

Decision Statement

1. Background

Oxford Falls Grammar School (OFGS) is the proponent for the proposed construction of a Library at 1078 Oxford Falls Road, Oxford Falls.

The proposed activity has been classified as a Class 1– Review of Environmental Factors (REF) ‘other school development works’ in accordance with the *NSW Code of Practice for Part 5 Activities for registered non-government schools* (the Code).

DM Planning has prepared a REF to assess the potential impacts of the proposal in accordance with Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), clause 228 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) and the Code.

In order for the activity to proceed, OFGS must make a determination of the REF in accordance with Part 5 of the EP&A Act.

2. Description of the proposed activity

The proposed works, the subject of the REF, comprise of the construction of a first-floor Library, above the car park and amenities building (currently under construction).

The library has a gross floor area of approximately 950m² comprising of:

- Nine (9) flexible library spaces to be used for media and online resource learning;
- A foyer, amenities, staff room and lift well

Hours of operation will be the same as the existing school hours.

The proposed library will not increase student or staff numbers.

3. Consultation

In accordance with the provisions of the Code, mandatory community consultation was undertaken between 26 July 2022 and 17 August 2022. Written notice was provided to the relevant State Government agencies being the NSW Rural Fire Service, Sydney Water, Ausgrid, NSW Department of Natural Resources Access Regulator, Transport for NSW, the State Emergency Services and Northern Beaches Council as well as the owners of neighbouring properties. These agencies and neighbours were invited to provide response submissions on the proposed activity within 21 business days of the date of the correspondence.

Responses was received from Natural Resources Access Regulator, Transport for NSW and NSW Rural Fire Services raising no objections to the proposal.

4. Consideration of Environmental Impacts

Environmental impacts generated by the proposal will be minimal for the following reasons:

- There is no change to the existing building footprint;
- The proposal is consistent with the exiting school use;
- The proposal is compatible with the existing surrounding land uses; and
- The proposal will not generate an increase in staff or student numbers or vehicle movements to the site.

The main issues discussed in the REF relate to:

- Legislative planning requirements of Commonwealth, State and local planning policies and legislation, specifically Chapter 3 of the *State Environmental Planning Policy – Transport and Infrastructure 2021 (the T&I SEPP)*; and
- Key environmental considerations.

The REF addresses the requirements of Part 5 of the *EP&A Act* by considering, to the fullest extent possible, all matters affecting or likely to affect the environment from the proposed activity. The REF also considers factors prescribed under clause 228 of the EP&A Regulation.

5. Conclusion

The REF concludes that the proposal will not affect threatened species, populations, ecological communities or their habitats.

The REF also finds that the proposed activity will not impact on matters of National Environmental Significance or Commonwealth land, and therefore does not require a referral under the *Environment Protection and Biodiversity Conservation Act 1999*.

The key conclusions of the environmental impacts detailed in the REF are accepted for the following reasons:

- The REF has been prepared by persons appropriately qualified and trained to consider and assess the impacts of the proposal.
- The REF provides a true and fair review of the proposal concerning its potential effects on the environment; and
- The REF is comprehensive and takes into account, to the fullest extent possible, all matters affecting or likely to affect the environment as a result of the proposal.

6. Determination

I, **Greg Morris**, am authorised by Oxford Falls Grammar School, to determine the proposal for the construction of a first-floor library, above the car park and amenities building, and have not conducted the prior assessment of the Review of Environmental Factors (REF).

I have reviewed and examined the REF prepared by DM Planning for the library addition, at 1078 Oxford Falls Road, Oxford Falls, in accordance with Part 5 of the EP&A Act.

Having taken into consideration the assessment and evaluation of the proposal 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.

The proposed activity may now proceed subject to the following conditions:

1. Compliance with any relevant provisions of the National Construction Code (NCC).
2. Implementation and compliance with the conditions stipulated in the REF.

I can confirm that this Decision Statement and the REF for the proposal will be made available on the school's website prior to the commencement of the proposed activity.

Signature: 

Name: **Greg Morris**

Position: **Head of Operations**

Date: **19 August 2022**