

RESPONSE TO SUBMISSIONS REPORT

Modification for New Public School in Mulgoa Rise - SSD 11070211-
Mod-1



PR148873

1

12 August 2022

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12 August 2022

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EXECUTIVE SUMMARY

Preliminary

This Response to Submissions (RTS) Report has been prepared by RPS Australia East Pty Ltd (RPS) on behalf of the NSW Department of Education to support a Modification to a State Significant Development (SSD) Application (SSD 11070211-Mod-1) for the construction and operation of the New Public School in Mulgoa Rise (now known as Nangamay Public School), Glenmore Park.

Glenmore Park and surrounding areas within Greater Western Sydney are undergoing significant housing development and population growth as a result of a shift in planning priorities and the development of large-scale infrastructure projects, the most forefront being the future Western Sydney Airport (Bradfield). The resulting increasing number of school age children in the area only have existing access to four schools in the northern half of Glenmore Park, leaving a third of residences in the area having to travel larger distances to school from outside the catchment areas. Nangamay Public School will be closer to the current and projected demand growth. It will reduce travel time for students and parents and will support the use of active movement transport such as walking and cycling.

Nangamay Public School as approved is designed and will be built to significantly improve educational outcomes and address the capacity shortfall across the area for an approximate 414 students initially, with eventual plans (subject to further approvals) to grow this capacity to roughly 1000 students.

After construction delays due to heavy rainfalls in early 2022, this Modification Application was made to allow for the establishment of a temporary school on a vacant part of the approved SSD site, in order to provide school facilities for approximately 230 students on Day 1 Term 1 2023. A few of the permanent facilities of the approved development will be complete in time for Day 1 Term 1, notably the hall and COLA, and will be utilised in tandem with the temporary school. The remaining permanent structures will continue construction during the temporary school's operation.

The exhibition of the SSD-1107211 – Mod 1 ended on 1 August 2022. This RTS should be read in conjunction with the submissions received from government authorities and members of the public. Supporting technical documents and a submissions register are provided in **Appendix A – Appendix D**.

Planning framework and assessment

On the 4th of August 2022, DPE issued correspondence to the Department of Education requesting a response to submissions, pursuant to Regulation 59 of the *Environmental Planning and Assessment Act Regulation 2021*. This RTS seeks to address each of the issues raised from the exhibition period by government authorities and members of the public.

Submissions received

This RTS provides a response to submissions received from Department of Planning and Environment, Penrith City Council, Sydney Water, Environment and Heritage Group, and Endeavour Energy.

Design Changes

- Addition of new conditions- E8A, E16, D25A, and D29 (e).
- Removal of a street tree (Chinese Elm) along Forestwood Drive, to be replaced after construction with a species in keeping with the existing streetscape.
- Additional traffic controls along Forestwood Drive.

Assessment of Development Application

This RTS responds to the issues raised in all authority and public submissions received for this application. The RTS Report summarises these responses and has provided further detail through consultant reports where required. The RTS for the proposed development has demonstrated that the new educational facility, as modified, will not generate environmental impacts that cannot be appropriately managed and is consistent with the relevant planning controls for the site. The material provided in the Modification Report, and the supporting assessment material provided in this RTS Report are submitted to DPE to complete the assessment of the Modification Application. The report provides sufficient documentation to enable the determination of SSD 11070211-Mod-1 to proceed.

1 INTRODUCTION

This Response to Submissions Report (RTS) has been prepared by RPS Australia East Pty Ltd (RPS) on behalf of Department of Education NSW (the 'Proponent') in support of State Significant Development Application SSD-11070211-Mod-1 for the proposed modification of a development (the 'Proposal') of a New Public School (Nangamay Public School, formerly the New Primary School at Mulgoa Rise) at 1-23 Forestwood Drive, Glenmore Park. The site location is identified in **Figure 1**.

SSD-1107211 – Mod 1 was exhibited from 19 July 2022 to 1 August 2022. A total of five (5) submissions were received, all of which were either "comments" or "supports". No objections were received.

The Department of Planning and Environment (DPE) addressed a letter to the Department of Education (DoE) dated 4 August 2022, which noted the submissions received during exhibition of SSD-1107211 – Mod 1 and requested responses to each. DPE also addressed a letter to DoE dated 9 August 2022 requesting further information with respect to flooding impacts and proposed street tree removal.

This RTS addresses the issues raised by each submission received and outlines the minor changes (if any) made to the proposal made since exhibition of the proposed modification. The RTS has been prepared in accordance with the DPE *State Significant Development Guidelines – Preparing a Submissions Report* (November 2021).

1.1 Overview of the project

A state government election commitment in 2012 to build 190 new schools across the state, was implemented with the aim to address the issues of overcrowding, provisioning for planned urban release areas, and ensuring that all students are given equal access to quality educational opportunities. School Infrastructure NSW has committed to building a new primary school at Mulgoa Rise, to be known as Nangamay Public School, one of four new schools in the Glenmore Park Primary School Community Group (SCG). The school is designed to accommodate 414 students initially, with a planned expansion to accommodate 1000 students as demand grows.

The site is a cleared rectangular greenfield site in a relatively new residential subdivision in Glenmore Park, known as Mulgoa Rise. The site is surrounded by a vacant site (to be a mixed-use commercial and residential precinct) to the north, Council playing fields to the east, and low-density residential dwellings to the west and south. The site sits on land above what was previously a quarry.

The site layout for the new school will see the buildings arranged along Deerubbin Drive and Darug Avenue, playground, shared sensory play area and assembly area within the site behind these buildings and a games court and staff car park on the eastern edge of the site. The school buildings have been designed with respect to the new educational standard of the Design for Manufacture and Assembly (DFMA) method of construction.

The school has been designed to facilitate future expansions should additional demand materialise. Considerations of investment options led to the following:

- Design of a school to facilitate a Core 21 school with 18 learning spaces (LS) + 2 support classes, with the selected core facilities at Core 35, for the Hall, Library, Staff facilities and Admin. This will accommodate an initial 414 students.
- A future development on the site, that does not form part of this application and not considered at this time, will complete the build to a Core 35, resulting in up to 44 learning spaces and 4 support classes.

Nangamay Public School will incorporate Best Practice Pedagogy for the Learning Spaces (LS), these will be fit-for-purpose, incorporate the use of technology and providing flexibility in design to allow for the delivery of modern pedagogies that are focused on creating learning environments that students may encounter in the workforce, where there is an enhanced focus on self-direction, self-reflection, evaluation, and collaboration.

Glenmore Park and surrounding areas are undergoing significant housing development and population growth resulting from large infrastructure projects (Western Sydney Airport as an example). The increasing number of students have four schools located on the northern border of Glenmore Park, leaving more than a third having to travel larger distances to school from outside the catchment areas. Nangamay Public School will be closer to the current and projected demand growth. It will reduce travel time for students and parents and will support the use of active movement transport such as walking and cycling.

Nangamay Public School will provide the surrounding community access to the school's core facilities - the communal hall, the library and the outdoor sports court. The school will also provide Outside School Hours Care (OSHC) services to assist dual-working families with parents commuting and working long hours.

A general overview of the development as approved includes the following:

- Construction of school buildings ranging from 1 to 2 storeys, including:
 - General and special support learning areas.
 - Staff rooms and administration office.
 - Hall.
 - Library.
 - Out of school hours care facility
- Landscaping works.
- Parking, pick-up and set-down zones, bus zones.
- Waste and service vehicle access and plant areas.
- Associated works including school identification signage, pedestrian crossing infrastructure, on-site infrastructure, and utilities.

SSD 11070211 Consent Approval (development as approved) for the above project was received on the 18 March 2022. Construction works for SSD 11070211 as approved, commenced from the 21 March 2022.

The request for modification, SSD 11070211-Mod-1, was made as a response to unanticipated construction delays associated with heavy rainfalls during early 2022. These delays have seen the construction timeline for completion of Nangamay Public School pushed out to April of 2023, 3 months after the programmed opening day of Day 1 Term 1 2023.

As a result, the proponent seeks approval for the modification of the approved SSD 1107211, pursuant to Section 4.55(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to allow for the construction and operation of a temporary school within the boundaries of the approved school site.

The purpose of the temporary school will be to facilitate the predicted 230 school children from Day 1 Term 1 2023 until the remainder of the permanent new school can be completed. The demountable buildings associated with the temporary school will be located on the south eastern portion of the site, occupying an area of approximately 2000m² in area.

The proposed modifications comprise of the following:

- Erection of a series of demountable structures on the site including:
 - General Learning Spaces.
 - Support Unit Learning Spaces.
 - Administration Block.
 - Staff Facilities Block.
 - Library Block.
 - Toilet Block Facilities.
 - An Accessible Toilet Block facility.
 - Covered walkways.
- Establishment of an outdoor play area on the temporary school site area.
- Security fencing around the perimeter of the temporary school site area that will prevent entry to other parts of the site which are not operational.
- Access and use of the approved pick up and drop off area on Forestwood Drive (to the south).
- Associated works including temporary school identification signage, on-site infrastructure, and utilities.

- Operation of the temporary school from 12 December 2022, catering for 230 students and 25 staff, to enable the school to open on Day 1 of Term 1 2023. Operation will include the access and use of the following permanent facilities which were approved as part of the original consent:
 - Hall, COLA, bike racks, end of trip facilities and sports court.
 - Waste storage area and staff car park.
 - Designated pick up and drop off on Deerubbin Drive (to the north) and Forestwood Drive.
- Removal of the temporary school demountable buildings within 24 months from the commencement of operation of the temporary school area.



Figure 1 Aerial Site Context.

Source: Bing Maps.

1.2 The Modification as exhibited

The Modification as exhibited sought development consent for the following works:

- Erection of a series of demountable structures on the site including:
 - 9 General Learning Spaces.
 - 2 Support Unit Learning Spaces.
 - 1 Administration Block.
 - 1 Staff Facilities Block.
 - 1 Library Block.
 - 2 Toilet Block Facilities.
 - 1 Accessible Toilet Block facility.
 - Covered walkways.
- Establishment of an outdoor play area on the temporary school site area.
- Security fencing around the perimeter of the temporary school site area that will prevent entry to other parts of the site which are not operational.
- Access and use of the pickup and drop off area on Forestwood Drive (to the south).
- Associated works including temporary school identification signage, on-site infrastructure, and utilities.
- Operation of the temporary school from 12 December 2022, catering for 230 students and 25 staff, to enable the school to open on Day 1 of Term 1 2023. Operation will include the access and use of the following permanent facilities which were approved as part of the original consent:
 - Access and use of the Hall, COLA, bike racks, end of trip facilities and sports court, which were approved as part of the original consent and will be completed prior to 12 December 2022.
 - Access and use of the waste storage area and staff car park which will be complete and operational prior to 12 December 2022.
 - Access and use of designated pick up and drop off on Deerubbin Drive (to the north) and Forestwood Drive.
- Removal of the temporary school demountable buildings within 24 months from the commencement of operation of the temporary school area.

2 ANALYSIS OF SUBMISSIONS

This section of the RTS analyses the submissions that have been received. It identifies the groups and people who made submissions and categorise the issues raised in submissions. The analysis for submissions is for information purposes only.

2.1 Breakdown of submissions

A breakdown of the submissions received, and key details are outlined in **Table 1** below. **Figure 2** provides a summary of the total number of submissions who oppose, support, or commented on the project.

Table 1 Breakdown of submissions

Submission Category	Submission Group	Community Interest Level	Submission Type
Authority	Department of Planning and Environment	Regional (5-100km from the site)	Comment
	Penrith City Council	Regional (5-100km from the site)	Comment
	Sydney Water	Regional (5-100km from the site)	Comment
	Environment and Heritage Group	Regional (5-100km from the site)	Comment
Organisation	Endeavour Energy	Regional (5-100km from the site)	Comment



Figure 2 Total number of submissions that oppose, support, or commented on the project

2.2 Actions taken since exhibition

No changes have been made to the Detailed Design since lodgement and as a result a summary of changes is not provided in this section.

3 RESPONSE TO SUBMISSIONS

This section provides a detailed summary of the Department of Education's response to the issues raised in submissions. All proposed amendments to conditions are provided in [blue](#).

3.1 Response to public authorities

The following section provides response to the five (5) submissions received from public authorities during or closely after closure of exhibition. There was no opposition to the project in the responses with only comments provided.

3.1.1 Department of Planning and Environment

Table 2 outlines the comments and key issues raised by the Department of Planning and Environment from other submissions and the relevant responses from the Department of Education.

Table 2 Response to Department of Planning and Environment key issues

Comment/Issue	Response
Flooding considerations	
<p>The Department has reviewed the 'Stormwater Management Report[B]' that was submitted with the Modification Application, prepared by Woolacotts and dated 4 July 2022. The Department requests that the aforementioned report be revised to:</p> <ul style="list-style-type: none"> • assess the extent of overland flooding during a probable maximum flood event (PMF) and the subsequent impact on any temporary buildings proposed as part of this Modification Application; • assess flood behaviour on-site and in the surrounding areas post-development of the proposed temporary buildings, for both the PMF and 1% Annual Exceedance Probability events. Clearly state whether the proposed temporary buildings would result in any additional flooding to surrounding properties; and • provide details as to which Australian Standards and/or guidelines, that any buildings impacted by overland flooding will be constructed to withstand overland flooding and minimise the risk of death or injury to occupants and damage to property. 	<p>An Updated Flood and Stormwater Management Advice Report has been prepared and is contained in Appendix C. The following commentary is provided in response to the issues raised by the Department.</p> <p><i>Assess the extent of overland flooding during a probable maximum flood event (PMF) and the subsequent impact on any temporary buildings proposed as part of this Modification Application.</i></p> <p><u>Response</u></p> <p>The entire school site is likely to be inundated, to varying depths, during the PM storm event, refer to Figure 2 within Appendix C and Figure 3 below. The temporary buildings, if provided on ground, are inundated during this event and accordingly the Report recommends minimum habitable floor levels between 60m AHD and 63.3m AHD. The report recommends, as submitted with the Modification Application, that all buildings should be constructed on piers thus allowing water to freely flow underneath.</p>

Comment/Issue

Response

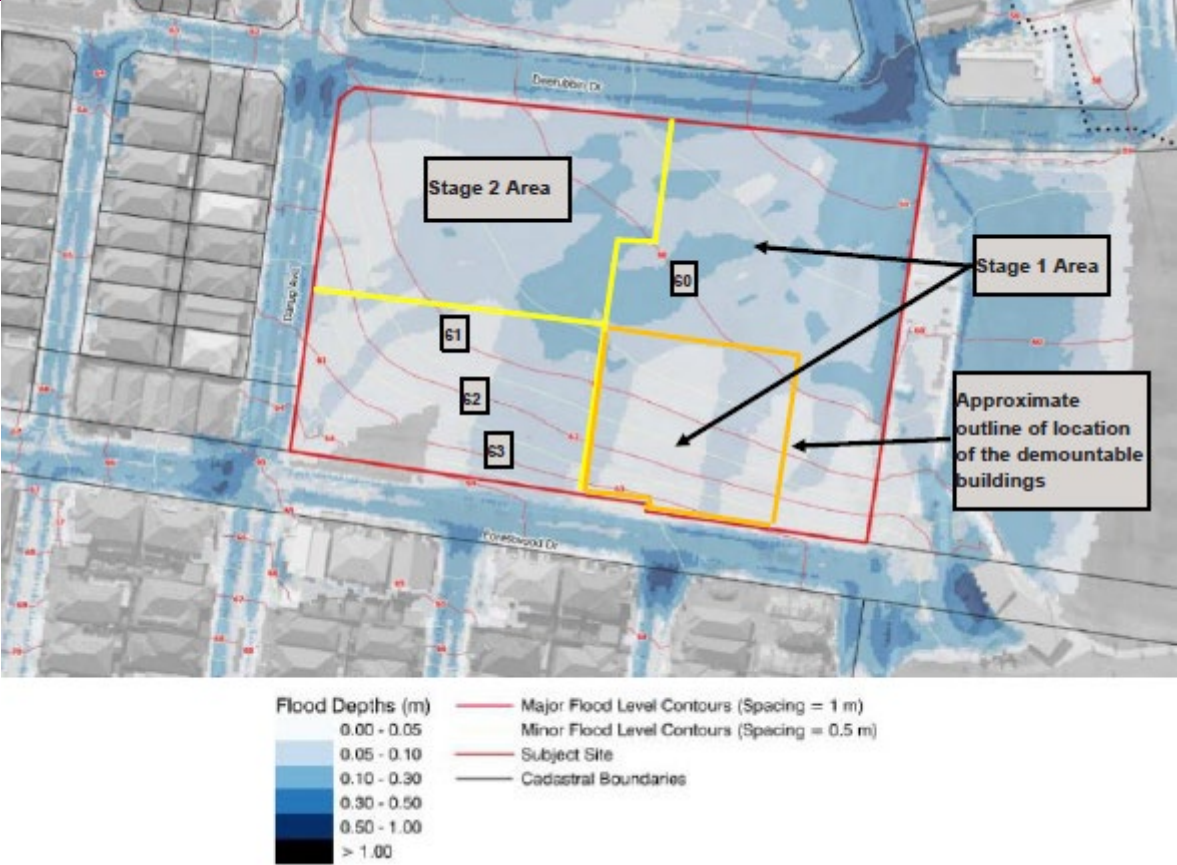


Figure 3 - Extract from Figure 2 of Updated Flood and Stormwater Management Advice Report

Assess flood behaviour on-site and in the surrounding areas post-development of the proposed temporary buildings, for both the PMF and 1% Annual Exceedance Probability events. Clearly state whether the proposed temporary buildings would result in any additional flooding to surrounding properties.

Response

The design and minimum habitable floor levels of the buildings as submitted with the Modification Application are based upon the Updated Flood and Stormwater Management Advice Report. Any of the proposed buildings that lie within the PMF and 1% AEP flood event extent will be constructed on piers and therefore the temporary buildings will not affect the flood behaviour onsite or the surrounding areas due to the free flow underneath.

RESPONSE TO SUBMISSIONS – MOD 1

Comment/Issue

Response

Provide details as to which Australian Standards and/or guidelines, that any buildings impacted by overland flooding will be constructed to, to withstand overland flooding and minimise the risk of death or injury to occupants and damage to property.

Response

The proposed buildings will be constructed in accordance with the Australian Building Codes Board – Construction of buildings in flood hazards (ABCB Standard 2012.3)

Tree removal considerations

The Department has reviewed the Modification Report and advice provided by EHG and notes that one existing tree on Forestwood Drive is proposed to be removed. It is not clear on the landscaping plans submitted which tree will be removed. Please confirm and provide revised plans detailing:

- which existing street tree will be removed on Forestwood Drive or otherwise;
- the species of any tree proposed to be removed; and
- if proposed, the location, species, height and age of the replacement tree.

Figure 4 provided below shows the existing street tree to be removed. The species is confirmed to be that of a Chinese Elm. Whilst it is considered appropriate to maintain a consistent streetscape (and therefore replace the street tree with the same species), the Proponent is prepared to accept a condition which requires any replacement tree to be a native species of similar height and age to the original tree. Indicative species may include *Angophora costata*, *Eucalyptus punctata*, *Eucalyptus tereticornis* depending on availability, with an indicative pot size of 100L.

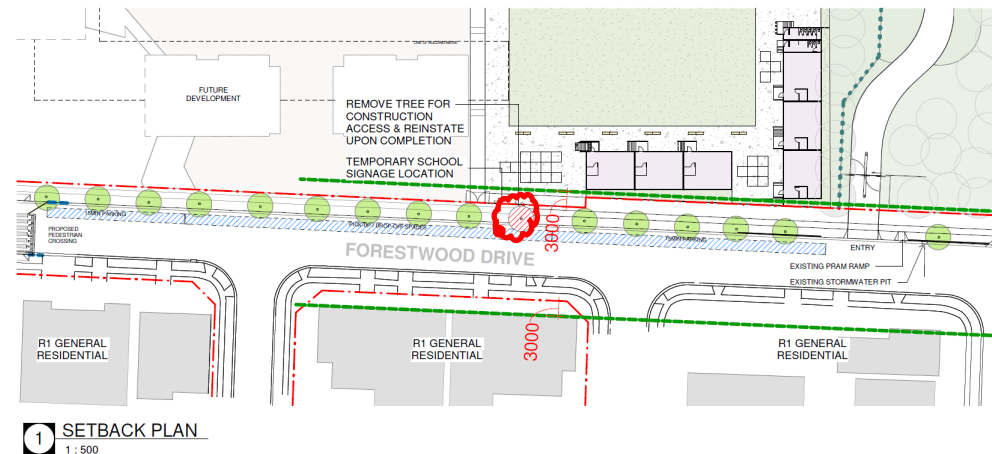


Figure 4 - Extract from setback plan showing proposed tree removal along Forestwood Drive.

3.1.2 Penrith City Council

Table 3 outlines the comments and issues raised by Penrith City Council and the associated responses by the Department of Education.

Table 3 Response to Penrith City Council key issues

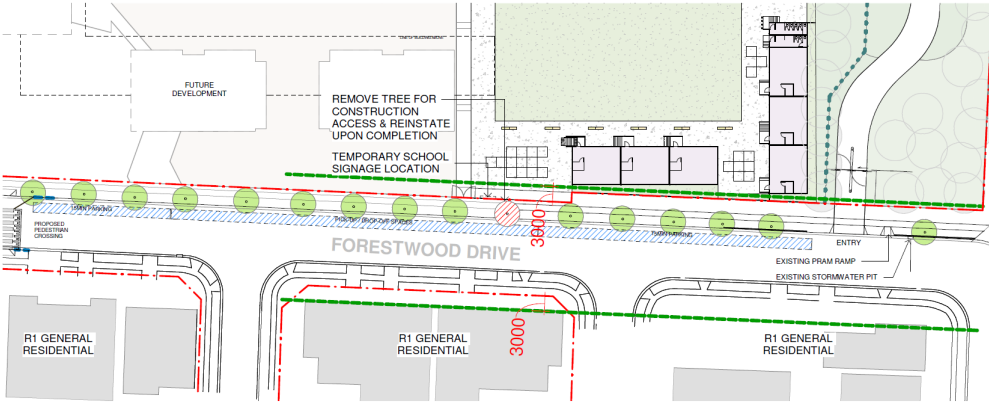
Comment/Issue	Response
Planning considerations	
The proposed setbacks of the demountable buildings from Forestwood Drive have not been nominated on the plans. The plans should be updated in this regard and consideration should be given to providing for street setbacks which, as far as possible based on available space, are characteristic of the dwelling setbacks on the southern side of Forestwood Drive.	<p>A plan showing the built form setback lines along Forestwood Drive is provided in Appendix C and an extract from it is provided in Figure 5 below.</p> <p>At the closest point to the southern boundary elements of the temporary school structures will be approximately 1.5 metres from the 2100mm high security fence. At this location it is noted that the boundary with Forestwood Drive is indented by 2 metres possibly reflecting the historic 20 metre road reserve against that of Forestwood Drive to the west of the Hassall Way intersection which has an 18 metre road reserve. Having regard for the boundary anomaly and the fact that residential development on the southern side is set back at least 3 metres from the road reserve, as illustrated in Appendix C and Figure 3, the distance of the temporary school structures from the southern boundary is considered appropriate based on the available space and the temporary nature of the development.</p>  <p>1 SETBACK PLAN 1 : 500</p>

Figure 5 - Extract from setback plan, Forestwood Drive.

RESPONSE TO SUBMISSIONS – MOD 1

Comment/Issue	Response
In addition, it is recommended that a consent condition be imposed required that at the expiration of the temporary school operations, the demountable buildings are to be removed from the site and the land is to be landscaped in accordance with the landscape plans approved as part of the original consent.	Noted and agreed. The following consent condition has been prepared resulting from this comment. Temporary School E16. At the point in time where operations of the temporary school has ceased, the demountable buildings are to be removed from the site and the land is to be landscaped in accordance with the landscape plans that were approved under the original consent.
Engineering considerations	
It is noted that the ultimate on-site staff car park and public domain works will be completed and operational prior to the commencement of the temporary school operations and that on-site stormwater will be directed to the approved stormwater discharge locations. It is recommended that conditions of consent are imposed in this regard.	The following consent condition has been prepared resulting from this recommendation: Utilities and Services D25A. On-site stormwater during the temporary school operations will be directed to the approved stormwater discharge locations.
Traffic considerations	
It is noted that maximum staff and student numbers and overall traffic generation is not sought to be modified as part of the modification application. In relation to construction traffic management, consideration should be given to the following matters: <ul style="list-style-type: none"> Provision of temporary “No Parking” signs to facilitate construction vehicle access off Forestwood Drive will require approval from the Local Traffic Committee. The costs associated with the installation and removal of the signs are to be borne by the proponent. Any changes to the Traffic Guidance Scheme at the intersection of Darug Avenue/Forestwood Drive will require approval from Council. It is noted that a truck approaching the site from Darug Avenue will occupy both lanes on Forestwood Drive and a truck exiting the site from Forestwood Drive will occupy both lanes on Darug Avenue. One traffic controller is proposed at the intersection of Darug Avenue/Forestwood Drive to control vehicles approaching from different directions. Deploying one traffic controller at the intersection to control vehicle movements may compromise safety. In determining the number of traffic controllers to be deployed at the intersection, consideration should be given to potential conflicts between vehicle and pedestrian movements. 	Noted. These matters will be provided as additional mitigation measures under the Transport and Accessibility section within Appendix B of this RTS Report as follows: <ul style="list-style-type: none"> Provision of temporary “No Parking” signs to facilitate construction vehicle access off Forestwood Drive will require approval from the Local Traffic Committee. The costs associated with the installation and removal of the signs are to be borne by the proponent. <ul style="list-style-type: none"> It is noted that any changes to the Traffic Guidance Scheme at the intersection of Darug Avenue/Forestwood Drive will require approval from Council. At least two traffic controllers are proposed at the intersection of Darug Avenue/Forestwood Drive to control vehicles approaching from different directions. <ul style="list-style-type: none"> In determining the number of traffic controllers to be deployed at the intersection, consideration should be given to potential conflicts between vehicle and pedestrian movements.
Environmental management considerations	
The modification application has demonstrated that the proposed temporary school operations can achieve compliance with relevant noise criteria and waste management requirements provided that the recommendations in the relevant assessment reports and plans are implemented. In this regard, it is recommended that conditions of	Noted and agreed. In relation to operational noise the following consent conditions has been prepared. Operational Noise Limits

RESPONSE TO SUBMISSIONS – MOD 1

Comment/Issue	Response
consent are imposed to reference the relevant noise assessment report(s) and waste management plan(s).	<p>E8A. The Applicant must ensure that noise generated by operation of the temporary school does not exceed the noise limits in the New Primary School in Mulgoa Rise, MODs – Acoustic Impact Assessment Report prepared by Pulse White Noise Acoustics dated 29 June 2022.</p> <p>In relation to operational waste management the following is added to consent condition D29.</p> <p>(e) include the Management and Mitigation Measures included in the Operational Waste Management Plan – The New Primary School at Mulgoa Rise, Temporary Facilities, prepared by EcCell dated 30/06/2022, submitted with MOD 1.</p>

3.1.3 Sydney Water

Table 4 outlines the comments made by Sydney Water and the associated responses by the Department of Education.

Table 4 Response to Sydney Water key issues

Comment/Issue	Response
Servicing considerations	
The provided Modification Report notes the temporary demountable structures will not require additional infrastructure connections outside of the site other than those already approved and that there will be no additional capacity required from existing services and utilities available for the proposed modifications.	Noted. Due to the nature of the modifications and comment received from Sydney Water, the lodgement of a new Section 73 application is not required.
The Applicant was issued a Section 73 Compliance Certificate on 3 May 2022 under Case Number 191272 for SSD-11070211. The Applicant and their Water Servicing Coordinator should notify their Sydney Water Case Manager of the proposed modification and lodge a new Section 73 application if required.	

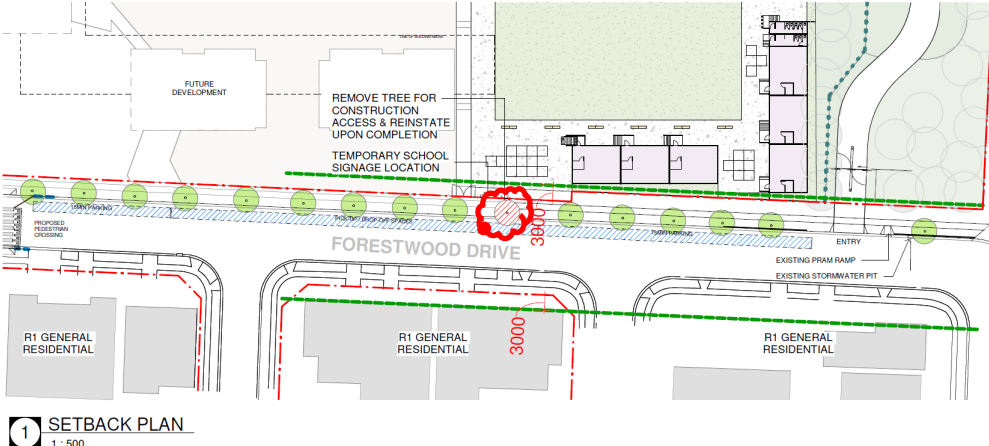
3.1.4 Environment and Heritage Group

Table 5 outlines the comments made by NSW Environment and Heritage Group (EHG) and the associated responses by the Department of Education.

Table 5 Response to Environment and Heritage key issues

Comment/Issue	Response
Biodiversity considerations	
Section 5.10 of the Modification Report notes a biodiversity development assessment report (BDAR) waiver was previously granted for SSD-11070211. It states that “the proposed modification is unlikely to have ‘significant impacts upon defined biodiversity values’ as a result of the proposed modifications being located on grassed and previously disturbed land that does not conform to any recognised plant community types”. It concludes that “an additional or amendment to the BDAR waiver is not required for the proposed modification”. EHG advises that BDAR waivers do not apply to modification applications.	Noted and consultants on behalf of DoE are satisfied that that the modification will not increase the impact on biodiversity values.
Under Section 7.17 of Biodiversity Conservation Act 2016 (BC Act) a BDAR is required to be submitted with an application unless the authority or person determining the application for modification of the	The Department of Planning and Environment is acknowledged as the determining authority in this matter.

RESPONSE TO SUBMISSIONS – MOD 1

Comment/Issue	Response
<p>original development consent is satisfied that the modification will not increase the impact on biodiversity values.</p> <p>EHG considers this modification is not likely to increase the impact on biodiversity values, however as the Planning Group is the consent authority, it is a matter for Planning to determine whether the MOD 1 proposal will not increase the impact on biodiversity values as per the BC Act.</p>	
Tree removal considerations	
<p>The Modification Report notes it is likely that one existing tree on Forestwood Drive may require removal and it notes it will be replaced with a tree of similar height and age once operation of the temporary school ceases (section 5.2). No other details are provided on this tree. Figure 3 in the Mod 1 report and the Landscape Site Plan in Appendix D do not appear to locate this tree to be removed as part of the MOD 1 proposal. The figure/plan only shows the two trees that were identified on Forestwood Drive for removal as part of SSD-11070211.</p> <p>As noted in the EES submission on the EIS for SSD-11070211, the EIS indicates the road reserve surrounding the proposed development footprint currently consists of two different species of newly planted exotic street trees (Chinese Elm and Manchurian Pear). It is unclear if the additional tree that may be removed as part of MOD 1 is a Chinese Elm (<i>Ulmus parvifolia</i>). As advised in the EES submission on the EIS, Chinese Elm is listed as a weed in Appendix 2 of the <i>Greater Sydney Local Land Services (2017) Greater Sydney Regional Strategic Weed Management Plan 2017-2022</i> as it poses a potential risk to the environment.</p> <p>EHG reiterates if there is any potential for this species to spread from the road reserve to the nearby Mulgoa Nature Reserve or Surveyors Creek, it is recommended this species is removed and replaced by a mix of local native tree species. At the very least any trees to be planted to replace the trees removed as part of SSD-11070211 and the MOD 1 proposal should be a mix of local native tree species rather than exotic species.</p> <p>It is recommended the 'Additional Mitigation Measures' in the MOD 1 report which relate to 'Trees' is amended to include a measure that if the existing tree is removed it is replaced with a local native tree species of similar height and age once the operation of the temporary school ceases.</p>	<p>A plan showing the street tree to be removed is provided in Appendix C, and an extract of it is provided as Figure 6. An additional mitigation measure is to be added as per the following:</p> <ul style="list-style-type: none"> Existing street trees that require removal shall be replaced with tree species in keeping with the existing streetscape of similar height and age once the operation of the temporary school ceases.  <p>Figure 6 - Extract from setback plan showing proposed tree removal along Forestwood Drive.</p>
Landscaping considerations	
<p>The MOD 1 report notes that no additional tree or landscaping works are proposed due to the temporary nature of the development. EHG has no issue with this due to the temporary nature of the development. Once</p>	<p>Noted and acknowledged.</p>

RESPONSE TO SUBMISSIONS – MOD 1

Comment/Issue	Response
<p>the remainder of the permanent new school can be completed, however EHG reiterates previous advice provided by EES on the RfS for SSD-11070211 that:</p> <ul style="list-style-type: none">any planting/landscaping on the site uses a diversity of local provenance native trees, shrubs and groundcover species (rather than exotic species or non-local native species) from the relevant native vegetation community that once occurred in this locality particularly as the site is located near the Mulgoa Nature Reserve and Surveyors Creek Nature Reservetree planting uses advanced and established native trees with a minimum plant container pot size of 100 litres, or greater for native tree species which are commercially available. Other native tree species which are not commercially available may be sourced as juvenile sized trees or pre-grown from provenance seedan appropriately qualified bush regenerator is engaged by the proponent to provide advice on appropriate local native species that can be usedthe school installs habitat features to improve biodiversity such as logs, bee hotels and a range of artificial nest boxes and/or artificial hollows using a HollowHog tool (https://www.hollowhog.com.au/) suitable for native fauna likely to use the site particularly as the Mulgoa Nature Reserve and Surveyors Creek are located near the site.	
Flooding considerations	
<p>The flood assessment undertaken for this modification is based on grc Hydro modelling that was undertaken as part of the flood impact assessment dated 12 August 2021 for the EIS.</p> <p>The flood assessment indicates that most of the temporary buildings are located outside of the flood zone. Buildings HB5 and HB4 are partially within the 1% AEP overland flow path at their eastern boundaries. The assessment then recommends that these two buildings will be constructed on piers to allow floodwater in the 1% AEP to flow freely underneath. The habitable level will be 1% AEP plus 0.5m freeboard. EHG highlights the following:</p> <ul style="list-style-type: none">The whole site of the school, including the area, which is the subject of this modification, is flood prone land i.e., within the extent of the PMF overland flooding.EHG requested in October 2021 and December 2021 a review of flood level contours provided in the PMF map as the contour levels are inconsistent with the flood depths shown in the map and the discussion in the report. As a result, EHG is still not sure about the	<p>Emergency management and evacuation procedures during flood events is to be provided for under the proposed modified Condition D33, which includes a requirement to produce an Operational Flood Emergency Management Plan for the temporary school facilities before operations commence. It will be noted that buildings HB4 and HB5 will have additional procedures to evacuate to other buildings in the event of a 1% AEP or higher flood event due to their design.</p>

RESPONSE TO SUBMISSIONS – MOD 1

Comment/Issue	Response
<p>PMF flood level and depth at the site of the proposed temporary facilities.</p> <ul style="list-style-type: none">• The proposed temporary facilities will serve 230 school children ranging from kindergarten through to Year 6. Due to the vulnerability of the development, all proposed demountable facilities must be constructed to withstand overland floodwater for the full range of flooding to ensure they withstand floodwater forces including buoyancy in rarer or extreme flood events.• Emergency management including access to the school and the evacuation of the students from the site in rarer flood events should be considered. School children should not stay in the facilities during floods larger than the 1% AEP. Buildings HB5 and HB4 must evacuate to other buildings if constructed on piers as they would be subject to isolation in the 1% AEP or larger flood events.	

3.2 Response to other organisations

3.2.1 Endeavour Energy

Table 6 outlines the comments made by Endeavour Energy and the associated responses by the Department of Education.

Table 6 Response to Endeavour Energy key issues

Comment/Issue	Response
Servicing considerations	
The temporary school / Stage 1 is located to the south-eastern corner of the site to the Forestwood Road frontage which currently has limited existing electricity infrastructure consisting of a streetlight column to the road verge. Based on the foregoing Endeavour Energy has no further recommendations or comments regarding the proposed development.	Noted.
The below updated Site Plan from Endeavour Energy's G/Net Master Facility Model shows padmount substation no. 29097 is now 'Proposed removed' indicated by the orange colouring.	Figure 7 below demonstrates the proposed removed padmount substation, which has been noted.

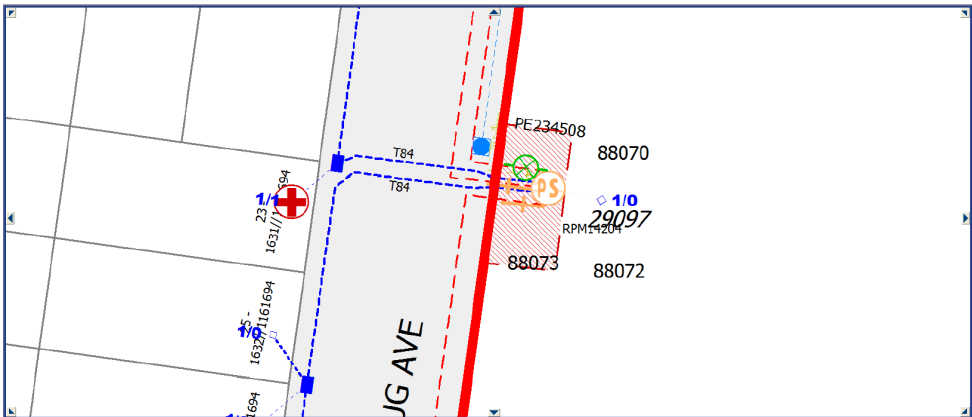


Figure 7 - Extract from provided plan of electrical network along Darug Avenue.

4 CHANGES TO THE PROPOSED DEVELOPMENT

A number of minor amendments have been made to the proposed modification as a response to issues raised through the submissions. These include:

- Addition of new conditions- E8A, E16, D25A, and D29 (e).
- Removal of a street tree (Chinese Elm) along Forestwood Drive, to be replaced after construction with a species in keeping with the existing streetscape.
- Additional traffic controls along Forestwood Drive.

A detailed response to each submission is provided in Section 3 of this RTS and the response should be read in conjunction with the following attached documentation:

- Appendix C – Updated Flood and Stormwater Advice.
- Appendix D – Forestwood Drive Setback and Street Tree Removal Plan.

5 UPDATED PROJECT JUSTIFICATION AND CONCLUSION

Nangamay Public School is designed and will be built to significantly improve educational outcomes and address the capacity shortfall across the area for an approximate 414 students. The proposed modification would allow for an approximate 230 children to be accommodated within a temporary school located on site while construction works are completed.

This RTS has considered the submissions received in response to the public exhibition of SSD 11070211-Mod-1. Submissions were received from four public authorities and one other organisation. Additional information has been provided and minor design changes have been made to address these matters in response to the submissions.

The proposed design changes resulting from the submissions will comply with relevant legislation and enable the school to operate on Day 1 of Term 1 of 2023 while the permanent parts of Nangamay Public School are completed.

The RTS has responded to all public authority and other organisations submissions received regarding this Modification Application. The RTS report summarises these responses and provides further detail through consultant reports where required. The RTS for the proposed modification has demonstrated that the modification will not generate additional environmental impacts that cannot be appropriately managed and is consistent with the relevant planning controls for the site.

The material provided in the original Modification Report, and the supporting assessment material provided in this RTS Report are submitted to DPE to complete the assessment of the modification application. The report has provided sufficient documentation to enable the assessment of SSD 11070211-Mod-1 to proceed.



Appendix A

Submissions register

Our ref: New Public School in Mulgoa Rise Mod 1 – Temporary Buildings (SSD-11070211-Mod-1)

Ms Helen Mulcahy
Department of Education
Principal Statutory Planner
Suite 9, 259 George Street
Sydney NSW 2000

9 August 2022

Subject: Response to Submissions – Key Issues

Dear Ms Mulcahy

I refer to the modification application for the New Public School in Mulgoa Rise Mod 1 – Temporary Buildings (SSD-11070211-Mod-1) and the Department of Planning and Environment's (Department) recent correspondence sent to you on 4 August 2022.

The Department has now received the outstanding advice from the Department's Environment and Heritage Group (EHG). The Department has published this on the Major Projects website.

Please address all of the issues raised in Council's submission (previously provided to you) and the EHG advice, as well as the matters raised in Attachment A in the Submissions Report.

To accommodate the additional request for information in Attachment A, the Department has extended the timeframe for you to lodge your Submissions Report via the NSW planning portal <https://majorprojects.planningportal.nsw.gov.au/> to **Tuesday, 23 August 2022**.

If this timeframe is not achievable, you are requested to provide, and commit to, an alternative timeframe.

If you have any questions, please contact Patrick Andrade on (02) 9995 6454 or via email at patrick.andrade@dpie.nsw.gov.au.

Yours sincerely,



Tahlia Alexander
Team Leader
School Infrastructure Assessments

Attachment A – Key issues

1) Flooding

The Department has reviewed the 'Stormwater Management Report[B]' that was submitted with the Modification Application, prepared by Woolacotts and dated 4 July 2022. The Department requests that the aforementioned report be revised to:

- assess the extent of overland flooding during a probable maximum flood event (PMF) and the subsequent impact on any temporary buildings proposed as part of this Modification Application;
- assess flood behaviour on-site and in the surrounding areas post-development of the proposed temporary buildings, for both the PMF and 1% Annual Exceedance Probability events. Clearly state whether the proposed temporary buildings would result in any additional flooding to surrounding properties; and
- provide details as to which Australian Standards and/or guidelines, that any buildings impacted by overland flooding will be constructed to, to withstand overland flooding and minimise the risk of death or injury to occupants and damage to property.

2) Tree Removal

The Department has reviewed the Modification Report and advice provided by EHG and notes that one existing tree on Forestwood Drive is proposed to be removed. It is not clear on the landscaping plans submitted which tree will be removed. Please confirm and provide revised plans detailing:

- which existing street tree will be removed on Forestwood Drive or otherwise;
- the species of any tree proposed to be removed; and
- if proposed, the location, species, height and age of the replacement tree.



Our reference: P-342395-K2K1
Contact: Robert Craig
Telephone: (02) 4732 7593

3 August 2022

Patrick Andrade
Planning Officer
Social and Infrastructure Assessments
NSW Department of Planning and Environment
Email: patrick.andrade@dpie.nsw.gov.au

Dear Patrick,

Section 4.55(2) Modification Application: SSD-11070211-Mod-1 – Proposed Primary School at 60-78 Deerubbin Drive, Glenmore Park

I refer to the Department's request to provide comments in relation to the subject modification application.

It is noted that the modification application seeks to provide for temporary school operations on the site to accommodate staff and students for a two year period from December 2022, until the approved school development can be completed.

The following comments are provided for the Department's consideration in relation to the application.

1. Planning Considerations

The proposed setbacks of the demountable buildings from Forestwood Drive have not been nominated on the plans. The plans should be updated in this regard and consideration should be given to providing for street setbacks which, as far as possible based on available space, are characteristic of the dwelling setbacks on the southern side of Forestwood Drive.

In addition, it is recommended that a consent condition be imposed requiring that at the expiration of the temporary school operations, the demountable buildings are to be removed from the site and the land is to be landscaped in accordance with the landscape plans approved as part of the original consent.

2. Engineering Considerations

It is noted that the ultimate on-site staff car park and public domain works will be completed and operational prior to the commencement of the temporary school operations and that on-site stormwater will be directed to the approved stormwater discharge locations. It is recommended that conditions of consent are imposed in this regard.

3. Traffic Considerations

It is noted that maximum staff and student numbers and overall traffic generation is not sought to be modified as part of the modification application.

In relation to construction traffic management, consideration should be given to the following matters:

- Provision of temporary “No Parking” signs to facilitate construction vehicle access off Forestwood Drive will require approval from the Local Traffic Committee. The costs associated with the installation and removal of the signs are to be borne by the proponent.
- Any changes to the Traffic Guidance Scheme at the intersection of Darug Avenue / Forestwood Drive will require approval from Council.
- It is noted that a truck approaching the site from Darug Avenue will occupy both lanes on Forestwood Drive and a truck exiting the site from Forestwood Drive will occupy both lanes on Darug Avenue. One traffic controller is proposed at the intersection of Darug Avenue / Forestwood Drive to control vehicles approaching from different directions. Deploying one traffic controller at the intersection to control vehicle movements may compromise safety. In determining the number of traffic controllers to be deployed at the intersection, consideration should be given to potential conflicts between vehicle and pedestrian movements.

4. Environmental Management Considerations

The modification application has demonstrated that the proposed temporary school operations can achieve compliance with relevant noise criteria and waste management requirements provided that the recommendations in the relevant assessment reports and plans are implemented. In this regard, it is recommended that conditions of consent are imposed to reference the relevant noise assessment report(s) and waste management plan(s).

Thank you for providing Council with the opportunity to provide comment on the modified proposal.

Should you wish to discuss any aspect of Council’s comments, please do not hesitate to contact me on (02) 4732 7593.

Yours sincerely,



Robert Craig
Principal Planner

28 July 2022

Our Ref: 191272

Patrick Andrade

Social and Infrastructure Assessments
Department of Planning and Environment
Patrick.Andrade@dpie.nsw.gov.au

RE: SSD-11070211-Mod-1 New Primary School at Mulgoa Rise Modification 1

Thank you for notifying Sydney Water of SSD-11070211-Mod-1 at 1-23 Forestwood Drive, Glenmore Park, which proposes modifications to SSD-11070211 including the construction and operation of a temporary school to facilitate 230 school children until the remainder of the permanent school can be completed.

The demountable buildings associated with the temporary school will be located on land approximately 2000m² in area. The demountable structures will include 9 general learning spaces, 2 support unit learning spaces, 1 administration block, 1 staff facilities block, 1 library block, 2 toilet block facilities and 1 accessible toilet block facility and covered walkways. Outdoor play areas, security fencing, on-site infrastructure and utilities are proposed. The temporary school demountable buildings are to be removed within 24 months from the commencement of operation of the temporary school area. Sydney Water has reviewed the application based on the information supplied and provides the following comments to assist in planning the servicing needs of the proposed development.

The provided Modification Report notes the temporary demountable structures will not require additional infrastructure connections outside of the site other than those already approved and that there will be no additional capacity required from existing services and utilities available for the proposed modifications.

The Applicant was issued a Section 73 Compliance Certificate on 3 May 2022 under Case Number 191272 for SSD-11070211. The Applicant and their Water Servicing Coordinator should notify their Sydney Water Case Manager of the proposed modification and lodge a new Section 73 application if required.

Water Servicing

- As per the Section 73 application lodged with Sydney Water, the existing connection to the 150mm oPVC water main in Deerubbin Drive will serve the development.

Wastewater Servicing

- As per the Section 73 application lodged with Sydney Water, the existing connection to the 225mm PVC wastewater main will serve the development.

This advice is not formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to

Sydney Water for a Section 73 application. More information about the Section 73 application process is available on our web page in the [Land Development Manual](#).

Further advice and requirements for this proposal are in Attachments 1 & 2. If you require any further information, please contact the Growth Planning Team at urbangrowth@sydneywater.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "KL", enclosed within a large, loopy oval stroke.

Kristine Leitch

Commercial Growth Manager

City Growth and Development, Business Development Group

Sydney Water, 1 Smith Street, Parramatta NSW 2150

Attachment 1

Section 73 Compliance Certificate

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

Building Plan Approval

The approved plans must be submitted to the Sydney Water [Tap in™](#) online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The [Tap in™](#) service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's [Tap in™](#) online service is available at:
<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

Sydney Water recommends developers apply for Building Plan approval early as in some instances the initial assessment will identify that an Out of Scope Building Plan Approval will be required.

Out of Scope Building Plan Approval

Sydney Water will need to undertake a detailed review of building plans:

1. That affect or are likely to affect any of the following:
 - Wastewater pipes larger than 300mm in size
 - Pressure wastewater pipes
 - Drinking water or recycled water pipes
 - Our property boundary
 - An easement in our favour
 - Stormwater infrastructure within 10m of the property boundary.
2. Where the building plan includes:
 - Construction of a retaining wall over, or within the zone of influence of our assets
 - Excavation of a basement or building over, or adjacent to, one of our assets
 - Dewatering – removing water from solid material or soil.

The detailed review is to ensure that:

- our assets will not be damaged during, or because of the construction of the development
- we can access our assets for operation and maintenance
- your building will be protected if we need to work on our assets in the future.

The developer will be required to pay Sydney Water for the costs associated with the detailed review.

Tree Planting

Certain tree species placed in close proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Sydney Water requires that all proposed or removed trees and vegetation included within the proposal adhere to the specifications and requirements within Section 46 of the Sydney Water Act (1994) and *Diagram 5 – Planting Trees* within our [Technical guidelines – Building over and adjacent to pipe assets](#). Please note these guidelines include more examples of potential activities impacting our assets which may also apply to your development.

If any tree planting proposed breaches our policy, Sydney Water may need to issue an order to remove every tree breaching the act, or directly remove every tree breaching the Act and bill the developer or Council for their removal.

Attachment 2

Requirements for **Business Customers for Commercial and Industrial Property Developments.**

Trade Wastewater Requirements

If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

The permit application should be emailed to Sydney Water's [Business Customer Services](mailto:businesscustomers@sydneywater.com.au) at businesscustomers@sydneywater.com.au

A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.

Backflow Prevention Requirements

Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before you install a backflow prevention device:

1. Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.
2. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website:

<https://www.sydneywater.com.au/plumbing-building-developing/plumbing/backflow-prevention.html>

Water Efficiency Recommendations

Water is our most precious resource and every customer can play a role in its conservation. By working together with Sydney Water, business customers are able to reduce their water consumption. This will help your business save money, improve productivity and protect the environment.

Some water efficiency measures that can be easily implemented in your business are:

- Install water efficiency fixtures to help increase your water efficiency, refer to WELS (Water Efficiency Labelling and Standards (WELS) Scheme, <http://www.waterrating.gov.au/>
- Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Refer to <https://www.sydneywater.com.au/your-business/managing-your-water-use/water-efficiency-tips.html>
- Install water-monitoring devices on your meter to identify water usage patterns and leaks.
- Develop a water efficiency plan for your business.

It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.

Contingency Plan Recommendations

Under Sydney Water's [customer contract](#) Sydney Water aims to provide Business Customers with a continuous supply of clean water at a minimum pressure of 15meters head at the main tap. This is equivalent to 146.8kpa or 21.29psi to meet reasonable business usage needs.

Sometimes Sydney Water may need to interrupt, postpone or limit the supply of water services to your property for maintenance or other reasons. These interruptions can be planned or unplanned.

Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.

Have you thought about a contingency plan for your business? Your Business Customer Representative will help you to develop a plan that is tailored to your business and minimises productivity losses in the event of a water service disruption.

For further information please visit the Sydney Water website at:

<https://www.sydneywater.com.au/your-business/managing-trade-wastewater/commercial-trade-wastewater.html> or contact Business Customer Services on 1300 985 227 or businesscustomers@sydneywater.com.au.

Department of Planning and Environment

Our ref: DOC22/632569

Your ref: SSD-11070211 -MOD 1

Mr Patrick Andrade
Infrastructure Assessment
Department of Planning and Environment
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150

7 August 2022

Subject: EHG flood comments on a Modification Application – New Public School in Mulgoa Rise – temporary school facilities - Glenmore Park - SSD-11070211-MOD 1

Dear Mr Andrade

Further to the Environment and Heritage Group (EHG) submission of 3 August 2022 relating to biodiversity issues for this State significant development Modification Application (MOD 1), EHG provides its flood related comments and recommendations below.

EHG appreciates the Department providing it with an extension in which to provide its comments.

Flood

The flood assessment undertaken for this modification is based on grc Hydro modelling that was undertaken as part of the flood impact assessment dated 12 August 2021 for the EIS.

The flood assessment indicates that most of the temporary buildings are located outside of the flood zone. Buildings HB5 and HB4 are partially within the 1% AEP overland flow path at their eastern boundaries. The assessment then recommends that these two buildings will be constructed on piers to allow floodwater in the 1% AEP to flow freely underneath. The habitable level will be 1% AEP plus 0.5m freeboard.

EHG highlights the following:

- The whole site of the school, including the area, which is the subject of this modification, is flood prone land i.e., within the extent of the PMF overland flooding.
- EHG requested in October 2021 and December 2021 a review of flood level contours provided in the PMF map as the contour levels are inconsistent with the flood depths shown in the map and the discussion in the report. As a result, EHG is still not sure about the PMF flood level and depth at the site of the proposed temporary facilities.
- The proposed temporary facilities will serve 230 school children ranging from kindergarten through to Year 6. Due to the vulnerability of the development, all proposed demountable facilities must be constructed to withstand overland floodwater for the full range of flooding to ensure they withstand floodwater forces including buoyancy in rarer or extreme flood events.

Department of Planning and Environment

- Emergency management including access to the school and the evacuation of the students from the site in rarer flood events should be considered. School children should not stay in the facilities during floods larger than the 1% AEP. Buildings HB5 and HB4 must evacuate to other buildings if constructed on piers as they would be subject to isolation in the 1% AEP or larger flood events.

EHG requests that it not be given a consultation role in the conditions of consent unless it agrees to the role and the condition.

If you have any queries regarding this matter, please do not hesitate to contact Janne Grose, Senior Conservation Planning Officer on 02 8837 6017 or at janne.grose@environment.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink that reads "S. Harrison".

Susan Harrison

Senior Team Leader Planning
Greater Sydney Branch
Biodiversity and Conservation

Department of Planning and Environment

Our ref: DOC22/632569

Your ref: SSD-11070211 -MOD 1

Mr Patrick Andrade
Infrastructure Assessment
Department of Planning and Environment
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150

3 August 2022

Subject: EHG comments on a Modification Application – New Public School in Mulgoa Rise – temporary school facilities - Glenmore Park - SSD-11070211-MOD 1

Dear Mr Andrade

Thank you for the email of 18 July 2022 requesting advice on this State significant development Modification Application (MOD 1).

The Environment and Heritage Group (EHG) appreciates the Department providing it with an extension until 5 August in which to provide its comments. As requested EHG provides its biodiversity related comments and recommendations at Attachment A to this letter. EHG will provide a separate letter with its flood related comments by 5 August.

EHG requests that it not be given a consultation role in the conditions of consent unless it agrees to the role and the condition.

If you have any queries regarding this matter, please do not hesitate to contact Janne Grose, Senior Conservation Planning Officer on 02 8837 6017 or at janne.grose@environment.nsw.gov.au.

Yours sincerely,



Susan Harrison

Senior Team Leader Planning
Greater Sydney Branch,
Biodiversity and Conservation

Subject: EHG comments on the Modification Application for the New Public School in Mulgoa Rise – temporary school facilities – Glenmore Park - SSD-11070211 - MOD 1

The Environment and Heritage Group (EHG) has reviewed the following documents for this modification application :

- Modification report - 8 July 2022
- Appendix D – Landscape Design drawings

and provides the following comments.

Biodiversity

Section 5.10 of the Modification Report notes a biodiversity development assessment report (BDAR) waiver was previously granted for SSD-11070211. It states that “the proposed modification is unlikely to have ‘significant impacts upon defined biodiversity values’ as a result of the proposed modifications being located on grassed and previously disturbed land that does not conform to any recognised plant community types”. It concludes that “an additional or amendment to the BDAR waiver is not required for the proposed modification”. EHG advises that BDAR waivers do not apply to modification applications.

Under Section 7.17 of Biodiversity Conservation Act 2016 (BC Act) a BDAR is required to be submitted with an application unless the authority or person determining the application for modification of the original development consent is satisfied that the modification will not increase the impact on biodiversity values.

EHG considers this modification is not likely to increase the impact on biodiversity values, however as the Planning Group is the consent authority, it is a matter for Planning to determine whether the MOD 1 proposal will not increase the impact on biodiversity values as per the BC Act.

Proposed tree removal

The Modification Report notes it is likely that one existing tree on Forestwood Drive may require removal and it notes it will be replaced with a tree of similar height and age once operation of the temporary school ceases (section 5.2). No other details are provided on this tree. Figure 3 in the Mod 1 report and the Landscape Site Plan in Appendix D do not appear to locate this tree to be removed as part of the MOD 1 proposal. The figure/plan only shows the two trees that were identified on Forestwood Drive for removal as part of SSD-11070211.

As noted in the EES submission on the EIS for SSD-11070211, the EIS indicates the road reserve surrounding the proposed development footprint currently consists of two different species of newly planted exotic street trees (Chinese Elm and Manchurian Pear). It is unclear if the additional tree that may be removed as part of MOD 1 is a Chinese Elm (*Ulmus parvifolia*). As advised in the EES submission on the EIS, Chinese Elm is listed as a weed in Appendix 2 of the *Greater Sydney Local Land Services (2017) Greater Sydney Regional Strategic Weed Management Plan 2017-2022* as it poses a potential risk to the environment.

EHG reiterates if there is any potential for this species to spread from the road reserve to the nearby Mulgoa Nature Reserve or Surveyors Creek, it is recommended this species is removed and replaced by a mix of local native tree species. At the very least any trees to be planted to replace the trees removed as part of SSD-11070211 and the MOD 1 proposal should be a mix of local native tree species rather than exotic species.

Department of Planning and Environment

It is recommended the 'Additional Mitigation Measures' in the MOD 1 report which relate to 'Trees' is amended to include a measure that if the existing tree is removed it is replaced with a local native tree species of similar height and age once the operation of the temporary school ceases.

Landscaping

The MOD 1 report notes that no additional tree or landscaping works are proposed due to the temporary nature of the development. EHG has no issue with this due to the temporary nature of the development. Once the remainder of the permanent new school can be completed, however EHG reiterates previous advice provided by EES on the RtS for SSD-11070211 that:

- any planting / landscaping on the site uses a diversity of local provenance native trees, shrubs and groundcover species (rather than exotic species or non-local native species) from the relevant native vegetation community that once occurred in this locality particularly as the site is located near the Mulgoa Nature Reserve and Surveyors Creek Nature
- tree planting uses advanced and established native trees with a minimum plant container pot size of 100 litres, or greater for native tree species which are commercially available. Other native tree species which are not commercially available may be sourced as juvenile sized trees or pre-grown from provenance seed
- an appropriately qualified bush regenerator is engaged by the proponent to provide advice on appropriate local native species that can be used
- the school installs habitat features to improve biodiversity such as logs, bee hotels and a range of artificial nest boxes and/or (artificial hollows using a HollowHog tool (<https://www.hollowhog.com.au/>) suitable for native fauna likely to use the site particularly as the Mulgoa Nature Reserve and Surveyors Creek are located near the site.

End of Submission

The Secretary
NSW Department of Planning, Industry & Environment

19 July 2022

ATTENTION: Patrick Andrade

Dear Sir or Madam

I refer to the Department's email of 19 July 2022 regarding the public exhibition of the Environmental Impact Statement (EIS) for State Significant Development SSD-11070211-Mod-1 New Public School in Mulgoa Rise Mod 1 - Temporary Buildings for 'Construction and operation of a temporary school with temporary buildings for up to 24 months accommodating approximately 230 students and 25 staff' at 1-23 Forestwood Drive, Glenmore Park (Lot 1663 DP 1166869) in the Penrith City Local Government Area. Submissions need to be made to the Department by 1 August 2022.

The Modification Report includes the following advice.

5.12 Utilities


The temporary demountable structures will not require additional infrastructure connections outside of the site other than those already approved. There will be no additional capacity required from existing services and utilities available for the proposed modifications. The modification can be adequately serviced by power, telecommunications, water, sewer, and gas services.

The temporary school / Stage 1 is located to the south eastern corner of the site to the Forestwood Road frontage which currently has limited existing electricity infrastructure consisting of a streetlight column to the road verge.

Based on the foregoing Endeavour Energy has no further recommendations or comments regarding the proposed development.

Please refer to Endeavour Energy's previous submissions made to the Department for State Significant Development SSD-11070211 New Public School at Mulgoa Rise, Glenmore Park on:

- 24 November 2020 via email regarding the request for Secretary's Environmental Assessment Requirements (SEARs).
- 10 September 2021 via the Major Projects / NSW Planning Portal regarding the public exhibition of the Environmental Impact Statement (EIS).

The below updated Site Plan from Endeavour Energy's G/Net Master Facility Model shows padmount substation no. 29097 is now 'Proposed removed' indicated by the  colouring.

For further advice the applicant can call Endeavour Energy via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718 or (02) 9853 6666 and the following contacts:

- Customer Network Solutions Branch for matters related to the electricity supply or asset relocation who are responsible for managing the conditions of supply with the proponent and their Accredited Service Provider (ASP). Alternatively contact can be made by email cicadmin@endeavourenergy.com.au.
- Easements Officers for matters related to easement management or protected works / assets. Alternatively contact can be made by email Easements@endeavourenergy.com.au.
- Property Branch for matters related to property tenure. Alternatively contact can be made by email network_property@endeavourenergy.com.au (underscore between 'network' and 'property').
- Field Operations Branch for safety advice for building or working near electrical assets in public areas. The site is in the area covered by Springhill Field Service Centre. Alternatively contact can be made by email Construction.Works@endeavourenergy.com.au.

Should you wish to discuss this matter, or have any questions, please do not hesitate to contact me or the contacts identified above or in Endeavour Energy's previous submissions in relation to the various matters. Due to the high number of development application / planning proposal notifications submitted to Endeavour Energy, to ensure a response contact by email to property.development@endeavourenergy.com.au is preferred.

Yours faithfully

Cornelis Duba

Development Application Specialist

Sustainability & Environment

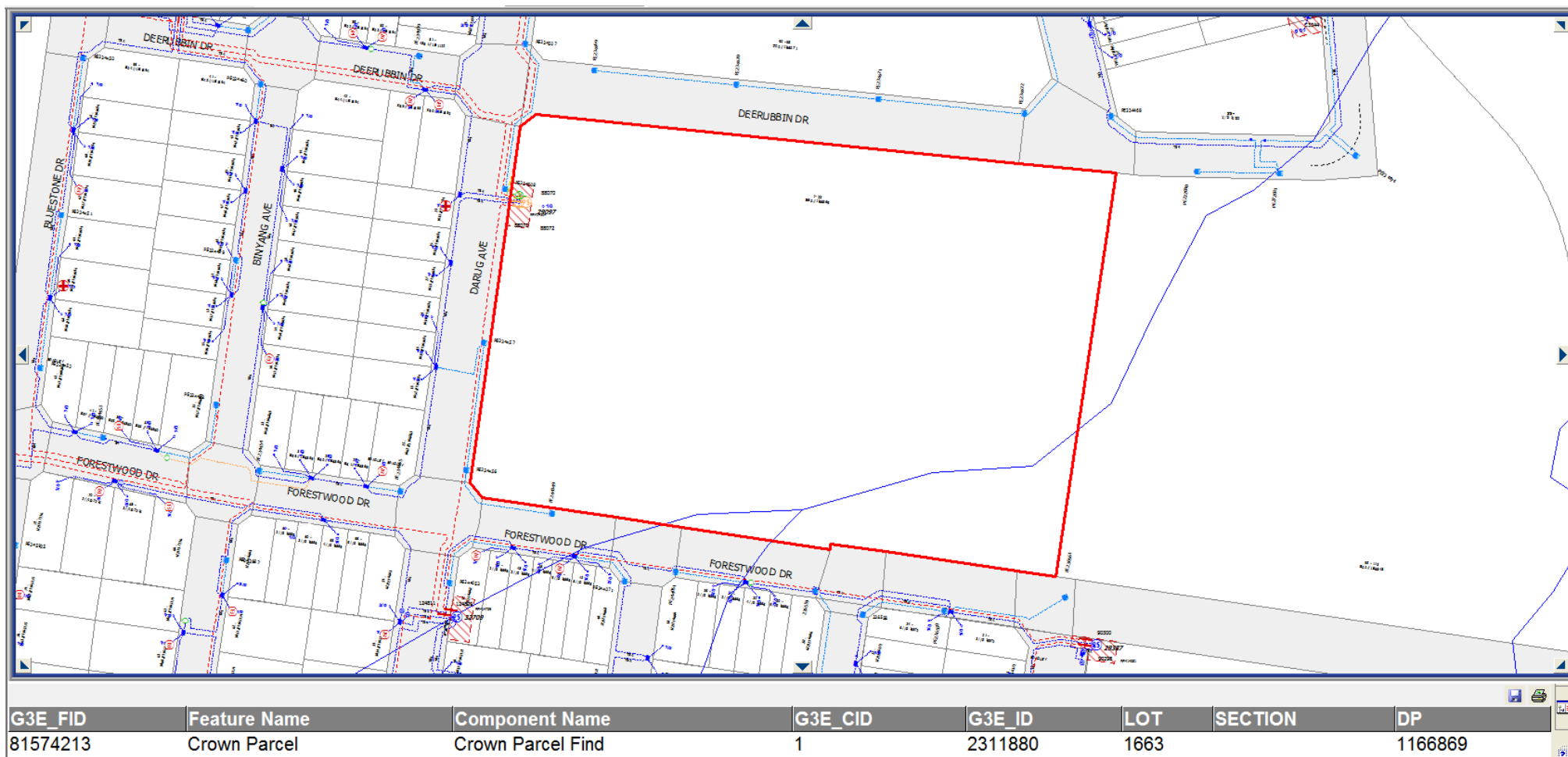
M: 0455 250 981

E: cornelis.duba@endeavourenergy.com.au

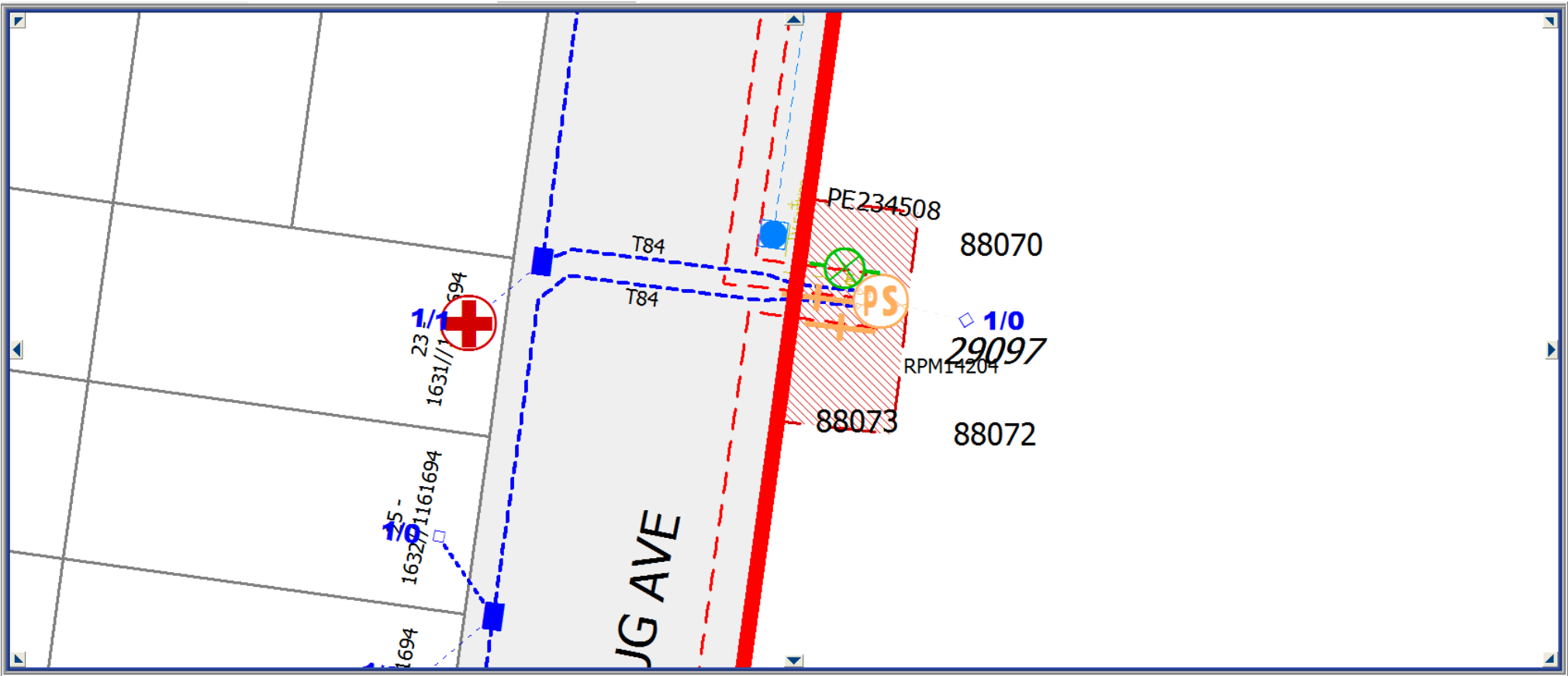
51 Huntingwood Drive, Huntingwood NSW
























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Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of these works until their capture in the model. Easements benefitting Endeavour Energy are indicated by red hatching. Generally (depending on the scale and/or features selected), low voltage (normally not exceeding 1,000 volts) is indicated by blue lines and high voltage (normally exceeding 1,000 volts but for Endeavour Energy's network not exceeding 132,000 volts / 132 kV) by red lines (these lines can appear as solid or dashed and where there are multiple lines / cables only the higher voltage may be shown). This plan only shows the Endeavour Energy network and does not show electricity infrastructure belonging to other authorities or customers owned electrical equipment beyond the customer connection point / point of supply to the property. This plan is not a 'Dial Before You Dig' plan under the of Part 5E 'Protection of underground electricity power lines' of the *Electricity Supply Act 1995* (NSW).



LEGEND	
	Padmount substation
	Indoor substation
	Ground substation
	Kiosk substation
	Cottage substation
	Pole mounted substation
	High voltage customer substation
	Metering unit
	Switch station
	Indoor switch station
	Customer connection point
	Low voltage pillar
	Streetlight column
	Life support customer
	Tower
	Pole
	Pole with streetlight
	Customer owned / private pole
	Cable pit
	Load break switch
	Proposed removed
	Easement
	Subject site



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Appendix B

Updated mitigation measures

Updated additional mitigation measures

Item	Mitigation Measures
Trees	<ul style="list-style-type: none"> • A site-specific Tree Protection Plan (TPP) is prepared to guide the construction process, relating to existing street trees on Forestwood Drive. • Tree protection zones are recommended for all trees within the site that are to be retained. • Tree protection fencing is to be utilised to protect trees to be retained during construction. • If trees display signs of stress or deterioration, remedial action shall be taken to improve the health of the impacted tree. • Existing street trees that require removal shall be replaced with tree species in keeping with the existing streetscape of similar height and age once the operation of the temporary school ceases.
Transport and Accessibility	<ul style="list-style-type: none"> • An amended Construction Traffic Management Plan is to be prepared detailing the proposed additional construction vehicle access off Forestwood Drive and traffic control, including gate control and “No Parking” signs at the Forestwood Drive / Darug Avenue intersection. This would include: <ul style="list-style-type: none"> – Provision of temporary “No Parking” signs to facilitate construction vehicle access off Forestwood Drive will require approval from the Local Traffic Committee. The costs associated with the installation and removal of the signs are to be borne by the proponent. <ul style="list-style-type: none"> ○ It is noted that any changes to the Traffic Guidance Scheme at the intersection of Darug Avenue/Forestwood Drive will require approval from Council. – At least two traffic controllers are proposed at the intersection of Darug Avenue/Forestwood Drive to control vehicles approaching from different directions. <ul style="list-style-type: none"> ○ In determining the number of traffic controllers to be deployed at the intersection, consideration should be given to potential conflicts between vehicle and pedestrian movements.
Noise and Vibration	<p><u>Impacts of construction activities of the permanent facilities on the temporary school</u></p> <ul style="list-style-type: none"> • External doors and windows of the temporary buildings should remain closed while construction works within the Stage 2 are undertaken. • For work to be undertaken within 40m of the temporary school premises, these should be coordinated with school staff so these are only conducted outside operational times of temporary school facilities.
Flooding	<ul style="list-style-type: none"> • All buildings will need to comply with Penrith City Council's floodplain management policy. • Buildings HB4 and HB5 will require a minimum floor level of RL 63.30 m AHD. • The floor level of HB6 building and the adjacent lavatory should be constructed at RL 61.70m AHD. • An Operational Flood Emergency Response Plan for the temporary school is to be prepared.

Updated additional mitigation measures as a result of this RTS are shown in blue.



Appendix C

Updated Flood and Stormwater Advice

Temporary School Facilities

Mulgoa Rise Public School

Stormwater Management Report [C]

Site Information

Development Description: Construction of the temporary buildings.

Total Works Area = 2000m² (Approximately)

Increase in Impervious Area = 2000m² (Approximately)

Flood and Overland Flow

- The site grades gently from a high point in the south-west corner, to a low point in the northeast corner. An existing grassed batter (approximately 1V:10H) is located along the southern site boundary. Remaining gradients within the site, from the toe of the batter to the northwest corner of the site, varies between 1% to 4%.
- The Site is subjected to overland flow flooding during the 1% Annual Exceedance Probability (AEP) storm event and Probable Maximum Flood.
- The TUFLOW model by GRC Hydro indicated that overland flow flooding occurred in the north-western corner during the 1% AEP storm event, and eastern portion of the Site. This flooding was shallow (less than 300mm) and has a hazard classification of H1, which is the lowest level of hazard and is generally safe for people, vehicles, and buildings -see figure 1. The flood levels vary from 63m AHD in the south-east corner of the site to 59m AHD in the north-east corner of the site. The entire site was inundated during the PMF storm events – see figure 2

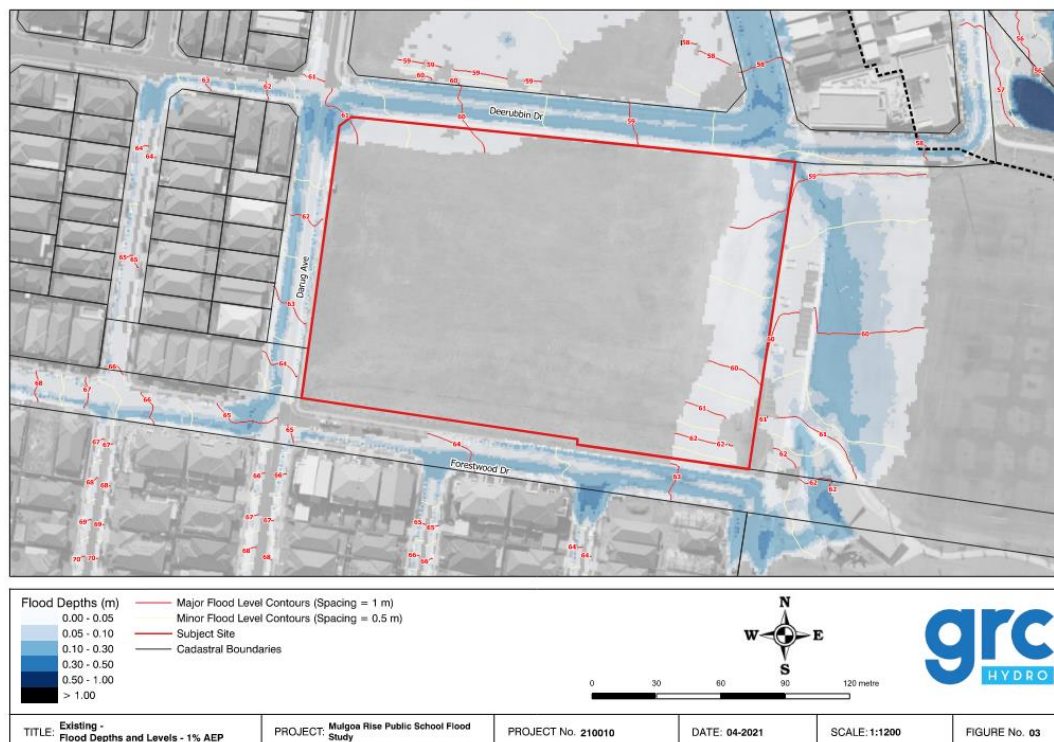


Figure 1: 1% AEP Flood Depth and Levels

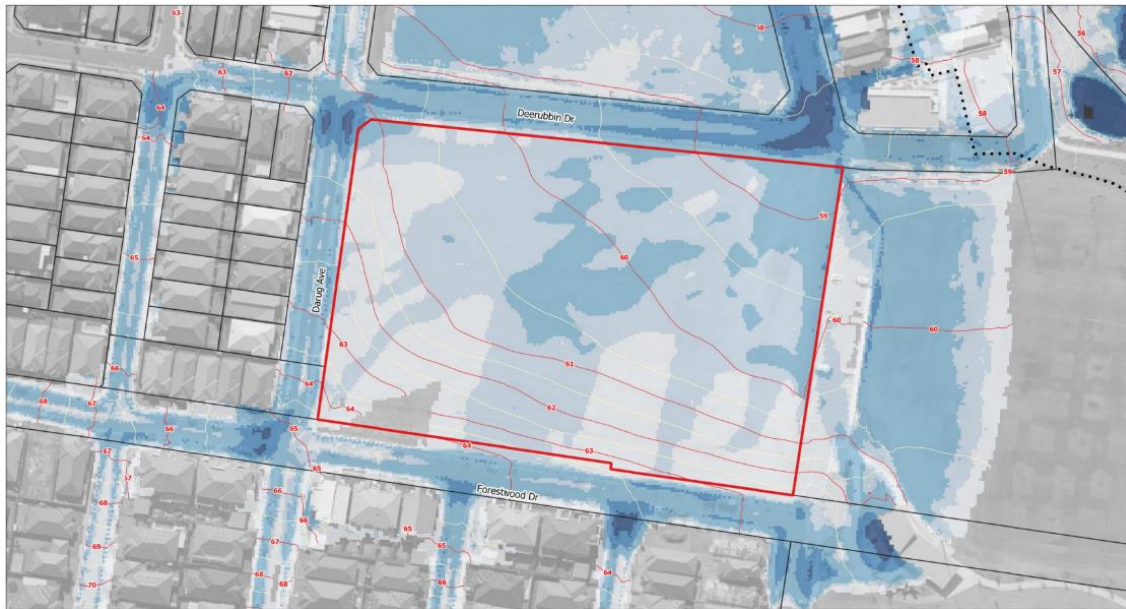


Figure 1: PMF Flood Depth and Levels

- Most of the temporary buildings are located outside of the flood zone during 1% AEP storm events. Buildings HB5 and HB4 are partially obstructing the overland flow path. To maintain the current overland flow regime, it is recommended to allow flood water to flow freely underneath the buildings, therefore will be constructed on piers. The building HB6 and the adjacent lavatory are also recommended to be raised on piers since their locations are close to the flood overland flow path.

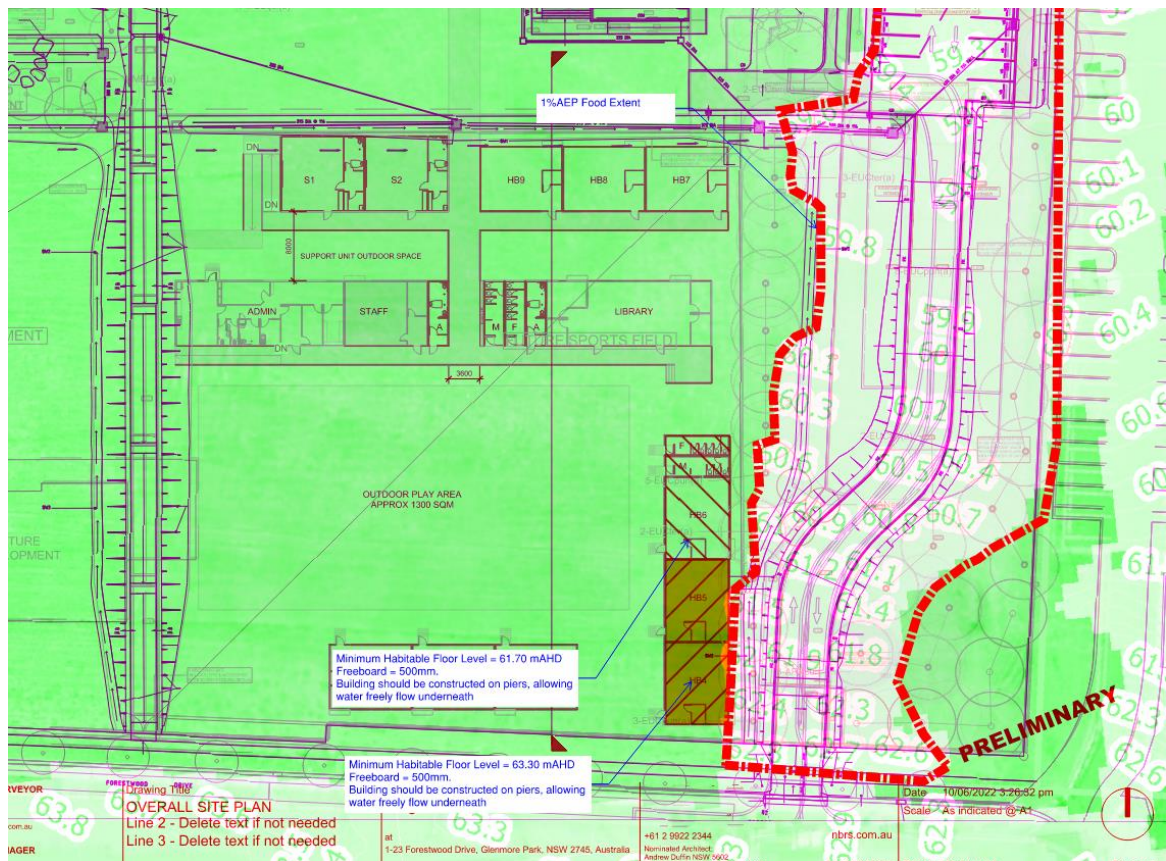


Figure 3: Proposed Development and 1% AEP Flood Extent.

- The temporary buildings are inundated during the PMF storm events and should be raised on piers. The recommended minimum habitable for each building was detailed in the figure 4.

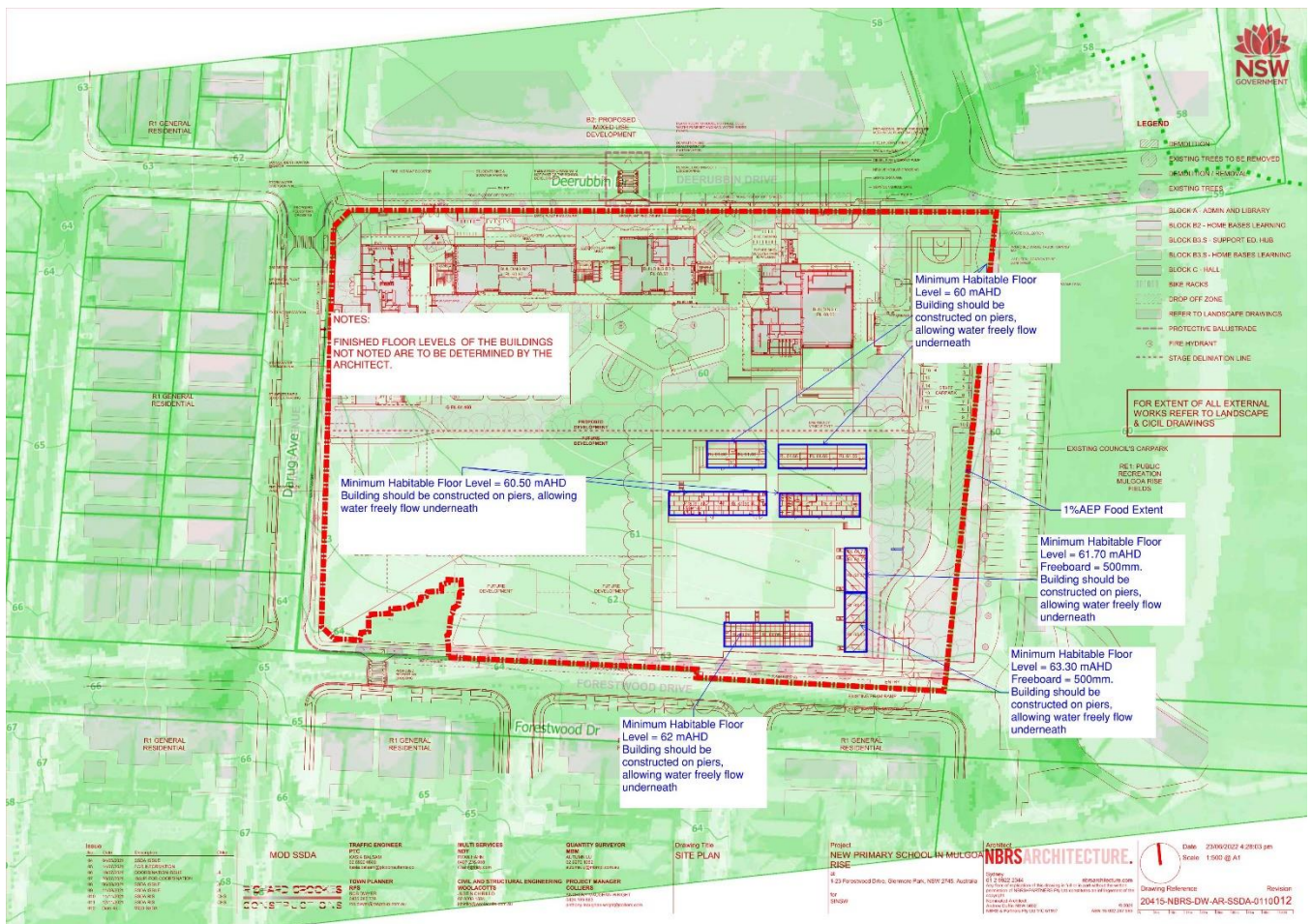


Figure 4: Proposed Development and PMF Flood Extent.

Rainwater, On-site Detention and WSUD Requirements

Reference: Parramatta City Council's Development Engineering Design Guidelines June 2018

- The subject site is located outside of Penrith City Council's identified On-Site Detention areas within the Stormwater Drainage Guidelines for Building Developments. Thus, OSD is not required for the proposed development. This has been confirmed in previous email correspondence between ACOR and Penrith City Council.
- Additionally, it has also been confirmed with Penrith City Council that the downstream receiving stormwater system (both minor and major) has sufficient capacity to convey unattenuated flows from the site. Refer Appendix E of ACOR's concept report.
- Penrith City Council's Water Conservation objectives requires 80% of potable demand to be met by non-potable sources.
- The council confirmed that a regional bio-retention basin will be constructed for the area, negating WSUD requirements for the development.

Stormwater Discharge Point

Refer attached marked up plan drawings for potential stormwater strategy for each Option

- There are multiple existing stormwater pits near the proposed development area within the school site.
- The downpipes from the temporary buildings are to be connected to an existing rainwater tank and surface runoff is captured in several pits proposed around the site. The outlet pipe of the proposed system is connected to the nearest existing pit with the constructed grass swale – see attachment.

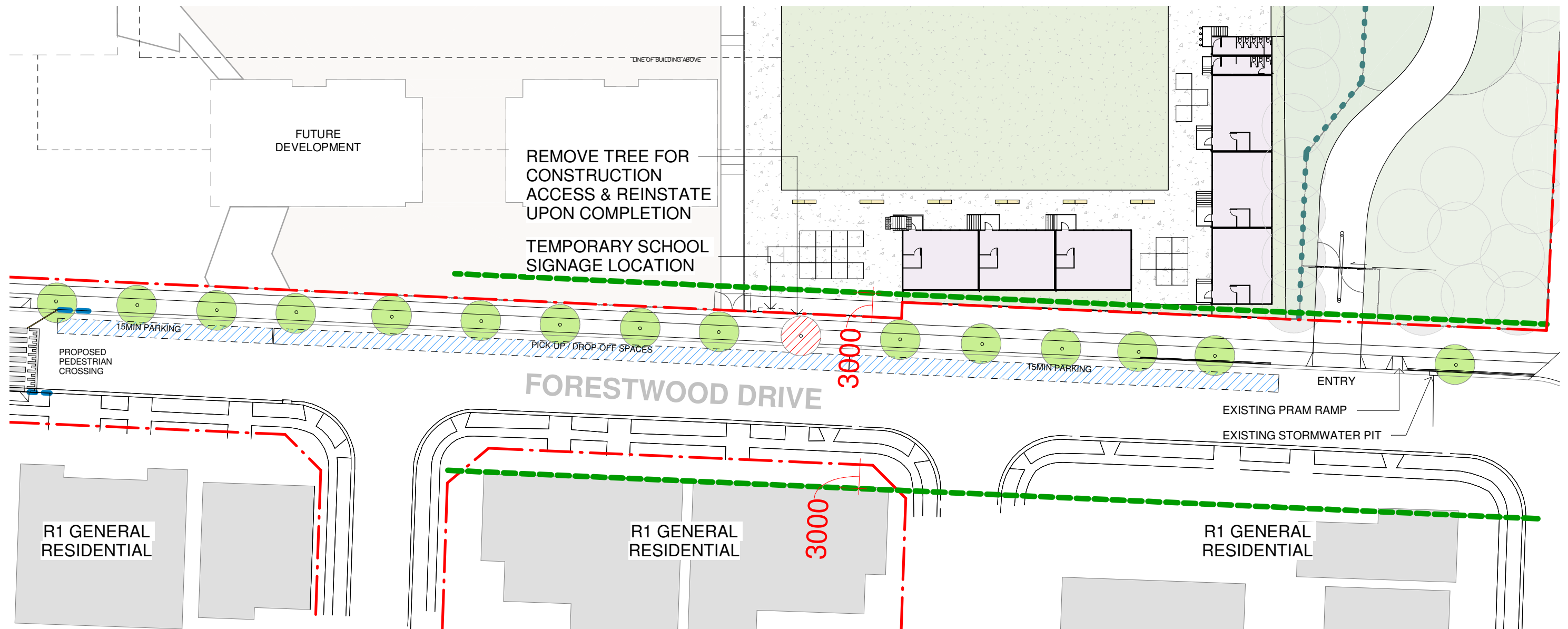
Minimum Habitable Floor Levels

The site is affected by the overland flow travelling from the north-east corner of the site to the southeast corner of the site. Therefore, some buildings' finished levels need to comply with the council's floodplain management policy. Buildings HB4 and HB5 will require a minimum floor level of RL 63.30 mAHD while the floor level of HB6 building and the adjacent lavatory should be constructed at RL 61.70mAHD. Remaining building's FFL will be matched with the PMF flood level -see figure 4 or determined by the architect.

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Appendix D

Forestwood Drive Setback and Street Tree Removal Plan



1 SETBACK PLAN

1 : 500

Issue	No.	Date	Description	Chkd.
	01	09.08.2022	FOR INFORMATION	KLC

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kasia.balsam@ptcconsultants.co

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PROJECT MANAGER
COLLIERS
ANTHONY MAUGHAN-WRIGHT
0424 189 883
anthony.maughan-wright@colliers.com

Drawing Title
FORESTWOOD DRIVE SETBACK PLAN

Project
NEW PRIMARY SCHOOL IN MULGOA RISE
at
1-23 Forestwood Drive, Glenmore Park, NSW 2745, Australia
for
SINSW

Architect
NBRS
Sydney
61 2 9922 2344
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Nominated Architect:
Andrew Duffin NSW 5602
NBRS & Partners Pty Ltd VIC 51197
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ABN 16 002 247 565



Date 9/08/2022 6:02:25 PM
Scale 1 : 500 @ A3

Drawing Reference
20415-NBRS-DW-AR-SSDA-0125 01

Revision