

13 July 2018

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Ms Carolyn McNally
Secretary
NSW Department of Planning and Environment
GPO Box 39
Sydney NSW 2000

Dear Ms McNally

REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS PROPOSED NEW PUBLIC SCHOOL – STATE SIGNIFICANT DEVELOPMENT

We are writing on behalf of NSW Department of Education (DoE), the proponent for the proposed new public school (K – Year 6) at Estella Road, Estella (Wagga Wagga).

As the proposal is for the development of a new school, it meets the criteria for State Significant Development (SSD) for the purposes of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

The purpose of this letter is therefore to request the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the proposed development. To support the request for the SEARs this letter provides an overview of the proposed development, sets out the statutory context, and identifies the key likely environmental and planning issues associated with the proposal.

This letter is accompanied by the following:

- Indicative Concept Scheme prepared by Hayball (**Attachment A**); and
- Project description prepared by Hayball (**Attachment B**).

1.0 The Site

The site is located at Estella Road, Estella in the Wagga Wagga Local Government Area approximately 4.5 kilometres north of the Wagga CBD (**Figure 1**).

The site is legally known as Lot 4 in DP 1218378. The site is generally regular in shape with an area of approximately 3ha. It is currently clear of development.

An aerial photograph of the site is shown at **Figure 2**.

The site is located in an area with suburban and rural characteristics:

- To the north is the Charles Sturt University campus. A car park associated with the University adjoins the northern boundary.
- To the south are single level residential dwellings of Estella.
- To the east is Peter Hastie Oval and the grounds of the Charles Sturt University campus which is clear of development.
- To the west are the grounds of Charles Sturt University campus which is clear of development.



Figure 1 Locational context map

Source: Ethos Urban



Figure 2 Aerial photograph of the site

Source: Ethos Urban

2.0 Description of Proposed Development

The SSD application will seek consent for the construction of a new educational establishment to accommodate approximately 370 students with core school facilities provided to meet the needs of the future student numbers.

The application includes the following:

- Construction of five new 2-storey school buildings comprising:
 - Collaborative learning spaces;
 - Classrooms;
 - Offices for teachers and administrative staff;
 - Hall; and
 - Library.
- Associated site landscaping and open space improvements;
- Parking and loading facilities;
- Removal of trees; and
- School signage.

An Indicative Concept Scheme prepared by Hayball has been provided for information purposes (see **Figure 3** and **Attachment A**). The buildings identified in purple are subject to future stages of the school development and are shown for information purposes only.



Figure 3 Indicative Concept Scheme

Source: Hayball

3.0 Planning Context

3.1 Environmental Planning and Assessment Act 1979

The EP&A Act establishes the assessment framework for SSD. Under Section 4.38 of the Act the Minister for Planning is the consent authority for SSD. Section 4.12(8) requires that a development application for SSD is to be accompanied by an Environmental Impact Statement (EIS) in the form prescribed by the Regulations.

3.2 State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (State and Regional Development) 2011 identifies development types that are of State significance, or infrastructure types that are of State or critical significance. Under the *State Environmental Planning Policy (State and Regional Development) 2011*:

- Development for the purpose of a new school (regardless of the capital investment value);
- Development that has a capital investment value of more than \$20 million for the purpose of alterations or additions to an existing school; and
- Development for the purpose of a tertiary institution (within the meaning of *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*), including associated research facilities, that has a capital investment value of more than \$30 million.

The proposal is defined as an 'educational establishment' and is for the purposes of a new school. Accordingly, an SSD application is to be prepared.

3.3 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The Department of Planning released *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (Education SEPP) in September 2017. The Education SEPP aims (amongst other things) to streamline the planning system for education and child care facilities.

Schedule 4 of the Education SEPP outlines the design quality principles that are proposed for consideration. The proposal will respond to the design quality principles as follows:

- Principle 1 – context, built form and landscape: The proposal involves new built form elements. The proposal will be consistent with relevant planning controls contained in the LEP and is considered an appropriate scale for the surrounding context. A Landscaping Concept Plan will accompany the EIS.
- Principle 2 – sustainable, efficient and durable: The proposal will adopt a range of ESD initiatives, and an ESD Report will accompany the EIS. The proposal will also provide positive social and economic benefits for the local community particularly in terms of job creation and reducing pressure of surrounding public schools.
- Principle 3 – accessible and inclusive: The proposal is capable of complying with the relevant provisions for accessibility, and an Accessibility Report will accompany the EIS.
- Principle 4 – health and safety: CPTED measures will be incorporated into the design and management of the site to ensure a high level of safety and security for students and staff. A range of open spaces and sports facilities will be available for students to encourage passive recreation. A CPTED Report will accompany the EIS.
- Principle 5 – amenity: The proposal will contain high quality facilities, spaces and equipment for use by students and staff. These will provide students with an enhanced learning environment.
- Principle 6 – whole of life, flexible and adaptive: The proposal will be designed to ensure flexibility and longevity.
- Principle 7 – aesthetics: The proposal will have high quality external finishes, which will be aesthetically pleasing. The proposal is an appropriate scale and form for the site's context.

The EIS will address Part 7 General development controls of the Education SEPP. As the proposal will have a capacity of more than 50 students, Roads and Maritime Services (RMS) will be consulted throughout the SSD process.

3.4 Wagga Wagga Local Environmental Plan 2010

The site is subject to the provisions of *Wagga Wagga Local Environmental Plan 2010* (the LEP). The key provisions of the LEP are briefly discussed below.

Table 1 Review of consistency with Wagga Wagga LEP

Item	Control	Comment
Zone	SP2 – Infrastructure: Educational Establishment	The proposed educational establishment is permitted with consent.
Height of Buildings	N/A	The site does not have a maximum height of building control.
Floor Space Ratio	N/A	The site does not have a floor space ratio control
Heritage	N/A	The site is not identified as a being a heritage item or being within a heritage conservation area.
Terrestrial Biodiversity	The site is identified on the Terrestrial Biodiversity Map.	The application will be accompanied by a Biodiversity Development Assessment Report.
Vulnerable Land	The site is identified on the Vulnerable Lands Map.	The assessment will be accompanied by a Civil report including stormwater, soil and erosion management and geotechnical investigations.
Lot Size	The site is not identified on the Lot Size map.	N/A
Land Reservation	The site is not identified on the Land Reservation map.	N/A
Bushfire		The site is identified by Council's bushfire prone land map.

3.5 Wagga Wagga Development Control Plan 2010

Wagga Wagga Development Control Plan 2010 (the DCP) applies to the site, although it does not contain controls specific to schools. Where possible, the design of the proposal will have regard to provisions of the DCP that may be deemed relevant (such as access and parking, crime prevention, landscaping and stormwater) although pursuant to Clause 11 of the *State Environmental Planning Policy (State and Regional Development) 2011*, DCPs (whether made before or after the commencement of the SEPP) do not apply to SSD.

3.6 Other Planning Policies

In addition to the above, the following policies apply to the site and will need to be considered as part of the SDD application:

- *State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55).*
- *State Environmental Planning Policy (Infrastructure) 2007.*
- *State Environmental Planning Policy No. 64 - Advertising and Signage.*

4.0 Overview of likely Environmental and Planning Issues

Based on our preliminary environmental assessment, the following are the key environmental assessment issues that will need to be considered as part of the future DA:

- Built Form and Urban Design;

- Environmental Amenity;
- Traffic and Parking;
- Environmental Sustainability;
- Flora and Fauna;
- Noise and Vibration;
- Stormwater Management;
- Bushfire;
- Waste Management; and
- Construction and Operation Impacts.

5.0 Conclusion

The proposal is classified as SSD on the basis that it falls within the requirements of Clause 15 of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011*, being 'development for the purpose of a new school (regardless of the capital investment value).'

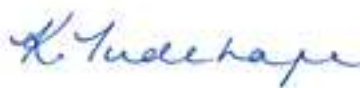
The DoE requests that the Secretary of the Department issue the SEARs for the proposed new Estella School to facilitate the preparation of the EIS to accompany the SSDA.

We trust that the information detailed in this letter is sufficient to enable the Secretary to issue the SEARs for the preparation of the EIS. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or cmcgillick@ethosurban.com.

Yours sincerely,



Chris McGillick
Senior Urbanist



Kate Tudehope
Associate Director, Planning