



planning consultants

Statement of Environmental Effects

Proposed Tree Removal and Replacement Planting

Narrabeen North Public School and Narrabeen Sports High School

6 & 10 Namona Street, North Narrabeen

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Abbreviations

AHD	Australian Height Datum
AS	Australian Standard
ASS	acid sulfate soils
BC Act	<i>Biodiversity Conservation Act 2016</i>
BCA	Building Code of Australia
CC	construction certificate
CIV	capital investment value
Council	Northern Beaches Council
DA	development application
DCP	development control plan
DFP	DFP Planning Pty Limited
DPIE	NSW Department of Planning and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPI	environmental planning instrument
ESD	ecologically sustainable development
FSR	floor space ratio
GFA	gross floor area
HIS	heritage impact statement
LEP	local environmental plan
LGA	local government area
LPP	Local Planning Panel
NPW Act	<i>National Parks and Wildlife Act 1974</i>
NPWS	NSW National Parks and Wildlife Service
RL	reduced level
SEE	Statement of Environmental Effects
SEPP	state environmental planning policy
SIS	species impact statement
SULE	safe useful life expectancy
WM Act	<i>Water Management Act 2000</i>

1 Introduction

1.1 Commission

DFP has been commissioned by the NSW Department of Education to prepare a Statement of Environmental Effects (SEE) for the proposed tree removal and replacement planting of trees at Narrabeen North Public School (NNPS) and Narrabeen Sports High School (NSHS) at 6 & 10 Namona Street, North Narrabeen (the site).

The proposed Narrabeen Education Precinct development includes redevelopment of Narrabeen North Public School (NNPS) and Narrabeen Sports High School (NSHS). The Public School and High School have been identified by the NSW Department of Education (DoE) as requiring upgrade works.

The works at NNPS upgrade the primary school including demolition of existing buildings (Blocks H and J), construction of three (3) new buildings with refurbishment of three (3) existing buildings (Blocks B, K and V).

The works at NSHS upgrade the high school including addition of new two (2) storey extension to Building A, construction of new single storey amenities building and refurbishment of four (4) existing buildings (Buildings A, B, C and K).

This Development Application (DA) will seek consent for tree removal to facilitate works proposed under other planning pathways including Part 4 development application (DA), development without consent (REF) and exempt development.

The proposed development does not seek to increase staff or student numbers.

This SEE is to accompany a DA to Northern Beaches Council (Council). The site is zoned SP2 Infrastructure (Educational Establishment) (the SP2 Zone) under the *Pittwater Local Environmental Plan 2014* (the LEP).

The proposed tree removal and replacement development comprises:

- Removal of a total of 39 trees (2,673m² tree canopy) comprising the removal of 30 trees at NNPS and nine (9) trees at NSHS;
- Planting of a total of 53 trees (3,314m² tree canopy) comprising the planting of 13 trees at NNPS and 40 trees at NSHS.

The proposed tree removal and replacement works will increase the total tree canopy on site by 641m².

1.2 Purpose of this Statement

The purpose of this report is to provide Council and relevant NSW State Government Agencies with all relevant information necessary to assess the subject development proposal and to determine the DA in accordance with section 4.16 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2021* (the Regulation).

The proposed development is assessable pursuant to Part 4 of the EP&A Act.

Pursuant to Section 4.33 of the EP&A Act, the DA will be a Crown Development Application. Section 4.32 of the EP&A Act defines a crown development application as a “*development made by or on behalf of the crown*”. The proposed works are being undertaken on behalf of the NSW Department of Education.

1.3 Material Relied Upon

This SEE has been prepared by DFP based on the information listed below and a site inspection undertaken on 30 January 2020.

- Boundary Identification and Detail Survey Plan (*prepared by CMS Surveyors*);
- Architectural Plans - NNPS (*prepared by DesignInc*);

1 Introduction

- Architectural Plans – NSHS (*prepared by DesignInc*);
- Architectural Statement – Tree Removal (*prepared by DesignInc*);
- Arboricultural Impact Assessment and Tree Management Plans: Narrabeen North Public School) (*prepared by Independent Arboricultural Services*);
- Arboricultural Impact Assessment and Tree Management Plans: Narrabeen Sports High School (*prepared by Independent Arboricultural Services*);
- Ecological Assessment Report (*prepared by ADE Consulting Group*);
- Tree Reclamation and Replacement Plans (*prepared by DesignInc*);
- Landscape Architectural Statement (*prepared by DesignInc*);
- Heritage Impact Statement (*prepared by City Plan Heritage*); and
- Cost Summary (*prepared by Turner and Townsend*).

2 Background

2.1 Pre Lodgement Meeting

A pre-lodgement meeting was held with Council officers on 14 July 2022. This pre-lodgement meeting discussed all of the works proposed within the Narrabeen Education Precinct, including the proposed tree removal and removal DA. Formal meeting minutes and advice hasn't been received at the time of the preparation of this application. Nevertheless, feedback provided by Council at this meeting has been incorporated into this tree removal and replacement DA package.

2.2 Other works

The proposed tree removal and replacement works are being proposed as early works to facilitate the upgrades and refurbishment of NNPS and NSHS. These upgrade works are being proposed under separate planning pathways including:

- Exempt development;
- Development without Consent (Part 5); and
- Development with Consent (Part 4 Development Application).

The works at NNPS upgrade the school including demolition of existing buildings (Blocks H and J), construction of three (3) new buildings with refurbishment of three (3) existing buildings (Blocks B, K and V).

The works at NSHS upgrade the school including addition of new two (2) storey extension to Building A, construction of new single storey amenities building and refurbishment of four (4) existing buildings (Buildings A, B, C and K).

Site plans and demolition plans have been prepared by DesignInc showing the indicative masterplan for the upgrade works at NNPS and NSHS.

3 Site Context

3.1 Location

The Narrabeen Education Precinct is located at 6 and 10 Namona Street, North Narrabeen (**Figure 1**). The site is located to the north of Narrabeen Lagoon and east of Mullet Creek. The Tasman Sea is located approximately 900 metres to the west of the site.



Figure 1 Site Location

3.2 Site Description

NNPS is located at 6 Namona Street, North Narrabeen and is legally described as Lot 3 Deposited Plan (DP) 1018621. NSHS is located at 10 Namona Street, North Narrabeen and is legally described as Lot 12 DP 1119562. The site has a total area of 9.84 hectares.

The two schools are separated by Namona Street which is a no-through road from Pittwater Road. NSHS is located on the southern side of Namona Street and NNPS is located on the northern side of Namona Street.



Figure 2 Aerial Photograph – Narrabeen Education Precinct

3 Site Context

3.2.1 Narrabeen North Public School

NNPS has a total site area of 23,750m². The site is irregularly shaped with a street frontage to Namona Street of 92m.

Figure 3 is an aerial photograph of NNPS and its immediate context.



Figure 3 Aerial Photograph – Narrabeen North Public School

The site topography rises in the centre of the site, with the majority of buildings situated at RL4.3. There is a retaining wall along the Namona Street frontage.

Existing buildings at NNPS include:

- Block A: Administration Building (single-storey Bini Shell);
- Block B: Before and After School Care (single-storey with two interconnected Bini Shells)
- Block H: Staff Rooms;
- Block J: Homebases, computer room, storage and amenities;
- Block K: Special programs (1938 single-storey brick classroom building);
- Block N: Homebases;
- Block P: Homebases and storage;
- Block R: Homebases and amenities;
- Block S: Homebases;
- Block T: Homebases;
- Block U: Canteen, amenities and covered outdoor learning area (COLA); and
- Block V: Two storey building with homebases on the ground floor and library/music room on the first floor.

Other structures include the amphitheatre located on the western part of the site and 19 demountable buildings.

The main open play space is at the northern end of the site, along with a multi-purpose sports court.

3 Site Context

Vegetation on the site includes a mixture of native and exotic species. Vegetation along the southern boundary of the site has been identified as the vegetation community 'South-Coast Sands Bangalay Forest' (PCT 4027).

In 2022, the school has an enrolment of 719 students (Kindergarten to Year 6) and 62 staff (including full-time equivalent (FTE), temporary and casual staff).

3.2.2 Narrabeen Sports High School

NSHS has a total site area of 74,710m². The site is irregularly shaped with a street frontage to Namona Street of approximately 250m and a street frontage to Pittwater Road of 266m.

Figure 4 is an aerial photograph of the site and its immediate surrounds.

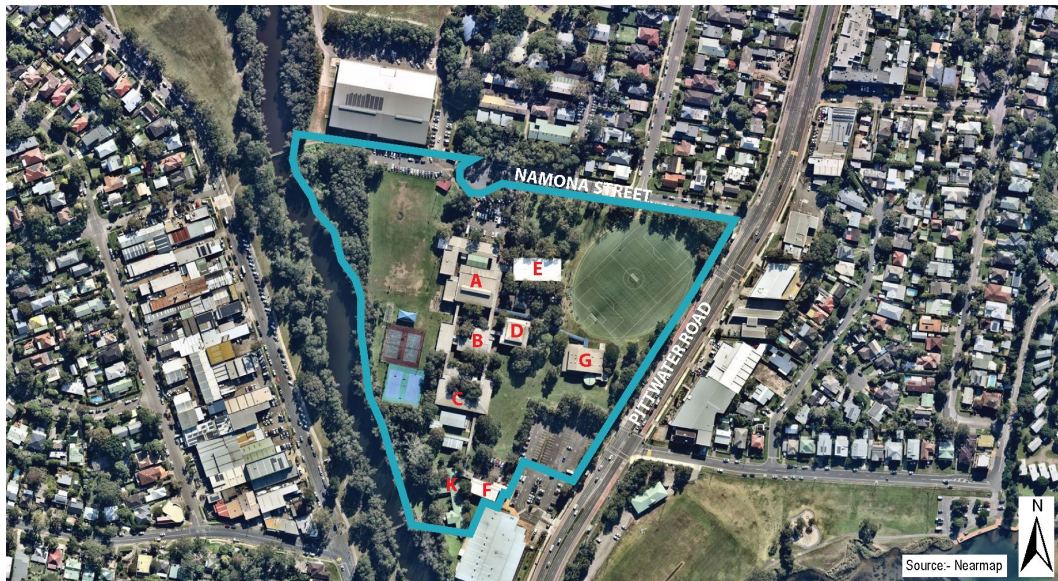


Figure 4 Aerial Photograph – Narrabeen Sports High School

The site topography is relatively flat with most of the school buildings located at RL2.3.

Existing buildings at NSHS include:

- **Building A:** Gymnasium and teaching spaces;
- **Building B:** Teaching spaces;
- **Building C:** Teaching spaces;
- **Building D:** Library;
- **Building E:** Administration and teaching spaces;
- **Building F:** Teaching Spaces;
- **Building G:** Hall; and
- **Building K:** Leased to Northern Beaches Community College.

Most of the buildings are two storeys except for Building E which is three storeys and Buildings G and K which are single storey.

The site includes two large sports fields along with multi-purpose sports courts.

Vegetation on the site is characterised by scattered trees. Vegetation along Mullet Creek (to the west of the school) is characterised as 'Swamp Oak Swamp Forest fringing estuaries, Sydney Basin Bioregion & South East Corner Bioregion (PCT 3638)'.

In 2022, NSHS has a student enrolment of 1,024 students across Years 7 – 12 with 106 staff (including FTE and non-teaching staff).

3 Site Context

3.3 Surrounding Development

Existing development within the immediate vicinity of the site includes the Northern Beaches Indoor Sports Centre (NBISC) located to the west of NNPS and Warriewood Valley Sports Ground located to the north-west. Immediately adjoining the eastern boundary of NNPS are low density residential properties which are located on Oak Street. South of NSHS is the Pittwater Sports Centre (PSC). To the west of the site is Mullet Creek which flows into the Narrabeen Lagoon. East of the site is Pittwater Road, Narrabeen Lagoon and public reserves as well as commercial buildings.

4 Proposed Development

4.1 Summary of Proposed Development

The proposed development comprises:

- Removal of a total of 39 trees (2,673m² tree canopy) comprising the removal of 30 trees at NNPS and nine (9) trees at NSHS;
- Planting of a total of 53 trees (3,314m² tree canopy) comprising the planting of 13 trees at NNPS and 40 trees at NSHS.

The proposed works will increase the total tree canopy on site by 641m².

The tree removal works are early works and will facilitate future upgrade and refurbishment works to NNPS and NSHS undertaken under separate planning pathways including exempt, development, without consent (Part 5) and development application (Part 4).

Figure 5 is an extract of the site plan prepared by DesignInc showing the location of the trees to be retained (green), removed (red) and the proposed location of the new trees (blue).



Figure 5 Tree Reclamation Plan (DesignInc)

4.2 Justification for the works

A comprehensive masterplan for the redevelopment of the Narrabeen Education Precinct has been undertaken by DesignInc. The proposed site plans for both NNPS and NSHS been included as part of the tree removal and replacement DA package.

4 Proposed Development

An Architectural Design Statement has been prepared by DesignInc in relation to the tree removal and replacement DA.

The following master plan and design principles have guided the location of the new buildings on both schools:

Narrabeen North Public School

- Maximise the retention of existing permanent buildings on the eastern part of the site with the new buildings replacing existing demountable classrooms;
- Development of the 'treehouse' design strategy with the new buildings being sited amongst the trees;
- New two (2) storey buildings located away from existing low density residential development to the east of the site to minimise amenity impacts (overshadowing, noise, visual and acoustic privacy);
- New buildings have been sited outside of the SHR curtilage. The new buildings have been sited to provide views and vistas towards the heritage listed Bini domes (Blocks A and B) from the south (Namona Street) and west;
- New buildings have been sited to avoid impacting on the part of the site mapped as 'high biodiversity value' under the Biodiversity Conservation Act 2016 (BC Act) and 'coastal wetland' under Chapter 2 of *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (B&C SEPP);
- Retention of the existing trees along the western boundary of the site to provide landscape screening of the new buildings;
- Maintain existing cleared play space at the northern end of the school;
- Locating the new buildings above the probable maximum flood (PMF) level, which results in increased ramp lengths;
- Provide an accessible path of travel between the site boundary and the new buildings; and
- Trees to be removed will be offset with new tree planting at NNPS and NSHS.

Narrabeen Sports High School

- New buildings and alterations and additions to existing buildings sited to avoid areas mapped as 'high biodiversity value' and 'coastal wetland';
- Provide an accessible and clear path of travel through the school via a covered walkway that links all buildings. Provide passive surveillance from the accessible path of travel to outdoor courtyards and open space;
- Maximise the space for the school's sporting and play fields; and
- Trees to be removed will be offset with new tree planting at NNPS and NSHS.

The size of the new buildings footprints has been determined by the requirements of the NSW Department of Education's Educational Facilities Standards and Guidelines (EFSG) to provide modern fit-for-purpose facilities that reflect the current best practice for educational facilities in NSW.

As noted in the Landscape Architectural statement prepared by DesignInc:

Proposed works to North Narrabeen Public School and Narrabeen Sports High School requires existing trees to be removed which are being affected by proposed building and construction works. Every effort has been made by the project architecture and landscape architecture team to retain the maximum number of trees across the site, whilst ensure the minimum needs for the school development are met. Multiple building and associated

4 Proposed Development

landscape works options and locations have been explored to retain and protect trees, with the final scheme deemed the most effective.

It is considered that the new buildings have been sited having regard to the environmental opportunities and constraints of the site including heritage, biodiversity, flooding, safety, accessibility and operational considerations. The tree removal will be offset with the planting of new trees which will increase the area of tree canopy from 29,210m² to 29,851m² (+641m²). It is therefore considered that the proposed development will provide a long-term environmental benefit to the site and surrounding locality.

4.3 Tree Removal

4.3.1 Narrabeen North Public School

An Arboricultural Impact Assessment (AIA) Report and Tree Management Plan for NNPS has been prepared by Independent Arboricultural Services. The AIA report assesses a total of 184 trees located at NNPS.

A total of 30 trees are proposed to be removed at NNPS to facilitate the future school buildings works (under separate planning pathways). **Table 1** identifies each tree to be removed, its tree retention value and the reasons for removal.

Table 1 Proposed trees to be removed at NNPS			
Tree Number	Botanical Name (Common Name)	Tree Retention Value	Reason for removal
61	<i>Lophostemon confertus</i> (Queensland Brush Box)	High	Major impact. Located within the footprint of the future classroom building. Removal to be offset by new tree planting
62	<i>Eucalyptus</i> sp. (Gum)	High	Major impact. Located within the footprint of the future classroom building. Removal to be offset by new tree planting
63	<i>Eucalyptus scoparia</i> (Wallangarra Gum)	High	Major impact. Located within the footprint of the future classroom building. Removal to be offset by new tree planting
64	<i>Eucalyptus robusta</i> (Swamp Mahogany)	High	Major impact. Located within the footprint of the future classroom building. Removal to be offset by new tree planting
65	<i>Glochidion ferdinandi</i> (Cheese Tree)	Medium	Major impact. Located within the footprint of the future classroom building. Removal to be offset by new tree planting
66	<i>Syagrus romanzoffiana</i> (Queen Palm)	Low	Major impact. Located within the footprint of the future classroom building. Removal to be offset by new tree planting
67	<i>Glochidion ferdinandi</i> (Cheese Tree)	High	Major impact. Located immediately adjacent to the footprint of the future classroom building. Removal to be offset by new tree planting
70	<i>Glochidion ferdinandi</i> (Cheese Tree)	Medium	Major impact. Located within the footprint of the future classroom building. Removal to be offset by new tree planting
71	<i>Acacia elata</i> (Cedar Wattle)	Medium	Major impact. Located within the footprint of the future classroom building. Removal to be offset by new tree planting

4 Proposed Development

Table 1 Proposed trees to be removed at NNPS			
Tree Number	Botanical Name (Common Name)	Tree Retention Value	Reason for removal
72	<i>Eucalyptus saligna</i> (Sydney Blue Gum)	Low	Major impact. Located between future classroom building and future administration building. Removal provides opportunity to provides views the Bini Dome buildings from the west. Removal to be offset by new tree planiting.
73	<i>Pinus radiata</i> (Monterey Pine)	High	Major impact. Located within footprint of future administration and multi-purpose hall building. Removal to be offset by new tree planting
74	<i>Pinus radiata</i> (Monterey Pine)	High	Major impact. Located within footprint of future administration and multi-purpose hall building. Removal to be offset by new tree planting
75	<i>Glochidion ferdinandi</i> (Cheese Tree)	High	Major impact. Located within footprint of future administration and multi-purpose hall building. Removal to be offset by new tree planting
76	<i>Elaeocarpus</i> sp. (Blue Berry Ash)	Medium	Major impact. Located within footprint of future administration and multi-purpose hall building. Removal to be offset by new tree planting
77	<i>Howea forsteriana</i> (Kentia Palm)	Medium	Major impact. Located within footprint of future administration and multi-purpose hall building. Removal to be offset by new tree planting
78	<i>Syzygium</i> sp. (Lilly Pilly)	Medium	Major impact. Located within footprint of future administration and multi-purpose hall building. Removal to be offset by new tree planting
79	<i>Cupaniopsis anacardioides</i> (Tuckeroo)	Medium	Major impact. Located within footprint of future administration and multi-purpose hall building. Removal to be offset by new tree planting
80	<i>Angophora costata</i> (Smooth-barked Apple Myrtle)	High	Major impact. Located within footprint of future administration and multi-purpose hall building. Removal to be offset by new tree planting
81	<i>Eucalyptus punctata</i> (Grey Gum)	High	Major impact. Located within footprint of future administration and multi-purpose hall building. Removal to be offset by new tree planting
82	<i>Glochidion ferdinandi</i> (Cheese Tree)	High	Major impact. Located within footprint of future administration and multi-purpose hall building. Impacted by new accessible pedestrian pathway linking the NBISC and the school's new administration building. Removal to be offset by new tree planting
83	<i>Glochidion ferdinandi</i> (Cheese Tree)	Low	Major impact. Located within footprint of future administration and multi-purpose hall building. Removal to be offset by new tree planting
84	<i>Eucalyptus sideroxylon</i> (Red Ironbark)	High	Major impact. Located within footprint of future administration and multi-purpose hall building. Removal to be offset by new tree planting

4 Proposed Development

Table 1 Proposed trees to be removed at NNPS			
Tree Number	Botanical Name (Common Name)	Tree Retention Value	Reason for removal
85	<i>Cinnamomum camphora</i> (Camphor Laurel)	Low	Major impact. Located within footprint of future administration and multi-purpose hall building. Removal to be offset by new tree planting
86	<i>Glochidion ferdinandi</i> (Cheese Tree)	Medium	Major impact. Impacted by new accessible pedestrian pathway linking the NBISC with the school's new administration building. Removal to be offset by new tree planting
107	<i>Melaleuca quinquenervia</i> (Common Paperbark)	High	Major impact. Removed to facilitate demountable classrooms and mitigate potential impacts on Trees 115, 116, 138 – 150. Removal to be offset by new tree planting
137	<i>Cinnamomum camphora</i> (Camphor Laurel)	Low	Major impact. Located within footprint of future administration and multi-purpose hall building. Removal to be offset by new tree planting
159	<i>Phoenix canariensis</i> (Canary Island Date Palm)	Medium	Major impact. Located immediately adjacent to the footprint of the future classroom building. Removal to be offset by new tree planting
161	<i>Glochidion ferdinandi</i> (Cheese Tree)	High	Major impact. Located within the footprint of the future classroom building. Removal to be offset by new tree planting
163	<i>Glochidion ferdinandi</i> (Cheese Tree)	High	Major impact. Located immediately adjacent to the footprint of the future classroom building. Removal to be offset by new tree planting
164	<i>Cinnamomum camphora</i> (Camphor Laurel)	Low	Major impact. Located within the footprint of the future classroom building. Removal to be offset by new tree planting

Of the trees proposed to be removed:

- 15 trees have been identified as having high tree retention value;
- Nine (9) tree have been identified as having medium tree retention value; and
- Six (6) trees have been identified as having low tree retention value.

A further 21 trees have been identified as being able to be retained subject to the recommendations of the arborist and final detailed design (Trees 46, 50 – 60, 128, 131, 158, 162, 165, 167 and 168).

All other trees are proposed to be retained and protected during the works. The AIA report provides recommendations in relation to the establishment of appropriate Tree Protection Zones (TPZ) for the trees to be retained and the mitigation of construction impacts on the retained trees in accordance with the requirements of *AS 4970(2009) Protection of trees on development sites* and *AS 4373 (2007) Pruning of amenity trees*.

4.3.2 Narrabeen Sports High School

An Arboricultural Impact Assessment (AIA) Report and Tree Management Plan for NSHS has been prepared by Independent Arboricultural Services. The AIA report assesses a total of 275 trees located at NSHS.

4 Proposed Development

A total of nine (9) trees are proposed to be removed to facilitate the proposed future school building and other works (under separate planning pathways). **Table 2** identifies each tree to be removed, its tree retention value and the reasons for removal.

Table 2 Proposed trees to be removed at NSHS

Tree Number	Botanical Name (Common Name)	Tree Retention Value	Reason for removal
45	<i>Melaleuca stypheliodes</i> (Prickly Paperbark)	High	Major impact. Located within the footprint of the future amenities building. Removal to be offset by new tree planting
46	<i>Casuarina glauca</i> (Grey She-oak)	High	Major impact. Located within the footprint of the future amenities building. Removal to be offset by new tree planting
99	Various sp. (Group of trees)	High	Potential to be impacted by the future amenity building. Tree 99 comprises a group of trees and further assessment by the Project Arborist needs to be undertaken to determine which trees within the group are to be removed and which trees are to be retained.
221	<i>Casuarina cunninghamiana</i> (River She-oak)	High	Tree is located within 3m of Building K and could impact on the structural integrity of the existing building and result in on-going maintenance issues. Removal to be offset by new tree planting
222	<i>Banksia integrifolia</i> (Coast Banksia)	High	Tree is located within 3m of Building K and could impact on the structural integrity of the existing building and result in on-going maintenance issues. Removal to be offset by new tree planting
223	<i>Eucalyptus botryoides</i> (Southern Mahogany)	High	Tree is located within 3m of Building K and could impact on the structural integrity of the existing building and result in on-going maintenance issues. Removal to be offset by new tree planting
224	<i>Banksia integrifolia</i> (Coast Banksia)	High	Tree is located within 3m of Building K and could impact on the structural integrity of the existing building and result in on-going maintenance issues. Removal to be offset by new tree planting
234	<i>Banksia integrifolia</i> (Coast Banksia)	High	Tree is located within 3m of Building K and could impact on the structural integrity of the existing building and result in on-going maintenance issues. Removal to be offset by new tree planting
235	<i>Casuarina glauca</i> (Grey She-oak)	High	Tree is located within 3m of Building K and could impact on the structural integrity of the existing building and result in on-going maintenance issues. Removal to be offset by new tree planting

All nine (9) trees to be removed have been identified as having high tree retention value.

4 Proposed Development

All other trees are proposed to be retained and protected during the works. The AIA report provides recommendations in relation to the establishment of appropriate Tree Protection Zones (TPZ) for the trees to be retained and the mitigation of construction impacts on the retained trees in accordance with the requirements of AS 4970(2009) *Protection of trees on development sites* and AS 4373 (2007) *Pruning of amenity trees*.

4.4 Tree Replacement and Planting

It is proposed to plant a total of 53 new trees within the site to offset the tree removal (total canopy area 3,314m²). It is proposed to provide new trees that at maturity will replace tree canopy loss and increase the overall tree canopy on the site by 641m². The following landscape advice is provided by DesignInc in relation to the location of the new planting and species selection:

The proposed replacement tree species include species selected from the locally native ecological community of Swamp Oak Floodplain Forest and Swamp Oak tall open forest including: Glochidion ferdinandi, Banksia integrifolia, Livistona australis, Melaleuca styphelioides, Casuarina glauca, Eucalyptus robusta. Additional native trees are proposed due to their habit and shading potential which include Ficus microcarpa, Elaeocarpus reticulatus and Tristianopsis laurina.

As all proposed tree species are native and suited to the local environment, they will require a lower level of ongoing maintenance and will be more resilient to weather extremes. The proposed species are suitable for a school environment and have been placed at a safe offset from all existing and proposed buildings. Larger tree species have been positioned to allow healthy unrestricted growth and where possible away from high traffic areas. Trees are proposed within the existing carpark areas to provide shading of hard surfaces and smaller tree species are proposed within school seating areas to provide shade for students and staff. Regular ongoing inspections from consulting arborists will ensure trees are maintained in a healthy manner and continue to be safe for a school environment.

The final location of proposed trees is subject to changes during detailed design however the replacement strategy and minimum proposed tree quantities outlined will remain.

Figure 6 provides an indicative tree schedule including species selection and supply size of the trees.

INDICATIVE PROPOSED TREE SCHEDULE				
NARRABEEN EDUCATION PRECINCT				
CODE	BOTANICAL NAME	COMMON NAME	MATURE SIZE (H x W)	SUPPLY SIZE
TREES				
Bai	<i>Banksia integrifolia</i> *	Coastal Banksia	15 x 6m	100L
Cag	<i>Casuarina glauca</i> *	Swamp She-Oak	15 x 15m	100L
Elr	<i>Elaeocarpus reticulatus</i> *	Blueberry Ash	8 x 4m	100L
Eur	<i>Eucalyptus robusta</i> *	Swamp Mahogany	30 x 10m	100L
Fmh	<i>Ficus microcarpa hillii</i> **	Hills Weeping Fig	10-25 x 10m	100L
Glf	<i>Glochidion ferdinandi</i> *	Cheese Tree	15 x 7m	100L
Lia	<i>Livistona australis</i> *	Cabbage Palm	25 x 5m	100L
Mel	<i>Melaleuca styphelioides</i> *	Prickly Paperbark	10 x 8m	100L
Trl	<i>Tristianopsis laurina</i> **	Kanooka Gum	12-15 x 6m	100L

* Locally Native to Swamp Oak Floodplains/Tall Open Forest

** Native species

Figure 6 Indicative tree schedule (DesignInc)

It is proposed that some of the replacement tree planting can be undertaken as early works within three (3) months of the commencement of the works, subject to the finalisation of the construction methodology. All of the tree planting can be completed within two (2) years of the commencement of the works.

5 Approvals, Permits and Licences

5.1 General

The proposed development requires or may be deemed to require several approvals, consents, licences, permits or permissions from various government departments, pursuant to legislation other than the EP&A Act.

This section outlines relevant other legislation including the approvals, licences and permits which may need to be sought concurrently with the DA. This outline is structured under headings relating to the relevant legislation.

5.2 Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (BC Act) commenced on 25 August 2017 and repealed the *Threatened Species Conservation Act 1995*, *Nature Conservation Trust Act 2001* and *Native Vegetation Act 2003*. Under the BC Act, preparation of a Biodiversity Development Assessment Report (BDAR) is required for a Development Application that meets any of the following criteria:

- State Significant Development;
- Development that has the potential to impact Areas of Outstanding Biodiversity Values as declared under Part 3 of the BC Act;
- Development that has the potential to impact areas mapped as having 'high biodiversity values' on the Biodiversity Value Map published by the NSW Environment, Energy and Science Group (former Office of Environment and Heritage);
- Development that involves the clearing of native vegetation that exceeds the Biodiversity Offset Scheme (BOS) thresholds; and
- Development that has the potential to cause a significant impact on a threatened species, population or ecological community, as determined by the application of the test of significance under Section 7.3 of the BC Act.

The site is identified as containing areas mapped as having 'high biodiversity values' on the Biodiversity Values Map (**Figure 7**).



Figure 7 Biodiversity Value Map

No tree removal is proposed on the part of the site mapped as high biodiversity values under the BC Act. Nevertheless, an ecological assessment against the provisions of Section 7.3 of the BC Act have been undertaken by ADE Consulting Group.

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Existing flora and fauna

Based on an ecological survey of the site, the following two (2) Plant Community Types (PCTs) have been identified on the site:

- PCT 4027 “Swamp Oak Floodplain Forest of New south Wales North Coast, Sydney Basin and South East Corner Bioregions” (Swamp Oak Forest); and
- PCT 3638 “Bangalay Sand Forest of the Sydney Basin and South East Corner Bioregions” (Bangalay Forest).

Figure 8 shows the extent of these PCTs on the site, along with the location of planted vegetation including both planted exotic and native species. PCT 4027 is located along Mullet Creek along the western boundary of NSHS and has a total area of 1.56 hectares. PCT 3638 is located within NNPS between Namona Street and the existing school buildings.

Both PCTs correspond to Threatened Ecological Communities (TECs) identified under the BC Act,

The ecological survey identified a total of 96 flora species recorded on the site. Of the 96 flora species, 31 are considered to be introduced or weed species. One threatened flora species *Eucalyptus scoparia* (Wallangarra Gum) was identified on the site. However, it is native to northern New South Wales and southern Queensland and is identified as an exempt species in the Northern Beaches Local Government Area. No other threatened flora species or conservation significant flora species were recorded on or adjacent to the site.

The ecological survey identified 13 fauna species comprising common avian and mammalian species. No threatened avian, mammal, reptile or amphibian species were observed during the site inspection. An assessment of the likely occurrence of threatened fauna species found that the following species may have some potential to occur on the site:

- Southern Myotis (*Myotis macropus*);
- Eastern Freetail Bat (*Micronomus norfolkensis*);
- Eastern Long-eared Bat (*Nyctophilus bifax*),
- Grey-headed Flying Fox (*Pteropus poliocephalis*);
- Fork-tailed Swift (*Apus pacificus*); and
- Powerful Owl (*Ninox strenua*).

Test of significance

Section 7.3 of the BC Act outlines the test of significance to assess the likelihood of significant impacts upon any listed species, populations or ecological communities listed under the BC Act. Sections 5 and 6 of the Ecological Assessment Report provides an assessment of the potential impacts of the proposed tree removal on any listed species, populations or ecological communities and provide an assessment against section 7.3 of the BC Act.

5 Approvals, Permits and Licences



Figure 8 Plant communities located on the site (AED Consulting)

The Ecological Assessment Report concludes as follows:

7.1 Direct Impacts

7.1.1 Threatened Ecological Communities

Two threatened ecological communities (TEC's) were identified as occurring on the Subject Site. The vegetation present along the banks of Mullet Creek corresponds to "Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions" TEC. Further to this, the vegetation community Bangalay Open Forest may also correspond to the "Bangalay Sand Forest of the Sydney Basin and South East Corner bioregion TEC. As no clearing will be undertaken within these TEC's, the proposed

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school upgrade is not expected to impact on these communities. As a consequence, regulations under the BC Act do not require the preparation of a Biodiversity Assessment Report (BDAR).

7.1.2 Wetland Areas

The development site contains mapped Plant Community Type (PCT) 4027 Swamp Oak Swamp Forest Fringing Estuaries, Sydney Basin and South East Corner Bioregion along the riparian buffer of Mullet Creek as well as two patches of vegetation adjacent to Namona Street. This community is classified as a wetland in accordance with the Coastal Resilience and Hazards SEPP and falls under the vegetation formation of a forested wetland. This vegetation community is not located within the proposed development footprint. To ensure no impacts result on this community, it will be important to outline its presence, the implications of any associated construction activities occurring within the boundaries of this area on all construction personnel. This information should be outlined to all personnel prior to works commencing or personnel commencing work on the site.

7.1.3 Threatened Flora

Two specimens of *Eucalyptus scoparia* (Wallangarra Gum) will be cleared as a consequence of the proposed development. This species is listed as Endangered under BC Act. This species natural range is from far northern NSW and southern Queensland. This species has been extensively planted as an urban landscaping tree. Under the Pittwater LEP, this species is identified as an "Exempt Tree" and can be cleared unless it's identified as a Heritage Item or occurs within a Heritage Area.

No other threatened flora species have previously been recorded on the Subject Site. Due to the historic disturbance to the Subject Site, and the ongoing use and maintenance of the site as a school ground, no threatened flora species are expected to occur. As a consequence, regulations under the BC Act do not require the preparation of a BDAR.

7.1.4 Threatened Fauna

The proposed works will impact 30 trees and potentially a further 19 trees on the NNPS site and nine trees on the NSHS site, which may provide highly limited potential foraging habitat for the above listed threatened species. This habitat is unlikely to be important to the survival of any of these species as the trees occur in patches, experiencing high levels of disturbance and edge effects. Additionally, within the locality, larger and more suitable patches of vegetation for these species occur within a number of reserves including Warriewood Reserve. Furthermore, all of these species are highly mobile and the proposed works will not decrease the movement of individuals and gene flow between areas of potential habitat throughout the locality or within or between their local populations. For these reasons, the proposed development is considered unlikely to have a significant impact on any of these threatened species. As a consequence, regulations under the BC Act do not require the preparation of a BDAR.

7.2 Indirect Impacts

7.2.1 Erosion and Sedimentation Control

It is recommended that a site-specific sedimentation and erosion control plan be developed for the Subject Site. This will ensure that no downstream impacts will occur on any conservation significant species.

7.2.2 Weed Management

Given construction access will be over dedicated hardstand and aggregate, it is considered that there will be a low risk for the ingress or egress of weeds. As a consequence, no specific weed management recommendations are required.

It is therefore concluded that the proposed tree removal and replacement will not have any significant impacts upon any listed species, populations or ecological communities and that the impacts of the proposed development have been appropriately avoided, minimised and managed in accordance with the relevant provisions of the BC Act.

5.3 Heritage Act 1977

The *Heritage Act 1977* contains provisions relating to the protection of items of heritage significance. Section 58 of the *Heritage Act* requires that approval from the Heritage Council of NSW is obtained prior to undertaking any development likely to have an impact on an item listed on the State Heritage Register or subject to an interim heritage order.

5 Approvals, Permits and Licences

NNPS is identified as containing an item (Block B Double Bini Dome) of State heritage significance (SHR No. 02037 “The Binishell Collection (Department of Education)) on the State Heritage Register under the Heritage Act. The extent of the SHR curtilage is shown in **Figure 9**. The SHR listing curtilage excludes Block A (Single Bini Dome) which forms part of the local heritage item under Schedule 5 of the LEP.

No tree removal or replacement is proposed within the boundary of the SHR curtilage and therefore, no approval is required from the Heritage Council of NSW.

A Heritage Impact Statement (HIS) has been prepared by City Plan Heritage that provides an assessment of the impacts of the proposed tree removal and replacement works on the heritage significance of the site. The HIS concludes that the proposed tree removal and replacement will not have an adverse impact on the heritage significance of the site (refer to **Section 6.2.3**).



State Heritage Register - Proposed Curtilage for Investigation:
 North Narrabeen Public School Library (under consideration).
 Plan: 3245
 6 Namona Street, Narrabeen

Legend

- Proposed Curtilage
- SHR Curtilage
- LGAs

Figure 9 State Heritage Register Curtilage

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5.4 National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NPW Act), administered by Heritage NSW, is the primary legislation for the protection of Aboriginal cultural heritage in NSW. The NPW Act gives the Director General of Heritage NSW responsibility for the proper care, preservation and protection of 'Aboriginal objects' and 'Aboriginal places', defined under the Act as follows:

- an Aboriginal object is any deposit, object or material evidence (that is not a handicraft made for sale) relating to Aboriginal habitation of NSW, before or during the occupation of that area by persons of non-Aboriginal extraction (and includes Aboriginal remains).
- an Aboriginal place is a place declared so by the Minister administering the NPW Act because the place is or was of special significance to Aboriginal culture. It may or may not contain Aboriginal objects.

Section 90 of the NPW Act requires an Aboriginal Heritage Impact Permit (AHIP) to be granted by Heritage NSW for any works likely to destroy, deface, damage or knowingly cause or permit the destruction or defacement of a relic or Aboriginal place or object. In addition, section 87 provides that it is a defence to a prosecution if harm or desecration to a relic or Aboriginal place or object was authorised by an Aboriginal heritage impact permit and the conditions to which that permit was subject were not contravened.

A search of the Aboriginal Heritage Information Management Sydney (AHIMS) has identified that there are two (2) Aboriginal sites recorded within one (1) kilometre of the site. The riparian corridor along Mullet Creek has been identified as an archaeologically sensitive landform. However, no tree removal is proposed within the vicinity of Mullet Creek and the tree removal works are located on parts of the site that has been previously disturbed.

In the event that any items of Aboriginal Cultural Heritage significance are uncovered, then it is noted that all Aboriginal objects are protected under the *National Parks & Wildlife Act 1974* (NPW Act) regardless of if they are identified on the Aboriginal Heritage Information Management System (AHIMS) or not. If suspected Aboriginal objects are uncovered during the tree removal and replacement works, works must cease in the affected area and a suitably qualified archaeologist must assess the finds.

5.5 Water Management Act 2000

The objects of the WM Act are generally “*to provide for the sustainable and integrated management of the water sources of the State for the benefit of both present and future generations....*”

Part 3 of Chapter 3 of the WM Act relates to Approvals and section 91(2) requires a 'controlled activity approval' for works at a specified location in, on or under 'waterfront land'. The requirement for an approval of this nature triggers the integrated approval provisions of the EP&A Act. 'Controlled activity' and 'waterfront land' are defined by the WM Act as follows:

“controlled activity means:

- the erection of a building or the carrying out of a work (within the meaning of the Environmental Planning and Assessment Act 1979), or*
- the removal of material (whether or not extractive material) or vegetation from land, whether by way of excavation or otherwise, or*
- the deposition of material (whether or not extractive material) on land, whether by way of landfill operations or otherwise, or*
- the carrying out of any other activity that affects the quantity or flow of water in a water source.*

...

waterfront land means:

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- (a) *the bed of any river, together with any land lying between the bed of the river and a line drawn parallel to, and the prescribed distance inland of, the highest bank of the river, or*
- (a1) *the bed of any lake, together with any land lying between the bed of the lake and a line drawn parallel to, and the prescribed distance inland of, the shore of the lake, or*
- (a2) *the bed of any estuary, together with any land lying between the bed of the estuary and a line drawn parallel to, and the prescribed distance inland of, the mean high water mark of the estuary, or*
- (b) *if the regulations so provide, the bed of the coastal waters of the State, and any land lying between the shoreline of the coastal waters and a line drawn parallel to, and the prescribed distance inland of, the mean high water mark of the coastal waters,*

where the prescribed distance is 40 metres or (if the regulations prescribe a lesser distance, either generally or in relation to a particular location or class of locations) that lesser distance. Land that falls into 2 or more of the categories referred to in paragraphs (a), (a1) and (a2) may be waterfront land by virtue of any of the paragraphs relevant to that land.”

Mullet Creek is located along the western boundary of the site and is identified as a third order stream that runs into the Narrabeen Lagoon. The proposed development includes tree removal to the north-east of Building K, which is approximately 40m from Mullet Creek and therefore could be classified as waterfront land under the WM Act.

Pursuant to clause 41 of the *Water Management (General) Regulation 2018*, public authorities are exempt from requiring approval under the WM Act for controlled activities that are carried out in, on or under waterfront land. Therefore, a control activity approval is not required to be issued by the Natural Resources Access Regulator (NRAR) in relation to the proposed development.

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This section provides an environmental assessment of the proposed development in respect of the relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act).

The key environmental planning issues associated with the proposed development are:

- Compliance with relevant planning policies and controls;
- Biodiversity, Flora and Fauna;
- Heritage Conservation; and
- Visual Impact.

An assessment of these issues is provided in the following subsections.

6.1 Planning Controls

The following subsections assess the proposal against the relevant provisions of applicable Environmental Planning Instruments (EPIs), Draft EPIs, Development Control Plans (DCPs), Planning Agreements and matters prescribed by the Regulation in accordance with section 4.15(1)(a) of the EP&A Act.

6.1.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

On 1 March 2022, the following SEPPs and deemed SEPPs were repealed and the relevant provisions transferred to *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (B&C SEPP):

- *State Environmental Planning Policy (Vegetation in non-rural areas) 2017*;
- *State Environmental Planning Policy (Koala Habitat Protection) 2020*;
- *State Environmental Planning Policy (Koala Habitat Protection) 2021*;
- *Murray River Regional Environmental Plan No 2 – Riverine Land*;
- *State Environmental Planning Policy No 19 – Bushland in Urban Areas*;
- *State Environmental Planning Policy No 50 – Canal Estate Development*;
- *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*;
- *Sydney Regional Environmental Plan 20 – Hawkesbury-Nepean River No. 2 1997*;
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*;
- *Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment*, and
- *Willandra Lakes Regional Environmental Plan No 1 – World Heritage Property*.

Chapter 2: Vegetation in non-rural areas

The provisions of Chapter 2 of the B&C SEPP are a relevant consideration in relation to the proposed development as the works will require the removal of vegetation. The tree removal forms part of the development application.

The aims of Chapter 2 are as follows:

- (a) *to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and*
- (b) *to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.*

An assessment of the impacts of the proposed tree removal on the biodiversity values of the site is addressed in the Ecological Assessment Report prepared by AED Consulting (refer to **Section 5.2**).

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Pursuant to Section 2.10(3) of the B&C SEPP, Council cannot issue a tree removal permit that allows the clearing of vegetation that forms part of a heritage item. NNPS is identified as an item of local heritage item and contains an item of State significance, therefore Council can not issue a tree removal permit in relation to the tree removal at NNPS. Due to the number of trees proposed to be removed, it is considered that the most appropriate planning pathway is a DA to Council.

Two Arboricultural Impact Assessment Reports have been prepared by Independent Arboricultural Services to address the tree removal at NNPS and NSHS. A total of 39 trees are proposed to be removed to facilitate the future works within the Narrabeen Education Precinct proposed under separate planning pathways. This will be offset by the planting of 53 new trees (refer to **Section 6.2.2**).

Chapter 4 Koala Habitat Protection 2021

Chapter 4 of the B&C SEPP aims to “*encourage the conservation and management of areas of natural vegetation that provide habitat for Koalas to support a permanent free-living population over their present range and reverse the current trend of Koala population decline.*”

Chapter 4 of the SEPP applies to the site as it is within the Northern Beaches LGA (which is listed in Schedule 1 of the SEPP) and comprises land greater than 1 ha. Northern Beaches Council does not have an approved Koala Plan of Management.

Pursuant to section 4.9 of the B&C SEPP, prior to the granting of development consent the consent authority must assess whether the proposed development is likely to have an impact on koalas or koala habitat. The Ecological Assessment report prepared by AED Consulting provides an assessment of the site and whether it constitutes core koala habitat. The Ecological Assessment report notes the following:

- A review of the Bionet database has identified that no Koalas have been recorded on or within 1.5 kilometres of the site;
- The site has been previously disturbed and is surrounded by security fencing;
- Koala feed tree species have been identified on the site including *Eucalyptus botryoides* (Bangalay), *Eucalyptus robusta* (Swamp Mahogany), *Casuarina glauca* (Swamp Oak), *Eucalyptus saligna* (Sydney Blue Gum), *Eucalyptus siderophloia* (Grey Ironbark) and *Melaleuca quinquenervia* (Broad-leaved Paperbark). A targeted survey of these trees do not identify any koalas or evidence such as Koala scats or scratch marks on trees.

It is therefore considered that the site does not comprise core koala habitat and that the proposed tree removal is likely to have a low or negligible impact on koalas or koala habitat.

Chapter 6 Bushland in Urban Areas

The aim of Chapter 6 of the B&C SEPP is to protect bushland in public open space zones and reservations and to ensure that bushland preservation is given a high priority where new urban development takes place. The site adjoins land zoned RE1 Public Recreation (the RE1 zone) under the LEP and therefore the provisions of Chapter 6 of the B&C SEPP are a relevant consideration.

Section 6.8 of the B&C SEPP applies to land which adjoins bushland zoned or reserved for public open space. Development consent cannot be granted unless the consent authority has taken into account the requirements of section 6.8(2) as follows:

- (c) *the need to retain any bushland on the land,*
- (d) *the effect of the proposed development on bushland zoned or reserved for public open space purposes and, in particular, on the erosion of soils, the siltation of streams and waterways and the spread of weeds and exotic plants within the bushland, and*

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- (e) any other matters which, in the opinion of the approving or consent authority, are relevant to the protection and preservation of bushland zoned or reserved for public open space purposes.

In this regard,

- No trees are proposed to be removed on land reserved for public open space and the works do not encroach into the RE1 zoned land;
- Appropriate tree protection measures will be established by the project arborist to protect all of the trees to be retained on site;
- Erosion and sediment control measures will be implemented prior to the commencement of any works on site to minimise stormwater contamination and the siltation of nearby streams and waterways; and
- The proposed development will increase the overall quantity of tree canopy on site, which will provide a positive environmental benefit and retain the bushland character of the precinct.

6.1.2 State Environmental Planning Policy (Resilience and Hazards) 2021

On 1 March 2022, the following SEPPs were repealed, and the relevant provisions transferred to *State Environmental Planning Policy (Resilience and Hazards) 2021* (R&H SEPP):

- *State Environmental Planning Policy (Coastal Management) 2018*;
- *State Environmental Planning Policy No 33 – Hazardous and Offensive Development*; and
- *State Environmental Planning Policy No. 55 – Remediation of Land*.

Chapter 2: Coastal Management

The *Coastal Management Act 2016* (CM Act) was gazetted by the NSW Government on 3 April 2018, replacing the *Coastal Protection Act 1979*. It establishes a new strategic framework and objectives for managing NSW's coasts.

Chapter 2 of the R&H SEPP gives effect to the objectives of the CM Act and establishes DA assessment criteria. Under Chapter 2 of the R&H SEPP, the site is mapped as containing 'coastal wetlands' and 'proximity to coastal wetlands' (**Figure 10**). No tree removal works are proposed on the part of the site mapped as 'coastal wetlands'. It is also mapped as containing 'coastal environment area' and 'coastal use area' under the R&H SEPP.



Figure 10 Coastal Wetland and Proximity Area for Coastal Wetlands Map

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Table 3 provides an assessment against the relevant sections of Chapter 2 of the R&H SEPP.

Table 3 Assessment against relevant provisions of Chapter 2 of the R&H SEPP		
Provision	Comment	Consistent
<p>2.7 Development on certain land within coastal wetlands and littoral rainforests area.</p>	<p>No tree removal is proposed on the part of the site mapped as coastal wetlands under the B&C SEPP.</p>	N/A
<p>2.8 Development on land in proximity to coastal wetlands or littoral rainforest</p> <p>(1) Development consent must not be granted to development on land identified as “proximity area for coastal wetlands” or “proximity area for littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map unless the consent authority is satisfied that the proposed development will not significantly impact on—</p> <p>(a) the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or</p> <p>(b) the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.</p>	<p>The proposed development includes tree removal on land identified as ‘proximity area for coastal wetlands’ on the Coastal Wetlands and Littoral Rainforests Area Map (Figure 10). The proposed tree removal is located on parts of the site that have been previously disturbed.</p> <p>As discussed in the Ecological Assessment report prepared by AED Consulting, the proposed tree removal will not significantly impact on the ecological integrity of the adjacent coastal wetlands. The works do not involve the removal of any endangered ecological communities including PCT 4027 or PCT 3638. Appropriate tree protection measures will be established on site to protect this vegetation during the tree removal works. The planting of new trees to offset the tree removal will enhance the environmental values of the site.</p> <p>Appropriate erosion and sediment control measures will be installed prior to the commencement of the works to protect the quantity and quality of surface water to and from the adjacent coastal wetland.</p>	Yes
<p>2.10 Development on land within the coastal environment area</p> <p>(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—</p> <p>(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,</p> <p>(b) coastal environmental values and natural coastal processes,</p> <p>(c) the water quality of the marine estate (within the meaning of the <i>Marine Estate Management Act 2014</i>), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,</p> <p>(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,</p> <p>(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</p> <p>(f) Aboriginal cultural heritage, practices and places,</p> <p>(g) the use of the surf zone.</p>	<p>Part of the site is mapped as being located within the ‘coastal environment area’ under Chapter 2 of the R&H SEPP.</p> <p>The proposed tree removal and replacement within the Narrabeen Education Precinct will not adversely impact on the biophysical, hydrological, and ecological environment. It will not affect any coastal environment values or natural coastal process.</p> <p>Suitable erosion and sediment control measures will be implemented prior to the commencement of works to ensure that there are no impacts on the water quality of the marine estate. No marine vegetation is proposed to be removed. Impacts on native vegetation and fauna and their habitats has been assessed by a suitably qualified ecologist who has concluded that the proposed tree removal will not have any impacts on endangered ecological communities or threatened species.</p> <p>The proposed tree removal does not impact upon any existing public open space or access to any public open space. The works do not impact upon Aboriginal cultural heritage, practices or places or the use of the surf zone. Recommendations have been made in the event that any items of Aboriginal cultural significance are uncovered during the works.</p> <p>It is considered that proposed tree removal is unlikely to have an adverse impact on land located within the coastal environment area and any adverse impacts can be appropriately</p>	Yes

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Table 3 Assessment against relevant provisions of Chapter 2 of the R&H SEPP

Provision	Comment	Consistent
	managed and mitigated in accordance with section 2.10(2) of the R&H SEPP.	
<p>2.11 Development on land within the coastal use area</p> <p>(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority—</p> <p>(a) has considered whether the proposed development is likely to cause an adverse impact on the following—</p> <p>(i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</p> <p>(ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,</p> <p>(iii) the visual amenity and scenic qualities of the coast, including coastal headlands,</p> <p>(iv) Aboriginal cultural heritage, practices and places,</p> <p>(v) cultural and built environment heritage, and</p>	<p>Part of the site is mapped as being located within the 'coastal use area' under the R&H SEPP.</p> <p>The tree removal works will not have an adverse impacts on public access to any foreshore, beach, headland or rock platform. The work will not result in any overshadowing, wind funnelling or loss of views from public places.</p> <p>There will be a short-term impacts on the visual amenity and scenic qualities of the area following the removal of trees. However, long-term the replacement tree planting will maintain the existing character of the site and increase the size of the tree canopy by 579m².</p> <p>The works will not impact upon any Aboriginal cultural heritage, practices and places. Recommendations have been made in the event that any items of Aboriginal cultural significance are uncovered during the works.</p> <p>A HIS has been prepared by City Plan Heritage that reviews the impacts of the proposed development on the cultural and built environment heritage of the site.</p>	Yes
<p>2.12 Development in coastal zones generally – development not to increase risk of coastal hazards</p>	<p>The removal of 39 trees within the Narrabeen Education Precinct and planting of 53 trees is not likely to cause increased risk of coastal hazards on this site or any other land.</p>	Yes

Chapter 4: Remediation of Land

Chapter 4 of the R&H SEPP relates to remediation of contaminated land and requires, amongst other things, investigations to be undertaken as part of the development assessment process, to determine whether the subject land is likely to be contaminated and if so, what remediation work is required.

Pursuant to section 4.6 of the R&H SEPP, the site has been used as an educational establishment since the early 20th century and the works do not constitute a change of use. The removal of trees and replacement planting is unlikely to trigger any requirements to undertake remediation of the site.

Further consideration of the requirements of Chapter 4 of the R&H SEPP will be undertaken as part of any future planning pathway.

6.1.3 Draft State Environmental Planning Policy (Environment)

Draft State Environmental Planning Policy (Environment) (Environment SEPP) was exhibited from 31 October 2017 to the 31 January 2018. The draft SEPP proposed to repeal certain SEPPs and SREPs including the former *State Environmental Planning Policy No. 19 – Bushland in Urban Areas* (SEPP 19). Amendments include the transfer of some provisions of the SEPP 19 to the draft Environment SEPP, updating references, and updating or removing definitions to be consistent with the Standard Instrument.

6.1.4 Pittwater Local Environmental Plan 2014

Table 4 provides a summary assessment of the proposed development against the relevant provisions of the LEP.

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Table 4 Assessment against Relevant Provisions of LEP

Provision	Assessment	Consistent
Clause 2.2 – Zoning	The site is zoned SP2 Infrastructure (Educational Establishment) under the LEP. The proposed tree removal and replacement works will facilitate other development on the site that is subject to separate planning pathways. The proposed development is consistent with the objectives of the SP2 zone as it is compatible with the provision of upgrades to two (2) existing educational establishments.	Yes
Clause 5.10 – Heritage Conservation	<p>The following heritage listings apply to NNPS:</p> <ul style="list-style-type: none"> State Heritage Register (SHR) No. 02037 “Binishell Collection (Department of Education)”; Item 5065693 Narrabeen North Public School – Buildings B00A and B00B on the Department of Education’s Section 170 Heritage and Conservation Register; and Item 2270341 “Concrete geodesic domes (North Narrabeen Public School)” under Schedule 5 of the LEP. <p>No tree removal works are proposed within the SHR curtilage.</p> <p>A Heritage Impact Statement (HIS) has been prepared by City Plan Heritage that assesses the impact of the proposed tree removal development on the heritage significance of the NNPS in accordance with clause 5.10 of the LEP. This HIS concludes that the proposed tree removal is acceptable from a heritage perspective as the proposed limited tree removal is crucial to accommodate the new buildings (subject to separate planning pathways) and will not have an adverse impact on the significance of the Binidomes and their setting (refer to Section 6.2.3).</p>	Yes
Clause 5.21 – Flood Planning	<p>The site is identified within the part low-risk, part medium-risk and part high-risk precincts on Council’s Flood Hazard Map. The proposed tree removal and replacement works are compatible with the flood function and will not adversely affect flood behaviour that results in detrimental increases in the potential flood affection of any other development or properties.</p> <p>The tree removal will not adversely affect the environment. Appropriate mitigation measures will be implemented prior to the commencement of any works on site to avoid erosion, siltation, impacts on riparian vegetation or the stability of any watercourses.</p>	Yes
Clause 7.1 – Acid Sulfate Soils	The site is identified as containing Class 2 and 3 Acid Sulfate Soils under the LEP. The tree removal works are located on the part of the site mapped as Class 3 Acid Sulfate Soils. There are no works more than 1 metre below the natural ground surface and the works are unlikely to lower the watertable more than 1 metre below the natural ground surface. Therefore, the works do not require the preparation of an acid sulfate soils management plan.	Yes
Clause 7.4 – Floodplain risk management	The proposed site comprises two (2) existing educational establishments. However, pursuant to clause 7.4(3) the proposed development will not affect the occupation of, and safe evacuation of the site in the event of a 1:100 year flooding event.	Yes
Clause 7.6 - Biodiversity	The site is mapped as containing terrestrial biodiversity under the LEP. An Ecological Assessment report has been prepared by AED Consulting that addresses clause 7.6 of the LEP and provisions of the BC Act. Pursuant to clause 7.6(3) of the LEP, the proposed development is not likely to have an adverse impact on the biodiversity	Yes

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Table 4 Assessment against Relevant Provisions of LEP

Provision	Assessment	Consistent
	<p>and ecological values of the site. The proposed tree removal and replacement development has been designed, sited and will be managed to avoid impacts on the parts of the site mapped as having high biodiversity values and coastal wetland.</p> <p>A total of 53 trees will be planted to offset the removal of 39 trees (representing an additional 14 trees). This will increase the total tree canopy of the site by 614m². The proposed trees are endemic to the local area or have been selected as due to their habitat and shading potential.</p>	

6.1.5 Pittwater 21 Development Control Plan

Table 5 provides a summary assessment of the proposed development against the relevant provisions of the Pittwater 21 DCP.

Table 5 Assessment against Relevant Provisions of DCP

Provision	Assessment	Consistent
Section A Shaping Development in Pittwater		
A4.14 Warriewood Locality	<p>The site is located within the Warriewood locality under the DCP. The proposed tree removal and replacement is consistent with the desired future character of the Warriewood locality as the development will maintain the existing bushland character of the site and avoid impacts on threatened species and areas of natural environmental significance. The proposed development will increase the tree canopy coverage on site by 614m².</p>	Yes
Section B General Controls		
B1 Heritage Controls	<p>NNPS is identified as a local heritage item under Schedule 5 of the LEP. It also contains an item of State heritage significance. A HIS has been prepared by City Plan Heritage that assesses the impact of the proposed tree removal and replacement works on the heritage significance of the site. The HIS concludes that the works are acceptable from a heritage perspective and will not have an adverse impact on the Binidomes or their setting (refer to Section 6.2.3),</p> <p>Recommendations have been made in the event that any items of Aboriginal cultural significance are uncovered during the tree removal and replacement works.</p>	Yes
B3 Hazard Controls	<p>The site is identified as being located within the low-risk, medium-risk and high-risk flood precincts. The proposed tree removal and replacement works are unlikely to have an impact on existing flood levels or behaviours and will not result in any adverse flood risk to surrounding properties.</p>	Yes
B4 Controls relating to the natural environment	<p>An assessment against the relevant provisions of Section B4 of the DCP are provided in the Ecological Assessment report prepared by AED Consulting including Section B4.2 Flora and Fauna Category 1 and Wildlife Corridor, Section B4.6 Wildlife Corridors, and Section B4.8 Freshwater Wetland Endangered Ecological Community. A test of significance was undertaken in accordance with Section 7.3 of the BC Act that concluded that the works will not have any impacts</p>	Yes

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Table 5 Assessment against Relevant Provisions of DCP

Provision	Assessment	Consistent
	<p>on any threatened species or ecological communities or their habitats.</p> <p>In regard to Section B4.22 (Preservation of Trees and Bushland Vegetation) of the DCP, two (2) Arboricultural Impact Assessment reports have been prepared in accordance with the requirements of Council's DCP. The proposed upgrade works to NNPS and NSHS have been designed to minimise the impacts on existing vegetation.</p> <p>The existing site has a total tree canopy area of 29,210m². The removal of 39 trees results in the removal of 2,673m² of tree canopy area. However, this will be offset with the planting of 53 trees (with a canopy area of 3,314m² at maturity). This increases the tree canopy by 641m². Offset tree species include endemic species as well as shade trees for students and teachers.</p>	
B8 Site works management	Appropriate site fencing including the implementation of erosion and sediment control measures will be established prior to the commencement of any works. A Construction Management Plan will be prepared to address construction issues such as the staging of the works, ongoing community consultation, tree protection measures, dust management, construction noise and vibration, protection of staff and students and installation of temporary site amenities.	Yes
Section C Development Type Controls		
C5 Design Criteria for Other Development		
C5.1 Landscaping	The proposed removal of 39 trees will be offset by the planting of 53 trees. Tree species selection has been based on Appendix 9 of the DCP and includes endemic species such as Coastal Banksia, Swamp She-Oak and Cheese Tree as well as shade trees such as Hills Weeping Fig. The proposed species are suitable for an educational environment.	Yes
C5.4 View Sharing	The proposed tree removal and planting does not impact upon any views to or from the site from adjoining properties or public domain areas.	Yes
Section D Locality Specific Development Controls		
D14 Warriewood Locality		
D14.1 Character as viewed from a public place	<p>The removal of 39 trees will have a short-term impact on the character of the site as viewed from the public domain. However, the proposed tree replacement will ensure that the bushland character of the site is retained, with the new trees enhancing the overall tree canopy coverage across the schools.</p> <p>Where possible, existing vegetation adjacent to the site boundaries is being retained which will provide landscaping screening of the future school buildings (subject to alternative planning pathways).</p>	Yes
D14.2 Scenic Protection - General	Overall, the proposed tree removal and replacement works will enhance the bushland character of the school sites and the surrounding precinct. The works will achieve the desired future character of the Warriewood locality.	Yes

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6.1.6 Australian Standard AS2601 – Demolition of Structures

Section 61(1) of the EP&A Regulation designates *AS 2601-1991: The Demolition of Structures* as a prescribed matter for consideration in the determination of a DA.

All demolition work will be carried out in accordance with AS 2601. Further details on demolition practices, identification and management of hazardous substances and recycling of material will be provided in the form of a Work Plan and a Hazardous Substances Audit and Management Plan prepared in accordance with AS 2601 with an application for a Crown Certificate.

6.1.7 Development Contributions

The Northern Beaches Section 7.12 Contributions Plan 2022 applies to the site. As the cost of works for the proposed tree removal and replacement development is less than \$100,000, the works are exempt from the payment of a levy under Section 2.5 of the Contributions Plan.

6.2 Likely Impacts of the Development

The following subsections assess the likely impacts of the development in accordance with section 4.15(1)(b) of the EP&A Act.

6.2.1 Biodiversity, Coastal Wetland and Koala Habitat

Biodiversity

The site is mapped as containing terrestrial biodiversity under the LEP. It is also mapped as containing 'high biodiversity values' on the Biodiversity Values Map under the BC Act. An Ecological Assessment report has been prepared by AED Consulting Group that provides an assessment of the proposed works in accordance with the test of significance under Section 7.3 of the BC Act. The Ecological Assessment report notes that the site contains the following vegetation and Plant Community Types:

- PCT 4027 "Swamp Oak Floodplain Forest of New south Wales North Coast, Sydney Basin and South East Corner Bioregions";
- PCT 3638 "Bangalay Sand Forest of the Sydney Basin and South East Corner Bioregions"; and
- Planted vegetation (exotic and native species).

The proposed tree removal and replacement works will not have any direct impacts on the biodiversity values of the site and doesn't include the removal of any PCTs. The proposed tree removal and replacement will not have any significant impacts upon any listed species, populations or ecological communities. The proposed future building works on the site (subject of separate planning pathways) have been designed to avoid, minimise and mitigate impacts on vegetation and species habitat. It is considered that the proposed tree removal and replacement development will have an acceptable impact on the biodiversity values of the site.

Coastal Wetlands

No tree removal works are proposed on the part of the site mapped as 'coastal wetlands' under Chapter 2 of the R&H SEPP. The works will not significantly impact on the biophysical, hydrological or ecological integrity of the coastal wetlands. The works are unlikely to cause an adverse impact on the coastal environment area or coastal use area.

Koala Habitat

A review against the relevant provisions of Chapter 4 of the B&C SEPP has been undertaken in the Ecological Assessment report prepared by AED Consulting Group. The Ecological Assessment report concludes that the site does not constitute core koala habitat and therefore the proposed tree removal and replacement works are unlikely to affect any koalas or koala habitat.

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6.2.2 Tree Removal and Replacement

Tree Removal

Two (2) AIA reports have been prepared by Independent Arboricultural Services that assesses the impact of the proposed future upgrades to NNPS and NSHS on the existing trees in accordance with the requirements of AS 4970 (2009) *Protection of trees on development site* and AS 4373 (2007) *Pruning of amenity trees*.

A total of 459 trees have been inspected on the site and assessed within the AIA reports. The retention value of each of the trees has been determined in accordance with the International Society of Arboriculture (ISA) Tree Risk Assessment Qualification (TRAQ) guidelines.

A total of 39 trees are proposed to be removed to facilitate the future upgrades works at NNPS and NSHS. This is equivalent to a total tree canopy area of 2,673m². Of the 39 trees to be removed, 24 trees are high retention value trees, nine (9) are medium retention value trees; and six (6) trees as having low tree retention.

A further 21 trees have been identified as being able to be retained subject to the recommendations of the arborist and the final detailed design including earthworks and service layout plans. All other trees on the site are proposed to be retained as they are subject to no impacts from the future building works on the site.

The AIA reports provide the following recommendations:

As part of the design process and operational works it is recommended that the following is undertaken,

- *The Project Arborist is to be consulted during the detailed design phase to minimise impacts to retainable vegetation.*
- *Current retention/removal recommendations are based on plans provided. Detailed assessment of final design plans and bulk earthworks are required prior to final retention/removal recommendations.*
- *Ensure all approvals and permits are in place before works commence.*
- *Undertake a pre-start meeting with contractors before works commence.*
- *Tree Protection Fencing is to be erected before works commence and audited by the Project Arborist (Min AQF Level 5).*
- *Supervision by a Project Arborist (Min AQF Level 5) and Fauna Spotter/Catcher of the approved tree removals.*
- *Any works proposed within the TPZ of retained trees requires supervision of a minimum AQF5 Project Arborist.*
- *Tree Pruning is to be undertaken by a minimum AQF Level 3 Arborist.*
- *Laydown areas and site shed/office locations are to be identified/finalised and excluded from the Tree Protection Zones of retained trees and minimise public impact.*
- *Route vehicles and equipment outside of TPZs. If access is required within TPZ, mulch to a depth of 100mm and tree padding needs to be installed with the option of track mats as determined and signed off by a minimum AQF5 Project Arborist.*
- *Construction materials, spoil, stockpiles, tools and equipment are not permitted within the TPZs of retained trees.*

Tree Management Plans and tree protection guidelines for NNPS and NSHS have been prepared by Independent Arboricultural Services and are included as part of the DA package.

Tree Replacement

Landscape reclamation plans have been prepared by DesignInc to show the location of the trees to be removed, retained and the potential location for new trees. A total of 53 trees are proposed to be planted to offset the removal of 39 trees. The 53 trees will have a total canopy

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area at maturity of 3,314m². This will achieve an increase in the tree canopy on the site by 641m².

An indicative proposed tree schedule has been prepared by DesignInc. The proposed replacement tree species have been selected from the local ecological community Swamp Oak Floodplain Forest and Swamp Oak tall open forest. Other native trees have been selected due to their suitability to the ecological local habit and shading potential for students and teachers of the NNPS and NSHS site.

6.2.3 Heritage

The following heritage listing apply to the NNPS:

- State Heritage Register (SHR) No. 02037 “Binishell Collection (Department of Education)”;
- Item 5065693 Narrabeen North Public School – Buildings B00A and B00B under the Department of Education’s Section 170 Heritage and Conservation Register; and
- Item 2270341 “Concrete geodesic domes (North Narrabeen Public School) under Schedule 5 of the LEP.

An assessment of the impacts of the proposed development on the heritage significance of the site has been undertaken by City Plan Heritage in a Heritage Impact Statement (HIS).

The HIS provides a review of the historic aerial imagery of the site from 1951, 1961 and 1978 to understand the potential heritage significance of the existing trees and vegetation on site. The HIS notes that most of the trees within the northern part of the NNPS site date from the 1970s and were planted to enhance the landscape setting of the Bini Domes.

No tree removal or replacement is proposed within the SHR curtilage.

The HIS provides the following conclusion and recommendations:

In conclusion, the proposed tree removal at North Narrabeen Public School along the south, west, and southwest will not adversely impact the heritage significance of both Binidomes and the landscape setting of the North Narrabeen Public School site. In fact, it will provide direct access and a new view curtilage to the significant Binidomes while also upgrade the amenities and facilities of the school. Most of the original screening is being retained and protected through measures as a part of the proposal and will continue to stay significantly in the setting of the Binidomes.

The development of the new building on the existing school site will significantly improve educational outcomes and support the delivery of modern pedagogical learning. In addition, the location of the proposed new building adjacent to the Binidomes, which will necessitate removal of the demountable school buildings to the front, will contribute to enhancing the setting of the significant Binidomes as well as direct views from the new proposed entrance. The removal of trees along the south, which are largely dating from the 1970s, will further improve the view corridors from Namona Street (The primary entrance to the site). Although a mature tree is required to be removed to accommodate a new ramped entrance to make the site accessible for all, this relocation will connect the main entrance directly to the school's open corridor instead of terminating at a school building as it is currently. It further provides a clear and defined school entrance, and better visual connectivity with the Binidomes.

In our opinion, the works are acceptable from a heritage perspective as the proposed limited tree removal incorporating one tree dating from the pre-1950s is considered crucial to accommodate the new development and will have no adverse impact on the significance of the Binidomes and their setting.

It is therefore concluded that the proposed tree removal and replacement development will not have an adverse impact on the heritage significance of the site.

6.2.4 Visual Impacts

The proposed tree removal is likely to have a short-term visual impact on the appearance of the site. However, it is proposed to undertake the tree replacement within three (3) months of the commencement of the works subject to the final construction methodology. Overall, the

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proposed tree replacement will maintain and enhance the existing bushland character of the schools and the North Narrabeen and Warriewood locality.

6.3 Suitability of the Site for Development

In accordance with section 4.15(1)(c) of the EP&A Act, the site is considered to be suitable for the proposed tree removal and replacement development. The works are located within two (2) existing and well-established educational establishments. The tree removal and replacement works will facilitate the upgrade and refurbishment to NNPS and NSHS which are proposed to be undertaken under separate planning pathways.

The works will not impact upon any threatened species, populations or ecological communities or their habitats.

6.4 Public Interest

Section 4.15(1)(e) of the EP&A Act requires the consent authority to consider the public interest. The public interest is an overarching requirement, which includes the consideration of the matters discussed in this report.

The proposed tree removal works facilitate the future redevelopment and upgrades of NNPS and NSHS which are subject to separate planning pathways. The proposed future school buildings and other upgrade works seek to upgrade both school's existing facilities to provide modern fit-for-purpose facilities that meet current and future educational requirements.

The proposed development is considered to meet the provisions of relevant environmental planning instruments and subsequently, as these instruments have been created having regard to the objects of the Act following community consultation, they are considered to express planning controls that seek to protect the public interest. Accordingly, it is considered that the proposal is not prejudicial to the public interest.

7 Conclusion

The proposed tree removal and replacement development at Narrabeen North Public School and Narrabeen Sports High School has been assessed in accordance with the requirements of the EP&A Act and other relevant legislation.

The proposed tree removal and replacement development comprises:

- Removal of a total of 39 trees (2,673m² tree canopy) comprising the removal of 30 trees at NNPS and nine (9) trees at NSHS;
- Planting of a total of 53 trees (3,314m² tree canopy) comprising the planting of 13 trees at NNPS and 40 trees at NSHS.

The proposed tree removal and replacement works will increase the total tree canopy on site by 641m².

This Development Application (DA) will seek consent for tree removal to facilitate works to upgrade NNPS and NSHS which are proposed under alternative planning pathways including Part 4 development application (DA), development without consent (REF) and exempt development. These future upgrade buildings and other works have been sited having regard to the environmental opportunities and constraints of the site including heritage, biodiversity, coastal management, flooding, safety, accessibility and operational considerations.

The proposed tree removal and replacement development will not have an adverse impact on the biodiversity values of the site with the proposed tree replacement providing an environmental benefit by increasing the site's tree canopy by 641m² and retaining the existing bushland character of the site and locality. The proposed development will not have an adverse impact on the heritage significance of NNPS.

Accordingly, the proposal is considered to satisfactorily respond to the opportunities and constraints of the site and the relevant legislation, is unlikely to result in adverse impacts in the locality and is worthy of Council approval.