

16 July 2020

2200351

Mr Jim Betts
Secretary
NSW Department of Planning, Industry and Environment
12 Darcy Street
PARRAMATTA NSW 2150

Dear Mr Betts,

REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS TAFE NSW WESTERN SYDNEY CONSTRUCTION HUB

We are writing on behalf of TAFE NSW, the proponent for the proposed Western Sydney Construction Hub (the Construction Hub) at the TAFE NSW Nepean Kingswood campus at 2-44 O'Connell Street, Kingswood.

Western Sydney is set to transform over the coming decades, driven by a once in a generation government investment in infrastructure. In this context, the NSW Government has announced the establishment of a new \$79.5 million Western Sydney Construction Hub to support Western Sydney's future growth, and to maintain the resilience of the local community by providing training for the many new jobs required. The Construction Hub is required to be operational by Semester 1, 2023.

As the proposed Construction Hub will have a Capital Investment Value (CIV) of more than \$30 million (see cost estimate at **Attachment A**) it is State Significant Development (SSD) for the purposes of the *Environmental Planning and Assessment Act 1979* (the 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:

- Statement of Cost prepared by RLB (**Attachment A**);
- Indicative Concept Plans prepared by HASSELL (**Attachment B**); and
- BDAR Waiver Request prepared by EcoLogical Australia (**Attachment C**).

1.0 Background

Western Sydney is set to transform over the coming decades, driven by a once in a generation government investment in infrastructure. The Western Sydney Aerotropolis will be at the centre of a new urban area for Sydney. The Western Parkland City is projected to grow from 740,000 today, to well over 1.5 million by 2056. The Aerotropolis will make a significant contribution to 200,000 jobs across Western Sydney - creating an innovation precinct and a home for technology, science and creative industries.

In this context, the NSW Government has announced the establishment of a new \$79.5 million Western Sydney Construction Hub to support Western Sydney's future growth, and to maintain the resilience of the local community by providing training for the many new jobs required. The Construction Hub is required to be operational by Semester 1, 2023.

2.0 The Site

2.1 Site Location and Context

The TAFE NSW Nepean Kingswood campus is located at 2 – 44 O’Connell Street, Kingswood within the Penrith LGA. The campus is located in a changing context, approximately 5km east of the Penrith CBD and 2km east of Nepean Hospital.

The surrounding area is transitioning from a rural-residential hinterland to a more suburban context with a mix of housing, institutional uses and centres. The immediate surrounds are currently being developed for medium density residential uses and a neighbourhood town centre in accordance with the Quarter Precinct Master Plan and Western Sydney University Redevelopment Plan.

The TAFE campus is critical to the development of Council’s vision for the Quarter Health and Education Precinct to become an international destination for investment in education, health services, research and related technology. The Quarter Precinct Master Plan seeks to build upon major health and education institutions to create a more connected and integrated health and education precinct. Key initiatives of the Plan include a future high frequency bus link between Kingswood and Werrington Stations, improved amenity to the local centre and consolidating education uses on Western Sydney University’s land, freeing capacity for additional residential development.

The campus is legally described as Lot 1 in DP 866081. It has an area of approximately 22 hectares. The locational context of the campus is shown at **Figure 1** and an aerial photograph of the campus is shown at **Figure 2**.

The Construction Hub site is located in the north-eastern part of the campus, along the eastern boundary to take advantage of adjacencies with the neighbouring Western Sydney University campus. The location of the development in the context of the broader campus is shown at **Figure 3**.

2.2 Existing Development

The campus was established in the early 1980s, with existing buildings and activity focused along O’Connell Street. The central, northern and eastern parts of the campus remain as open fields and accommodate a sports field, parking and drainage function.

The most recent building on site sits adjacent to O’Connell Street. Built in 2015, the Health Services Building accommodates training areas such as dental, optical dispensing, audiometry and sterilisation, as well as campus administration, a library and events space. Other buildings have mostly been built through the 1980s and 1990s. They are generally between one and two storeys in height, comprise of a double brick or brick veneer construction and have an institutional character.

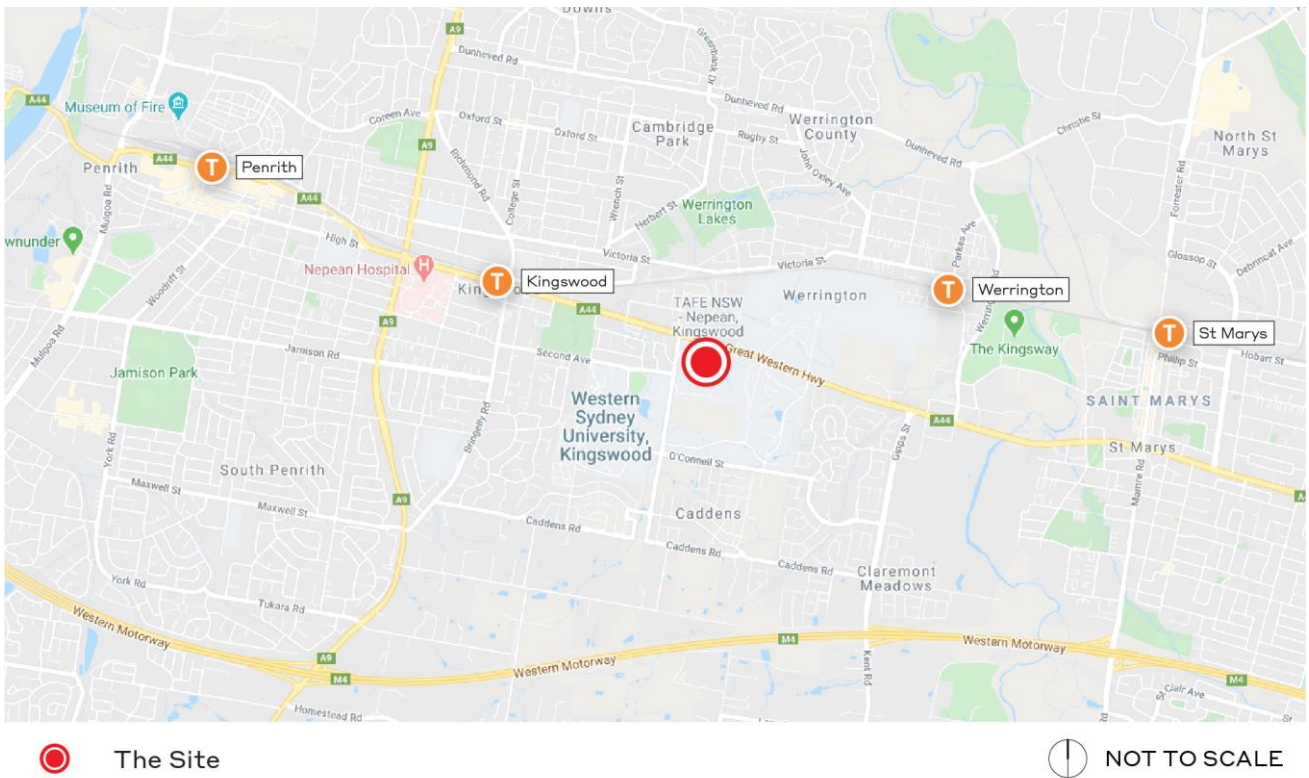


Figure 1 Site Context

Source: Nearmap and Ethos Urban



Figure 2 Site Aerial

Source: Nearmap and Ethos Urban

3.0 Description of the Proposed Development

The Construction Hub will provide for 3,500 students and will operate as the Construction Centre of Excellence for TAFE NSW. The building will facilitate an active learning environment collocating building, construction, engineering and manufacturing disciplines. Students will have access to state-of-the-art facilities and technology that is flexible and adaptable to industry needs. The building will connect students and staff with industry partners and will provide flexible space for training purposes to simulate real world scenarios and environments, exhibition and function space and shared workspace.

An Indicative Concept Scheme prepared by HASSELL is provided at **Attachment B**. The location and layout of the proposed building is shown at **Figure 3**. The anticipated scope of the SSD DA is as follows:

- Site preparation works including tree removal and excavation.
- Construction of a 2-3 storey Construction Hub accommodating approximately 9,200m² of GFA. The building will include learning and workshop spaces, workspaces and areas for industry engagement:
- Provision of additional car parking.
- Landscaping works.

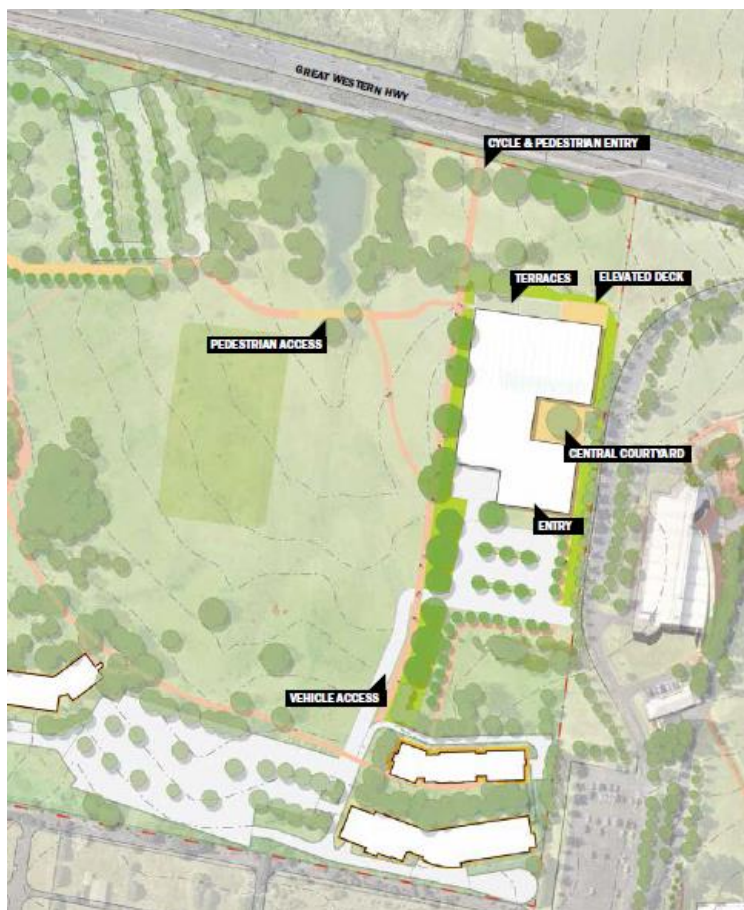


Figure 3 Proposed Building Footprint

Source: HASSELL

3.1 Cost of Works

A Cost Estimate has been prepared by RLB Quantity Surveyors (refer to **Attachment A**). It confirms that the Capital Investment Value (CIV) of the proposed development will be more than \$30 million.

4.0 Planning Context

The following legislation, plans and policies will apply to the proposed development and will need to be considered as part of the SSD application.

- *Environmental Planning and Assessment Act 1979 (EP&A Act)*
- *Environmental Planning and Assessment Regulation 2000 (EP&A Regulation)*
- *Biodiversity Conservation Act 2016 (BC Act)*
- *State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)*
- *State Environmental Planning Policy 64 – Signage (SEPP 64)*
- *State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)*
- *State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)*
- *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)*
- *Draft State Environmental Planning Policy (Remediation of Land)*
- *Draft State Environmental Planning Policy (Environment)*
- *Western City District Plan*
- *Penrith Local Environmental Plan 2010 (LEP 2010)*

Key legislation, plans and policies are considered in the following sections.

4.1 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 and Public Spaces 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 EP&A Regulation.

4.2 Biodiversity Conservation Act

Section 7.2 of the *Biodiversity Conservation Act 2016* (BC Act) provides that development under the EP&A is likely to significantly affect threatened species if:

- (a) *it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or*
- (b) *the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or*
- (c) *it is carried out in a declared area of outstanding biodiversity value.*

In the case of SSD, an application must be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that it is not likely to have any significant impact on biodiversity values.

A BDAR waiver has been prepared by EcoLogical Australia to accompany this SEARs request (refer to **Attachment C**). The BDAR waiver confirms that the development does not trigger the area clearing threshold and will not have a significant impact on biodiversity values. Therefore, the proposed development does not trigger the Biodiversity Offset Scheme and a waiver from the need to prepare a BDAR is being sought.

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

The *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) identifies development which is declared to be State Significant. Clause 15 of Schedule 1 of the Policy provides that State Significant Development includes:

15 Educational Establishments

- (1) *Development for the purpose of a new school (regardless of the capital investment value).*
- (2) *Development that has a capital investment value of more than \$20 million for the purpose of alterations or additions to an existing school.*
- (3) ***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.***

As the proposal is for the purposes of a tertiary institution and has an estimated Capital Investment Value of over \$30 million, the development can be declared to be State Significant Development (refer to the Statement of Cost prepared by RLB Quantity Surveyors at **Attachment A**).

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

The *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (Education SEPP) aims to make it easier for childcare providers, schools, TAFEs and universities to build new facilities and improve existing ones by streamlining the planning process to save time and money and deliver greater consistency across NSW.

The proposed development is permissible with consent in the SP2 Educational Establishment zone, and so is not reliant on the provisions of the Education SEPP for permissibility.

Clause 57 of the Education SEPP relates to traffic generating development. As the proposal involves the enlargement and extension of an existing educational establishment, the application will require referral to RMS and will be assessed accordingly.

4.5 State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires land contamination to be considered as part of rezoning processes as well as in the assessment of development applications. SEPP 55 requires that an assessment be carried out to determine whether the site is suitable in its contaminated state for the proposed use, or that it can be made suitable for the proposed use through remediation. This will need to be addressed in the EIS.

4.6 Western City District Plan

The Western City District Plan sets out the planning priorities and actions for growth and development within the Western City District over the next 20 years, giving effect to the directions of the Regional Plan by setting out priorities and actions for the Western City, and setting out actions and priorities to inform local strategic and statutory plans.

The relevant priorities and actions of the Western City District Plan for the proposed development are described below.

Planning Priority W4 - Fostering healthy, creative, culturally rich and socially connected communities

The District Plan recognises that educational facilities, such as TAFEs, connect people with one another. Further, these social connectors help foster healthy, culturally rich and networked communities that share values and trust

and can develop resilience to shocks and stress. The proposed Construction Hub will help support social connections, in accordance with Priority 4.

Planning Priority W8 – Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis

The Western City District Plan identifies education and training as a key opportunity to be leveraged from the development and operation of the Aerotropolis. It sees TAFE playing an important role in training the growing population for a diverse range of essential trades and service jobs that will support the District's emergence as a major city region. The proposed Construction Hub is directly linked to Priority 8, and is critical to support Western Sydney's future growth, and to maintain the resilience of the local community by providing training for the many new jobs required.

Planning Priority W9 – Growing and strengthening the metropolitan cluster

Central to the Regional Plan is the objective of a metropolitan centre in each city. The Western City District is unique in that it provides an opportunity for an interconnected web of metropolitan centres, given the established role of Liverpool, Penrith and Campbelltown-Macarthur – a metropolitan cluster.

Each metropolitan cluster centre is envisioned to have a university campus co-located with TAFE facilities, with the District Plan acknowledging that local education facilities such as TAFEs play an important role in the community as places where people work, learn and access services.

4.7 Penrith Local Environmental Plan 2010

The site is subject to the provisions of the Penrith LEP 2010. The key provisions of the LEP are discussed below in **Table 1**.

Table 1 Summary of relevant provisions in the Penrith LEP 2010

Item	Control	Comment
Zone	SP2 Infrastructure Education Establishment	The site is zoned SP2 Infrastructure 'Education Establishment' under LEP 2010. Within this zone, educational establishments or development that is 'ordinarily incidental or ancillary' to an educational establishment is permissible with consent. The proposed development is for the purpose of an educational establishment, and is therefore permissible with consent.
Height of Buildings	N/A	-
Floor Space Ratio	N/A	-
Heritage	Local heritage item 860 "Milestone" is located on the Great Western Highway, fronting the lot. The campus is also located in proximity to: <ul style="list-style-type: none"> Item 670 – Teacher's residence (former); and Item 315 - "Werrington Park House", garden and poplar avenue. 	These items are located in proximity of the proposed building. A Heritage Image Statement will be submitted as part of the EIS.
Bushfire	The campus is identified as having 'Vegetation Buffer' on Penrith's Bushfire Prone Land Map. The buffer zone currently encompasses half of the O'Connell Street frontage, on the western side of the campus.	The site of the proposed development is located outside of the Vegetation Buffer, however further consideration will be given to potential bushfire impacts as part of the proposed development.

Item	Control	Comment
Flood Planning	The campus and surrounds are not identified within the LEP 2010 flooding maps, however are identified on Council's website as being affected by flooding in accordance with the Penrith Floodplain Management Plan 'College, Orth and Werrington Creeks'.	Whilst the campus is not identified as being flood affected under LEP 2010, further consideration will be given to flooding impacts, as identified in Council's Floodplain Management Plan.

4.8 Penrith Development Control Plan 2014

Development Control Plans do not apply to SSD applications, by virtue of Clause 11 of the SRD SEPP.

Notwithstanding, consideration will be given to the key controls contained in Penrith DCP 2014 as part of the application. This will include servicing, transport, access and parking.

5.0 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 addressed in the EIS.

5.1 Urban Design, Built Form and Streetscape

The EIS will address the height, density, bulk and scale of the proposed development within the context of the campus and wider locality. The EIS will demonstrate how the proposal integrates with the local environment, and how the form, layout and siting of the building achieves appropriate design and amenity outcomes for users of the site, and occupants of surrounding land. A Design Report, documenting contextual information, design principles, options and the final built form response will be submitted with the EIS.

5.2 Visual Impact

The proposed building will be visible from within the site and the surrounding public domain, including from the Great Western Highway. An assessment of visual impact from the public domain will be prepared and submitted as part of the EIS.

5.3 Tree Removal and Biodiversity Impacts

It is expected that the proposed development will require the removal of some trees. An Aboriginal Assessment Report will be submitted with the EIS, and will assess the significance and health of each tree to be removed.

A BDAR waiver has been prepared by EcoLogical Australia to accompany this SEARs request (refer to **Attachment C**). The BDAR waiver confirms that the development does not trigger the area clearing threshold and will not have a significant impact on biodiversity values. Therefore, the proposed development does not trigger the Biodiversity Offset Scheme and a waiver from the need to prepare a BDAR is being sought.

5.4 Traffic and Transport

As there will be an increase in student and staff numbers on the campus, there will be an increase in traffic volumes and parking demand in the locality.

A Traffic and Parking Assessment will be submitted as part of the EIS, which will include analysis to determine current vehicle (daily and peak), public transport, pedestrian and bicycle movements. This will include an analysis of the provision of student, staff and visitor car parking and an assessment of existing and future transport needs.

The assessment will also consider access arrangements and measures to mitigate any associated traffic impacts. A Green Travel Plan will also be included to address ways in which sustainable and active transport modes can be encouraged and used by students, visitors and staff.

5.5 Heritage and Archaeology

The site is located in close proximity to several items of local heritage significance under Penrith LEP 2010. The EIS will be supported by a Heritage Impact Statement to assess the impacts of the proposal on these items.

An Aboriginal Cultural Heritage Assessment Report will also be prepared and submitted as part of the EIS, and Aboriginal community consultation will be undertaken in accordance with the statutory guidelines of the Office of Environment, Energy and Science.

5.6 Environmentally Sustainable Development

An ESD Report will be submitted with the EIS. It will outline how ESD principles will be incorporated into the design and ongoing operation of the development.

5.7 Social Impact

Social impacts will be addressed as part of the EIS, to assess the impact of the development on the local community and any existing local social infrastructure. It will also assess the social consequences of the proposed development.

5.8 Noise and Vibration

There will be noise and vibration throughout construction, to varying degrees. There will also be operational noise once the Construction Hub opens. These impacts will be addressed in a Noise and Vibration Assessment, to be submitted with the EIS.

5.9 Contamination

A Phase 1 Site Assessment will be prepared and submitted with the EIS. The assessment will undertake a desktop study of the site and the expected potential for contamination, given past uses. The assessment will also suggest whether a Phase 2 Site Assessment and Remediation Action Plan should be prepared subsequently.

5.10 Utilities and Infrastructure

An Infrastructure Management Plan will be prepared in consultation with the relevant agencies, identifying the existing capacity of the infrastructure currently servicing the site, and any augmentation, service relocations or easements that may be required to service the proposed development.

5.11 Drainage and Stormwater

An assessment of stormwater and drainage will be prepared and submitted with the EIS. The assessment will detail measures to minimise any impacts on water quality, and will detail proposed drainage with respect to downstream properties.

5.12 Geotechnical Conditions

A Geotechnical Assessment will be prepared and submitted with the EIS. It will identify existing ground conditions and the implications for construction of the proposed development.

5.13 Construction Management

A preliminary Construction Management Plan (CMP) will be prepared and submitted with the EIS. The preliminary CMP will identify the proposed construction hours and any management measures required to mitigate impacts during construction.

5.14 Waste Management

A Waste Management Plan will be submitted with the EIS, and will assess the likely waste streams to be generated during both construction and operation, and will identify measures to manage this waste.

5.15 Accessibility

An Access Report will be prepared and submitted with the EIS that will identify any accessibility requirements to comply with the relevant legislation and guidelines.

5.16 Crime Prevention through Environmental Design

A CPTED will be addressed as part of the EIS, which will assess the site against principles of CPTED and recommend suitable design changes.

6.0 Consultation

In preparing the EIS, a Communication Strategy will be developed to detail the consultation activities undertaken in preparation of the EIS. It is anticipated that the proponent will undertake consultation with the following key stakeholders and government agencies:

- Community, including surrounding landowners, staff and students;
- Penrith City Council;
- NSW Government Architect, through the State Design Review Panel; and
- Transport for NSW.

TAFE NSW is yet to begin formal engagement with Council or surrounding landowners. However, many stakeholders have been involved in discussions regarding the Quarter Precinct Master Plan, and so are broadly aware of the project. Notwithstanding, TAFE NSW is committed to consulting with Council and the community during the design process and preparation of the EIS.

A briefing meeting was held with the NSW Government Architect in June 2020. GA NSW gave general support to approach to the project and provided recommendations for information to include in the first State Design Review Panel session. A date is yet to be set for the first session with the State Design Review Panel.

7.0 Conclusion

The purpose of this letter is to request the SEARs for the preparation of an EIS for the new Construction Hub at the TAFE NSW Nepean Kingswood campus. The proposed development is critical to support Western Sydney's future growth, and to maintain the resilience of the local community by providing training for the many new jobs required.

We trust that the information detailed in this letter is sufficient to enable the Secretary to issue SEARs for the preparation of an EIS. Should you have any queries about this matter, please do not hesitate to contact the undersigned.

Sincerely,



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