

Ballina Shire Council
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 BALLINA NSW 2478

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Locality Plan

ballina shire council
 geographical information system

Projection: GDA94 / MGA zone 56
 Date: 19/03/2020

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LENNOX HEAD PUBLIC SCHOOL UPGRADE

Development Application - Nov 2019



DA Drawing List			DA Drawing List		
Sheet Number	Sheet Name	Current Revision	Sheet Number	Sheet Name	Current Revision
A000	Cover Sheet	B	A320	Canteen Elevations	C
A101	Site Plan - Demolition	B	A400	Homebase Sections	B
A102	Site Plan - Proposed	C	A410	Admin & Canteen Sections	B
A200a	Key Plan - Ground	A	A500	Shadow Diagrams	B
A201a	Key Plan - Roof	A	A516	Perspectives - Sheet 1	C
A210	Homebase - Ground GA Plan	C	A517	Perspectives - Sheet 2	C
A211	Homebase - Level 1 GA Plan	C	A518	Perspectives - Sheet 3	C
A220	Admin GA Plan	C	A521	Perspectives - Sheet 6	C
A230	Canteen - GA Plan	C		Grand total: 20	
A300	Homebase Elevations - Sheet 1	C			
A301	Homebase Elevations - Sheet 2	C			
A310	Admin Elevations	C			

PRELIMINARY

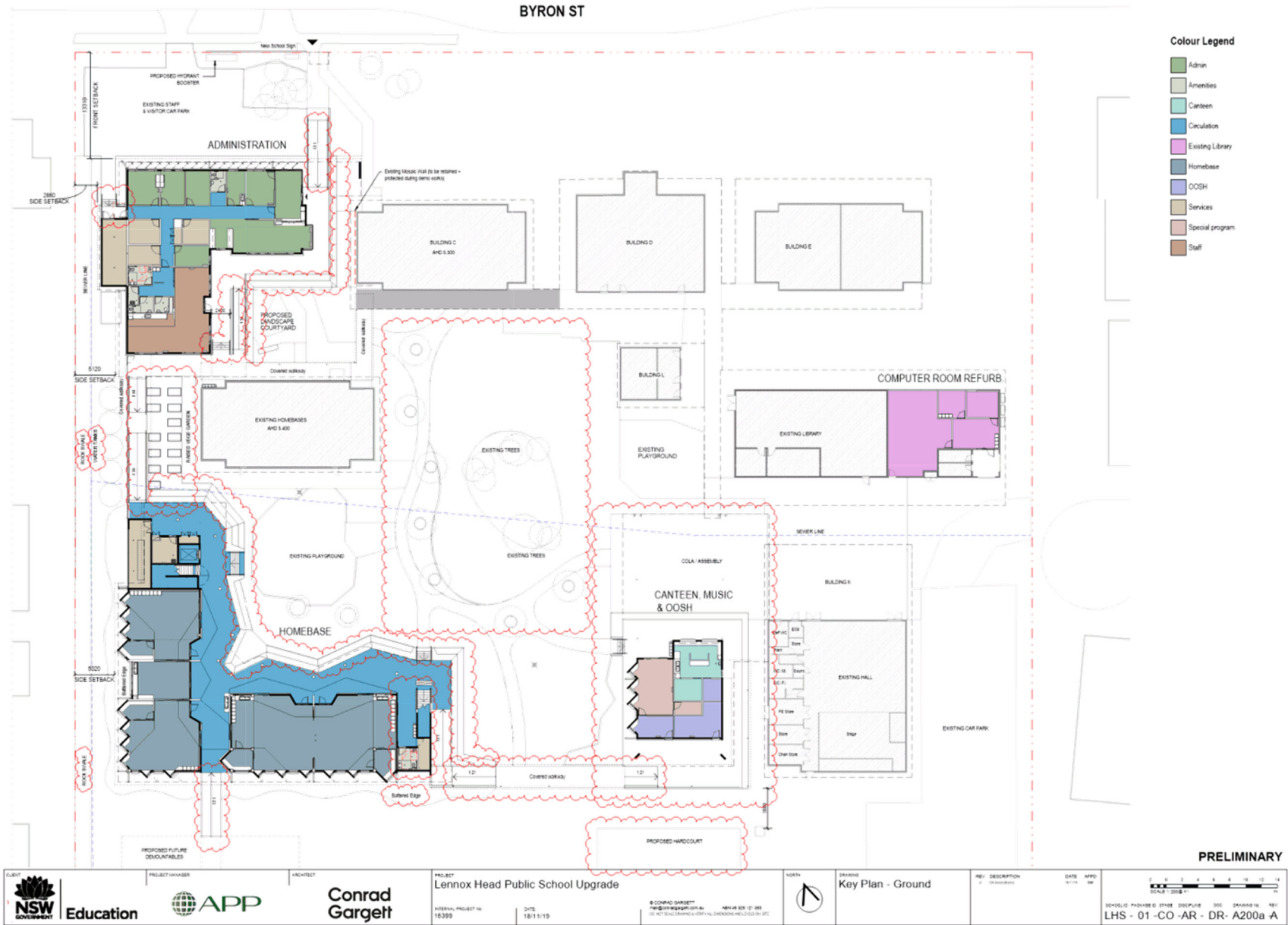
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			INTERNAL PROJECT NO: 10399	DATE: 18/11/19					

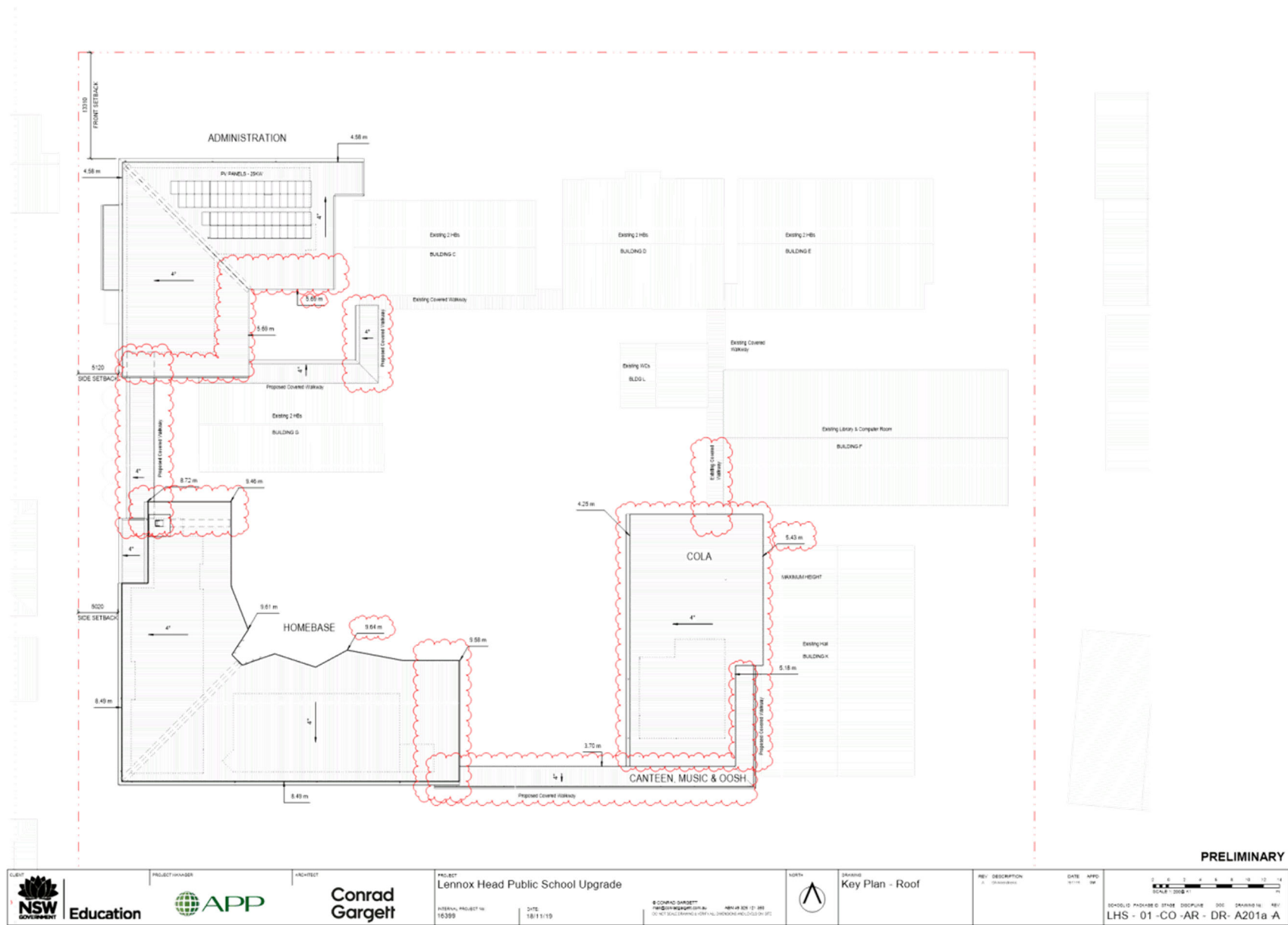


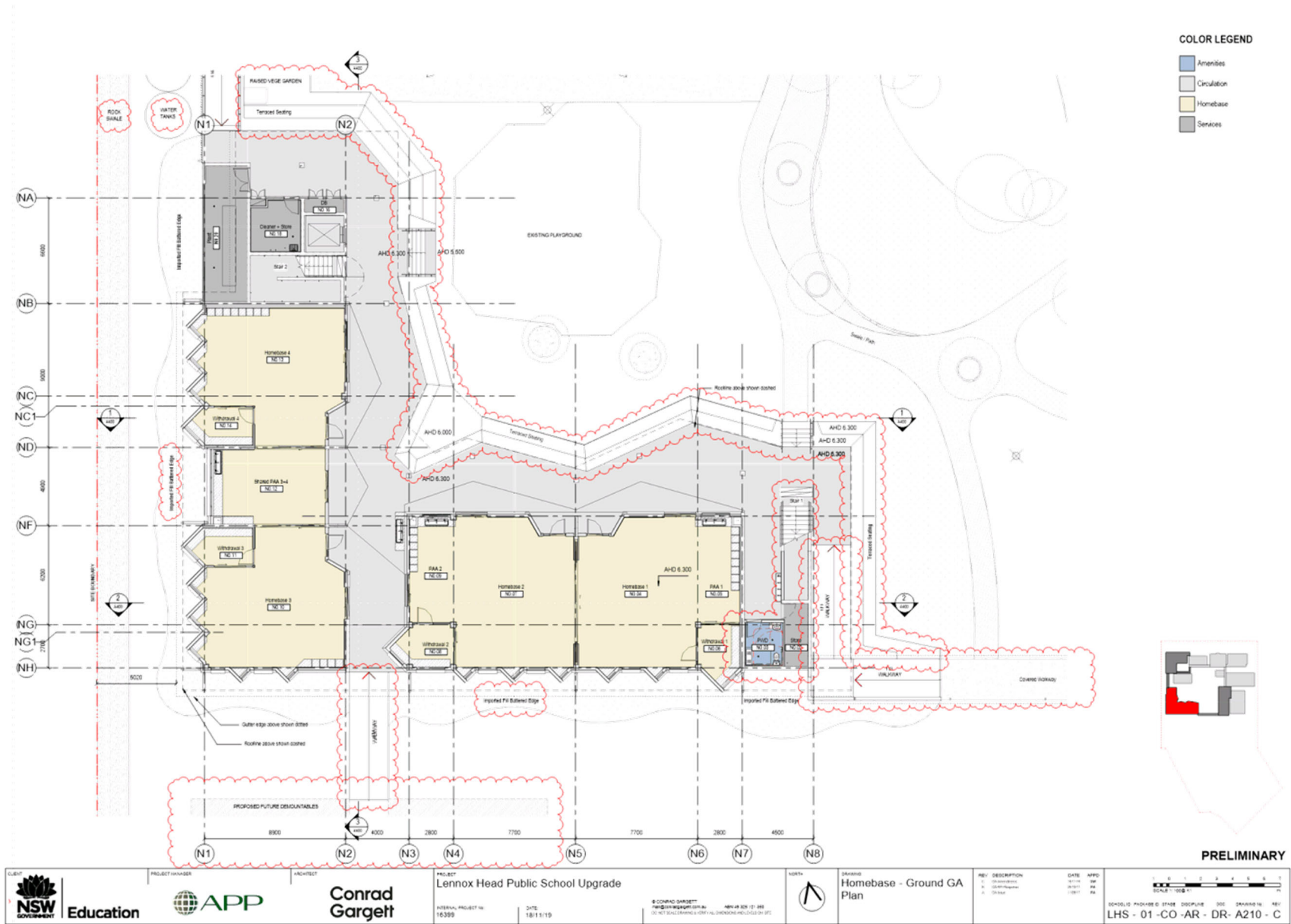
- LEGEND**
- DEMOUNTABLE RELOCATION PRIOR TO DEMOLITION WORKS
 - DEMOLISHED STRUCTURES - PART 1 INCLUDING SERVICES
 - DEMOLISHED STRUCTURES - PART 2 INCLUDING SERVICES
 - DEMOLISH EXISTING SPORT COURT AND ALL ASSOCIATED ANGLARY FIXTURES AND FITTINGS REMOVE EXISTING SPORTS HOOPS AND EQUIPMENT AND PROVIDE TO SUPERINTENDENT NEW SPORT COURT TO BE INSTALLED

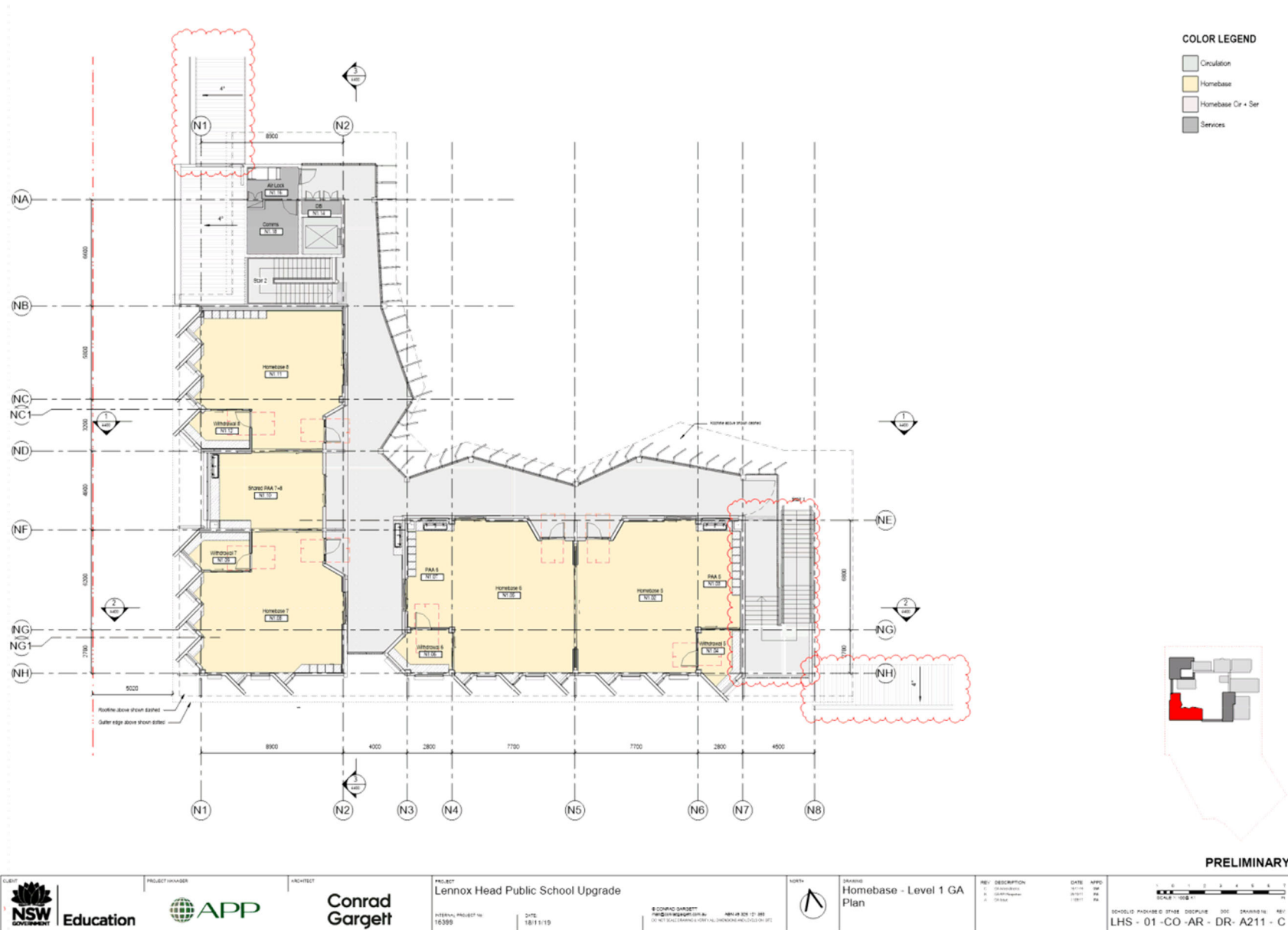
PRELIMINARY

				PROJECT Lennox Head Public School Upgrade		DRAWING Site Plan - Demolition	<table border="1"> <thead> <tr> <th>REV</th> <th>DESCRIPTION</th> <th>DATE</th> <th>APP'D</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Issue for DA</td> <td>18/11/19</td> <td>[Signature]</td> </tr> </tbody> </table>	REV	DESCRIPTION	DATE	APP'D	1	Issue for DA	18/11/19	[Signature]
				REV				DESCRIPTION	DATE	APP'D					
1	Issue for DA	18/11/19	[Signature]												
FEDERAL PROJECT NO: 16399	DATE: 18/11/19	© CONRAD GARGETT 18/11/19 10:00 AM 01 - NET SCALE DRAWING - 100% CAL. DIMENSIONS PROVIDED ON SITE	SCALE 1:1000 0 5 10 15 20 25 30 35 40 45												

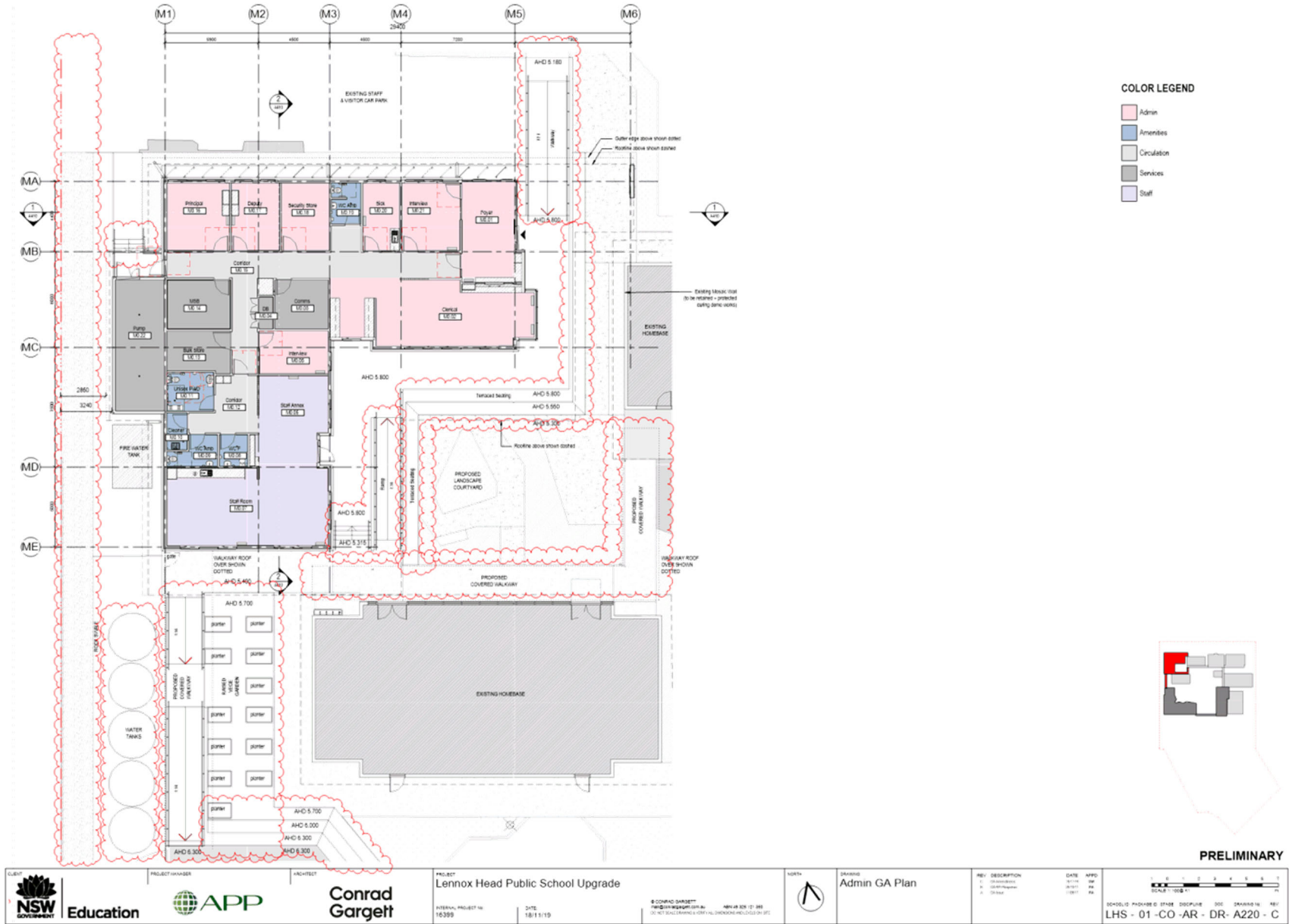


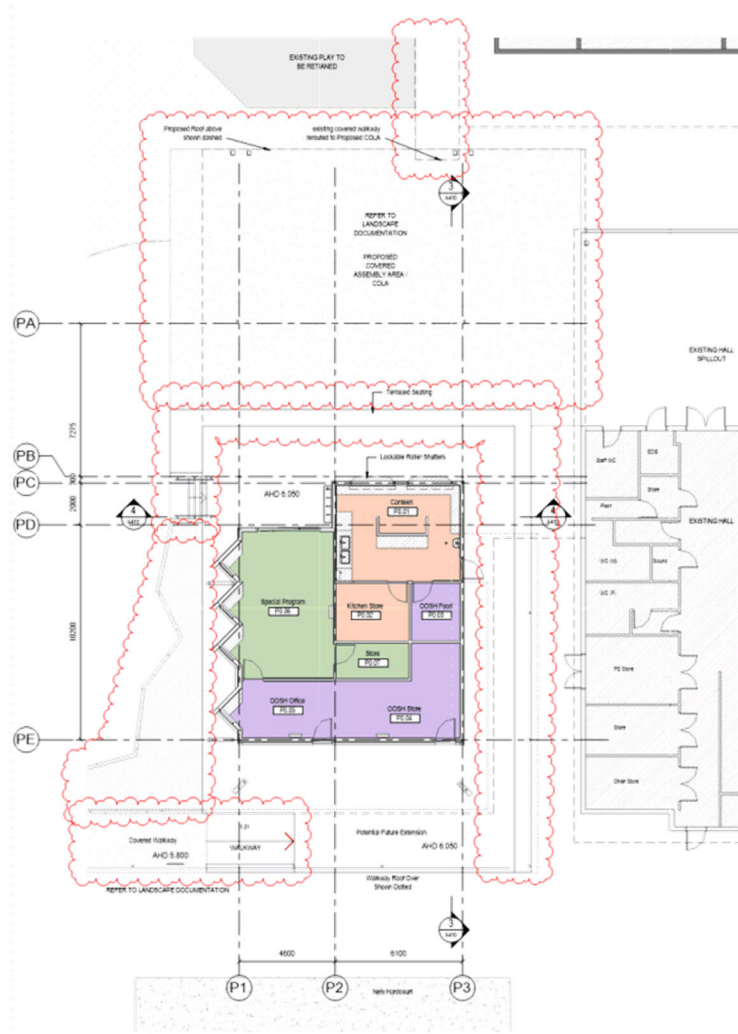






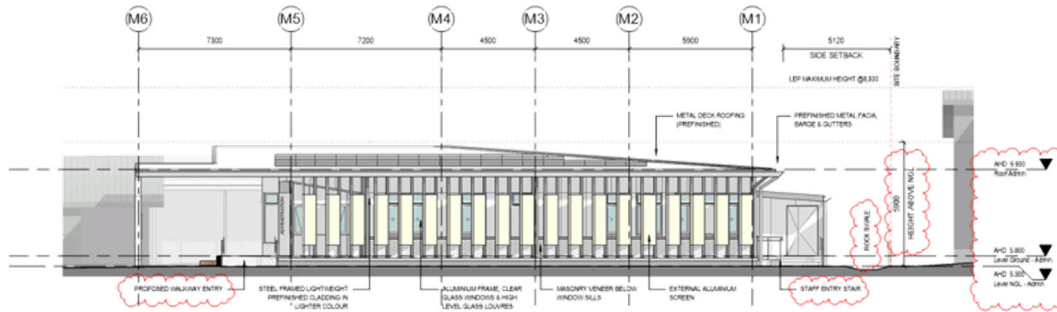
8.4 **DA 2017/509 - Lennox Head Public School Modification**



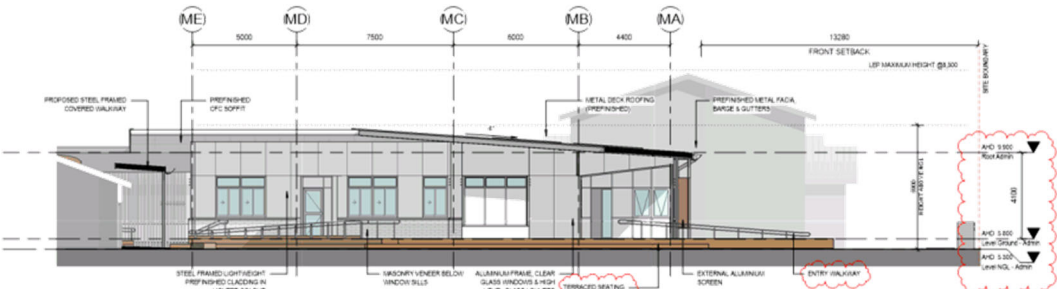


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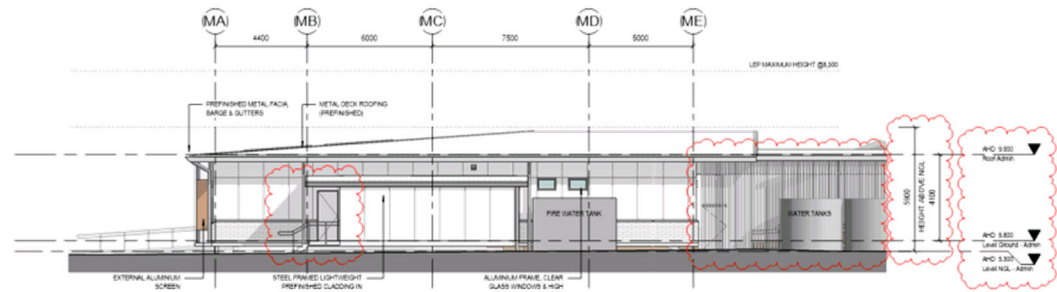
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	CLIENT	CONRAD GARGET	Lennox Head Public School Upgrade						



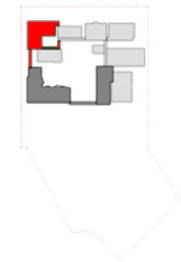
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2 DA Elevations - Admin - East
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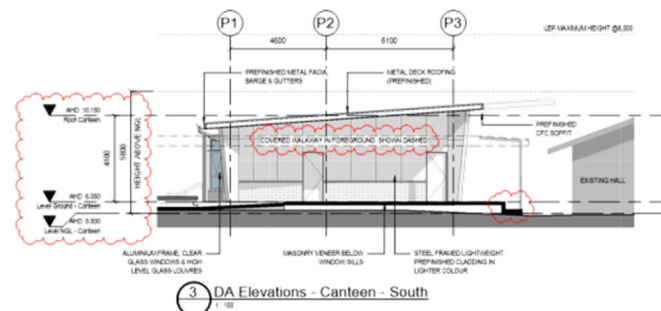
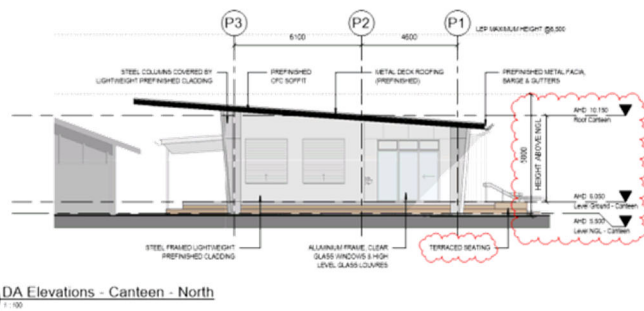
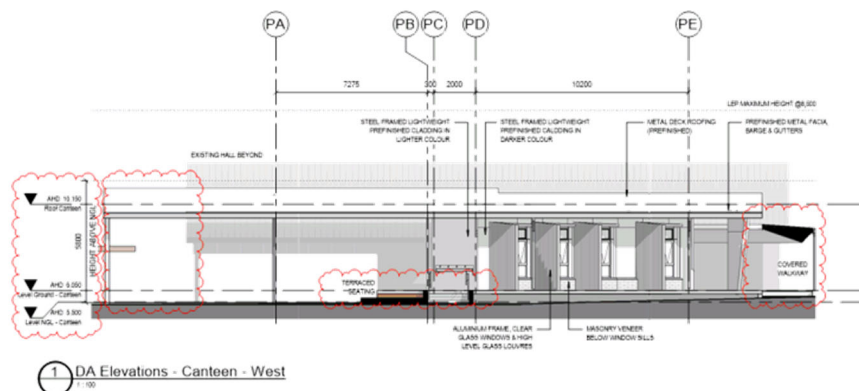


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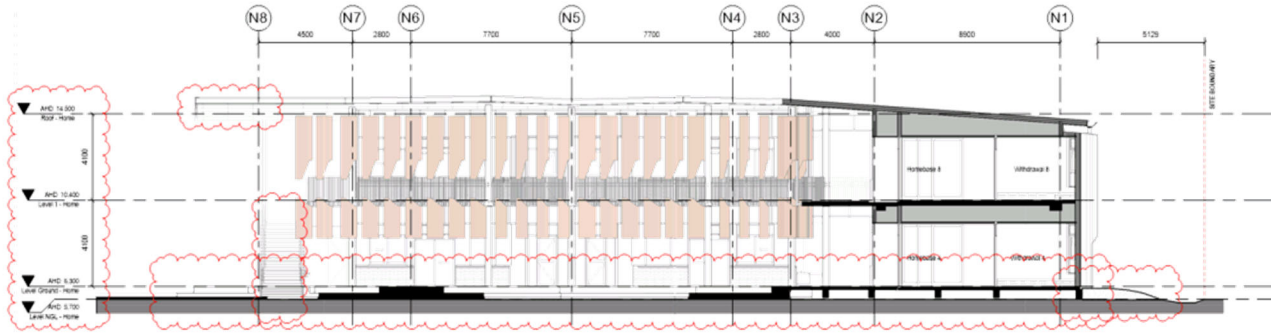
PRELIMINARY

 NSW Government	 Education	 APP	 Conrad Gargett	PROJECT Lennox Head Public School Upgrade	DRAWING Admin Elevations	REV. DESCRIPTION 1. 01/08/19 2. 08/11/19 3. 08/11/19	DATE 01/08/19	APP'D [Signature]	 0 1 2 3 4 5 6 7 8 9 10 METRES
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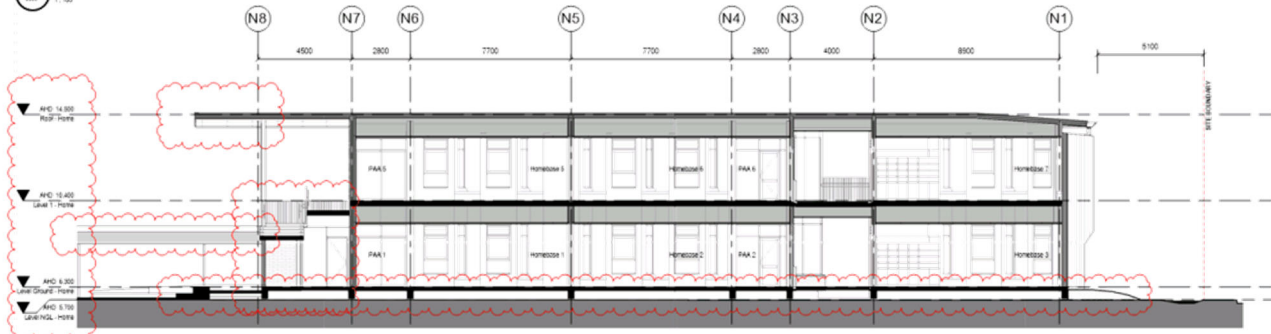


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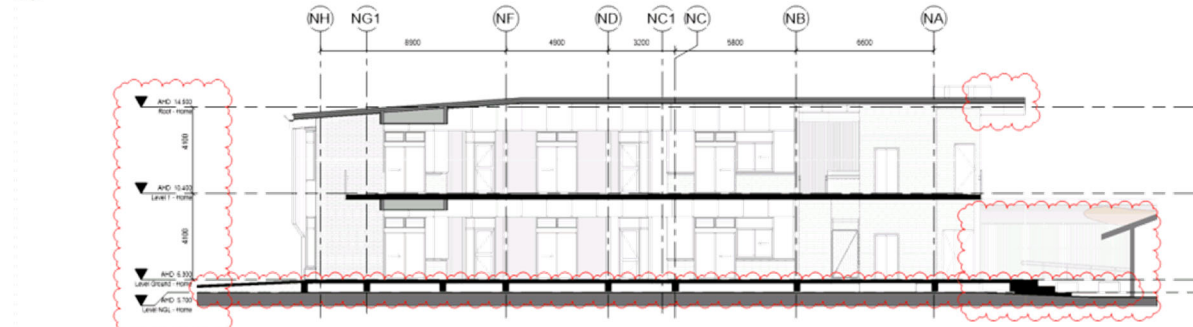
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	10399	Conrad Gargett	Lennox Head Public School Upgrade	Canteen Elevations	1. 10/11/19 2. 18/11/19	10/11/19	PK	



1 DA Sections - Homebase - Section 1
1:100



2 DA Sections - Homebase - Section 2
1:100



3 DA Sections - Homebase - Section 3
1:100



PRELIMINARY

				PROJECT Lennox Head Public School Upgrade	DRAWING Homebase Sections	REV. DESCRIPTION 1. 02/08/2017 2. 02/08/2017	DATE APVD 18/11/19 BY 	
				FEDERAL PROJECT NO. 16399				

8.4 **DA 2017/509 - Lennox Head Public School Modification**



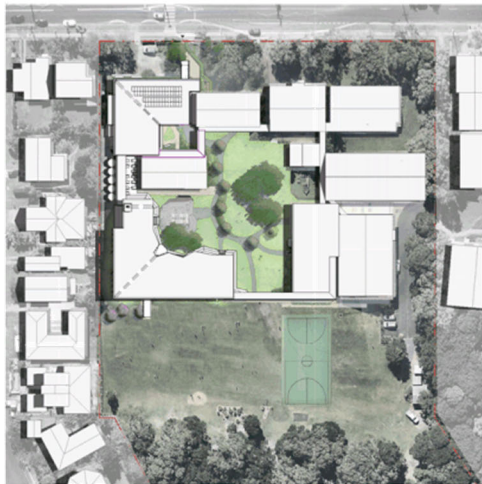
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2 Site Plan - Shadow Testing - 21 June 12pm
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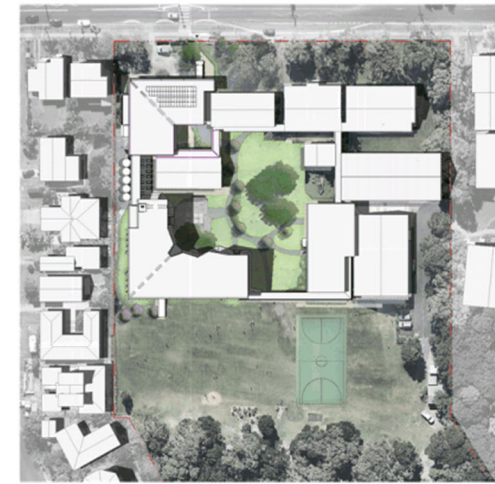
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5 Site Plan - Shadow Testing - 21 Dec 9am
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4 Site Plan - Shadow Testing - 21 Dec 12pm
1:100



6 Site Plan - Shadow Testing - 21 Dec 3pm
1:100

 NSW Government	 APP	 Conrad Gargett	PROJECT Lennox Head Public School Upgrade	 NORTH	DRAWING Shadow Diagrams	REV DESCRIPTION DATE APP'D	 0 1.6 3.2 4.8 6.4 8.0 9.6 11.2 12.8 14.4 16.0 17.6 19.2 20.8 22.4 24.0 25.6 27.2 28.8 30.4 32.0 33.6 35.2 36.8 38.4 40.0 41.6 43.2 44.8 46.4 48.0 49.6 51.2 52.8 54.4 56.0 57.6 59.2 60.8 62.4 64.0 65.6 67.2 68.8 70.4 72.0 73.6 75.2 76.8 78.4 80.0	PRELIMINARY SCHOOL ID: PAD006 © ST08 DISCIPLINE: DRG DRAWING NO: REV LHS - 01 - CO - AR - DR - A500 - B
			INTERNAL PROJECT NO: 16399 SITE: 18/11/19			© CONRAD GARGETT 18/01/2019 10:00 AM DRG: NET SHADE DRAWING: 18/11/19 10:00 AM		



VIEW FROM SCHOOL ENTRANCE

PRELIMINARY

			PROJECT Lennox Head Public School Upgrade		DRAWING Perspectives - Sheet 1	<table border="1"> <thead> <tr> <th>REV</th> <th>DESCRIPTION</th> <th>DATE</th> <th>APPD</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Issue for tender</td> <td>20/11/19</td> <td>SG</td> </tr> <tr> <td>2</td> <td>Revised tender</td> <td>20/11/19</td> <td>SG</td> </tr> <tr> <td>3</td> <td>Final tender</td> <td>20/11/19</td> <td>SG</td> </tr> </tbody> </table>	REV	DESCRIPTION	DATE	APPD	1	Issue for tender	20/11/19	SG	2	Revised tender	20/11/19	SG	3	Final tender	20/11/19	SG	SCHOOL ID: PADRABE ID: STAGE: DISCIPLINE: DOC: DRAWING NO: REV: LHS - 01 - CO - AR - DR - A516 - C
			REV	DESCRIPTION			DATE	APPD															
1	Issue for tender	20/11/19	SG																				
2	Revised tender	20/11/19	SG																				
3	Final tender	20/11/19	SG																				
CLIENT: NSW GOVERNMENT Education	PROJECT MANAGER: APP	ARCHITECT: Conrad Gargett	INTERNAL PROJECT NO: 16399	DATE: 18/11/19	© CONRAD GARGETT DESIGN/ARCHITECTURE PTY LTD DO NOT SCALE DRAWING & CONTENTS SHOWN ARE UNLESS SHOWN OTHERWISE																		



HOMEBASE

PRELIMINARY

 CLIENT NSW Education	 PROJECT MANAGER APP	 ARCHITECT Conrad Gargett	PROJECT Lennox Head Public School Upgrade		DRAWING Perspectives - Sheet 2	REV. DESCRIPTION 1. 01/08/2016 2. 07/11/19 3. 18/11/19	DATE APD 01/08/16 07/11/19 18/11/19	SCHOOL ID NUMBER © STAGE DISCIPLINE DDC DRAWING NO. REV. LHS - 01 - CO - AR - DR - A517 - C
			FEDERAL PROJECT NO. 16399	DATE 18/11/19		© CONRAD GARGETT 100/100 WILSON ROAD, LENNOX HEAD NSW 2464 02 497 3242 08 8246 1000 08 8246 1000 08 8246 1000	NSW 149 106 12 186	

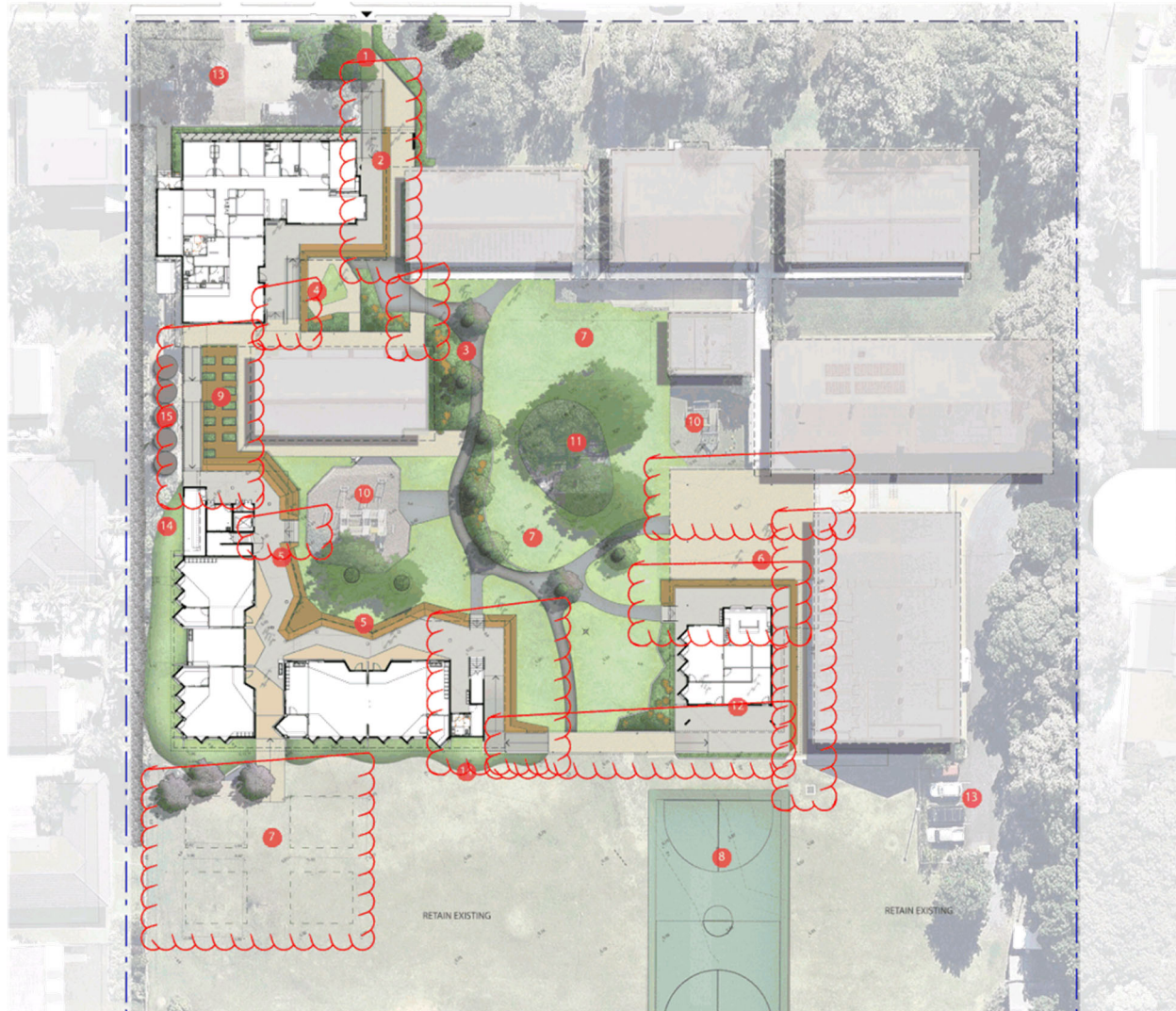


HOMEBASE

PRELIMINARY

			PROJECT Lennox Head Public School Upgrade		DRAWING Perspectives - Sheet 3	REV. DESCRIPTION DATE APPD. 1. Initial Design 28/11/19 2. Final Design 28/11/19 3. Final Design 28/11/19	SCHEDULE DRAWING STATE DISCIPLINE DOC. DRAWING NO. REV. LHS - 01 - CO - AR - DR - A518 - C
			CLIENT NSW GOVERNMENT Education	PROJECT MANAGER			

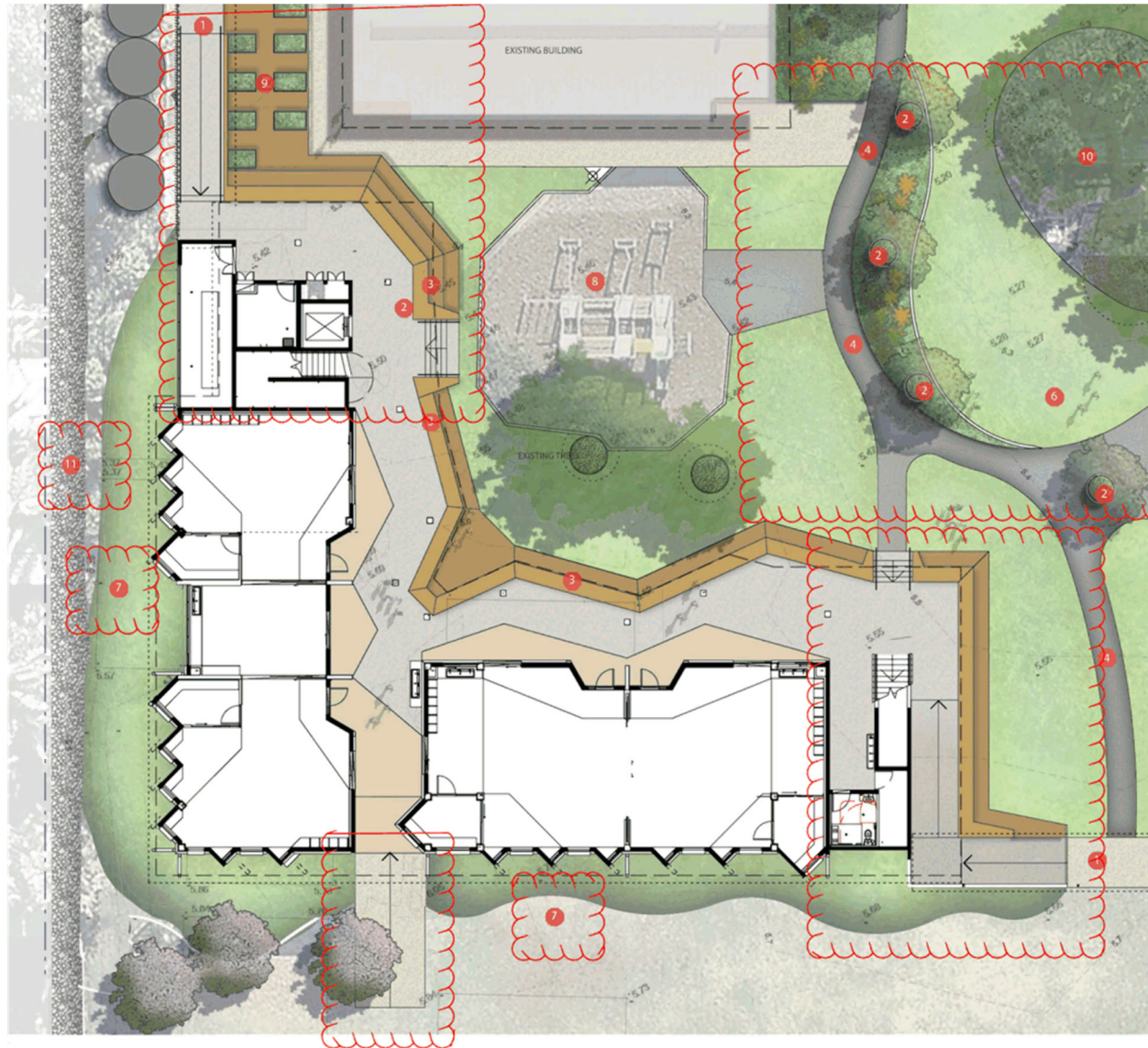
Landscape Schematic Plan



LEGEND

- 1 New Entry and School Signage
- 2 Arrival Plaza / Walkway
- 3 The Central Link (New Walkway)
- 4 Landscape Courtyard / Seating Area
- 5 Terraced Seating Edge
- 6 Seating / Assembly Area / Canteen Spill Area
- 7 Future Demountable loctions
- 8 Re-oriented Multi purpose Court
- 9 Community Garden / Raised Veggie Garden
- 10 Existing Play Area to be Retained
- 11 Existing Informal Seating under Existing Trees to be Retained
- 12 Future Expansion Area
- 13 Existing Car Park
- 14 Battered Edge using Imported Fill
- 15 Existing Water Tanks Relocated
- - Site Boundary

	PROJECT MANAGER	ARCHITECT	PROJECT		DRAWING Landscape Concept Plan	REV	DESCRIPTION	DATE	APPROVED	
		ANCHER MORTLOCK WOOLLEY	Lennox Head Public School INTERNAL PROJECT No: 16309 DATE: 28/05/17 SCALE: @A1			1 2 3	Site Signage Site Signage Site Signage	28/05/17 28/05/17 14/11/17	[Signature] [Signature] [Signature]	
© CONRAD GARRETT ANCHER MORTLOCK WOOLLEY 100/100 CONRAD GARRETT ANCHER MORTLOCK WOOLLEY 100/100 CONRAD GARRETT ANCHER MORTLOCK WOOLLEY						SCHOOL ID: LHS-01 SD-LA-DR STAGE: DR DISCIPLINE: LA DOC ID: LA006 DRAWING No: B				



New Homebase Landscape Plan

LEGEND

- 1 New Covered Walkway
- 2 Tree Planters (Above Ground)
- 3 Terraced Seating - Max 300mm Rise and Min 800mm Going.
- 4 New Walkway / Swale
- 5 Gentle Rock Swale along western boundary
- 6 Make Good Landscape - Turf
- 7 Turf on imported fill battered edge
- 8 Existing Water Tanks to be relocated
- 9 New Raised Community Garden
- 10 Existing Informal Seating under Existing Trees to be Retained
- 11 Rock Swale
- - Site Boundary



PRELIMINARY

	PROJECT MANAGER	ARCHITECT	PROJECT		REV. DESCRIPTION	DATE	APPRO.
			Lennox Head Public School <small>INTERNAL PROJECT NO: 16399 DATE: SCALE: (B1)</small>		Unnamed New Homebase Landscape Plan	SCHOOL: 6 BLDG: 8 STAGE: DRG/PLN DOC ID: DRAWING NO: DD - 05048 REV: 8	



New Canteen Landscape Plan

LEGEND

- 1 Seating / Assembly / Canteen Spill Area with connection to existing hall
- 2 Terraced Platform for seating and small group gathering
- 3 Battered Edge Imported Fill
- 4 New Covered Walkway
- 5 Above Ground Planter
- 6 Re-oriented Multi purpose Court
- 7 Walkway / Swale
- 8 The Central Link (New Walkway)
- 9 Existing Playground to be Retained
- 10 Above Ground Tree Planters
- 11 Existing Informal Seating under Existing Trees to be Retained



	PROJECT MANAGER	ARCHITECT	PROJECT		DRAWING	REV DESCRIPTION A On Plot B As Executed	DATE APPO 28/05/20 04/06/20 18/11/20	
		ANCHER MORTLOCK WOOLLEY	Lennox Head Public School INTERNAL PROJECT No: 10399 DATE: 28/05/20 SCALE: 1:500 © CONRAD GARGETT ANCHER MORTLOCK WOOLLEY 10/05/2019 10:00 AM ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT OR CONTENTS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.					
LHS - 01 - SD - LA - DR LA009 B						REV DESCRIPTION A On Plot B As Executed	DATE APPO 28/05/20 04/06/20 18/11/20	10m 0 5 10 SCALE: 1:500

Material Palette - Hardscape

PAVING						
	INDICATIVE ONLY	INDICATIVE ONLY	INDICATIVE ONLY	INDICATIVE ONLY		
	FULL DEPTH COLOURED CONCRETE	FULL DEPTH COLOURED CONCRETE	FULL DEPTH COLOURED CONCRETE	FULL DEPTH COLOURED CONCRETE	TACTILE INDICATOR	CONCRETE EDGE
	Colour: CCS Smokey Blue Finish: Broom Finish	Colour: CCS Citrus Cream Finish: Broom Finish	Colour: CCS Driftwood Finish: Broom Finish	Colour: CCS Kakadu (FOR GAMES COURT) Finish: Broom Finish	300mm x 300mm x 40mm Type: Concrete Paver Colour: CCS Charcoal / CCS Ivory Supplier: Chelmsstone or equivalent	150mm x 150mm

SEATING WALL			
	SANDSTONE SEATING WALL A Grade Sandstone Blocks Sandstone Hub or equivalent	IN SITU CONCRETE SEATING WALL Plain Grey Concrete	INFORMAL SEATING - TIMBER Timber 135mm x 32mm Spotted Gum F23 - Stained with 2 coats of Cutek Extreme

FURNITURE	
	TRASH BIN 600mm (W) x 1240mm (H) x 605mm (D) - Cladding: Black Powder Coated Steel, Chute and Cover: Black Powder Coated Steel Slats: Select Timber Hardwood Supplier: MOS or equivalent

General Note:
Selection & images are for the purpose of indicating the Landscape Design Intent only. Final selections will be equal to or similar to those nominated.

			PROJECT Lennox Head Public School	DRAWING Material Palette - Hardscape	REV. DESCRIPTION 1. 01/10/17 2. 01/10/17 3. 14/11/17	DATE 01/10/17 01/10/17 14/11/17	APP'D [Signature] [Signature] [Signature]
			CLIENT Education		ARCHITECT ANCHER MORTLOCK WOOLLEY	INTERNAL PROJECT No. 16309	DATE 28/05/17

Planting Schedule

Botanical Name	Common Name	Form	Flowering Period	Mature Height	Hardiness	Growth Rate	Soil Type	Light Requirements	Allergy Rating	Key Function	Ideal Zones of Use
TREES											
Banksia integrifolia	Coast Banksia	Medium evergreen tree	January to June	15-20 m	Very hardy	Moderately vigorous, long lived	San to heavy soils, well drained	Full sun	Low	Shade	Street Frontage
Lophostemon confertus	Brush Box	Medium evergreen tree	Spring, Early Summer	20m	Hardy	Very vigorous, long lived	Moderately to highly fertile	Full sun to deep shade	Medium	Windbreak	Assembly
Syncarpia glomulifera	Turpentine Tree	Medium, evergreen tree	Spring	20m	Tolerates short drought	Moderate	Heavier Soils	Full sun, part shade	Low	Screen	Active

Botanical name	Common Name	Form	Flowering Period	Mature Height	Hardiness	Growth Rate	Soil Type	Light Requirements	Allergy Rating	Key Function	Ideal Zones of Use
SHRUBS											
Banksia spinulosa	Hairpin Banksia	Medium shrub	April to July	3 m	Hardy	Moderate, long lived	Sandy loam / clay loam, well drained	Full sun, part shade	Low	Groundcover	Street Frontage
Dianella caerulea	Flax Lily	Tufted shrub	October to February	600 mm	Hardy once established	Moderate	Sandy	Full sun, part shade	Medium	Screen	Assembly
Doryanthes excelsa	Gynea Lily	Large, tufted shrub	August to November	2 m	Hardy	Show to moderate	Deep sandy	Full sun, shade	Low	Foliage Contrast	Passive
Lomandra longifolia	Spiny-headed, Mat-rush	Tufted shrub	August to December	800 mm	Very hardy	Fast	Adaptable	Adaptable	Medium	Specimen Plant	Active
Syzygium australe 'Tiny Trev'	Dwarf Lillypilly	Small shrub	Spring to mid summer	600 mm	Salt tolerant, protect from harsh winds	Moderately vigorous	Prefers reliably moist loams, but adaptable	Full sun	Low	Soil Binder	Boundary
GROUND COVERS AND TURF											
Juniperus conferta	Shore Jupiter	Evergreen, coniferous shrub	N/A	300 mm	hardy front line salt and wind tolerant	Moderate to vigorous, long lived	Sandy clay soils, moderate drainage	Full sun	Low	Mass Planting	Street Frontage
Myoporum parvifolium	Creeping myoporum	Spreading mat	N/A	300 mm	Hardy	Moderate to vigorous, long lived	Sandy loam added organic matter	Full sun, light shade	Low	Colour / Habitat Contrast	Assembly

				PROJECT: Lennox Head Public School INTERNAL PROJECT No: 16309 DATE: 28/05/17 SCALE: B1	DRAWING: Planting Schedule REV: 4 DATE: 28/05/17 APPD:	SCHOOL ID: LHS-01 BLDG ID: SD STAGE: LA DISCIPLINE: DR DOC ID: LA012 A DRAWING No: LA012 A REV:
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Attention: Ballina Shire Council
Peter Drew

DA No: DA 2017/509.2
Applicant: Department of Education
Ref: Modify Consent to Lot 1 DP 603799 &
Lot 1 DP 435547, 25 Byron Street, Lennox Head

I Petrus Kay of 10A Banksia Avenue, Lennox Head am forwarding my objections to the Ballina Shire Council for the proposed modification to the consent submitted by the Department of Education DA 2017/509.2

I object to the raising of the building height from 9.1m to 9.7m (originally 8.5m) which is inline with the Lennox Head LEP, increase from the original of 1.2m.

The buildings in question are situated less than 5.0m to our eastern boundary. More consideration should be given to these two buildings and the impact they have to the residences to the adjoining boundary.

The impact being:

- Increased shadowing
- Decrease of solar space
- Significantly blocking the prevailing NE sea breeze.
- Decrease of privacy into outdoor patio living areas

The design would have less impact to these residential houses if the two storey buildings were built more to the East ie converting the existing single level buildings to multi storey and just single level where the proposed double storey would be constructed. Therefore no compromise on floor space from the school.

Also the position of what looks like relocatable classrooms once again positioned on our Eastern boundary when they could be positioned more to the East and minimise the impact on residential properties along Banksia Avenue.

My first option would be that with the allocation of a considerable amount of tax payer funds for the construction of the Lennox Head School and the ever growing population, my suggestion is that a new state primary school should be considered in a different location ie the proposed allocated industrial area North of Lennox Head as this would take into account the growing population and ease the traffic flow around the streets surrounding Lennox Primary School. Selling the land to fund a large portion of the new school at the proposed industrial area or allocating the land as parkland/garden/green space for the community.

My question to the town planning department is what is their projected population forecast for Lennox Head and surrounding areas that would utilise the current state primary school. With a high growth rate this will inevitably put further pressure on the current primary school proposal to expand even more into the future therefore again impact the adjoining neighbours and the already congested traffic in downtown Lennox Head.

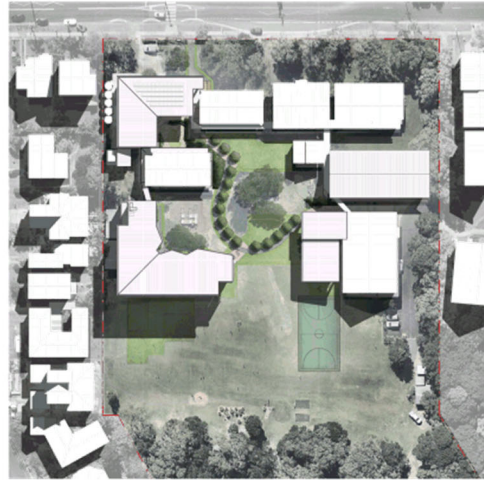
These proposed two buildings at 9.7m would make them the highest in Lennox Head. The ground level is already higher than the neighbouring properties varies approximately 0.5m.

There is plenty of scope within 9.1m for the classroom rather than imposing on the neighbours solar space. Increasing this height again would set a precedence for future building in Lennox Head.

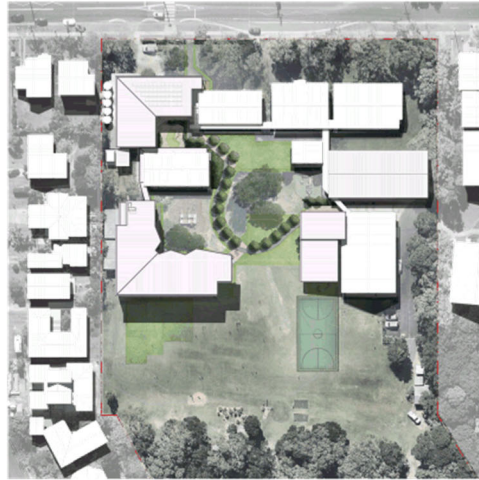
I understand that there are some sensitive indigenous artefacts found leading to the increase of the building height. If the artefacts are of such cultural significance for the BSC and the wider community to allow a building to significantly breach the building height plan, why is there not the respect given to this area by turning it into parkland instead of building on top of what is considered a sensitive area?

Yours Sincerely

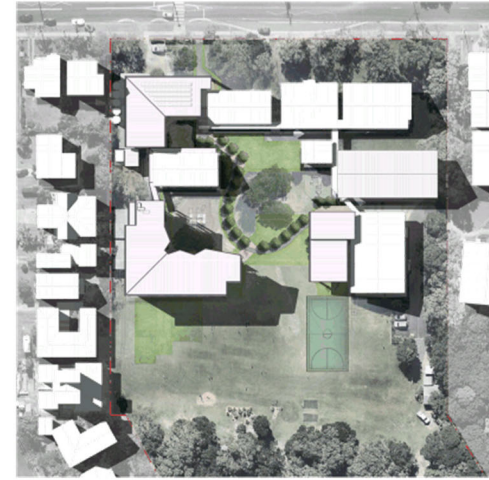
Petrus Kay
10A Banksia Avenue, Lennox Head



1 Site Plan - Shadow Testing - 21 June 9am
1:750



2 Site Plan - Shadow Testing - 21 June 12pm
1:750



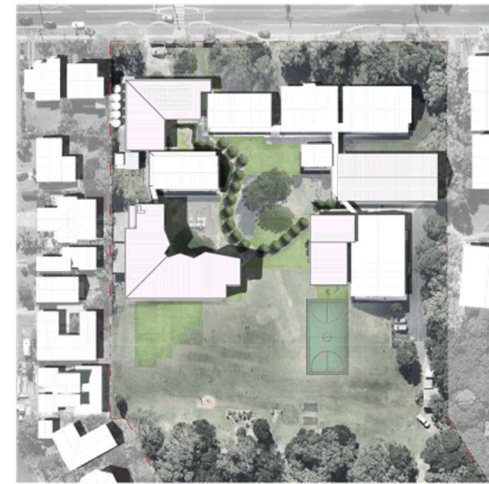
3 Site Plan - Shadow Testing - 21 June 3pm
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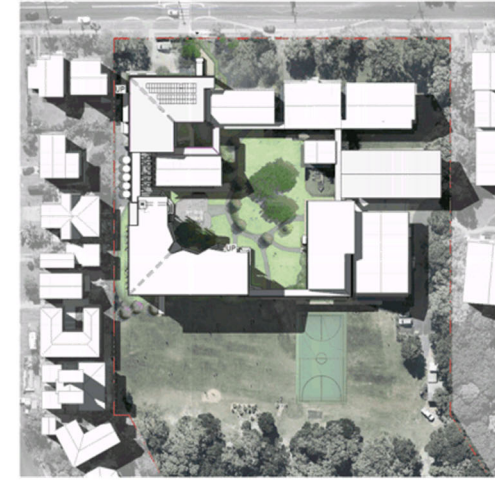
Shadow Diagrams - Approved Development



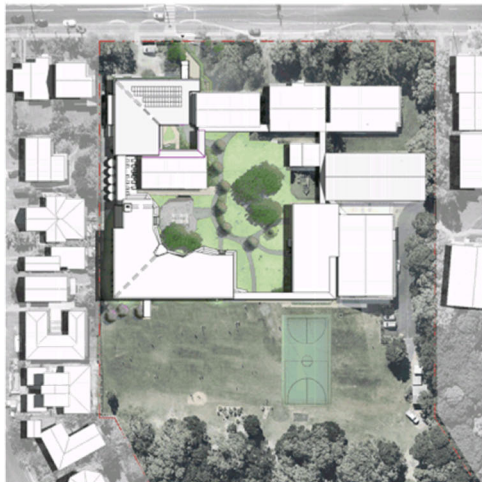
1 Site Plan - Shadow Testing - 21 June 9am
1:100



2 Site Plan - Shadow Testing - 21 June 12pm
1:100



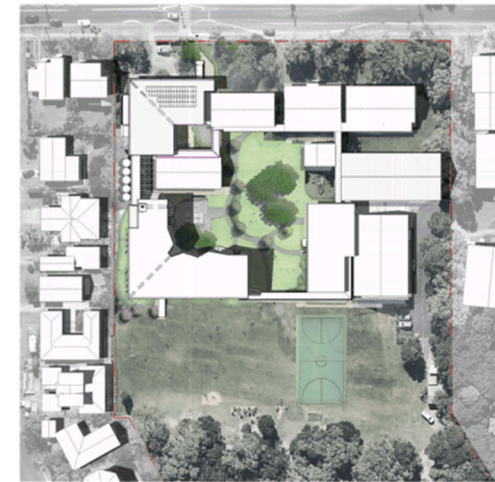
3 Site Plan - Shadow Testing - 21 June 3pm
1:100



5 Site Plan - Shadow Testing - 21 Dec 9am
1:100



4 Site Plan - Shadow Testing - 21 Dec 12pm
1:100



6 Site Plan - Shadow Testing - 21 Dec 3pm
1:100

Shadow Diagrams - Proposed Amendment

Section 4.15 Assessment

4.15 (1) (a) (i) - the provisions of any environmental planning instrument

Local Environmental Plans (LEPs)

Relevant LEP	Applies YES/NO
Ballina Local Environmental Plan 2012	Yes
Ballina Local Environmental Plan 1987 (Note: BLEP 1987 only applies to land identified as "Deferred Matter" on the Land Application Map accompanying the BLEP 2012)	No

Ballina LEP 2012 – Zoning, Permissibility and Relevant Clauses	Comments/Is consistency with these provisions achieved?
Aims, objectives of BLEP (Clause 1.2)	The development, as amended, remains consistent with broad aims of the BLEP 2012.
Land use definition (Clause 1.4)	Educational establishment means a building or place used for education (including teaching), being — (a) a school, or (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.
Zoning under BLEP 2012, permissibility within zone and regard for zone objectives (Clause 2.3)	The site is zoned R3 – Medium Density Residential under BLEP 2012. Development for the purposes of an 'Educational Establishment' is permissible within the R3 zone. The objectives of the R3 – Medium Density Residential zone are: <ul style="list-style-type: none"> • To provide for the housing needs of the community within a medium density residential environment. • To provide a variety of housing types within a medium density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To provide development that is compatible with the character and amenity of the surrounding neighbourhood. • To encourage housing and infrastructure that supports the ageing population. • To provide for development that meets the social and cultural needs of the community.

	<ul style="list-style-type: none"> <i>To encourage development that achieves the efficient use of resources such as energy and water.</i> <p>The development has regard for and remains generally consistent with the objectives of the R3 zone. The upgrade to the school will improve the provision of educational facilities and services, which will assist with meeting the day to day needs of the local residents, and is designed to be compatible with the character and amenity of the surrounding neighbourhood. The proposal achieves the efficient use of resources such as energy and water</p>
Height of Buildings (Clause 4.3)	<p>The maximum height control for the subject site, as shown on The Height of Buildings Map, is 8.5 metres. The amended development has a maximum height of 9.7m and therefore does not comply with this development standard.</p> <p>Refer to body of the Council report for detailed assessment.</p>
Development within the Coastal Zone (Clause 5.5)	Repealed.
Heritage Conservation (Clause 5.10)	Consent of the Joint Regional Planning Panel was given to erect buildings on land on which Aboriginal objects are located.
Acid Sulfate Soils (Clause 7.1)	Addressed under original application and conditioned accordingly. No further issues raised under the modification application.
Earthworks (Clause 7.2)	<p>The amended development will involve additional fill to raise the ground level of the approved Administration, Homebase and Canteen buildings.</p> <p><i>Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—</i></p> <p>(a) <i>the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</i></p> <p>The amended development will not impact on drainage patterns or soil stability in the locality.</p> <p>(b) <i>the effect of the development on the likely future use or redevelopment of the land,</i></p> <p>The fill is required as part of the alterations and additions to the existing school. It will not impact on the future use or redevelopment of the land.</p>

	<p><i>(c) the quality of the fill or the soil to be excavated, or both,</i></p> <p>Conditions were imposed on the original consent to ensure that any fill material imported to the site for the development is obtained from fill sources that have an approved testing regime, and any material exported from the site occurs in accordance with the provisions of the Protection of the Environment Operations Act 1997, Protection of the Environment Operations (Waste) Regulation 2014, and the Environment Protection Authority 'Waste Classification Guidelines'.</p> <p><i>(d) the effect of the development on the existing and likely amenity of adjoining properties,</i></p> <p>The increase in fill will result in an increase to the overall height of the Homebased building. This issue is addressed in the body of the Council report.</p> <p><i>(e) the source of any fill material and the destination of any excavated material,</i></p> <p>The source of fill material and the destination of any excavated material is unknown at this stage. Suitable conditions have been imposed to ensure the appropriate process is followed in accepting or disposing of this material</p> <p><i>(f) the likelihood of disturbing relics,</i></p> <p>The purpose of the additional fill is to reduce ground disturbance and therefore minimise impacts on the cultural heritage significance of the site.</p> <p><i>(g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</i></p> <p>The development is not in close proximity to natural waterway, drinking water catchment or environmental sensitive area. No adverse impacts are anticipated.</p> <p><i>(h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i></p> <p>Suitable conditions were imposed on the original consent to ensure impacts resulting from earthworks are minimised.</p>
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Essential Services (Clause 7.7)	The site is currently serviced by reticulated water and sewer, electricity, stormwater, vehicle access and telecommunication services. Accordingly, all essential services can be made available to the development.
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State Environmental Planning Policies (SEPPs)

Relevant SEPPs	Comments/Is consistency with these provisions achieved?
SEPP 55 – Remediation of Land	Council has considered that the site has been used continuously as a school since 1882 and no change in use is currently proposed. Therefore, based on all the information available for the initial investigation it can be concluded that there is no indication that the land might be contaminated and no further investigation is warranted at this time. The development application satisfies the requirements of SEPP 55.
SEPP (Educational Establishments and Child Care Facilities)	The original application was assessed against the provisions of SEPP (Educational Establishments and Child Care Facilities). The development, as amended, remains consistent with this Policy.
SEPP (Coastal Management) 2018	<p>The original application was assessed against the provision of SEPP 71 – Coastal Protection. This Policy has since been repealed and replaced with the SEPP (Coastal Management) 2018.</p> <p>At the time of assessment for the original application, the Draft Coastal Management State Environmental Planning Policy 2016 had been publically exhibited and was therefore considered as a draft Environmental Planning Instrument.</p> <p>SEPP (Coastal Management) 2018 was published on 3 April 2018. The current application is therefore required to have regard for the Policy.</p> <p>The subject site is identified under the SEPP as being on the Coastal Use Area Map. The following provisions are therefore relevant to the assessment of the application.</p> <p><i>Division 4 Coastal use area</i> <i>14 Development on land within the coastal use area</i></p> <p><i>(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority—</i></p>

	<p>(a) <i>has considered whether the proposed development is likely to cause an adverse impact on the following—</i></p> <ul style="list-style-type: none"> (i) <i>existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,</i> (ii) <i>overshadowing, wind funnelling and the loss of views from public places to foreshores,</i> (iii) <i>the visual amenity and scenic qualities of the coast, including coastal headlands,</i> (iv) <i>Aboriginal cultural heritage, practices and places,</i> (v) <i>cultural and built environment heritage, and</i> <p>(b) <i>is satisfied that—</i></p> <ul style="list-style-type: none"> (i) <i>the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or</i> (ii) <i>if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</i> (iii) <i>if that impact cannot be minimised—the development will be managed to mitigate that impact,</i> <p>The proposed development is unlikely to result in unreasonable impacts on the above matters. Having regard for the submitted shadow diagrams, the additional impacts on neighbouring residents in terms of overshadowing are considered acceptable,</p> <p>The modified design has been proposed to reduce ground disturbance and preserve the cultural heritage elements of the site.</p> <p>(c) <i>has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.</i></p> <p>The proposed bulk, scale and size of the development is considered appropriate for the location.</p> <p><i>Division 5 General</i> <i>15 Development in coastal zone generally — development not to increase risk of coastal hazards</i></p> <p><i>Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.</i></p> <p>The development, as amended, is not likely to cause increased risk of coastal hazards on the subject land or other land.</p>
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	<p>16 <i>Development in coastal zone generally—coastal management programs to be considered</i></p> <p><i>Development consent must not be granted to development on land within the coastal zone unless the consent authority has taken into consideration the relevant provisions of any certified coastal management program that applies to the land.</i></p> <p>No Coastal Management Plans are applicable to the land.</p>
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4.15 (1) (a) (ii) – any proposed instrument that is or has been the subject of public consultation under the EP&A Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)

Draft EPI/Planning Proposal	Comments/Is consistency with these provisions achieved?
Draft State Environmental Planning Policy - Remediation of Land.	The provisions of SEPP 55 have been considered in the assessment of this application. No further matters are raised in relation to the Draft SEPP.
Draft Amendment to State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.	Not applicable.
Draft Amendment to State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.	Not applicable.
Draft Amendment to State Environmental Planning Policy (Short-term Rental Accommodation) 2019.	Not applicable.

4.15 (1) (a) (iii) – any development control plan (DCP)

DCPs currently in force:	
Ballina Shire Development Control Plan 2012	<input checked="" type="checkbox"/>

Ballina Shire DCP 2012	Comments/Assessment of proposal against provisions of DCP
	Clause 35(9) of SEPP (Educational Establishments and Child Care Facilities) 2017 stipulates that a provision of a development control plan that specifies a requirement, standard or control is

	of no effect, in this instance, regardless of when the development control plan was made. Despite this, the development, as amended, is considered to meet the objective and be consistent with the General and Environmental Considerations of the Ballina DCP 2012.
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4.15 (1) (a) (iia) – any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

Planning Agreement (or draft)	Comments
	Not applicable.

4.15 (1) (a) (iv) – any matters prescribed by the regulations

	Comments/Is consistency with these provisions achieved?
If the DA is for the demolition of a building, consider the provisions of AS 2601-1991: The demolition of structures (as in force 1 July 1993):	The development application involves the demolition of structures. A condition of consent has been recommended to ensure the works are undertaken in accordance with the provisions of AS 2601-2001.
If the DA is only for a change of use or the use of an existing building as a place of public entertainment, is the fire protection and structural capacity of the building appropriate to the building's proposed use?	Not applicable.
If the DA involves the rebuilding/ alteration/enlargement/extension of an existing building, is the existing building required to be brought into total or partial conformity with the Building Code of Australia (BCA)?	Based on the information submitted with the application, Council's Building Surveyor has advised that the existing buildings have satisfactory fire safety measures in place and an upgrade under clause 94 of the Regulations is therefore not required.
If the DA is for the erection of a temporary structure, is the fire protection and structural capacity of the structure appropriate to the proposed use of the structure?, and is the ground or other surface, on which the structure is to be erected, sufficiently firm and level to sustain the structure while in use?	Not applicable.

4.15 (1) (b) – the likely impacts of that development

Urban and Building Design	Discuss whether or not the impact is acceptable or not? If not, then describe the adverse impacts and the steps taken to mitigate the impacts
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i) Context and Settings	<p>The subject site comprises Lot 1 DP 603799 & Lot 1 DP 435547, and is known as no. 25 Byron Street, Lennox Head. The site is relatively flat and has a total area of 2.57 hectares.</p> <p>Existing school buildings are contained wholly within Lot 1 DP 435547.</p> <p>The development site is bound by Byron Street to the north, residential properties to the north-east, south and west, and community facilities/public reserve to the south-east.</p>
ii) Site Design and Internal Design	<p>Having regard for the existing use of the site, character of the immediate area, relevant planning controls and potential impacts, the design of the development is considered appropriate for the site and locality.</p>
iii) Ecologically Sustainable Building Design	<p>The development will be required to comply with Section J – Energy Efficiency of the Building Code of Australia. The design incorporates suitable water and energy efficiency measures (refer to Assessment of Design Quality Principles in original application).</p>
iv) Access, Transport and Traffic	<p>Considered under the original application. No change as a result of the proposed modification.</p>
v) Public Domain	<p>Acceptable.</p>
vi) Utilities	<p>The amended plans show the construction of building over a Council sewer main which traverses the site. Condition 8 – Protection of Sewer Main is required to be amended to clarify Council's requirements and ensure compliance with Council Policy - Building Over Council Assets (B06). This has been agreed to be the applicant.</p>
vii) Heritage	<p>Cultural Heritage</p> <p>As part of the assessment of the original application, it was identified that an Open Camp Site and Midden and Aboriginal objects would be potentially harmed by proposed works. The applicant was therefore required to obtain an Aboriginal Heritage Impact Permit (AHIP) from the OEH under the National Parks and Wildlife Act 1974 prior to the commencement of any works. As part of this process, the following additional management and commitments were made by the NSW Department of Education:</p> <ol style="list-style-type: none"> 1) In relation to Lois Cook's concerns and other RAPs and OEH, DoE have committed to a future Aboriginal cultural heritage management plan process to better manage cultural heritage within the School in the future.

	<p>2) DoE also committed to reconsidering the redevelopment's works program to identify better outcomes for cultural heritage values for further review by RAPs and OEH in 2019. A design that minimises ground disturbance was committed by DoE as a future commitment and to then have RAPs and OEH consider as a methodological variation to the AHIP.</p> <p>3) Redesign of the school redevelopment should avoid ground disturbance wherever possible, particularly within the first two to three metres of deposits (including fill, grey white sands – A1/A2 horizons and the B horizon coffee rock).</p> <p>4) Once the redesign has occurred, an AHIP methodological variation for future salvage can be scoped by Virtus Heritage (or other qualified archaeologist) in consultation with RAPs for endorsement by OEH.</p> <p>5) Copies of this report should be provided to Department of Education, registered Aboriginal parties and OEH.</p> <p>The proposed modification application has been lodged in response to commitments 2 and 3.</p>
viii) Construction	Addressed by way of conditions.
Environmental Impacts	
ix) Other Land Resources	Acceptable.
x) Water	The original application was accompanied by a stormwater drainage plan. The development, as amended, will comply with the Water Sensitive Design requirements of Council's Development Control Plan Chapter 2 – Section 3.9 - Stormwater Management.
xi) Soils	Addressed by way of conditions.
xii) Air and Microclimate	Acceptable.
xiii) Flora and Fauna	Acceptable.
xiv) Waste	Addressed by way of conditions.
xv) Energy	The proposal achieves the efficient use of resources such as energy and water (refer to Assessment of Design Quality Principles in original application).
Hazards	
xvi) Noise and Vibration	Some impacts are expected during the construction phase of the development. Suitable conditions have been imposed to minimise the extent of impacts.
xvii) Natural Hazards	Acceptable.

xviii)	Technological Hazards	Acceptable.
xix)	Safety, Security and Crime Prevention (CPTED)	Acceptable.
Social and Economic Impacts		
xx)	Social Impacts in the Locality	The development will provide improved facilities to the Lennox Head Public School which will be beneficial to the school and local community. In this regard, the development is expected to have a positive social impact.
xxi)	Economic Impact in the Locality	No significant economic impacts are likely to arise from the development. The proposed development is considered to achieve the orderly and economic use of the land. Due to the size and scale of the development, there is likely to be a reasonable economic benefit to the local community during the construction phase of the development.
Cumulative Impacts		
xxii)	Cumulative Impacts	Not anticipated.

4.15 (1) (c) – The suitability of the site for the development

		Comments
i)	Does the proposal fit in the locality?	The development, as modified, fits in the locality.
ii)	Are the site attributes conducive to development?	It is considered that the site, which comprises an existing school, is suitable for the proposed development, as modified.

4.15 (1) (d) Any submission made in accordance with this Act or the Regulations?

Is advertising required because the development is designated or “advertised” development?	NO
Is advertising required in accordance with established Council policy and practice?	YES
If YES, how many submissions were received?	One

Document general terms of issues raised in any submission and how they are being considered/ assessed:

Public Submissions:	One public submission was received in relation to the exhibition of the modification application. Refer to body of the Council report for detailed assessment.
Public Authority Submissions:	The modification application was referred to the Department of Planning, Industry and Environment (formally the Office of Environment and Heritage). No further comments or requirements were received.

4.15 (1) (e) The public interest

Federal, State & Local Government interests and Community interests	The proposed upgrade to the Lennox Head Public School will provide a significant benefit to the community in terms of the provision of quality educational facilities and economic benefits during the construction phase of the development. The development, as amended, will achieve the orderly and economic development of the site, will have acceptable environmental impacts, and will preserve the culture heritage significance of the site. Accordingly, the development, as modified, is considered to be in the public interest.
Section 64 and Section 94 Contributions	No contribution levied on the original application, and no contributions generated under the proposed modification.

DA 2017/509 DETAILS OF AMENDMENT No. 1**Amended Conditions****1. Approved Plans**

Development being carried out generally in accordance with the plans and associated documentation lodged by, or on behalf of, the applicant, including:

Plans prepared by Conrad Gargett			
Drawing No.	Revision	Drawing Title	Dated
A101	B	Site Plan - Demolition	18/11/19
A102	C	Site Plan - Proposed	18/11/19
A200a	A	Key Plan - Ground	18/11/19
A201a	A	Key Plan - Roof	18/11/19
A210	C	Homebase – Ground GA Plan	18/11/19
A211	C	Homebase – Level 1 GA Plan	18/11/19
A220	C	Admin GA Plan	18/11/19
A230	C	Canteen – GA Plan	18/11/19
A300	C	Homebase Elevations – Sheet 1	18/11/19
A301	C	Homebase Elevations – Sheet 2	18/11/19
A310	C	Admin Elevations	18/11/19
A320	C	Canteen Elevations	18/11/19
A400	B	Homebase Sections	18/11/19
A410	B	Admin & Canteen Sections	18/11/19
LA006	B	Landscape Concept Plan	14/11/19
LA007	B	New Admin Landscape Plan	undated
LA008	B	New Homebase Landscape Plan	undated
LA009	B	New Canteen Landscape Plan	14/11/19
LA010	B	Material Palette - Hardscape	14/11/19
LA011	A	Material Palette – Softscape	28/08/17
LA012	A	Plant Schedule	28/08/17

except as amended in red or modified by any condition in this consent.

5. Privacy

All first floor windows along the western elevation of the Homebase building shall be of obscure glass, or similar, to a minimum height of 1500mm from the finished floor level (ie 11.90 AHD).

8. Protection of Sewer Main

Prior to the commencement of works, the existing sewer main that traverses the development site shall be located by an appropriately qualified surveyor. The proposed development footprint shall be revised such that no part of the development extends over this existing sewer main.

Where any structure associated with the development is to be constructed within 5.5m of the centre of the existing sewer main then a Structural Engineer's assessment shall be submitted to Council demonstrating that the proposed structure/s will not place any additional loading upon the zone of influence of the sewer main. Footing designs intended to transfer loading below the zone of influence shall be certified by a Structural Engineer (refer to Council Policy B06 – Building over Council assets). To ensure suitable access is available to Council for future maintenance any roof supporting element, wall, or structural footing shall not be located within 2.3m of the edge of the sewer main. Details must be submitted to and approved by Council prior to commencement of works. All details

submitted must demonstrate compliance with Council Policy B06 – Building over Council Assets.