

Mr Shafiq Khan
Managing Director

Al-Faisal College
149 Auburn Road
Auburn NSW 2144

01/02/2021

Dear Mr Khan

**Redevelopment and Expansion of Al-Faisal College, Liverpool (SSD-10445)
Response to Submissions**

The exhibition of the development application including the Environmental Impact Statement for the above proposal ended on 29 January 2021. All submissions received by the Department during the exhibition of the proposal are available on the Department's website at <https://www.planningportal.nsw.gov.au/major-projects/project/30116>.

The Department requires that you provide a response to the issues raised in the submissions, in accordance with clause 82(2) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation). If you are unable to provide a response by that date you must update the Major Projects portal with the date you intend lodging the Response to Submissions Report.

Please note that Liverpool City Council, the Department of Education and the Government Architect NSW are yet to provide a response in relation to the application. These will be forwarded once received.

In addition to the issues raised in the submissions, the Department has raised a number of key issues to be addressed (refer **Attachment A**).

Note that under clause 113(7) of the EP&A Regulation, the days occurring between the date of this letter and the date on which your response to submissions is received by the Secretary are not included in the deemed refusal period.

If you have any questions, please contact Brent Devine, Principal Planner on (02) 9995 5667 or via email at Brent.Devine@planning.nsw.gov.au.

Yours sincerely



Karen Harragon



Director, Social And Infrastructure Assessments
Social & Infrastructure Assessments

as delegate for the Planning Secretary

Enclosed: Department's key issues (**Attachment A**)

Attachment A – Department's Key Issues

Redevelopment and Expansion of Al-Faisal College, Liverpool (SSD-10445)

1. Landowner's consent

The Department requests the Applicant provide confirmation of those sites that they have landowner's consent to lodge the application. This includes the construction of roads and kiss-and-drop infrastructure, drainage infrastructure, tree plantings, landscaping and any other associated physical works upon which the application relies.

In particular, the Department notes that the vehicle entry/egress to the basement carpark and kiss-and-drop area for the primary school is proposed via Fourth Avenue, which is land that is owned and reserved only for TransGrid and Endeavour Energy access and infrastructure. The Department has been advised that consent to lodge the development application has not been granted.

In addition, the development of the proposed secondary school campus requires the consent of the landowner (or acquisition) for works within the 6 metre-wide access handle associated with 70 Gurner Avenue. Please confirm that consent has been provided to lodge the development application.

2. Austral and Leppington North Indicative Layout Plan

The application seeks to amend parts of the road network layout established in the Austral and Leppington North Indicative Layout Plan (ILP), including the re-alignment and removal of certain sections of roads shown under the ILP.

The Department acknowledges the ILP is a high-level structure plan and that changes to the road network and subdivision pattern are inevitable as the Precinct develops. However, even minor changes to the ILP road network may initiate a requirement for other amendments to be made elsewhere across the Precinct, as all elements of the ILP are interrelated (i.e. road network connections, pedestrian connectivity, etc.). The Department also notes that the application identifies that sections of road that were required to be delivered by the landowner of the subject site, are being shown under this application as being delivered by other property owners.

It is unclear if discussions have occurred with adjacent landowners regarding alternate infrastructure delivery strategies or that it is the Applicant's intention to simply not comply with the ILP.

The Department further requests the Applicant to provide evidence of consultation outcomes and general endorsement from Liverpool City Council (Council) in response to the ILP amendments that would occur as a result of the application. This should include any correspondence received from Council in relation to the Applicant's submission on the Planning Proposal prepared by Council (Liverpool LEP Amendment 75) dated 8 July 2020.

The Department also requests the Applicant provide evidence of consultation outcomes with any relevant adjoining landowner in response to any ILP amendments that would occur as a result of the application and which would have implications to an adjoining or adjacent party.



3. Road and footpath network and safety

The Department requests the Applicant provide further detail on the timing, delivery and dedication to Council for those sections of the public road network (including footpaths) that are required to be developed in order for the school to operate in its entirety, particularly in relation (but not limited) to:

- Fourth Avenue (section north of Gurner Avenue) – primary school site
- Proposed loop road – primary school site
- West Avenue – secondary school site
- East Avenue – secondary school site
- South Avenue – secondary school site
- relevant footpaths with the above road network

Further, the Department requests the Applicant to confirm if it is proposed to construct these roads in their entirety and at no cost to Council (i.e. full length with connection to the existing road network) prior to dedication, or whether it is proposed to construct only those sections of road that would be necessary to operate the school.

Where only part roads are proposed to be delivered prior to operation, the Response to Submissions (RtS) must be accompanied by detailed and dimensioned plans, swept paths in relation to any driveway, and a Road Safety Report confirming that the part road construction facilitates a safe driving and pedestrian environment.

4. Contamination

The Preliminary Site Investigation reports concludes that there is the potential for soil contamination at both the primary and secondary school sites and that further investigation is required. The Departments requires a complete Detailed Site Investigation (DSI) report form part of the RtS. The complete DSI must assess and quantify the extent of soil contamination and advise on the requirements of a Remedial Action Plan (RAP) for the site.

Should the DSI recommend RAPs be prepared for the subject sites, these are to form part of the RtS as well. The DSI reports must be prepared by a certified practitioner specialising in contaminated land management and must determine whether the sites are suitable for their proposed use, in accordance with State Environmental Planning Policy No. 55 – Remediation of Land.

The Department will not support the deferral of the completion of the DSI.

5. Traffic and transport

The Department requests the issues raised by Transport for NSW in its submission be comprehensively addressed in the RtS. In particular, the Applicant should undertake transport demand modelling and microsimulation network modelling as part of a revised Traffic Impact Assessment (TIA) and must ensure that the development's trip generation rates are accurately reflected. The Department further requests the TIA modelling be revised to account for potential

future uses that may be located within the B1 Neighbourhood Centre zone located at the corner of Gurner Avenue and Fourth Avenue, including the potential for high traffic-generating uses.

The Department further requests the Applicant provide justification for two key intersections being excluded in the TIA's assessment of intersection performance. These include the intersection of Gurner Avenue / Fourth Avenue and the intersection of Gurner Avenue / Fifteenth Avenue. The Department considers the performance of these intersections, being located in close proximity to the proposed school sites, would have broader impacts on the functioning of the surrounding road network.

Within the TIA, there is no reference made to the likely timeframe associated with the staging of the development and any student capacity increases brought about by staging. If the student capacity is increased over a 5 or 10-year timeframe, the traffic modelling must account for the likely increases in traffic in the vicinity of the site of the specific year across the period (i.e. the amount of traffic in the road network likely to exist in 2025 and 2030, etc.). It should then model the design traffic volume based on the forecast background traffic growth after 5 and 10-years. The TIA should be consistent with the staging report in terms of timing of delivery of each stage of the school.

6. Water cycle management

The Civil Engineering Works Plans for the secondary school site show the provision of stormwater drainage infrastructure, including riprap aprons (outlets) proposed on the southern side of South Avenue and on the northern side of Gurner Avenue (indicated on drawings 19E51_SSDA_CS101 and 19E51_SSDA_CS105 at Appendix N of the EIS). The Department requests that all drainage infrastructure be contained wholly within the development site and is not located on land not owned by the Applicant (unless owner's consent is provided).

The Department requests that post-development stormwater flows from both school sites are either discharged to Council's existing stormwater drainage system or are proposed to be directed to the temporary on-site detention basins proposed as part of the development awaiting future stormwater infrastructure delivery. Sufficient evidence is to be submitted verifying what parts of the two school site are proposed to be drained to which location.

Further, it is requested that the Applicant ensure that the stormwater design of the proposed development is consistent with the design of regional detention basin and drainage systems (i.e. Drainage System B25 and Basin 25).

7. Waste collection

Provide details and evidence of how waste collection vehicles can enter and leave the site in a forward direction by the submission of swept vehicle paths to all proposed waste collection areas, including provision of swept turning paths. Where it is proposed that trucks will be required to access the site from roads that will have only been constructed with half width pavement, then the submitted swept path must demonstrate that this is achievable at half road construction.

8. Public transport access and journey to work other than by private vehicle

Provide details of a shuttle bus or a public bus transport operation that will support the Green Travel Plan forecasts and the assumptions in the TIA regarding journey to school other than by private vehicle.

9. Staging Report

Provide a detailed Staging Report that confirms:

- the forecast delivery of all off-site infrastructure delivery by the Applicant (or by others) in relation to the operation of the school, including all adjoining and primary service roads, footpaths and drainage works on which the school is reliant.
- the Staging Report must also detail in writing and by plan, those areas of the project that will be delivered under each stage within the site, including the corresponding student and teacher numbers.

10. Signage

The Department raises concern in regard to the size and scale of the signage structures identified as 'Signage A' (primary school site) and 'Signage D' (secondary school site) in the Design Analysis Report which are proposed to stand at a height of 7.5 metres and 10 metres, respectively. Each structure is also proposed to include a large, illuminated digital screen.

The Department considers the signs are inconsistent with the existing and desired future character of the local area and do not comply with the Assessment Criteria under Schedule 1 of State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64). It is requested that the size and scale of the signage structures be reduced, and that the illuminated, digital screens be removed. All signage should be compatible with the surrounding residential locality and achieve consistency with the requirements of SEPP 64.

11. Green infrastructure

The Department encourages additional green infrastructure to provide sufficient shaded areas for students and to mitigate urban heat island effects. The Greater Sydney Region Plan provides a target to increase urban tree canopy cover by 40 per cent across Greater Sydney (Objective 30). It is requested that the total number of new trees proposed to be planted on both the primary and secondary school sites be confirmed in the RtS and that the tree canopy cover of each site be established as a percentage of the total site area.

It may be necessary for consideration to be given to the introduction of green roofs and walls into the design in order for this target to be achieved.

12. Social impact

The Department requests the Social Impact Assessment be strengthened to addresses in further detail the impact of the proposal potentially precluding the development of a public school in the local area (noting the significant enrolment capacity proposed as part of the application) and, therefore, precluding access to public education for future residents in the Austral and Leppington North precinct.