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APPENDIX C

Statutory Compliance Tables

SSD-1718

Proposed Ancillary Works at Narrabeen North Public School in a mapped coastal wetlands area

6 Namona Street North Narrabeen, Lot 3 DP 1018621

Prepared for: Department of Education/ School Infrastructure NSW
February 2023

1 Environmental Planning & Assessment Act 1979– Consistency with the Objects

Proposed Development's Consistency with the Objects of the EP&A Act 1979		
Object of the EP&A Act	Assessment	Consistent
(a) <i>To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,</i>	<p>The proposal involves ancillary works to Narrabeen North Public School in a mapped Coastal Wetlands area including a new entry way, accessible walkway, trees removal, landscaping, substation and fire hydrant booster facility.</p> <p>The proposal will not result in significant adverse environmental impacts and accordingly will improve the social and economic welfare of the community.</p>	Yes
(b) <i>To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The proposal incorporates sustainability measures through landscaping and landscaping materials. The proposed development will have a positive impact on the health and wellbeing of the students and staff and is therefore consistent with the objective of Ecologically Sustainable Development.	Yes
(c) <i>To promote the orderly and economic use and development of land,</i>	<p>The site is zoned SP2 Infrastructure and is currently utilised as Narrabeen North Public School.</p> <p>The proposal is considered orderly development and economic use of the land.</p>	Yes
(d) <i>To promote the delivery and maintenance of affordable housing,</i>	This object is not applicable to the proposal.	N/A
(e) <i>To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	A Biodiversity Development Assessment Report (BDAR) was prepared by Land Eco Consulting to assess the impacts of the proposed development. Refer Appendix J . The proposed development impact 0.17ha of Plant Community Type 1793 – Coastal Sand Bangalay Forest and will be required to retire 5 ecosystem credits and 16 species credits. The assessment notes the proposed works will not cause serious and irreversible impacts on the natural environment.	Yes
(f) <i>To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	<p>The proposal is informed by a Heritage Impact Assessment and Aboriginal Cultural Impact Assessment. No items of Aboriginal significance are noted to be within the subject area of work.</p> <p>The works are located outside of the heritage items and the heritage curtilage currently being considered by Heritage NSW. Local representatives of the Aboriginal community have been consulted. (Section 6.11 and 6.12. of the EIS, Appendix F and Appendix N).</p>	Yes
(g) <i>To promote good design and amenity of the built environment,</i>	N/A - the proposed development is for ancillary works to the NNPS within the Coastal Wetlands mapped area.	N/A
(h) <i>To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>	N/A – No buildings are proposed	N/A
(i) <i>To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i>	The proposed development has been assessed against the various Commonwealth and State statutes and local policies and has involved consultation with relevant levels of government.	Yes

Proposed Development's Consistency with the Objects of the EP&A Act 1979

<i>(j) To provide increased opportunity for community participation in environmental planning and assessment.</i>	The proponent has actively engaged with relevant government agencies and further consultation will be undertaken during the statutory assessment process. Community engagement has been undertaken and will continue throughout the project..	Yes
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2 Coastal Management Act 2016

Coastal Management Act 2016	
Provision	Assessment
Section 6 Coastal wetlands and littoral rainforest area	
(2) <i>The management objectives for the coastal wetlands and littoral rainforests area are as follows—</i>	The proposal protects the coastal wetlands through elevating proposed pathways and inclusion of landscaping works.
(a) <i>to protect coastal wetlands and littoral rainforests in their natural state, including their biological diversity and ecosystem integrity,</i>	
(b) <i>to promote the rehabilitation and restoration of degraded coastal wetlands and littoral rainforests,</i>	The proposal includes removal of 8 trees and planting of indigenous species of 12 trees, 537 shrubs and groundcovers and grasses which will assist the longevity of the Coastal Wetlands.
(c) <i>to improve the resilience of coastal wetlands and littoral rainforests to the impacts of climate change, including opportunities for migration,</i>	Additional landscaping will improve the resilience of the coastal wetland and provide further opportunity for migration.
(d) <i>to support the social and cultural values of coastal wetlands and littoral rainforests,</i>	The proposed development does not impact on the social or cultural values of the Coastal Wetlands. The Coastal Wetlands can continue to provide a natural place for the school attendees and local community to enjoy.
(e) <i>to promote the objectives of State policies and programs for wetlands or littoral rainforest management</i>	The proposed development meets the objects of State policies as the proposed landscaping assist in the rehabilitation of the Coastal Wetland area.
Section 8 Coastal environment area	
(2) <i>The management objectives for the coastal environment area are as follows—</i>	The Coastal Wetland has been protected by ensuring the pathways are slightly raised to cause minimal environmental impact. Additional tree planting and landscaping is proposed to offset tree removal within the Coastal Wetland. Erosion and sediment control measure will be implemented to protect the Coastal Wetland from debris through the construction stage.
(a) <i>to protect and enhance the coastal environmental values and natural processes of coastal waters, estuaries, coastal lakes and coastal lagoons, and enhance natural character, scenic value, biological diversity and ecosystem integrity,</i>	
(b) <i>to reduce threats to and improve the resilience of coastal waters, estuaries, coastal lakes and coastal lagoons, including in response to climate change,</i>	Additional planting of trees will assist with resilience of the coastal wetland.
(c) <i>to maintain and improve water quality and estuary health,</i>	Additional planting of trees will assist with estuary health.
(d) <i>to support the social and cultural values of coastal waters, estuaries, coastal lakes and coastal lagoons,</i>	N/A
(e) <i>to maintain the presence of beaches, dunes and the natural features of foreshores, taking into account the beach system operating at the relevant place,</i>	N/A
(f) <i>to maintain and, where practicable, improve public access, amenity and use of beaches, foreshores, headlands and rock platforms.</i>	N/A

3 SEPP Resilience and Hazards 2021

SEPP Resilience & Hazards 2021 – Chapter 4 Remediation of Land	
Provision	Assessment
Section 4.1 – Objects	
(1) <i>The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land.</i>	The Geotechnical Reports have considered whether the Site contains any contaminated lands.
(2) <i>In particular, this Chapter aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—</i> (a) <i>by specifying when consent is required, and when it is not required, for a remediation work, and</i> (b) <i>by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and</i> (c) <i>by requiring that a remediation work meet certain standards and notification requirements.</i>	The Geotechnical Reports have considered whether the Site contains any contaminated lands. Refer to Section 6.9 and Appendix L and M of the EIS.
Section 4.6 - Contamination and remediation to be considered in determining development application	
(1) <i>A consent authority must not consent to the carrying out of any development on land unless—</i> (a) <i>it has considered whether the land is contaminated, and</i> (b) <i>if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</i> (c) <i>if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</i>	A Preliminary Site Investigation (Appendix L) and Detailed Site Investigation (Appendix M) has been provided which considered whether any lands of the Site are contaminated. The reports indicate the proposed works will not significantly affect the Acid Sulphate Soils within the Coastal Wetlands mapped area. Refer to Section 6.9 of the EIS.
(2) <i>Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.</i>	A Site Validation Certificate was issued for the site in 2020 which deemed the site suitable for the use of an educational establishment. Refer to Section 6.9 and Appendix L and Appendix M of the EIS.
(3) <i>The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.</i>	A Preliminary Site Investigation (Appendix L) and Detailed Site Investigation (Appendix M) has been provided which considered whether any lands of the Site are contaminated. The reports indicate the proposed works will not significantly affect the Acid Sulphate Soils within the Coastal Wetlands mapped area. Refer to Section 6.9 of the EIS.
(4) <i>The land concerned is—</i> (a) <i>land that is within an investigation area,</i>	The Site is not located in an investigation area.

SEPP Resilience & Hazards 2021 – Chapter 4 Remediation of Land

Provision	Assessment
<p>(b) <i>land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,</i></p> <p>(c) <i>to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—</i> <i>(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</i> <i>(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).</i></p>	

4 SEPP (Transport and Infrastructure) 2021

SEPP (Transport and Infrastructure) 2021 - Chapter 2 Infrastructure

Provision	Assessment
Section 2.120 – Impact of road noise or vibration on non-road development	
<p>(1) <i>This section applies to development for any of the following purposes that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles (based on the traffic volume data published on the website of TfNSW) and that the consent authority considers is likely to be adversely affected by road noise or vibration—</i></p> <ul style="list-style-type: none"> (a) <i>residential accommodation,</i> (b) <i>a place of public worship,</i> (c) <i>a hospital,</i> (d) <i>an educational establishment or centre-based child care facility.</i> <p>(2) <i>Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.</i></p> <p>(3) <i>If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—</i></p> <ul style="list-style-type: none"> (a) <i>in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,</i> (b) <i>anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.</i> 	<p>Namona Street, Oak Street and Pittwater Road do not have an annual daily traffic volume of more than 20,000 vehicles, therefore subsection 1 does not apply.</p> <p>In relation to subsection (2) a Construction Noise and Vibration Impact Assessment report has been prepared by Acoustic Studio which has considered the Noise Policy for Industry (2017). A copy of the Assessment is included at Appendix I of the EIS</p> <p>Subsection (3) does not apply.</p>

Section 2.122 – Traffic-generating development

<p>(1) <i>This section applies to development specified in Column 1 of the Table to Schedule 3 that involves—</i></p> <ul style="list-style-type: none"> (a) <i>new premises of the relevant size or capacity, or</i> (b) <i>an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.</i> 	N/A
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SEPP (Transport and Infrastructure) 2021 - Chapter 3 Educational establishments

Provision	Assessment
Section 3.36(6)(a): Evaluation of design quality principles in Schedule 8	N/A
Section 3.36(6)(b): Does development enable shared community use of school facilities	Upgrading the NNPS entry to include an accessible pathway assists the public to gain entry to existing shared uses within the school.
Section 3.36(9): DCP controls relating to Clause 35 subclauses (1), (2), (3), or (5) does not apply	An assessment against Pittwater 21 DCP controls has been provided within this Statutory Compliance Table.

SEPP (Transport and Infrastructure) 2021 - Chapter 2 Infrastructure**Provision****Assessment**

Section.58 Traffic generating development:
Referral to RMS required if development will
result in educational establishment being able to
accommodate 50 or more additional students.

The proposal will result in the existing educational establishment
being able to accommodate 50 or more additional students.
However, the Designated Development Application is not proposing
any increase in students or staff at NNPS.

5 SEPP (Biodiversity and Conservation) 2021

SEPP – (Biodiversity and Conservation) 2021	
Provision	Assessment
Chapter 2 Vegetation in non-rural areas	
Section 2.1 – Aims	
(a) <i>to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and</i>	Refer to Section 6.2 of the EIS.
(b) <i>to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.</i>	The proposed development seeks to remove eight (8) trees due either to their low-medium retention value and/ or impact from the proposed development. However, this tree removal will be offset by planting of 12 trees, 537 shrubs, 656 groundcovers and grasses. Refer to Section 6.3.1 and 6.3.2 of the EIS.
Section 2.3 Land to which Chapter applies	
Local government areas	SEPP applies to Northern Beaches Local Government Area
Zones in environmental planning instrument	SEPP applies to the SP2 Infrastructure zone
Section 2.10 Council may issue permit for clearing of vegetation	
(1) A council may issue a permit to a landholder to clear vegetation to which this Part applies in any non-rural area of the State. (2) A permit cannot be granted to clear native vegetation in any non-rural area of the State that exceeds the biodiversity offsets scheme threshold. (3) A permit under this Part cannot allow the clearing of vegetation— (a) that is or forms part of a heritage item or that is within a heritage conservation area, or (b) that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance, unless the council is satisfied that the proposed activity— (c) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and (d) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area. (4) A permit may be granted under this Part subject to any conditions specified in the permit.	The proposal seeks consent from Council to remove eight (8) trees.

SEPP – (Biodiversity and Conservation) 2021	
Provision	Assessment
SEPP – (Biodiversity and Conservation) 2021 - Chapter 4 Koala Habitat Protection 2021	
4.2 Development control of Koala Habitats	
<p>3) <i>Before a council may grant consent to a development application for consent to carry out development on the land, the council must assess whether the development is likely to have any impact on koalas or koala habitat.</i></p> <p>4) <i>If the council is satisfied that the development is likely to have low or no impact on koalas or koala habitat, the council may grant consent to the development application.</i></p>	<p>Chapter 4 of the SEPP applies to the Northern Beaches Local Government Area.</p> <p>Refer to Section 4.4.6 of the EIS.</p>

6 Pittwater Local Environmental Plan (LEP) 2014

Pittwater Local Environmental Plan 2014	
Provision	Assessment
Clause 2.1 Land Use Zones	
The site is zoned IN2 Infrastructure (Education Establishment)	The proposed works are ancillary development to an Educational Establishment.
Part 5 – Miscellaneous provisions	
<p>5.10 Heritage Conservation</p> <p>(1) Objectives</p> <p>The objectives of this clause are as follows—</p> <p>(a) to conserve the environmental heritage of Pittwater,</p> <p>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</p> <p>(c) to conserve archaeological sites,</p> <p>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.</p>	<p>The proposed works are located outside of the proposed heritage conservation area for the heritage listed Binishell domes on the site. The works will not impact the heritage listed items. (Appendix N).</p> <p>Should an item of Aboriginal significance be found during the project, an unexpected find protocol is included in the mitigation measures for the project. (Appendix E and F).</p>
<p>5.12 Infrastructure Development and use of existing buildings by the Crown.</p> <p>(1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under State Environmental Planning Policy (Transport and Infrastructure) 2021, Chapter 2 (of the LEP)</p>	The proposal seeks consent for ancillary development and infrastructure works (substation and fire hydrant booster) on behalf of the Crown.
Part 7 Additional Local provisions	
<p>7.1 Acid Sulfate Soils</p> <p>(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</p>	A Site Contamination Report prepared by Douglas Partners notes that potential Acid Sulphate Soils are unlikely to be encountered at Narrabeen North Public School at depths of less than 1-3m.
<p>7.2 Earthworks</p> <p>(2) Development consent is required for earthworks unless—</p> <p>(a) the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or</p> <p>(b) the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.</p>	Minimal earthworks are proposed and relate to piers for proposed elevated pathways with minor excavation and retaining walls at the entry gate area and concrete pads for the proposed substation and fire hydrant booster.
<p>7.4 Floodplain Risk Management</p> <p>(1) The objectives of this clause are as follows—</p> <p>(a) in relation to development with particular evacuation or emergency response issues—to enable evacuation of land subject to flooding in events exceeding the flood planning level,</p> <p>(b) to protect the operational capacity of emergency response facilities and critical infrastructure during extreme flood events</p>	The proposed substation and fire hydrant booster are located out of the 1 in 100 year flood affected land. The proposed walkways are located above the 1 in 100 year flood level to allow safe evacuation from the site in the event of flood.

Pittwater Local Environmental Plan 2014	
Provision	Assessment
<p>(3) Development consent must not be granted to development for the following purposes on land to which this clause applies unless the consent authority is satisfied that the development will not, in flood events exceeding the flood planning level, affect the safe occupation of, and evacuation from, the land—</p> <p>Educational Establishments</p>	
<p>7.6 Biodiversity</p> <p>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider—</p> <p>(a) whether the development is likely to have—</p> <p>(i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</p> <p>(ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</p> <p>(iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</p> <p>(iv) any adverse impact on the habitat elements providing connectivity on the land, and</p> <p>(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that—</p> <p>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>	<p>A Biodiversity Development Assessment Report (BDAR) was prepared by Land Eco Consulting to assess the impacts of the proposed development. Refer Appendix J. The proposed development will impact 0.17ha of Plant Community Type 1793 – Coastal Sand Bangalay Forest and will be required to retire 5 ecosystem credits and 16 species credits. The assessment notes the proposed works will not cause serious and irreversible impacts.</p>
<p>7.10 Essential Services</p> <p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—</p> <p>(a) the supply of water,</p> <p>(b) the supply of electricity,</p> <p>(c) the disposal and management of sewage,</p> <p>(d) stormwater drainage or on-site conservation,</p> <p>(e) suitable vehicular access</p>	<p>The site is currently serviced by water, electricity, sewer, stormwater drainage and has suitable vehicular access. An upgrade to electrical services is proposed via a new substation along Namona Street.</p>

7 Pittwater 21 Development Control Plan

Pittwater 21 Development Control Plan		
Provision	Assessment	Consistent
B1 Heritage Controls		
<p>B1.1 – Heritage Conservation – Heritage items, heritage conservation areas and archaeological sites listed in Pittwater Local Environmental Plan 2014</p> <p>Any development application involving work likely to impact the heritage significance of a heritage item or archaeological site is to be accompanied by a Heritage Impact Statement, prepared by an appropriately qualified heritage professional. Guidance on preparing a Heritage Impact Statement (Statement of Heritage Impact) is available at NSW Office of Environment & Heritage in the NSW Heritage Manual or superseding publication.</p> <p>Development on land containing a heritage item or archaeological site is to minimise the impact on the setting of the item or site by providing an adequate buffer zone where appropriate, and maintaining and respecting significant views to and from the heritage item or archaeological site</p>	<p>The proposed works do not impact the Heritage listed 'Binishell Domes' on site.</p> <p>The proposed landscaping, pathways, substation and fire hydrant booster do not affect existing views of the heritage listed 'Binishell Domes'.</p> <p>A Heritage Impact Statement has been prepared by CityPlan, which concludes the proposed works have no impact to the heritage listed 'Binishell Domes' or proposed conservation area. Refer Appendix N.</p>	Yes
<p>B1.2 – Heritage Conservation – Development in the vicinity of heritage items, heritage conservation areas, archaeological sites or potential archaeological sites</p> <p>Developments in the vicinity of a heritage item, heritage conservation area, archaeological site or potential archaeological site are to be designed to respect and complement the heritage significance in terms of the building envelope, proportions, materials, colours and finishes, and building alignment.</p> <p>Developments in the vicinity of a heritage item, heritage conservation area, archaeological site or potential archaeological site are to minimise the impact on the heritage significance by providing an adequate buffer zone, and maintaining and respecting significant views to and from the heritage item, heritage conservation area, archaeological site or potential archaeological site.</p>	<p>The proposed works provide an adequate buffer from the heritage listed Binishell Domes as they are located to the south of site within the Coastal Wetland mapped area located along Namona Street. Refer Appendix N.</p>	Yes.
<p>B1.4 Aboriginal Heritage Significance</p> <p>If a property, the subject of a development application is identified as possibly meeting any of the criteria for being a potential Aboriginal place or containing an Aboriginal object then additional independent information on the potential heritage significance may be requested.</p> <p>If a property, the subject of a development application, is in the vicinity of an identified or potential Aboriginal place of heritage significance or Aboriginal object then additional independent information on the potential heritage significance may be requested.</p> <p>If an Aboriginal site or relic is discovered, it must be reported to the NSW Office of Environment and Heritage and all works stopped.</p> <p>Development must conserve the significance of any</p>	<p>An Aboriginal Cultural Heritage Report has been prepared by Kayandel which notes no AHIMS registered sites are recorded on the NNPS site and a site survey did not find any items of Aboriginal Significance. An unexpected find protocol has been recommended to be included as part of the mitigation measures in Appendix F.</p>	Yes

Pittwater 21 Development Control Plan		
Provision	Assessment	Consistent
Aboriginal place of heritage significance or Aboriginal object.		
B3 Hazard Control		
<p>B3.2 Bushfire Hazard</p> <p>Development land to which this control applies must comply with the requirements of:</p> <ul style="list-style-type: none"> • Planning for Bushfire Protection (2006) • Australian Standard AS 3959:2009 - <i>Construction of a building in a bushfire-prone area</i> 	<p>Whilst the site is not mapped as being affected by bushfire, NSW Rural Fire Service have requested a Bushfire Hazard Assessment Report be prepared and it will need to illustrate the extent to which the proposed development conforms with or deviates from the specifications set out in the requirements of Appendix 2 of Planning for Bush Fire Protection 2019. The report should specifically address PBP Section 6 Special Fire Purpose Developments.</p> <p>Bushfire Code and Bushfire Hazard Solutions has prepared a Bushfire Hazard Assessment Appendix W.</p>	Yes
<p>B3.6 Contaminated Land and Potentially Contaminated Land</p> <p>Council shall not consent to the carrying out of any development on land unless it has considered State Environmental Planning Policy No. 55 Remediation of Land.</p> <p>In particular, Council shall consider:</p> <ul style="list-style-type: none"> • whether the land is contaminated; and • if the land is contaminated, whether the land is suitable in its contaminated state (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out; and • if the land requires remediation, whether the land will be remediated before the land is used for that purpose. 	<p>Geotechnical reports prepared by Douglas Partners indicate the proposed works will not significantly affect the Acid Sulphate Soils within the Coastal Wetlands mapped area.</p> <p>Douglas Partners recommends the Remediation Action Plan and Acid Sulphate Soil Management Plan being prepared for DA2022/1649 be referred to prior to construction of the proposed Designated Development works. Refer Appendices L and M.</p>	Yes
<p>B3.11 Flood Prone Land</p> <p>A – Flood effects caused by development</p> <p>A1 - Development shall not be approved unless it can be demonstrated in a Flood Management Report that it has been designed and can be constructed so that in all events up to the 1% AEP event:</p> <ol style="list-style-type: none"> There are no adverse impacts on flood levels or velocities caused by alterations to the flood conveyance; and There are no adverse impacts on surrounding properties; and It is sited to minimise exposure to flood hazard. <p>Major developments and developments likely to have a significant impact on the PMF flood regime will need to demonstrate that there are no adverse impacts in the Probable Maximum Flood.</p> <p>A2 - Development shall not be approved unless it can be demonstrated in a Flood Management Report that in all events up to the 1% AEP event there is no net loss of flood storage. Consideration may be given for exempting the volume of standard piers from flood storage calculations. If Compensatory Works are proposed to balance the loss of flood storage from the development, the</p>	<p>The proposed works will not impact the available flood storage area.</p>	Yes

Pittwater 21 Development Control Plan		
Provision	Assessment	Consistent
Flood Management Report shall include detailed calculations to demonstrate how this is achieved.		
<p>B3.11 Flood Prone Land</p> <p>B – Building components and Structural Soundness</p> <p>B2 – All new development must be designed and constructed to ensure structural integrity up to the Flood Planning Level, taking into account the forces of floodwater, wave action, flowing water with debris, buoyancy and immersion. Where shelter-in-place refuge is required, the structural integrity for the refuge is to be up to the Probable Maximum Flood level. Structural certification shall be provided confirming the above.</p> <p>B3 - All new electrical equipment, power points, wiring, fuel lines, sewerage systems or any other service pipes and connections must be waterproofed and/or located above the Flood Planning Level. All existing electrical equipment and power points located below the Flood Planning Level within the subject structure must have residual current devices installed that turn off all electricity supply to the property when flood waters are detected.</p>	The proposed substation and fire hydrant booster are located out of the 1 in 100 year flood affected land. The proposed walkways are located above the 1 in 100 year flood level to allow safe evacuation from the site in the event of a flood.	Yes
B4 – Controls Relating to the Natural Environment		
<p>B4.19 Estuarine Habitat</p> <p>Development shall not be permitted which could result in the destruction of mangroves or seagrass beds, saltmarsh and other estuarine habitats.</p> <p>Development in an estuarine habitat catchment shall not adversely impact on the wetlands.</p> <p>Compliance with Council's Water Management for Development Policy is required.</p> <p>Development shall provide adequate buffering to estuarine habitat.</p> <p>Existing wildlife corridors are to be maintained and functional habitat links provided wherever possible.</p> <p>Development shall ensure 80% of the area that is not covered by approved buildings or associated structures, is native vegetation either through retention of existing bushland or planting with locally native plant species (as per species found on the site or those listed in 'Native Plants for your Garden' on Pittwater webpage).</p> <p>Development within the Pittwater Waterway shall have regard to any adjoining important estuarine habitats at all time, particularly during the construction phase. Any impact upon estuarine habitats within the Pittwater Waterway, particularly mangroves, saltmarsh and seagrass beds, must be minimised.</p> <p>Adequate compensatory works shall be undertaken where damage to estuarine habitats occurs.</p> <p>Habitat for locally and migratory birds shall not be reduced or degraded. Development that will result in increased disturbance to migratory wading bird habitat shall not be permitted.</p>	ADE Consulting Group undertook filed surveys on 1st December 2021 and 6 July 2022 to assess aquatic ecology. All aquatic fauna species seen or heard on site were recorded as well as any scats or scratches found. ADE Consulting Group notes that "no aquatic fauna habitats were identified on the site". Refer Appendix X .	Yes

Pittwater 21 Development Control Plan		
Provision	Assessment	Consistent
<p>B4.22 Preservation of Trees and Bushland Vegetation</p> <p>3. A Vegetation Clearing Permit is required for:</p> <p>a) Removal or cutting down of any tree over five (5) metres in height;</p> <p>b) Pruning of more than ten percent (10%) of a tree canopy.</p> <p>c) The removal or cutting down of vegetation in "Bushland".</p>	<p>The proposal seeks Development Consent for the removal of eight (8) trees.</p>	Yes
B5 Water Management		
<p>B5.15 Stormwater</p> <p>Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like.</p> <p>The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.</p>	<p>Stormwater runoff will be connected into the existing stormwater network for the school. Refer Appendix H.</p>	Yes
B8 Site Works Management		
<p>B8.3 – Construction and Demolition – Waste Minimisation</p> <p>Waste materials generated through demolition, excavation and construction works is to be minimised by reuse on-site, recycling, or disposal at an appropriate waste facility.</p>	<p>Where appropriate construction waste will be re-used on site. Vegetation to be removed will be re-used on site.</p> <p>Where re-use is not a viable option, waste will be transferred to a local waste facility.</p> <p>Throughout construction, waste will be separated into recyclable and general waste.</p>	Yes
<p>B8.4 – Construction and Demolition – Site Fencing and Security</p> <p>All sites are to be protected by site fencing for the duration of the works.</p> <p>Where building construction is undertaken adjacent to the public domain, pedestrian and vehicular facilities are to be protected by a Hoarding in accordance with Section 126(1) of the Roads Act 1993.</p>	<p>Site fencing around the construction area of the site will be implemented prior to commencement of works.</p>	Yes
<p>B8.6 – Construction and Demolition – Traffic Management</p> <p>For all development where either excavated materials to be transported from the site or the importation of fill material to the site is 100m³ or greater, a Construction Traffic Management Plan indicating truck movements, and truck routes is to be provided and approved by Council prior to the commencement of works.</p> <p>All transport works must not cause adverse disruption or nuisance to adjoining residences, businesses or the street system.</p>	<p>A Preliminary Construction Traffic Management Plan has been prepared by Ason Group and includes construction hours, haulage routes and delivery times for materials. Appendix S.</p> <p>A CTMP will be prepared as part of the Crown Certificate.</p>	Yes
C5 Design Criteria for Other Development		
<p>C5.1 Landscaping</p> <p>A range of low-lying shrubs, medium-high shrubs and canopy trees shall be provided to soften the built</p>	<p>Proposed landscaping consists of:</p> <ul style="list-style-type: none"> 12 trees; 	Yes

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<p>form.</p> <p>Landscaping shall reflect the scale and form of development, and shall be incorporated into the building design through setback and modulation.</p> <p>All canopy trees, and a majority of other vegetation, shall be locally native species.</p> <p>Landscaping shall not unreasonably obstruct driver and pedestrian visibility.</p> <p>Canopy trees are to be located a minimum of 5 metres from existing and proposed built structures, or minimum of 3 metres where pier and beam footings are used.</p> <p>In bushfire prone areas, species shall be appropriate to the bushfire hazard.</p> <p>Development shall provide for the reasonable retention and protection of existing significant trees, especially near property boundaries, and natural features such as rock outcrops.</p> <p>Noxious and undesirable plants must be removed from the site.</p> <p>Every tree planted is to have a minimum area of 3 metres x 3 metres and a minimum of 8m³ to ensure growth is unrestricted.</p> <p>The following soil depths are required in order to be considered as landscaping:</p> <ul style="list-style-type: none"> • 300mm for lawn • 600mm for shrubs • 1metre for trees 	<ul style="list-style-type: none"> • 537 shrubs; • grasses; and • 656 groundcovers. <p>Landscaping complies with Planning for Bushfire Protection 2019 and will not obstruct driver/ pedestrian visibility.</p> <p>Refer Appendix Q and Appendix R.</p>	
<p>C5.2 Safety and Security</p> <p>There are four Crime Prevention through Environmental Design (CPTED) principles that need to be used in the assessment of development applications to minimise the opportunity for crime they include the following:</p> <p>i. Surveillance</p> <p>Building design should allow visitors who approach the front door to be seen without the need to open the door.</p> <p>Buildings and the public domain are to be designed to allow occupants to overlook public places (streets, parking, open space etc) and communal areas to maximise casual surveillance.</p> <p>Development design and design of the public domain is to minimise opportunities for concealment and avoid blind corners.</p> <p>Adequate lighting must be provided according to the intended use of the development. Lighting must be designed and located so that it minimises the possibility of vandalism or damage. Security lighting must meet Australian Standard AS 4282-1997: Control of the obtrusive effects of outdoor lighting.</p> <p>Lighting is to be designed to minimise electricity consumption, and to minimise annoyance to neighbours.</p>	<p>Surveillance Landscaping has been designed to ensure there are no concealment opportunities. Proposed pathways are elevated but close to ground level and provide opportunity for passive surveillance by pedestrians of the coastal wetland area, streetscape and school entry.</p> <p>Access The new school entry is visible from Namona Street. The proposed new entry pathway has been designed as an accessible pathway.</p> <p>Territorial Re-enforcement The new entry, pathway and additional landscaping provide a distinct entry to the school and delineate the public domain from the school development.</p> <p>Space Management The Coastal Wetland area and school entry is fenced along Namona Street. Any damage to the school entry or walkways will be fixed in a timely manner, including graffiti removal. Vegetation within the coastal wetland area will be maintained by the school to ensure a safe and presentable space interfaces with the public domain.</p>	Yes

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<p>Where provided, public facilities (toilets, telephone etc) are to be located so as to have direct access and to be clearly visible from well-trafficked public spaces.</p> <p>Design landscaping and materials around dwellings and buildings, so that when it is mature it does not unreasonably restrict views of pathways, parking and open space areas.</p> <p>ii. Access</p> <p>Shared entries must be able to be locked and incorporate an intercom system or the like to allow visitors to gain entry.</p> <p>Building entrances are to be clearly visible from the street, easily identifiable and appropriately lit.</p> <p>Where provided, pedestrian access through a site and through the public domain is to be clearly defined, signposted, appropriately lit, visible and give direct access to building from parking and other areas likely to be used at night.</p> <p>The street number of the property is to be clearly identifiable.</p> <p>Pedestrian access along the street frontage shall not be impeded by landscaping, street furniture or other restrictions.</p> <p>iii. Territorial reinforcement</p> <p>Walkways and landscaping should be used to delineate site boundaries and direct visitors to the correct entrance and away from private areas.</p> <p>Blank walls along all public places (streets, open space etc) shall be minimised.</p> <p>iv. Space management</p> <p>Popular public space is often attractive, well maintained and a well used space. Linked to the principle of territorial reinforcement, space management ensures that space is appropriately utilised and well cared for.</p> <p>Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out pedestrian and car park lighting and the removal or refurbishment of decayed physical elements.</p> <p>A crime risk assessment is a systematic evaluation of the potential for crime in an area. It provides an indication of both the likely magnitude of crime and likely crime type. The consideration of these dimensions (crime amount and type) will determine the choice and approximate mix of Crime Prevention through Environmental Design (CPTED) strategies.</p>		

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<p>C5.5 Accessibility</p> <p>The siting and design of a building to which the general public has access shall comply with Australian Standard AS 1428-2009.1: Design for access and mobility – General requirements for access – New building work, and shall incorporate the following:</p> <ul style="list-style-type: none"> • Continuous accessible path of travel to all areas that the public or a section of the public is entitled or allowed to enter or use; and • Walkways, ramps and landings at a reasonable gradient and width, with handrails and kerbs provided on all ramps, and slip-resistant materials on all floor surfaces 	<p>An accessibility review by Philip Chun Accessibility reviewed the proposed development plans and notes the development is capable of complying with the accessibility requirements in the BCA. Refer Appendix B.</p>	Yes
<p>C5.10 Protection of Residential Amenity</p> <p>Development does not have an adverse impact upon adjoining residential development. A reasonable level of solar access and visual privacy is maintained to residential properties.</p>	<p>The proposed works are located along the Namona Street boundary, and will not result in any loss of solar access or visual privacy to neighbouring residences along Oak Street.</p>	Yes
<p>C5.15 Undergrounding of Utility Services</p> <p>All existing and proposed utility services to the site are to be placed underground or encapsulated within the building.</p> <p>All existing and proposed utility services to the site, or adjacent to the site within a public road reserve, are to be placed underground for the total frontage of the site to any public road.</p> <p>Design and construction of the undergrounding of utility services are to be at full cost to the developer.</p>	<p>All proposed services will be underground.</p>	Yes
<p>D Locality Specific Development Controls D11 – North Narrabeen Locality</p>		
<p>D11.1 – Character as viewed from a public place</p> <p>Landscaping is to be integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation.</p> <p>General service facilities must be located underground.</p> <p>General service facilities must be located underground.</p> <p>Attempts should be made to conceal all electrical cabling and the like</p>	<p>Additional landscaping proposed will screen the existing built form, but will not reduce visibility of the heritage listed 'Bini Dome Shells'. Services will be underground.</p>	Yes
<p>D11.10 Landscaped Area – General and D11.11 Landscaped Area – Environmentally Sensitive Land</p> <p>Achieve the desired future character of the Locality. Vegetation is retained and enhanced to visually reduce the built form. Conservation of natural vegetation and biodiversity. Stormwater runoff is reduced, preventing soil erosion and siltation of natural drainage channels. To preserve and enhance the rural and bushland character of the area. Soft surface is maximised to provide for infiltration of water to the water table, minimise run-off and assist with stormwater management.</p>	<p>Vegetation is retained where possible. Refer Appendices G and Q. 12 trees will require removal for the proposed works. An additional 12 trees are proposed for planting. Stormwater Management with erosion and sediment controls as per existing and connecting to existing stormwater network for the school. Refer Appendix H.</p>	Yes