. Clause 36 of the ESEPP states:

> ***36 Schools—development permitted without consent***
>
> *(1) Development for any of the following purposes may be carried out by or on behalf of a public authority without development consent on land within the boundaries of an existing school:*
>
> *(a) construction, operation or maintenance, more than 5 metres from any property boundary with land in a residential zone and more than 1 metre from any property boundary with land in any other zone, of:*
>
> *(i) a **library** or an **administration** building that is not more than 1 storey high, or*
>
> *(ii) a portable classroom (including a modular or prefabricated classroom) that is not more than 1 storey high, or*
>
> *(iii) a permanent classroom that is not more than 1 storey high to replace an existing portable classroom and that is used for substantially the same purpose as the portable classroom, or*
>
> *(iv) a **library and administration building**, cafeteria or bookshop for students and staff that is not more than 1 storey high, or*
>
> *(v) a **car park** that is not more than 1 storey high,*
>
> *(b) minor alterations or additions, such as:*
>
> *(i) internal fitouts, or*
>
> *(ii) alterations or additions to address work health and safety requirements or to provide access for people with a disability, or*
>
> *(iii) alterations or additions to the external facade of a building that do not increase the building envelope (for example, porticos, balcony enclosures or **covered walkways**),*
>
> *(c) restoration, replacement or repair of damaged buildings or structures,*
>
> *(d) security measures, including fencing, lighting and security cameras,*
>
> *(e) demolition of structures or buildings (unless a State heritage item or local heritage item).*

(2) However, subclause (1) applies only to development that:

(a) does not require an alteration of traffic arrangements (for example, a new vehicular access point to the school or a change in location of an existing vehicular access point to the school), or

(b) in the case of development referred to in subclause (1) (a)—does not allow for an increase in:

(i) the number of students the school can accommodate, or

(ii) the number of staff employed at the school,

that is greater than 10% (compared with the average of each of those numbers for the 12-month period immediately before the commencement of the development).

(3) Nothing in this clause authorises the carrying out of development in contravention of any existing condition of the most recent development consent (other than a complying development certificate) that applies to any part of the school, relating to hours of operation, noise, car parking, vehicular movement, traffic generation, loading, waste management, landscaping or student or staff numbers.

(4) A reference in this clause to development for a purpose referred to in subclause (1) (a), (b) or (c) includes a reference to development for the purpose of construction works in connection with the purpose referred to in subclause (1) (a), (b) or (c).

Note. Section 100B (3) of the Rural Fires Act 1997 requires a person to obtain a bush fire safety authority under that Act before developing bush fire prone land for a special fire protection purpose such as a school.

Independent legal advice (contained at Appendix 1) confirms that the proposed development satisfies the criteria in clause 36 of the ESEPP.

For the development to be carried out as development without consent pursuant to clause 36 it needs to satisfy specific requirements. An explanation of how the proposed development satisfies these requirements is provided in the table below.

ESEPP requirement	Compliance / comment	Consistent
It must be within the boundaries of the existing School	The proposed development is to be carried out within the boundaries of the existing School	Yes
It must be carried out by or on behalf of a public authority	For the purposes of clause 36, OFGS is a 'public authority'. This is discussed further below.	Yes
It must fall within a category or categories of development identified in clause 36(1)(a)	The development consists of a library and administration building, and an ancillary carpark. The ground floor consists of a one storey administration building and an ancillary carpark. Above the administration building and ancillary carpark is a library. The library also includes a proposed pedestrian walkway to connect the library to the Existing K-Block	Yes

ESEPP requirement	Compliance / comment	Consistent
	Building. Therefore, the development clearly meets identified purposes as listed in clause 36(1)(a), being a library and administration building and an ancillary carpark	
It must satisfy the setback and height requirements in clause 36(1)(a);	Each building component within the development is not more than one storey high (see discussion below). The development is located at least 5m from the southern boundary (although we note the land opposite is zoned a "Deferred Matter" under the Warringah Local Environmental Plan 2011 so it is not clear as to whether the residential zoning requirements apply to the Development). Nevertheless, the use is residential so the 5m setback has been adhered to.	Yes
It must not result in an alteration of existing traffic arrangements	Entry and exist to the carpark utilises an existing vehicular crossing from Dreadnought Rd, and therefore no alteration of traffic arrangements is required.	Yes
It must not allow for an increase in student or staff numbers of more than 10% over the previous year's levels	The proposed development will not result in any increase in staff or student numbers and therefore is consistent with clause 36(2)(b).	Yes
It must not contravene certain existing conditions of the most recent development consent that applies to any part of the School	The proposed development does not contravene any of the relevant conditions of the most recent development consent, being DA2016/0662 applying to any part of the School relating to the matters listed in clause 36(3). There are 6 conditions of consent (see Appendix 2) none of which relate to the matters referred to in clause 36(3) relating to hours of operation, noise, car parking, vehicular movement, traffic generation, loading, waste management, landscaping or student or staff numbers.	Yes

Table 1. compliance with clause 36 of the ESEPP

The legal advice obtained (at Appendix 1) advises:

> *"Clause 36(1)(a) provides that a development carried out for a purpose identified in cl 36(1)(a) must not be more than one storey high. The Development consists of two separate components and purposes, being an administration building, with an ancillary carpark, and a library. The administration building and ancillary carpark are located on the ground level, and the library is located above the administration building/ carpark. The administration building and ancillary carpark is not greater than one*

storey high. The library is also not greater than one storey high. This is explained further below.

Clause 5 of the ESEPP provides that 'A word or expression used in this Policy has the same meaning as it has in the Standard Instrument unless it is otherwise defined in this Policy.' The word 'storey' is not defined in the ESEPP and therefore the Standard Instrument definition applies.

In the Dictionary in the Standard Instrument, 'storey' is defined as:

> *'storey means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:*
>
> *(a) a space that contains only a lift shaft, stairway or meter room, or*
>
> *(b) a mezzanine, or*
>
> *(c) an attic.'*

The term 'high' is not defined in the ESEPP. The term 'building height' is referred to in the Standard Instrument however refers to RL levels or height in metres, and therefore does not apply to a reference to height in storeys. Therefore in our view clause 36 is to be interpreted as requiring a development carried out for a purpose in clause 36(1)(a) to have a height that does not exceed one storey, being a space within a building that it situated between one floor level and the floor level or ceiling or roof above.

The administration building and ancillary carpark are each one storey high based on the above definition."

For the purposes of clause 36, OFGS is a 'public authority'. 'Public authority' is defined in the EP&A Act to include a person prescribed by the regulations for the purposes of this definition. The Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) includes a definition of 'public authority'. Under the EP&A Regulation, a registered non-government school (RNS) is prescribed as a public authority so that the school can be treated as a public authority for the purposes of clause 36 on land that is a prescribed zone within the meaning of clause 33 of the ESEPP. Clause 277(6) of the EP&A Regulation reads:

> *'For the purpose of the definition of public authority in section 1.4(1) of the Act, the proprietor of a registered non-government school is prescribed as a public authority (subject to subclause (7)), but only so as:*
>
> *(a) to enable the proprietor to be treated as a public authority in relation to development in connection with the school that is exempt development under clause 18 of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, and*
>
> *(b) to allow the proprietor to be a determining authority within the meaning of Part 5 of the Act for development that is permitted without consent under*

clause 36 of that Policy on land in a prescribed zone (within the meaning of clause 33 of that Policy). '

Clause 33 of the ESEPP lists a number of different zones as 'prescribed zones'.

The OFGS site is a "deferred matter" under the Warringah Local Environmental Plan 2011 (WLEP 2011) and thus there is no particular zoning for the school site. However, the fact that the OFGS site is not on land within a 'prescribed zone' within the meaning of clause 33 of the ESEPP does not prevent OFGS from being classified as a public authority and carrying out development as development without consent under clause 36 of the ESEPP. This is due to clause 5(6) of the ESEPP.

(6) A reference in this Policy to a lot or to land in a named land use zone is a reference—

(a) to land that, under an environmental planning instrument made as provided by section 3.20(2) of the Act, is in a land use zone specified in the Standard Instrument, and

(b) to land that, under an environmental planning instrument that is not made as provided by section 3.20(2) of the Act, is in a land use zone in which equivalent land uses are permitted to those permitted in the named land use zone.

As outlined above, clause 5(6) applies where land has not been zoned as per the Standard Instrument, and provides that such land is to be taken as a reference to a named land use zone where equivalent land uses are permitted on the land as are permitted in the named land use zone.

As discussed above, the OFGS site is a deferred matter and therefore the Warringah Local Environmental Plan 2000 (WLEP 2000) applies to the land. The WLEP 2000 is an environmental planning instrument that was made prior to the Standard Instrument and therefore has not been made as provided by section 3.20(2) of the EP&A Act. The WLEP 2000 refers to a number of localities within the local government area where each locality has different approved uses. Under the WLEP 2000, the OFGS site is located within Locality B2 Oxford Falls Valley.

There are no land uses listed in Category One in this locality.

The permitted land uses for 'Category Two' in this locality are:

- Agriculture
- Housing
- Housing for older people or people with disabilities
- Other buildings, works, places or land that are not prohibited or in Category 1 or 3.

The permitted land uses for 'Category Three' in this locality are:

- animal boarding or training establishment
- bulky goods shops

- business premises
- child care centres
- community facilities
- entertainment facilities
- further education
- health consulting rooms
- heliports
- hire establishments
- hospitals
- hotels
- industries
- medical centres
- motor showrooms
- offices
- places of worship
- primary schools
- recreation facilities
- registered clubs
- restaurants
- retail plant nurseries
- service stations
- shops
- short term accommodation
- vehicle repair stations
- veterinary hospitals
- warehouses

Development for the purpose of the following is prohibited within this locality:

- brothels
- extractive industries
- housing for older people or people with disabilities
- potentially hazardous industries
- potentially offensive industries
- vehicle body repair workshops
- canal estate development

The difference between Category One and Category Two development is that for Category One development the consent authority must consider the desired future character described in the relevant Locality Statement, and for Category Two or Three, the consent authority must be satisfied that the development is consistent with the desired future character described in the relevant Locality Statement. The WLEP 2000 explains the differences as follows:

> *'Category One development is development that is generally consistent with the desired future character of the locality, Category Two development is development that may be consistent with the desired future character of the locality, and Category Three development is development that is generally inconsistent with the desired future character of the locality.'*

Based on the above, the permitted uses on the OFGS site are consistent with the uses permitted under Zone RU2 Rural Landscape as contained in the Standard Instrument. Under the RU2 zone extensive agriculture is permitted without consent and dwellings are permitted with consent Therefore pursuant to clause 5(6) of the ESEPP, the OFGS site is considered to be in a land use zone with equivalent land uses to Zone RU2 and therefore falls within this zone for the purpose of clause 33 of the ESEPP.

Therefore, OFGS is a determining authority for the purposes of clause 36 of the ESEPP and the carpark, library and administration building can be carried out as development without consent under the ESEPP.

9.3 NSW Code of Practice for Part 5 Activities

The Environmental Assessment Code of Practice for Part 5 Activities (the Code) has been developed to regulate how registered non-government schools (RNSs) carry out the environmental assessment and determination of activities permitted without consent by the ESEPP. RNSs are required (like other public authorities) to undertake an environmental assessment under Part 5 of the EP&A Act before carrying out the activity.

This REF has been prepared in accordance with the requirements of the Code.

RNSs must follow the assessment process outlined in Section 3 of the Code before carrying out school development proposals that are identified as 'development without consent' in the ESEPP.

The Code provides a five-stage assessment process for RNSs. These are:

- **Stage 1 – Classification**

  Comment: As stated in section 7, the proposal is classified a Class 1: Other school development works).

- **Stage 2 – Assessment**

  Comment:

  A detailed assessment of the proposal has been undertaken including, scoping, assessment and consultation.

  The Code also requires the REF to identify any other approvals that will be required as part of Stage 2 (e.g. Bush fire safety authority and controlled activity permit). These have been identified in Section 6.

- **Stage 3 – Documentation**

  Comment: This REF represents Stage 3 – Documentation.

- **Stage 4 – Determination**

  Comment: Determination will be undertaken by a person authorised by OFGS to discharge their duty, as an RNS, to comply with the Code. A Decision Statement to document the determination will be produced.

- **Stage 5 – Implementation**

  Comment: Implementation includes obtaining other approvals (if required), building certification and preparing management plans.

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

State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55) does not technically apply to 'development without consent', applying only to Development Applications.

However, for the sake of thoroughness, the proposal has been assessed against the requirements of SEPP 55 below.

SEPP 55 applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land. A Preliminary Site Investigation (PSI), prepared by Martens consulting engineers, has been prepared for the proposed development.

Clause 7 of SEPP 55 requires consideration as to whether land is contaminated prior to granting approval to carrying out of any development on that land. In this regard, the PSI has identified areas of environmental concern (AEC) and contaminants of potential concern (COPC).

Potential contamination sources are identified as:

- The entire investigation area has been filled to level the sports field.
- The former shed which occupied a small eastern portion within the investigation area.

The AEC identified as 'area A', the potential for contamination arises from previous landfill from unknown sources which could potentially include hydrocarbons, heavy metals, pesticides and asbestos.

The AEC identified as 'area B' (former shed location) the potential for contamination arises from pesticides and heavy metals that may have been used underneath the shed for pest control. Building construction may have included PACM, zinc, treated (galvanised metals), and lead based paints. The garage may have stored fuels, oils and chemicals.

The PSI report concludes that the investigation area has a low risk of broadscale or localised contamination and will be suitable for the development. The report notes:

> *"that past filling undertaken from unknown sources still has a risk of contamination. This risk should be managed by implementing an*

appropriately prepared unexpected finds protocol. This document should be made available to all contractors working on the site and included as part of the site induction process."

The requirement for an unexpected finds protocol will form a condition of determination (refer to mitigation measures listed in Section 12)

Contamination issues are discussed further in section 10 of this REF.

9.5 Warringah Local Environmental Plan 2011

The property is a Deferred Matter under the Warringah Local Environmental Plan 2011. As such, the Warringah Local Environmental Plan 2000 (LEP 2000) is applicable to the property.

Under the LEP 2000 the property's is located within the B2 Oxford Falls Valley Locality. The provisions of the Warringah Local Environmental Plan 2000 are considered below.

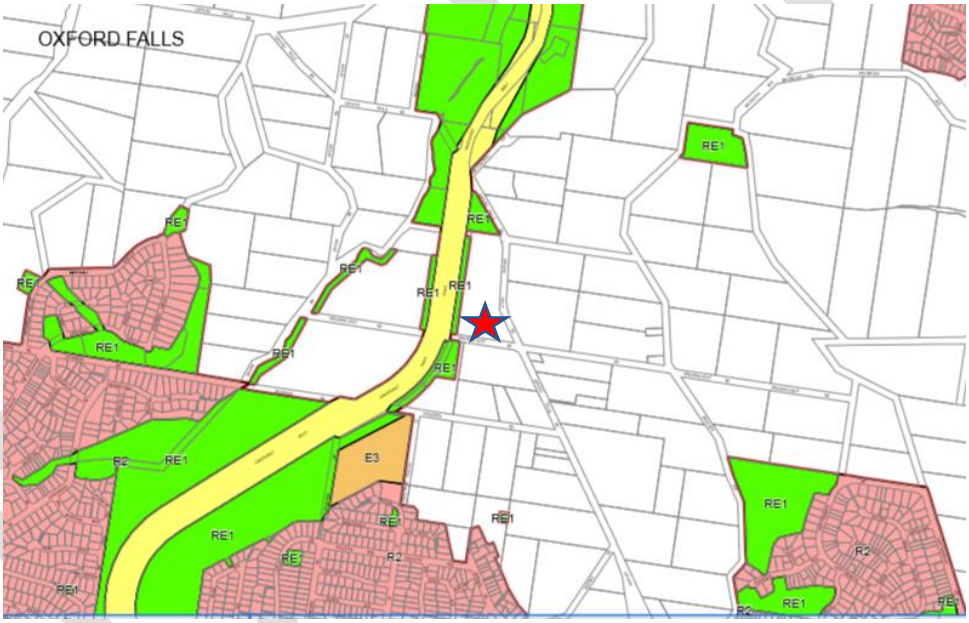


Figure 15. WLEP 2011 zoning map extract (source: Northern Beaches Council)

Clause 5.10 – Heritage Conservation

The site is not a heritage item and is not in a heritage conservation area.

As shown in Figure 14 below, the OFGS site is located opposite the following heritage item:

- Oxford Falls Public School, Corner of Dreadnought Road and Wakehurst Parkway (known as the Oxford Falls Peace Park), Item No. I 116.

Figure 16. Extract from WLEP 2011 heritage map

The assessment undertaken in section 10 of this REF concludes that the proposed carpark, library and administration building will not have any impacts on the heritage significance of this item.

9.6 Warringah Local Environmental Plan 2000

Warringah Local Environmental Plan 2000 (WLEP 2000) is the primary environmental planning instrument applying to the land. Under WLEP 2000 the subject site is within the B2 Oxford Falls Valley Locality.

The Desired Future Character Statement for the B2 locality states:

> *The present character of the Oxford Falls Valley locality will remain unchanged except in circumstances specifically addressed as follows.*
>
> *Future development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses. There will be no new development on ridgetops or in places that will disrupt the skyline when viewed from Narrabeen Lagoon and the Wakehurst Parkway.*
>
> *The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be located and grouped in areas that will minimise disturbance of vegetation and landforms whether as a result of the buildings themselves or the associated works including access roads and services. Buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.*
>
> *A dense bushland buffer will be retained or established along Forest Way and Wakehurst Parkway. Fencing is not to detract from the landscaped vista of the streetscape.*

Development in the locality will not create siltation or pollution of Narrabeen Lagoon and its catchment and will ensure that ecological values of natural watercourses are maintained.

The development is consistent with the desired future character for the Oxford Falls Valley Locality. The proposal will continue the operation of the site for school purposes. It will not be visible from Narrabeen Lagoon. The building has been located to minimise disturbance to vegetation and landforms. The building will blend with the colours and textures of the natural landscape. Appropriate sedimentation controls will ensure no siltation or pollution impacts to Narrabeen Lagoon. The Biodiversity Assessment (see Appendix 11) confirms that there will be no detrimental ecological impacts.

10 Consultation

Mandatory consultation has been undertaken in accordance with Section 3.3.3 of the Code.

Consultation requirements are detailed under Part 2 Division 1 of the ESEPP, e.g. Council (for flood prone land, heritage and council related infrastructure or services), State Emergency Services (development on flood liable land), NSW Rural Fire Service (bush fire prone land), Roads and Maritime Services (specified development)

Consultation letters were sent to the following:

The Local Council:	Northern Beaches Council	Impacts on council related infrastructure, heritage, flood liable land
Government Agencies (relevant):	NSW Rural Fire Services	Bushfire prone land
	Sydney Water	Impacts on Sydney water assets
	Ausgrid	Service connection
	Department of Primary Industries	Controlled activity approval required for land within 40m of a watercourse
	State Emergency Services	Impacts on flood liable land
Adjoining neighbours (relevant)	Oxford Falls Peace Park "Oxford Falls Public School"	Northern Beaches Council (as above)
	Roads and Maritime Services	Adjoining road reserve Wakehurst Parkway
	Residential	Lot 33 Wakehurst Parkway
	Residential	Lot 1100 Dreadnought Rd
	Residential	2511 Oxford Falls Rd
	Residential	Por 1081 Oxford Falls Rd
	Residential	Por 1083 Oxford Falls Rd
	Residential	Lot 70 Oxford Falls Rd
	Residential	Por 1085 Oxford Falls Rd
	Residential	Por 1087 Oxford Falls Rd
	Residential	Lot A, 374720 Oxford Falls Rd
	Residential	Lot 2/528869 Oxford Falls Rd
	Residential	Lot 1/9999 Wearden Rd

	Residential	Lot 1, Oxford Falls Rd
	C3 Church	Cnr Dreadnought Rd and Wakehurst Parkway
	St Pius College	Treacy Education Complex and Sporting Fields 1 Dreadnought Rd

Table 2. Consultation list

The consultation letter contained the following information:

- A description of the proposed activity, including its location.
- A scope of works.
- A description of the potential environmental impacts the proposed activity may have.
- An invitation for submissions to be made to the OFGS on the proposed activity within no less than 21 business days from the date of the correspondence.
- The contact details of the OFGS nominated representative to receive submissions in writing.

The information line is: 1800 519 700.

The email address is: feedback@ofgs.nsw.edu.au

Issues raised in the submissions are addressed below:

(@@@ note this item will populated after the mandatory consultation period)

11 Environmental Impact Assessment

The proposed works are within the OFGS site and include a carpark, library and administration building. Environmental impacts have been assessed as acceptable for the following reasons:

- The carpark, library and administration building are ancillary uses to the exiting school use.
- The proposal is compatible with the existing surrounding land uses.
- The proposal will not generate any increase in student numbers or vehicle movements to the site.
- The proposal will largely eliminate the need for street parking, improve library resources and provide more space for the administrative functions of the school.
- Any potential environmental impacts are proposed to be mitigated through appropriate measures.

11.1 Clause 228 Consideration

Clause 228 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) details factors which must be taken into account when assessing the impact of an activity on the environment.

Table 1 below lists the factors requiring consideration under clause 228. A more detailed analysis of environmental impacts are contained in section 10 and mitigation measures are contained in section 12 of this REF.

Factors for consideration	Response
(a) Any environmental impact on a community	Construction impacts can be controlled by workplace and construction site management. The spatial separation of the proposal from neighbouring dwellings and the main school buildings indicate the works can be undertaken with little impact or disruption to the amenity of the neighbourhood or the function of the school. The following planning principles provided in Appendix C of the Code have been addressed in Section 11.2 below: • context • built form • adaptive learning spaces • sustainability • landscape • amenity • health and safety
(b) Any transformation of a locality	The works provide for ancillary additions to the established school facility within the school grounds. The proposed development will not

Factors for consideration	Response
	transform the character of the locality given the nature of the works.
(c) Any environmental impact on the ecosystem of the locality	Nil
(d) Any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality	The locality does not possess any scientific or environmental quality that will be reduced given the existing level of disturbance and current site conditions and improvements.
(e) Any effect on a locality, place or building having aesthetic, anthropological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations	There is no record of any cultural or heritage significance being attributed to the site. The works will contribute in a positive manner to the function of the established facility as a school.
(f) Any impact on the habitat of protected fauna[1]	There is no protected fauna.
(g) Any endangering of any species of animal, plant or other form of life, whether living on land or in water or in the air[2]	The proposed works will not have any significant impact on any flora or fauna habitat. The location is currently developed as school sporting fields and is devoid of locally indigenous vegetation.
(h) any long-term effects on the environment	The work is unlikely to have any long-term effects on the environment.
(i) any degradation of the quality of the environment	The work is unlikely to result in the degradation of the quality of the environment.
(j) any risk to the safety of the environment	Risks during construction can be managed by workplace management.
(k) any reduction in the range of beneficial uses of the environment	There will be no reduction in beneficial uses of the environment caused by the proposed works.
(l) any pollution of the environment	Measures to control run off and sedimentation during construction can be controlled on site by appropriate site management and erosion controls. The requirement for erosion and sediment controls during construction
(m) any environmental problems associated with the disposal of waste	Construction waste can be managed on site and disposed of at Kimbriki Tip with appropriate regard to opportunities for recycling.
(n) any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply	No such demand on resources will occur as a result of the proposed works.
(o) any cumulative environmental effect with other existing or likely future activities	No adverse impact with other existing or future activities is likely. The works will be beneficial in

[1] Refer to section 7.3 of the *Biodiversity Conservation Act* 2016 - Test for determining whether proposed development or activity likely to significantly affect threatened species or ecological communities, or their habitats
[2] See above.

Factors for consideration	Response
	terms of improving the amenity for users of the established school.
(p) any impact on coastal processes and coastal hazards, including those under projected climate change conditions	Not applicable.
(q) other factors/ impacts.	None

Table 3. Factors for consideration under Clause 228 of the EP&A Regulation 2000

It is concluded that the factors for consideration in clause 228 of the EP&A Regulation are satisfactorily addressed.

11.2 Education SEPP Planning Principles

The proposal has been designed to address the seven Planning Principles provided in Appendix C of the Code to guide RNSs in their assessment of new school development.

The table below demonstrates how the proposed development is consistent with these Planning Principles.

ESEPP Planning Principles	Proposal	Consistent
Principle 1—context, built form and landscape Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate. Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites.	The proposed development has been designed to integrate into the layout of the existing school site. It is located on a relatively flat area currently occupied by a sports field. A comprehensive landscaping scheme accompanies the proposal which includes additional screen planting to assist in integrating the building into the surround landscape.	Yes
Principle 2—sustainable, efficient and durable Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.	OFGS is commitment to ecologically sustainable design. The proposed development has been designed to incorporate a number of energy efficiency and sustainability initiatives. These	Yes

Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.	are outlined in the report prepared by JHA Services (Appendix 17)	
Principle 3—accessible and inclusive School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities. Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.	The proposed development has been inclusively designed to provide safe and equal access for all.	Yes
Principle 4—health and safety Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.	The proposed development will increase the range of facilities available for students. Crime Prevention Through Environmental Design measures will be incorporated into the design and management of the School to ensure a high level of safety and security is upheld for students and staff.	Yes
Principle 5—amenity Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood. Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.	The proposed development represents a state-of-the-art, user-friendly facility that provides space for research, study and various ancillary support services. The proposal incorporates indoor and outdoor spaces. The proposed design and colour scheme will allow access to sunlight and natural ventilation. Numerous storage areas and amenities have been included in the design.	Yes
Principle 6—whole of life, flexible and adaptive School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high	The proposed development represents a large, open plan building providing flexibility and	Yes

environmental performance, ease of adaptation and maximise multi-use facilities.	capability for adaptation to cater for various school uses.	
Principle 7—aesthetics School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood. The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.	The proposed development has been designed by award winning architects Alan Jack + Cottier. The resulting development will be a light-filled space which will provide students with contemporary, practical new areas, including senior study areas. Light colours and finishes will enhance the layout, brightening and reflecting natural light. An external colour palette, consistent with the natural environment, will be utilised in order to integrate the proposal into the surrounding landscape. The library represents an adaptable, multi-purpose teaching facility fit for twenty-first century education. The building combines a mix of open plan, technology-enabled learning spaces with administration spaces. The proposal will create an energising environment for students and teachers.	Yes

Table 4. Education SEPP Planning Principles

11.3 Detailed Environmental Considerations

The following environmental considerations have been considered in more detail as part of the assessment process:

- Potential Contamination
- Tree Removal
- Bushfire Protection Assessment
- Flood potential
- Biodiversity
- Heritage
- Traffic and parking impacts

11.3.1 Contamination

A Preliminary Site Investigation (PSI), prepared by Martens consulting engineers, has been undertaken for the proposed development (Appendix 6).

The primary purpose of the PSI is to identify past or present potentially contaminating activities at the site, identify the potential for site contamination and assess the need for further investigation.

The PSI includes consideration of the following previous site assessments:

- A Stage 1 Environmental Site Assessment prepared by JK Environmental (report reference E30807Brpt Rev2) for a proposed kiosk in the southwest portion of the school site [November 2019] (JK, 2019).
- A geotechnical investigation prepared by JK Geotechnics for the proposed facility, car park and playing field in the southern portion of the site [October 2017] (JK, 2017).
- A waste classification assessment and soil suitability analysis prepared by Environmental Investigation Services (EIS) undertaken for the playing field in the southwest portion of the site (November 2017). The testing undertaken as part of the EIS (2017). The results and finding of this assessment are provide at Attachment C to the Martens report.

The Martens PSI report identifies the following areas of environmental concern (AEC) and contaminants of potential concern (COPC):

AEC	Potential for Contamination	COPC
AEC A Fill	Fill from unknown sources has the potential to add contamination including hydrocarbons, heavy metals, pesticides and asbestos.	HM, TRH, BTEXN, PAH, OCP / OPP and asbestos
AEC B Former shed including 5 m curtilage	Pesticides and heavy metals may have been used underneath past shed for pest control. Building construction may include PACM, zinc treated (galvanised) metals, and lead based paints. Garage may have previously stored fuels, oils and chemicals.	HM, TRH, BTEXN, PAH, OCP / OPP and asbestos

Table 5. Areas of Environmental concern and contaminants of potential concern

A review of aerial photographs reveals that the investigation area (IA) was cleared prior to 1956, and a large shed constructed between 1961 and 1965. The large shed was demolished between 1982 and 1991, and the current site conditions were constructed between 1991 and 2005.

The PSI summarises the potential sources of contamination as:

- The entire IA which appears to be filled to level the sports field.
- Former shed which occupied a small eastern portion within the IA.

The subsurface soil investigation by JK (2017) indicated fill was observed up to 2.5 mbgl (BH4) and alluvium up to 5.5 mbgl (BH4).

The EIS (2017) documented a waste classification and soil suitability analysis which covered the entire IA and preliminary AEC noted in the PSI. Samples were sent to a laboratory and assessed against COPC.

Soil analysis indicated all samples to be below ASC NEPM (2013) Residential A guidelines. In light of this, the fill across the entire IA and former shed AEC is not considered to pose a risk of contamination and does not require further investigation.

Based on the analysis of previous soil analysis which indicated that all samples to be below residential guidelines, the fill across the entire IA and former shed AEC is not considered to pose a risk of contamination and does not require further investigation.

The PSI report concludes that the IA has a low risk of contamination and is suitable for the development. The report notes, however, that;

> *"past filling undertaken from unknown sources still has a risk of contamination. This risk should be managed by implementing an appropriately prepared unexpected finds protocol. This document should be made available to all contractors working on the site and included as part of the site induction process."*

The PSI report recommends the following:

> *"An unexpected finds protocol is to be prepared prior to works commencing on the site. If any unexpected finds (such as fibro material, odours or soil staining) are encountered during site works, the unexpected find will require assessment by MA to determine requirements for additional investigation and / or remedial action.*
>
> *If any soil material is removed from site, a formal waste classification assessment shall be required in accordance with the NSW EPA Waste Classification Guidelines (2014)."*

The requirement for an unexpected finds protocol and formal waste classification will form conditions of determination and are listed in section 13.

11.3.2 Tree Removal

An Arboricultural Impact Assessment (AIA), prepared by Tree Report, dated 19.12.2019, has been prepared in support of the proposal (Appendix 7).

The report notes that there are three trees, all *Ficus rubiginosa* also known as a Port Jackson Fig (identified as trees 1-3), that will be affected by the proposed development.

These trees are located wholly within the development footprint and cannot be successfully retained and are recommended for removal.

The AIA report recommends:

> *Offset replacement planting to compensate for the loss of trees as part of this development should be such, that a net increase of canopy cover is ascertained within a 5-year time period. Species selection should be in co-ordination with Northern Beaches Council and consist of tree species which are endemic to the local area and suited to the size of the area of which they are planted.*

This recommendation will form a condition of determination and is listed in section 13.

An Arboricultural Comment, also prepared by Tree Report, dated 22.11.2018, has been considered (Appendix 7) as part of this REF. This letter acknowledges that the trees within the school grounds, along Dreadnought Road pose a risk of damage to the underground gas pipe that runs below this road. The trees known as trees 4 and 5, which are located either side of the existing driveway (being the access point to the proposed car park), can therefore be removed as exempt development under clause 38(1)(b) of the ESEPP.

11.3.3 Bushfire Protection Assessment

The majority of the OFGS site is classified as Bushfire Prone Land (category: Vegetation Buffer) on the Northern Beaches Council Bush Fire Prone Land (BFPL) map as shown in Figure 16 below.

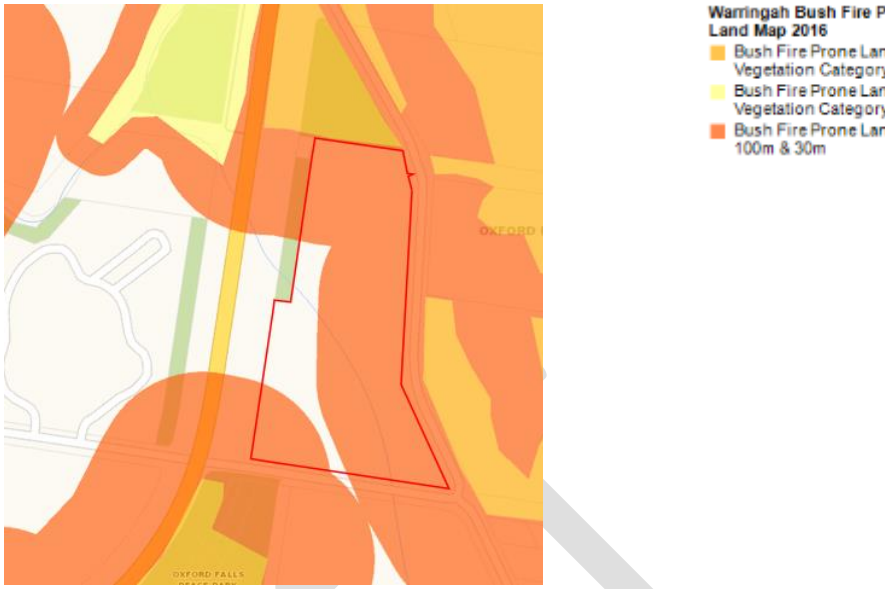


Figure 17. Warringah Bush Fire Prone Land Map excerpt (source: Northern Beaches Council)

A Bushfire Protection Assessment, by Building Code and Bushfire Hazard Solutions, has been prepared in support of the proposed carpark, library and administration Building (Appendix 8).

The vegetation identified as being the hazard is to the east of the proposed works within vegetated private allotments and west of the subject site within Wakehurst Parkway road reserve.

Northern Beaches Council's Bushfire Prone Land Map identifies the subject property as containing the 100-metre buffer zone from Category 1 Vegetation therefore the application of Planning for Bush Fire Protection - 2019 (PBP) must apply in this instance.

The report concludes:

> *Given that the property is deemed bushfire prone under Northern Beaches Council's Bushfire Prone Land Map any development would need to meet the requirements of Planning for Bush Fire Protection – 2019 and of the construction requirements of Australian Standard 3959 – 2018. The determination of any bushfire hazard must be made on a site-specific basis that includes an assessment of the local bushland area and its possible impact to the subject property.*
>
> *The development proposal relates to new building works within an existing educational establishment known as Oxford Falls Grammar School. The proposed works will include the construction of a new Library and Admin Block, a new pedestrian bridge and new car parking.*
>
> *The vegetation identified as being the hazard is to the north within the vegetated allotment (>200m), east within a private allotment and west of*

the subject site within Wakehurst Parkway road reserve. The vegetation posing a hazard to the east and west was determined to be Remnant.

The minimum required Asset Protection Zones for new SFPP development were determined to be 38 metres to the east (close), 67 metres to the east (far) and 47 metres to the west. The closest point of the proposed building was found to be located 60 metres from the hazard to the east (close) and west and >100 metres from any other hazard.

The proposed building works therefore exceed the minimum required Asset Protection Zones for new Special Fire Protection Purpose development to all aspects.

The highest Bushfire Attack Level to the proposed building works was determined from Table A1.12.1 of PBP 19 to be 'BAL 12.5'. The proposed building works are required to comply with section 3 and BAL 12.5 section 5 under AS 3959 – 2018 and section 7.5 of PBP.

In accordance with the bushfire safety measures contained in this report, and consideration of the site specific bushfire risk assessment it is our opinion that when combined, they will provide a reasonable and satisfactory level of bushfire protection to the subject development.

The report recommends conditions to ensure compliance with Planning for Bush Fire Protection – 2019 and Australian Standard 3959 – 2018 'Construction of buildings in bushfire-prone areas'. Additional recommendations are provided to supplement these minimum requirements where considered necessary.

These additional requirements address landscaping, construction, bushfire emergency management and water supply. They are listed as conditions of determination in section 13 of this REF.

11.3.4 Traffic and carpark design

A Traffic Impact Assessment (TIA), prepared by Traffix, has been prepared in support of the proposal (Appendix 10).

The proposal utilises the existing vehicular crossing in Dreadnought Road as the access point to the proposed carpark.

The TIA notes that the site is ideally located within the main arterial road serving the region, being the Wakehurst Parkway via Dreadnought Rd. In addition, Oxford Falls Rd provides alternate route to the residential catchment in the south. As such, traffic is able to be distributed effectively, thereby reducing traffic impacts.

The school currently provides 128 off-street carparking spaces comprising of;

- Eastern car park: 56 car parking spaces
- Northern car park: 72 car parking spaces

The TIA concludes that the additional 84 spaces proposed will result in a total of 212 on-site car parking spaces. As student and staff numbers remain unchanged,

this net increase in parking will provide opportunity to accommodate higher peak demands more effectively and safely within the site. This is clearly a public benefit.:

The proposal will result in a redistribution of existing traffic movements associated with 84 staff carparking spaces proposed at a new car park on Dreadnought Rd.

The TIA states this redistribution is acceptable for the following reasons:

- *The main pick-up and drop-off areas and pedestrian entrances are situated along Oxford Falls Road. As such, the re-distribution of staff traffic onto Dreadnought Road will increase the safety of pedestrians along the main frontage of the school;*
- *The provision of additional off-street parking spaces would increase the availability of on-street parking along Oxford Falls Road and Dreadnought Road, thus considered a greater public benefit;*
- *The anticipated traffic increase and proposed vehicular access on Dreadnought Road are envisaged to have negligible impacts, given the lack of pedestrian facilities or footpaths along the southern frontage of the school;*
- *SIDRA Intersection modelling has been undertaken at the proposed access location and demonstrates minimal impacts to Dreadnought Road.*

  In summary, the proposal will have negligible traffic generation, given no increase to staff and student numbers, with existing traffic being re-distributed onto the surrounding network.

11.3.5 Flood levels

A Flood Statement, prepared by Taylor Thomson Whitting (NSW) Pty Ltd, has been prepared in support of the proposal (Appendix 12).

The site falls within the Narrabeen Lagoon Flood Study (September 2013) produced by BMT WBM. A copy of the flood model was obtained from Council. Unfortunately, it was not possible to run the model due to various problems as explained in the paragraph below taken from the report:

> *"it was not possible to run the model due to use of a MORPH module, which is not commercially available, and numerous run errors. It was possible to interrogate the results file which highlighted an anomaly in water levels upstream of the Dreadnought Road culvert (refer Figure 3). This artificially raised water levels diverting flow over the school sports field. It should be noted that the online mapping tool for determining the Flood Risk Precinct, available on the Northern Beaches Council website Planning Controls page, is based on the Council flood model. Due to the water level error in the model a site-specific flood model has been developed for the site to determine flood planning levels."*

The site-specific flood study shows the development is within the Low Flood Risk Precinct, with the exception of a portion of the stairs in the south east corner which is within Medium Flood Risk Precinct. The Low Flood Risk Precinct is all flood prone land (i.e. below the PMF) that is above the 1% AEP. The western side of the stairs protrudes into the 1% AEP flood extents but is not subject to a high hydraulic

hazard, so is classified as a Medium Flood Risk Precinct. As the development is in more than one precinct the controls for the Medium Flood Risk Precinct have been adopted.

As an educational establishment the proposed Oxford Falls Grammar School development falls under the 'vulnerable uses' land use category.

The Flood Statement concludes:

- *The proposed development has been assessed through the development of a site-specific flood model. Below are the key recommendations that have been incorporated into the design to ensure the flood criteria has been met:*
- *Habitable floor areas have been located on Level 1 (FFL 78.35m) above the PMF in the proposed design;*
- *Non-habitable floor areas on ground level (74.75m) have been located above the Flood Planning Level in the proposed design;*
- *There no adverse impact on flood levels including downstream and upstream properties in the 1% AEP event; and*
- *'Shelter in place' flood evacuation routes are provided to Level 1 above the PMF and access to the adjacent school buildings is available via the second level pedestrian bridge.*

11.3.6 Biodiversity

A Biodiversity Assessment, prepared by Niche Environment and Heritage, dated 12 March 2020, has been prepared in support of the proposal (Appendix 11).

The assessment is based on field studies and includes a review of the biodiversity constraints of the study area and an assessment of the impacts of the project on threatened biodiversity. The survey involved identification of tree species and size, vegetation condition, and presence and relative abundance of key habitat features (e.g. tree hollows, nests and flowering resources).

The assessment finds that the proposed carpark, library and administration building is not likely to significantly affect threatened species, populations, ecological communities or their habitats, and therefore an SIS is not required.

Key results are:

> *Vegetation within the subject site consisted of five planted native trees and an area of lawn. Trees consisted of five Port Jackson Figs (Ficus rubiginosa). All five trees surveyed are greater than 5 m in height. The trees to be removed are labelled 1 to 5 (Tree Report 2019, Figure 2).*
>
> *No key habitat features such as hollows or nests were recorded during the survey. No evidence of threatened species (such as flying fox scats) was recorded within the subject site. The trees to be removed are unlikely to produce large quantities of fruit or flowers. As such, the tree is considered unlikely to provide important habitat for threatened species, such as roosting or significant foraging habitat for Greyheaded Flying-foxes.*

While the subject area was considered to provide potential habitat for a number of threatened fauna, most of these would use such habitat rarely and would not be reliant upon it for survival or important breeding habitat.

The waterway and riparian zone is a highly modified 1st order stream with revegetated banks consisting of exotic and planted native species. The channel is small with steep banks and a narrow Vegetated Riparian Zone which is constrained by existing infrastructure. There is no significant erosion or sedimentation present in the channel or banks.

The report concludes that the proposed development will result in the removal of approximately 0.2 ha of vegetation (five trees and adjoining sporting field) within OFGS. Additional potential impacts to the ecology, waterway and riparian zone are likely to be negligible provided management of impacts are consistent with recommendations outlined in the report.

The report makes recommendations to mitigate impacts which are listed as conditions of determination in section 13.

11.3.7 Aboriginal heritage

An Aboriginal Objects Due Diligence Assessment, prepared by Niche Environment and Heritage, dated 12 March 2020, has been prepared in support of the proposal (Appendix 13).

The report concludes:

On the basis of this assessment, it is unlikely that Aboriginal objects have survived within the Subject Area due to ground disturbances associated with de-vegetation, landscaping, maintenance, the construction of buildings associated with OFGS and decades of heavy pedestrian impact. No Aboriginal heritage constraints were identified for the proposed works and no further investigation or impact assessment is required.

The proposed activity may therefore proceed with caution without a further Aboriginal Cultural Heritage Assessment (ACHA) or AHIP.

The report recommends the following **Find Procedure** should be put in place as a minimum response in the unlikely event of the identification of artefacts within the Subject Area:

- *All site workers and contractors should be inducted to the area and informed of their obligations under the National Parks and Wildlife Act 1974.*
- *In the unlikely event that any Aboriginal objects are found and cannot be avoided, all activities with the potential to impact the objects must stop. A temporary fence is to be erected around the Aboriginal cultural heritage site, with a buffer zone of at least 10 metres around the known edge of the Aboriginal cultural heritage site. An appropriately qualified archaeologist is to be engaged to assess the findings, and notification is provided to the BCD. Should the material be confirmed as an Aboriginal object or archaeological site, Facilitate, in cooperation with the appropriate authorities and the local Aboriginal community:*

- *The recording and assessment of the finds.*
- *Compliance with any legal requirements and BCD directions.*
- *The development and implementation of appropriate management strategies based on an assessment of significance of the finds.*
- *Recommencement of ground disturbance works may only resume once legal requirements are fulfilled. An Aboriginal Heritage Impact Permit will be required.*

- *In the unlikely event that suspected human remains are encountered during construction, all work in the area that may cause further impact, must cease immediately and:*
  - *The location, including a 20 m curtilage, should be secured using barrier fencing to avoid further harm.*
  - *The NSW Police must be contacted immediately.*
  - *No further action is to be undertaken until the NSW Police provide written notification to EPM Projects.*
  - *If the skeletal remains are identified as Aboriginal, EPM Projects or their agent must contact: The Biodiversity and Conservation Division ((BCD), of the DPIE, previously known as the Office of Environment and Heritage (OEH)) Enviroline on 131 555; and Representatives of the Registered Aboriginal Parties (RAPs).*
  - *No works are to continue until the BCD provides written notification to the proponent or their Agent.*

These recommendations will form conditions of determination and are listed as conditions of determination in section 13.

11.3.8 European Heritage

A Preliminary Historical Heritage Assessment (HHCA), prepared by Niche Environment and Heritage, dated 12 March 2020, has been prepared in support of the proposal (Appendix 14).

There are no items of heritage significance identified within the subject area. As previously noted in section 8 of this REF, an item of local heritage significance listed under the Warringah LEP 2011 has been identified within the vicinity of the subject area.

This heritage item is the Oxford Falls Public School (now known as the Oxford Falls Peace Park). It was built between 1926 and 1950 and is a single storey school building of timber weatherboards with gabled corrugated metal roof and brick chimney in front gable. There is a verandah along its northern side enclosed by fibro and glazing. Brick piers and a skillion roofed have been added on the eastern side in the late 1940s.

The school is a representative small inter-war school building. It displays high integrity with much original fabric. It historically provides evidence of the extent of development in the inter-war period and was also the last single teacher school in Sydney when it closed.

The PHHP concludes that the proposal will not directly impact any known items of heritage significance. This is based on the following considerations:

> *The proposed works are located 50m diagonally to the north-east of the Peace Park which is the site of the heritage item. The separation between this site and the proposed work ensures the use, fabric, or archaeological potential of the OFPS is not expected to be impacted as a result of the proposed works. The historical significance, and representativeness of the OFPS item will not be impeded due to this construction.*
>
> *The proposed works are consistent with the surrounding area, being constructed in a style similar to existing buildings at the Oxford Falls Grammar School and other nearby school buildings. The new library is consistent with the historical use of the nearby heritage item (as a school building) and would reinforce this historical theme. Therefore, this PHHA has determined that the visual setting of the area, and the social significance of the LEP item, would not be disrupted by the proposed building.*

However, this report has identified that the proposed works would cause a temporary and direct visual impact (due to the construction processes); as well as a permanent and indirect visual impact (caused by the new building's façade); to the OFPS (I116).

The Statement of Heritage Impact states:

> *"This evaluation has concluded that the proposed works will not have any substantial impacts to the heritage values identified for the OFPS. There are no direct physical impacts to its fabric, there are temporary impacts which will cease with the completion of construction and the lasting impacts on the visual setting and views may be managed with mitigation strategies applied to the new development. There are no heritage impacts to any cultural values of the subject area; it has no significant historical associations, aesthetic or social values and no archaeological research potential."*

In order to minimise the potential visual impacts on the heritage item, the PHHA makes the following recommendations:

1. *During construction, and machinery, material and related infrastructure be placed as far away as possible from the OFPS (ID #I116 – currently a Peace Park), and that, through consultation with the Peace Park's administration, consideration be given to important dates where this site will be in use.*

2. *That the design of the new building's façade and the colours used are chosen to complement the existing natural features of the site, especially as viewed from the Peace Park, towards the ridgeline behind. It is also recommended that landscaping comply with Warringah DCP's guidelines for development, in reference to sightlines and visual catchments, and that these features are used to integrate the new building into the existing visual setting. In addition, that consideration be given to replacing the existing chain-link fencing with another, less intrusive fencing type to further integrate the building with its surrounds.*

3. *In the unlikely event that historical archaeological remains are discovered, works must cease, and specialist services of Heritage NSW must be informed immediately. A qualified archaeologist should be engaged to assess the remains by means of the unexpected finds procedure, in consultation with Heritage NSW.*

These recommendations will form conditions of determination and are listed in section 13.

11.4 Other Considerations

11.4.1 Geotechnical Investigation

A Geotechnical Investigation report, prepared by JK Geotechnics, dated 18 March 2020, has been prepared in support of the proposal (Appendix 15). This report presents the results of a geotechnical investigation comprised of auger drilling 21 boreholes on the development site.

The report notes that the proposal involves the following associated earthworks:

- Minor cut and fill works to achieve the required bulk excavation level. Approximately 0.6m of cut and 0.4m of fill is proposed over the building footprint.
- Excavation for a proposed stormwater tank will occur in the north-west corner of the site resulting in excavations approximately 2m deep.

The report makes comments and recommendation regarding excavation, retention, earthworks, footings, pavements, soil aggression and the stability of the creek bank. The Geotechnical Investigation report will form part of the determination documents.

The report considers that as part of the detailed design stages of the proposed development, the following additional geotechnical investigation will be required after the initial structural design has been completed:

- *Review of this report once structural drawings are available.*
- *Completion of proof rolling of the subgrade in the presence of an experienced geotechnical engineer or geotechnician where engineered fill or pavements are to be placed.*
- *Earthworks testing to confirm that the earthworks specification is complied with.*
- *Inspections during piling to provide greater confidence that the piles are founded on the appropriate materials.*

This recommendation will form a condition of determination and is listed in section 13.

11.4.2 Stormwater and erosion and sedimentation controls

A Civil Engineering report, prepared by Taylor Thomson Whitting, dated 17 March 2020, has been prepared in support of the proposal (Appendix 9). The report concludes:

- *Provision of 40m³ of OSD to limit stormwater flows from the site to the pre-development scenario up to the 1 in 20 year ARI;*
- *Installation of a 250m³ rainwater tank and Gross Pollutant Trap to treat stormwater prior to discharge to the natural watercourse within the site;*
- *Erosion and sediment controls proposed during construction works to prevent sediment laden stormwater from leaving the site; and*
- *Minor works within the Riparian Zone to be submitted to and approved by Department of Primary Industries.*

These recommendations will form conditions of determination and are listed in section 13.

11.4.3 Visual impacts

The proposed carpark, library and administration building will have a positive visual impact on the character of the area.

The proposed development has been designed by award winning architects Alan Jack + Cottier.

The resulting development will be a light-filled space which will provide students with contemporary, practical new areas, a carpark for staff and students and ancillary administration functions. Internally, the use of light colours and finishes will enhance the layout, brightening and reflecting natural light.

Externally, a colour palette, consistent with the natural environment, will be utilised in order to integrate the proposal into the surrounding landscape.

The proposed development represents an adaptable, multi-purpose teaching facility fit for twenty-first century education. The building combines a mix of open plan, technology-enabled learning spaces with administration spaces.

The proposal will create an energising environment for students and teachers as well as necessary administration and car parking functions.

Visual and amenity impacts are addressed in further detail in the analysis of the proposal against the ESEPP planning principles in section 11.2

11.4.4 Energy Efficiency and Sustainability

An Energy Efficiency and Sustainability report, prepared by JHA Services dated 16 March 2020, has been prepared in support of the proposal (Appendix 17). The report states:

> *"JHA recommends the following sustainability strategies for the proposed school building development at Oxford Falls, NSW 2100 to achieve improved energy efficiency and a more sustainable outcome."*

The strategies relate to environmental factors (water and energy), economy and society and are reproduced below:

		Sustainable Practices	Proposed Measures
Environment	Energy	Lighting	Integration of natural lighting is recommended as this will decrease lighting energy usage. The use of LED lighting is encouraged as LEDs only takes one-fifth of energy consumption compared to incandescent lighting.
		Materials	Both embodied energy and carbon footprint can be reduced by prioritising sustainable, recycled, reused products or materials over other choices. GECA certified material is recommended.
		Appliances	Installation of efficient appliances is recommended. Appliances with higher energy stars will provide a return in saving energy and decrease greenhouse gas emission. Recommend selecting appliances within 1 star of the highest energy efficiency rating available on the market.
		Standby power	Recommend the implementation of timers and/or sensors (daylight/occupancy) to cut off energy usage when the premise is not occupied to reduce wasting energy.
		Hot Water system	Recommend an energy efficient hot water system such as heat pump or instantaneous gas hot water system.
		Renewable Energy	The project is seeking renewable energy source opportunities with less environmental impact such as an on-site PV system. The pending on-site PV system will be orientated to maximise its exposure to have good solar access. Recommend the PV design to allow sufficient roof space for maintain paths, mounting systems and shadowing.

		HVAC system	The air-conditioning and ventilation systems shall be designed to comply or exceed the minimum requirements of NCC 2016 Section J5. An energy efficient HVAC system is recommended to allow savings in energy use. Such as incorporation of an evaporative cooler to the main assembly area and providing VRV/VRF air conditioning system to other learning spaces.
		Evaporative cooler	Evaporative cooling uses much less energy than the refrigerated air conditioning to temper the internal main assembly area. It also brings less carbon footprint as well as less operational costs.
		Shading	The proposed building has been designed with good external eaves and vertical fins to prevent the high summer sun from entering the building.
	Water	Alternative water source	The collection and reuse of alternative water sources such as rainwater, stormwater, and greywater are recommended.
		Rainwater tank	Rainwater from roofs will be captured from the non-trafficable roof area and diverted to a rainwater tank. Rainwater will be resued for toilet flushing and irrigation purpose
		Fittings and fixtures	Recommend the installation of fittings and fixtures with the following WELS Rating. In addition, flow restrictors or taps with timed flows can be used to minimise water usage. Showerhead: min 3 WELS Stars, Sink Tap: min 5 WELS Stars Toilet cistern and Urinals: min 4 WELS Stars
		Low water use species	JHA recommends the planting of low water use and/or native plant species to minimise irrigation demands.
Economy		Employment	The provision of a new school building will provide greater opportunities for the school to continue to improve their facilities, supporting the development of the staff and students
Society		Community engagement	Acknowledgement of County and the traditional custodians of the land. Recommend incorporating Aboriginal and Torres Strait Islanders design elements to help promote awareness of the past and ongoing connection to place and land of Aboriginal Australians. Further investigations to be undertaken in the aboriginal heritage reporting.
		Sustainability education	Displays and signs to highlight the sustainable features of the school projects are recommended to promote sustainable initiatives to parents and encourages students and society to develop sustainable mind-sets from an early stage.

Table 6. Recommended sustainability strategies (source: JHA Services)

The Sustainability report will form part of the approved determination documents.

11.5 Construction impacts

A Construction Management Plan (CMP) has been prepared by EPM Projects, dated 19 March 2020, in support of the proposal. The report addresses the following key construction matters:

- Waste Management
- Traffic Management
- Complaint Management
- Work Health Safety (WHS)

The CMP concludes:

An effective implemented CMP will safeguard that works are completed with efficiency, in a timely order and safely. Minimal disruption will occur to both the general public and the school's operations. It will be the responsibility of the engaged contractor/s to develop and maintain the necessary reporting to address and monitor the abovementioned matters.

The CMP is contained at Appendix 16 and will form part of the determination documentations.

11.5.1 Construction Traffic

A site-specific Traffic Management Plan (TMP) will be developed and monitored by the engaged Contractor. This TMP will be in place prior to the commencement of any construction works. The objective of this plan aims to ensure the safety of all workers, road users and pedestrians within the proximity of the construction site. The following are the primary objectives:

- To minimise the impact of the construction vehicular traffic, directly and indirectly, on local roadways.
- To promote continuous, safe and efficient movement of traffic (Vehicular and pedestrian) for both the general public, school staff and students, and construction workers.
- Establishment of a safe pedestrian environment in the vicinity of the site.
- Vehicle access will remain in a safe and coordinated manner.
- The contractor is to obey road laws at all times.
- The Contractor is to establish a site perimeter fence with lockable vehicle access along the existing driveway crossing / entry.

12 Summary of Impacts

The proposed works are within the OFGS site and includes a carpark, library and administration building that will have minimal impact on the environment.

Potential impacts assessed in this REF are:

- Contamination
- Biodiversity
- Bushfire
- Tree loss
- Impact on creek
- Visual impact on adjoining heritage items
- Possible discovery of aboriginal items
- Flood liable land
- Stormwater, sedimentation and erosion control
- Traffic and carparking
- Construction

This REF has examined and taken into account to the fullest extent possible all matters affecting or likely to affect the environment as a result of the activity, as listed above and has found that there are no unacceptable or unreasonable impacts.

Potential contamination is found to be low risk. In the event that issues arise during construction, mitigation measures have been included as conditions of determination.

There is no threat to biodiversity.

Bushfire risks have been addressed by the use of appropriate construction materials.

There is no loss of indigenous or significant trees. Replacement trees have been incorporated into the landscape plan as well as being a requirement of determination.

The Biodiversity Assessment has examined the potential impacts on the creek, including the pedestrian bridge, and has found that there will be no unacceptable impacts.

The spatial separation of the proposed development along with the sensitive design will ensure no unacceptable visual impacts on the nearby heritage item at Peace Park.

Flood modelling has been undertaken to determine appropriate flood levels and design.

The Civil Engineering Statement recommends appropriate stormwater, sedimentation and erosion controls during construction.

Given the additional on-site parking provided as a result of the proposal with no additional traffic generated, the proposal will result in a public benefit by reducing street parking in the surrounding street network.

A construction management plan has been prepared to minimise disruptions and amenity impacts on the existing school functions and surrounding area, during construction.

Potential environmental impacts will be mitigated by the measures recommended throughout this REF and listed as recommended conditions of determination in Section 13 below.

13 Mitigating measures, modifications or adaptions

In order to mitigate any environmental impacts resulting from the proposal the following conditions of determination are recommended:

CONDITIONS:

Approved Plans and documentation

1. The development shall take place in generally in accordance with the following plans and documents, except as amended to comply with the conditions of this determination:

Drawing Number	**Date**	**Prepared By**
Site Survey (11 sheets)	20.6.2017	Rygate Surveyors
REF101, issue 5, Site Plan	11 March 2020	Allen Jack + Cottier
REF201, issue 5, Ground level plan	11 March 2020	Allen Jack + Cottier
REF202, issue 4, Level 1 Plan	11 March 2020	Allen Jack + Cottier
REF203, issue 2, Roof Plan	11 March 2020	Allen Jack + Cottier
REF311, issue 3, Elevations, sheet 1	11 March 2020	Allen Jack + Cottier
REF312, issue 3, Elevations, sheet 2	11 March 2020	Allen Jack + Cottier
REF321, issue 3, Sections	11 March 2020	Allen Jack + Cottier
REF401, issue 2, Shadow Diagrams	11 March 2020	Allen Jack + Cottier
REF601, issue 2, Perspectives	11 March 2020	Allen Jack + Cottier
Landscape Plan 3546-LD-G01	27 Feb 2020	Environmental Partnership
Landscape Plan 3546-LD-G02	27 Feb 2020	Environmental Partnership
Landscape Plan 3546-LD-PP02	27 Feb 2020	Environmental Partnership
Landscape Plan 3546-LD-PP03	27 Feb 2020	Environmental Partnership
Document Title	**Date**	**Prepared by**
Preliminary Site Investigation	March 2020	Martens consulting engineer
Arboricultural Impact Assessment	December 2019	Tree Report
Arboricultural Comment	28 Nov 2018	Tree Report
Bushfire Assessment Report	12 March 2020	Building Code and Bushfire Hazard Solutions Pty Ltd

Traffic Impact Assessment	March 2020	Traffix
Flood Statement	17 March 2020	Taylor Thompson Whitting
Civil Engineering Statement	17 March 2020	Taylor Thomson Whitting
Geotechnical Investigation	18 March 2020	JK Geotechnics
Biodiversity Assessment	12 March 2020	Niche Environment and Heritage
Aboriginal Due Diligence Assessment	12 March 2020	Niche Environment and Heritage
Preliminary Historical Heritage Assessment	12 March 2020	Niche Environment and Heritage
Construction Management Plan	19 March 2020	EPM Projects Pty Ltd
Sustainability Services	16 March 2020	JHA Services

Prior to construction – Civil engineering

1. Detailed civil engineering drawings are to be prepared and submitted to the determining authority, detailing the following:

    - Provision of 40m³ of OSD to limit stormwater flows from the site to the pre-development scenario up to the 1 in 20 year ARI;
    - Installation of a 250m³ rainwater tank and Gross Pollutant Trap to treat stormwater prior to discharge to the natural watercourse within the site;
    - Erosion and sediment controls to be installed during construction works to prevent sediment laden stormwater from leaving the site; and
    - Minor works within the Riparian Zone to be submitted to and approved by Department of Primary Industries.

Prior to construction –Geotechnical Investigation review

2. In order to confirm that the recommendations contained in the Geotechnical Investigation report, dated 18 March 2020, prepared by JK Geotechnics, are correct, the report and its recommendations are to be reviewed after the initial structural design has been completed. The revised report is to be submitted to the determining authority.

Prior to construction – Further Geotechnical Investigation

3. As part of the detailed design stage of the proposed development, the following additional geotechnical investigation and input will be required:

- Completion of proof rolling of the subgrade in the presence of an experienced geotechnical engineer or geotechnician where engineered fill or pavements are to be placed.
- Earthworks testing to confirm that the earthworks specification is complied with.
- Inspections during piling to provide greater confidence that the piles are founded on the appropriate materials.

Prior to construction – Unexpected finds protocol

4. In order to mitigate potential risks from past landfilling, undertaken from unknown sources, an appropriately prepared Unexpected Finds Protocol (UFP) should be prepared and implemented as per the recommendation contained in the Preliminary Site Investigation, prepared by Martens consulting engineers, dated March 2020. The UFP document should be made available to all contractors working on the site and included as part of the site induction process.

Prior to Construction – Traffic Management Plan

5. In order to ensure the safety of all workers, road users and pedestrians within the proximity of the construction site, a site-specific Traffic Management Plan is to be developed and monitored by the engaged Contractor. This Traffic Management Plan will be in place prior to the commencement of any construction works.

During Construction - Soil testing

6. If any soil material is removed from site, a formal waste classification assessment shall be required in accordance with the NSW EPA Waste Classification Guidelines (2014).

During Construction - Tree replacement

7. In order to offset the trees be removed, replacement trees are to be planted elsewhere on the site. Species selection should be consistent with the typical requirements of Northern Beaches Council and consist of a tree species which is endemic to the local area and suited to the size of the area in which it is planted.

During Construction - Biodiversity

8. Vegetation clearing is to be restricted to the 0.2ha of native vegetation occurring within the development footprint. Surrounding trees and bushland areas are not to be impacted as part of proposed works. See arborist report (Tree Report 2020) and Site Plan (AJ+C 2020) for detailed descriptions of works to be undertaken.

9. No vegetation is to be cleared from the Vegetated Riparian Zone.

10. If unexpected threatened fauna or flora species are discovered, stop work immediately and a qualified Ecologist should be notified to undertake further assessment.

11. Waste materials as a result of the construction activities, other than vegetation and tree mulch, are not to be left on site once the works have been completed.

12. To prevent the spread of weed seed, all weed material removed should be disposed of in a suitable waste facility and not mulched on site. This is to avoid the reintroduction and further spread of weeds in the area. Weed management should be undertaken in accordance with Department of Primary Industries (DPI) Biosecurity Act 2015.

    o General Biosecurity Duty: All plants are regulated with a general biosecurity duty to prevent, eliminate or minimise any biosecurity risk they may pose. Any person who deals with any plant, who knows (or ought to know) of any biosecurity risk, has a duty to ensure the risk is prevented, eliminated or minimised, so far as is reasonably practicable.

    Machinery should be washed following best practice hygiene protocols prior to being brought to site to prevent the spread of weed seed, pathogens and fungi. Hygiene protocols should be in accordance with DPI Biosecurity Act 2015.

13. If nests or other breeding structures within trees are found by the tree contractor prior to clearing, works should not proceed until a project ecologist has been contacted and has inspected and/or relocated any resident fauna.

14. If fauna are injured during tree felling, a project ecologist or WIRES should be contacted immediately to tend to the injured animal. Injured fauna should be taken to a local vet for treatment.

15. Erosion and sedimentation control measures should be implemented to limit degradation of riparian zone and waterway. These measures are expected to be in accordance with industry standards -Managing Urban Stormwater: Soils and construction - Volume 1 (Landcom 2004).

Bushfire Protection

16. New landscaping is to comply with Appendix 4 ‘Asset Protection Zone Requirements’ under Planning for Bush Fire Protection 2019.

17. The proposed development shall comply with section 5 (BAL 12.5) Australian Standard AS3959-2018 "Construction of buildings in bush fire-prone areas" and section 7.5 of Planning for Bush Fire Protection 2019.

18. The bushfire emergency / evacuation plan is to be updated consistent with the NSW Rural Fire Service Guidelines for the Preparation of Emergency / Evacuation Plan.

19. The new hydrant sizing, spacing and pressures must comply with AS2419.1 – 2005.

During Construction - Aboriginal Objects

20. All site workers and contractors should be inducted to the area and informed of their obligations under the National Parks and Wildlife Act 1974.

21. In the unlikely event that any Aboriginal objects are found and cannot be avoided, all activities with the potential to impact the objects must stop. A temporary fence is to be erected around the Aboriginal cultural heritage site, with a buffer zone of at least 10 metres around the known edge of the Aboriginal cultural heritage site. An appropriately qualified archaeologist is to be engaged to assess the findings, and notification is provided to the BCD.

22. Should the material be confirmed as an Aboriginal object or archaeological site, Facilitate, in cooperation with the appropriate authorities and the local Aboriginal community:

    i. The recording and assessment of the finds.
    ii. Compliance with any legal requirements and BCD directions.
    iii. The development and implementation of appropriate management strategies based on an assessment of significance of the finds.
    iv. Recommencement of ground disturbance works may only resume once legal requirements are fulfilled. An Aboriginal Heritage Impact Permit will be required.

23. In the unlikely event that suspected human remains are encountered during construction, all work in the area that may cause further impact, must cease immediately and:

    i. The location, including a 20 m curtilage, should be secured using barrier fencing to avoid further harm.
    ii. The NSW Police must be contacted immediately.
    iii. No further action is to be undertaken until the NSW Police provide written notification to EPM Projects.
    iv. If the skeletal remains are identified as Aboriginal, EPM Projects or their agent must contact: OFGS or their representative.
    v. No works are to continue until the BCD provides written notification to the proponent or their Agent.

During Construction - Heritage

24. Machinery, material and related infrastructure be placed as far away as possible from the heritage item known as the 'Oxford Falls Peace Park', and that, through consultation with the Peace Park's administration, consideration be given to important dates where this site will be in use.

25. The design of the new building's façade and the colours used are to be chosen to complement the existing natural features of the site, especially as viewed from the Peace Park, towards the ridgeline behind. Landscaping is to be used to integrate the new building into the existing visual setting. In addition, consideration is to be given to replacing the existing chain-link fencing with another, less intrusive fencing type to further integrate the building with its surrounds.

26. In the unlikely event that historical archaeological remains are discovered, works must cease, and specialist services of Heritage NSW must be informed immediately. A qualified archaeologist should be engaged to assess the remains by means of the unexpected finds procedure, in consultation with Heritage NSW.

During construction – noise

27. During the times below, noise should not be heard in a habitable room in a neighbour's residence:

    - Power tools and equipment

    8pm–8am Sunday and public holidays
    8pm–7am Monday –Saturday'

During construction – waste management

28. Prior to the commencement of construction, the Contractor will be responsible to develop a Waste Management Plan for the OFGS's review and agreement. As a minimum the agreed Waste Management Plan will need to address:

    - Legislative requirements.
    - Ways in which the impact on landfill and local residents (i.e. avoiding litter) will be minimised.
    - Maximum recycling and / or reuse.
    - Raise awareness among employees and subcontractors of their waste management responsibilities.
    - Provides details of the proposed waste streams.

14 Conclusion

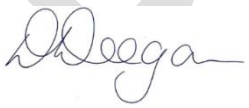
The assessment documented in this REF finds that the proposed carpark, library and administration building and associated tree removal will not have any significant impacts on the environment or on threatened species, populations, ecological communities or their habitats. Consequently, neither an Environmental Impact Statement (EIS) nor a Species Impact Statement (SIS) are required.

These conclusions are based on the detailed impact assessment documented in the body of this REF which incorporates input from various expert consultants (contained in Appendices 3-9).

The proposal is satisfactory when assessed against the requirements of Clause 228 of the EP&A Regulation and Section 5.5 of the EP&A Act. The carpark, library and administration building will improve school amenities and make a positive contribution to the community. It is visually sympathetic to is existing school setting and the broader semi-rural setting. The proposed development will not result in any significant environmental or amenity impacts.

The determining authority can be satisfied that this REF has been prepared in accordance with the Code. The authorised person determining the assessment may discharge OFGS's duty to comply with the requirements of the Code

I, Danielle Deegan, (an agent of Oxford Falls Grammar School), certify that I have prepared the contents of this REF and, to the best of my knowledge, it is in accordance with the Code approved under clause 244N of the Environmental Planning and Assessment Regulation 2000, and the information it contains is neither false nor misleading.



Signed:
Name: Danielle Deegan
DM Planning Pty Ltd

Date: 27 March 2020

DM Planning

Appendix 1
Legal Advice

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Appendix 2
Last Consent issued by Council DA2016/0662

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Appendix 3
Site Survey

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Appendix 4
Architectural Drawings

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Appendix 5
Landscape Plans

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Preliminary Site Investigation

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Arboricultural Impact Assessment and Comment

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Construction Management Plan

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Appendix 17
Sustainability Report