



New Primary School at Googong

State Significant Development Assessment
SSD 10326042

December 2021



Published by the NSW Department of Planning, Industry and Environment

dpie.nsw.gov.au

Title: New Primary School at Googong

Cover image: Perspective of main entrance of the school from Gorman Drive (Source: Applicant's Response to Submissions 2021)

© State of New South Wales through Department of Planning, Industry and Environment 2021. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Planning, Industry and Environment as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (December 2021) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning, Industry and Environment), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

Glossary

Abbreviation	Definition
AA	Acoustic Assessment
AIA	Aeronautical Impact Assessment
BDAR	Biodiversity Development Assessment Report
CIV	Capital Investment Value
Council	Queanbeyan-Palerang Regional Council
CTMP	Construction Traffic Management Plan
Department	Department of Planning, Industry and Environment
Education SEPP	State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
EESG	Environment, Energy and Science Group
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
Heritage NSW	Heritage NSW, Department of Premier and Cabinet
ICNG	Interim Construction Noise Guideline
LoS	Level of Service
Minister	Minister for Planning and Public Spaces
OOSH	Out of school hours
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
QLEP	Queanbeyan Local Environmental Plan 2012
SELU	Special Education Learning Unit
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
STP	School Transport Plan
TA	Transport Assessment
TfNSW	Transport for NSW

Executive Summary

This report provides an assessment of a State significant development (SSD) application for the new primary school at Googong (SSD-10326042). The site is located on Aprasia Avenue, Googong within the Queanbeyan-Palerang local government area. The application was lodged by NSW Department of Education (the Applicant).

Assessment summary and conclusions

The Department of Planning, Industry and Environment (the Department) has considered the merits of the proposal in accordance with relevant matters under section 4.15(1) and the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act), principles of ecologically sustainable development, and issues raised in submissions as well as the Applicant's response to these.

The key issues identified with the proposal include traffic, transport and parking, and built form and urban design. The Department is satisfied that these issues have been adequately addressed in the Applicant's Environmental Impact Statement (EIS), Response to Submissions (RtS), Supplementary Response to Submissions (SRtS) and that minor outstanding issues can be addressed through recommended conditions of consent.

The Department concludes the proposal is in the public interest and recommends that the application be approved subject to conditions.

The proposal

The application seeks approval for the construction and operation of a new primary school, including the construction of three two-storey buildings containing home base rooms, special education learning units, library and administrative facilities, and a single storey building with hall, canteen, storage rooms, amenities and covered outdoor learning area. Associated works include earthworks, tree removal, landscaping, signage, fencing, car and bicycle parking and associated infrastructure upgrades including drop-off/pick-up facility, bus bay and pedestrian upgrades.

The proposal has a Capital Investment Value (CIV) of \$45,572,191 million and would generate approximately 336 construction jobs and 48 operational jobs.

The site

The site is located within the master planned northern part of the town of Googong. The site is surrounded by roads in all directions and is largely cleared and vacant. The North Googong town centre is immediately to the west of the site, with a range of commercial uses, a medical centre, child care centre and shop top housing. The remaining surrounding land contains dwelling and terraced housing.

Statutory context

The proposal is SSD under section 4.36 (development declared SSD) EP&A Act as it is for the purpose of a new school under clause 15 Schedule 1 State Environmental Planning Policy (State and Regional Development) 2011. Therefore, the Minister for Planning and Public Spaces is the consent authority.

Engagement

The EIS was publicly exhibited between 17 June and 14 July 2021. The Department received a total of 12 submissions, including five providing comments from public authorities, one from Council objecting to the proposal, and six from the public. Of the public submissions, three were in support of the project and three provided comments.

On 29 September 2021, the Applicant submitted a RtS which responded to the comments made in the submissions and included amended architectural drawings and updated landscape plans. The RtS was exhibited for a period of 14 days from 12 October 2021 to 25 October 2021 on the Department's website. Notices were sent to previous submitters and landowners/occupiers in the same area notified for the EIS exhibition. The Department received a total of eleven submissions, comprising four submissions from public authorities, one submission from Council, and a further six submissions from the public. Of the public submissions, two provided comments and four submissions were in objection to the proposal.

The issues raised in the submissions included traffic congestion and pedestrian safety, impacts of the drop-off / pick-up area on privacy and amenity of residential properties on Wilkins Way, and landscaping and shade provision.

On 12 November 2021, the Applicant submitted a SRtS which responded to Council's RtS comments. The Department referred the SRtS to Council, who subsequently withdrew its objection to the proposal, subject to conditions.

Contents

1	Introduction	1
1.1	Site Description	1
1.2	Surrounding Development	2
2	Project.....	3
2.1	Physical layout and design.....	4
2.2	Uses and activities	7
2.3	Timing.....	7
3	Strategic context	8
4	Statutory Context.....	9
4.1	State significance	9
4.2	Permissibility	9
4.3	Other approvals.....	9
4.4	Mandatory Matters for Consideration.....	9
4.5	Biodiversity Development Assessment Report.....	13
5	Engagement.....	14
5.1	Department's engagement.....	14
5.2	Summary of submissions	14
5.3	Public authority submissions.....	14
5.4	Public submissions.....	15
5.5	Response to submissions	15
5.6	Supplementary Response to Submissions	17
6	Assessment	18
6.1	Traffic, transport and access.....	18
6.2	Built form and design	28
6.3	Other issues	32
7	Evaluation.....	40
8	Recommendation.....	41
9	Determination.....	42
	Appendices	43
	Appendix A – List of referenced documents.....	43
	Appendix B – Statutory Considerations	44
	Appendix C – Community Views for Draft Notice of Decision	53
	Appendix D – Recommended Instrument of Consent/Approval.....	54

1 Introduction

This report provides an assessment of a state significant development (SSD) application for the New Primary School at Googong (SSD 10326042), located on Aprasia Avenue, Googong (the site).

The proposal seeks approval for the construction and operation of a new primary school to cater for up to 700 students.

The application has been lodged by NSW Department of Education (the Applicant). The site is located within the Queanbeyan-Palerang Regional Council (Council) local government area.

1.1 Site Description

The site is located on Aprasia Avenue, Googong and is legally described as Lot 3 DP 1179941. The site is approximately 10 kilometres (km) south of Queanbeyan Central Business District (CBD) and 18.5km east of Canberra CBD. The site is located approximately 100m east of the new Googong North Village Centre. The site's location in a regional context is shown in **Figure 1** and **Figure 2**.

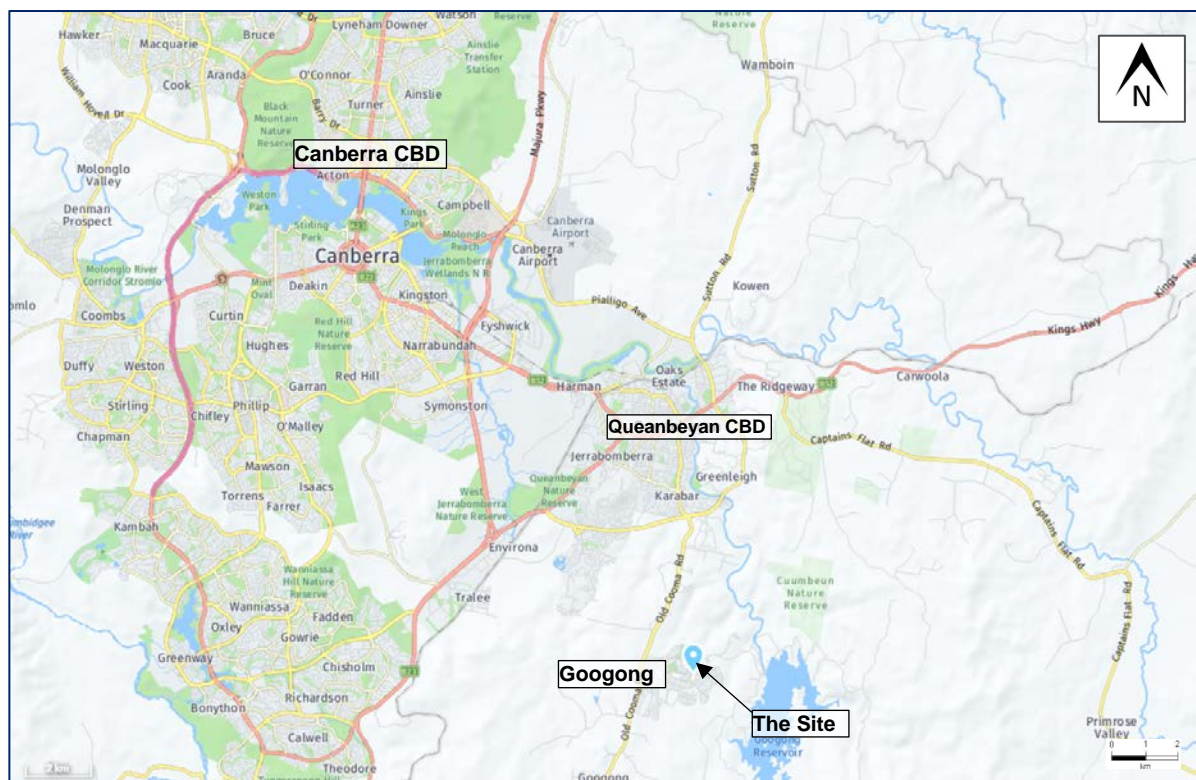


Figure 1 | Regional Context Map (Source: Nearmap 2021)

The site has an area of approximately 2.81 hectares (ha) and is irregular in shape. The site is surrounded by roads in all directions, including Aprasia Avenue to the north, Wilkins Way to the east and south-east, Gorman Drive to the south-west and McPhail Way to the west. The site is cleared and vacant, with an electricity substation located in the north eastern corner of the site.

The site generally slopes from its highest point in its centre downward to the north and east. The existing conditions of the site are shown in **Figure 3**.



Figure 2 | Local Context Map (Source: NearMap 2021)



Figure 3 | Existing conditions of the site (Source: NearMap 2021)

1.2 Surrounding Development

The North Googong Village Centre is located immediately west of the site. This includes one to three storey buildings and contains a childcare centre, church and shops. The remaining surrounding land comprises low density residential development with single and double storey dwellings and terraces. Two small parks, known as Lovegrove Park and Hooper Park, are located to the north-west and south-east of the site.

2 Project

The key components and features of the proposal as detailed in the Environmental Impact Statement (EIS) and amended in the Response to Submissions (RtS) and Supplementary Response to Submissions (SRtS) are provided in **Table 1**.

Table 1 | Main Components of the Project

Aspect	Description
Project summary	Construction and operation of a new primary school, including the construction of three two-storey buildings containing home base rooms, special education learning units, library and administrative facilities, and a single storey building with hall, canteen, storage rooms, amenities and covered outdoor learning area. Associated works include earthworks, tree removal, landscaping, signage, fencing, car and bicycle parking and associated infrastructure upgrades including drop-off/pick-up facility, bus bay and pedestrian upgrades.
Built form	<ul style="list-style-type: none"> Three two-storey buildings (Blocks A, B and C) containing home base rooms, special education learning units, library and administrative facilities. Single storey building (Block D) containing a hall, canteen, storage rooms, amenities and covered outdoor learning area.
Site area	<ul style="list-style-type: none"> 2.81ha.
Gross floor area (GFA)	<ul style="list-style-type: none"> 5787.83 square metres (sqm).
Uses	<ul style="list-style-type: none"> Educational establishment (primary school) with out of school hours (OOSH) care.
Operational Hours	<ul style="list-style-type: none"> School site accessible: 6:30am to 6:30pm, Monday to Friday. School hours (bell): 9am to 3pm, Monday to Friday. OOSH hours: 7am to 9am and 3pm to 6pm, Monday to Friday.
Access and parking	<ul style="list-style-type: none"> Primary pedestrian access from Gorman Drive. Secondary pedestrian accesses from Aprasia Avenue, McPhail Way and Wilkins Way. 60 space on site carpark with access from Aprasia Avenue. 21 space primary drop-off / pick-up on Wilkins Way. Secondary Special Education Learning Unit (SELU) drop-off / pick-up on Gorman Drive.
Road works	<ul style="list-style-type: none"> Alterations to Wilkins Way to provide primary drop-off / pick-up area. Alterations to Gorman Drive to provide a bus bay and SELU drop-off / pick-up area. Five new pedestrian crossings on Aprasia Avenue, McPhail Way, Gorman Drive and Wilkins Way.

Aspect	Description
Open Space and Landscaping	<ul style="list-style-type: none"> 67 street trees to be removed. Site landscaping including 362 trees and various groundcovers and grasses.
Students and staff	<ul style="list-style-type: none"> 700 students. 48 staff.
Signage	<ul style="list-style-type: none"> One digital pylon sign at car park entry. One plinth sign at main pedestrian entry.
Jobs	<ul style="list-style-type: none"> 336 construction jobs and 48 operational jobs.
CIV	<ul style="list-style-type: none"> \$45,572,191.

2.1 Physical layout and design

The three main learning buildings (Blocks A, B and C) would be located in a U shape at the southern end of the site. The school hall (Block D) would be located adjacent to Block C on the western boundary of the site fronting onto McPhail Way. The on site car park would be located immediately north of Block D, fronting onto the corner of McPhail Way and Aprasia Avenue.

The proposed site plan is shown in **Figure 4**. Selected perspectives and elevations are shown in **Figure 5** to **Figure 11**.

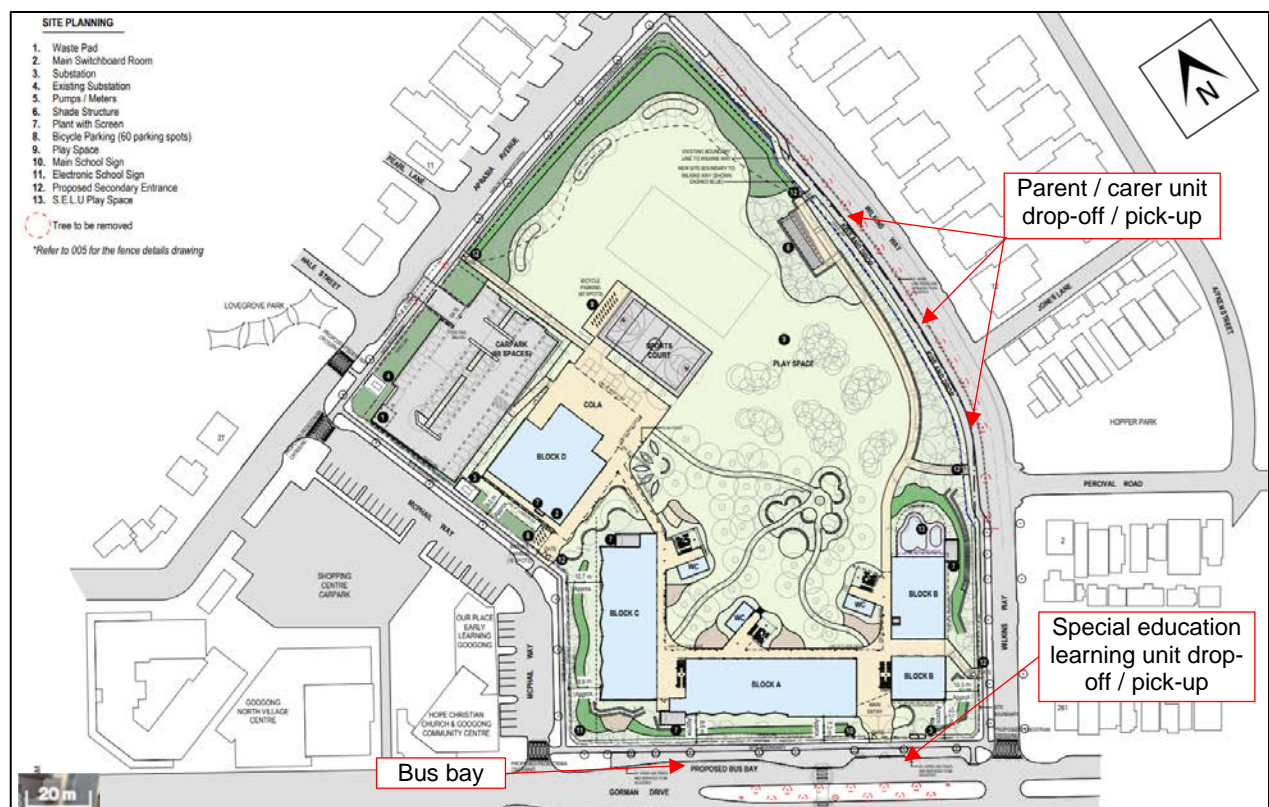


Figure 4 | Proposed site layout (Source: Applicant's RtS 2021)



Figure 5 | Perspective of site from the south (Source: Applicants EIS 2021)



Figure 6 | Perspective of main entrance (Source: Applicant's SRtS 2021)



Figure 7 | Southern elevation (Gorman Drive) (Source: Applicant's RtS 2021)

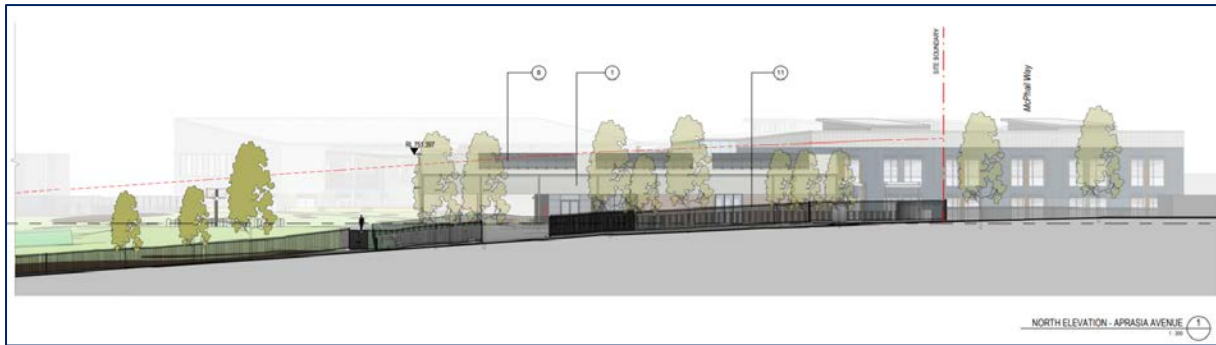


Figure 8 | Northern elevation (Aprasia Avenue) (Source: Applicant's RtS 2021)

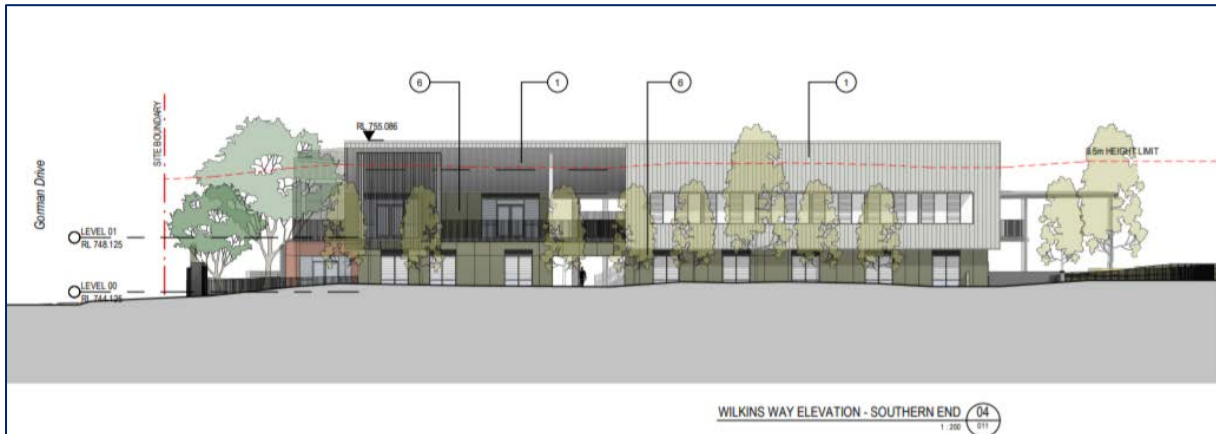


Figure 9 | Eastern elevation (Wilkins Way) (Source: Applicant's RtS 2021)



Figure 10 | South western elevation (McPhail Way) (Source: Applicant's RtS 2021)

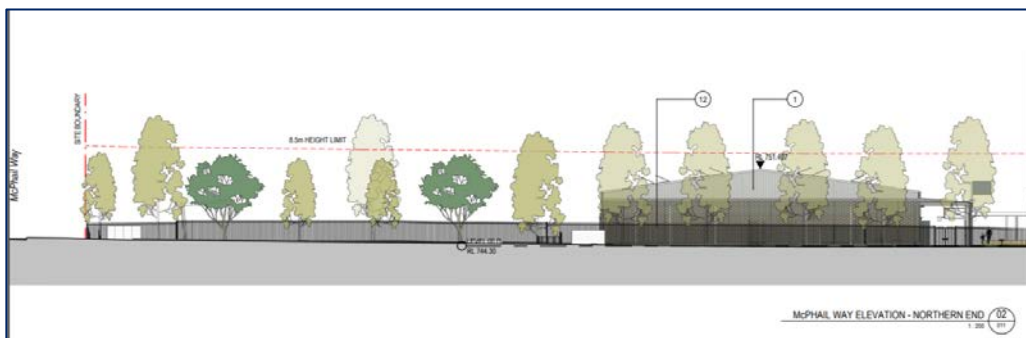


Figure 11 | North western elevation (McPhail Way) (Source: Applicant's RtS 2021)

2.2 Uses and activities

The development is for the purpose of a primary school (Kindergarten to Year Six) for up to 700 students and 48 staff with ancillary facilities including a multi-purpose hall and a variety of outdoor play areas.

The Applicant advises that the school hall could be potentially used in the future for community use. This would be subject to consultation with Council and the community.

2.3 Timing

The Applicant advises that the development would be constructed in one stage, with construction expected to take approximately six months.

3 Strategic context

It is anticipated that there will be a 21% growth in student numbers in NSW by 2031 compared to numbers in 2017. This means that NSW schools need to accommodate an extra 269,000 students, with 164,000 of these students in the public system. In response to the need for additional public education infrastructure because of increased demand, the NSW Department of Education is investing in the delivery new schools and upgrade existing schools.

The Department considers the proposal is appropriate for the site as it is consistent with:

- Transport for NSW's Future Transport Strategy 2056, as it would provide a new educational establishment in an accessible location and provide access to additional new employment opportunities
- Infrastructure NSW's State Infrastructure Strategy 2018 – 2038 Building the Momentum as it proposes:
 - facilities to support the growth in demand for primary student enrolments
 - a school design to accommodate infrastructure and facilities sharing with communities
- South East and Tablelands Regional Plan 2036 as it would provide a new school that is essential for achieving a connected and prosperous economy.

The proposal would also provide direct investment in the region of approximately \$45 million and support 336 full time equivalent construction jobs and 48 new operational jobs.

4 Statutory Context

4.1 State significance

The proposal is SSD under section 4.36 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it is for the purpose of a new school under clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 (SRDP SEPP).

The Minister for Planning and Public Spaces (the Minister) is the consent authority under section 4.5 EP&A Act. In accordance with the Minister's delegation to determine SSD applications, signed on 26 April 2021, Director, Social and Infrastructure Assessments may determine this application as:

- the application has not been made by a person who has disclosed a reportable political donation in connection with the application
- there are less than 15 public submissions in the nature of objection
- the local Council has not made a submission by way of objection.

4.2 Permissibility

The site is identified as being located within the R1 General Residential zone under the Queanbeyan Local Environmental Plan 2012 (QLEP). Education establishments are prohibited in the zone under the QLEP. However, an Educational Establishment is permissible with consent under clause 35(1) of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP).

The proposal includes the potential shared use of some facilities for the community which would be ancillary to the use as an Educational Establishment and is also permissible with consent.

Therefore, the Minister for Planning and Public Spaces or a delegate may determine the carrying out of the development.

4.3 Other approvals

Under section 4.41 of the EP&A Act, a number of other approvals are integrated into the SSD approval process, and consequently are not required to be separately obtained for the proposal.

Under section 4.42 of the EP&A Act, a number of further approvals are required, but must be substantially consistent with any development consent for the proposal (e.g. approvals for any works under the *Roads Act 1993*).

The Department has consulted with the relevant public authorities responsible for integrated and other approvals, considered their advice in its assessment of the project, and included suitable conditions in the recommended conditions of consent (see **Appendix D**).

4.4 Mandatory Matters for Consideration

4.4.1 Environmental planning instruments

Under section 4.15 of the EP&A Act, the consent authority is required to take into consideration any environmental planning instrument (EPI) that is of relevance to the development the subject of the development application. Therefore, the assessment report must include a copy of, or reference to, the provisions of any EPIs that substantially govern the project and that have been considered in the assessment of the project.

The Department has undertaken a detailed assessment of these EPIs in **Appendix B** and is satisfied the application is consistent with the requirements of the EPIs.

4.4.2 Objects of the EP&A Act

The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent/ approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects. Therefore, in making an assessment, the objects should be considered to the extent they are relevant. A response to the objects of the EP&A Act is provided at Table 2.

Table 2 | Response to the objects of section 1.3 of the EP&A Act

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	The site is suitable for use as an educational establishment and the development would not unreasonably impact negatively on the economic welfare of the community, or the natural environment.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal includes measures to deliver ecologically sustainable development (ESD) (Section 4.4.3).
(c) to promote the orderly and economic use and development of land,	The development would be an orderly use of the land as it provides for fit for purpose educational facilities to support the development of the South East and Tablelands region of NSW.
(d) to promote the delivery and maintenance of affordable housing,	Not applicable.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposal involves landscaping and planting to provide new habitat opportunities. Impacts of tree removal have been appropriately mitigated or are addressed through the recommended conditions of consent (Appendix D).
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The site or adjoining land does not include any buildings with historic heritage values or significance. An Aboriginal and European Archaeological Assessment was included in the EIS which identifies a low risk of Aboriginal objects being impacted by the proposed development.
(g) to promote good design and amenity of the built environment,	The proposal has been designed to minimise potential amenity impacts whilst maximising its

Objects of the EP&A Act	Consideration
	internal amenity and ensuring good design is achieved (Section 6.2). The buildings have a contemporary functional design that would integrate with the surrounding built environment.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The proposal would promote proper construction and maintenance of buildings subject to recommended conditions of consent.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the proposal (Section 5), which included consultation with Council and other public authorities and consideration of their responses (Sections 5 and 6).
(j) to provide increased opportunity for community participation in environmental planning and assessment.	<p>The Department publicly exhibited the proposal as outlined in Section 5.1, which included notifying adjoining landowners and publishing the proposal on the Department's website during the exhibition period.</p> <p>Issues raised in the submissions have been considered in Section 6.</p>

4.4.3 Ecologically sustainable development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

The development proposes ESD initiatives and sustainability measures, including:

- efficient energy consumption through a building design that reduces heat gain, maximises natural light and ventilation, and energy efficient light fittings and controls
- water conservation measures, including efficient fixtures and fittings, water reuse and low water-dependent landscaping
- resource management through the reuse and recycling demolition and building materials and utilising local sourced products.

The Department has considered the proposed development in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process via a thorough assessment of the environmental impacts of the proposed development.

The Applicant is targeting a 4-Star Green Star rating which meets the suggested 4-Star Green Star rating in the Educational Facilities Standards and Guidelines. To ensure that ESD is incorporated into the proposed development, the Department has recommended a condition that requires the Applicant to register for a minimum 4-star Green Star rating with the Green Building Council Australia, or an alternative certificate process as agreed by the Planning Secretary, prior to the commencement of construction.

Subject to this condition, the proposed development is consistent with ESD principles as described in Section 7.4 and Appendix 7 of the Applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). Overall, the proposal is consistent with ESD principles and the Department is satisfied the proposed sustainability initiatives would encourage ESD, in accordance with the objects of the EP&A Act.

4.4.4 Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

4.4.5 Planning Secretary's Environmental Assessment Requirements

The EIS is compliant with the Planning Secretary's Environmental Assessment Requirements and is sufficient to enable an adequate consideration and assessment of the proposal for determination purposes.

4.4.6 Section 4.15(1) matters for consideration

Table 3 identifies the matters for consideration under section 4.15 of the EP&A Act that apply to SSD in accordance with section 4.40 of the EP&A Act. The table represents a summary for which additional information and consideration is provided in **Section 6** and relevant appendices or other sections of this report and EIS, referenced in the table.

Table 3 | Section 4.15(1) matters for consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of the relevant EPIs is provided in Appendix B .
(a)(ii) any proposed instrument	The Department's consideration of the relevant draft EPIs is provided in Appendix B .
(a)(iii) any development control plan (DCP)	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD. Despite this, consideration has been given to relevant DCPs.
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations <i>Refer Division 8 of the EP&A Regulation</i>	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation).

Section 4.15(1) Evaluation	Consideration
	Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	The impacts of the proposal have been appropriately mitigated or conditioned (Section 6).
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Sections 3, 4 and 6 .
(d) any submissions	Consideration has been given to the submissions received during the exhibition period. See Sections 5 and 6 .
(e) the public interest	Refer to Section 6 .

4.5 Biodiversity Development Assessment Report

Under section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act), SSD applications are “to be accompanied by a biodiversity development assessment report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values”.

On 11 November 2020, the Energy, Environment and Science Group (EESG) of the Department determined that the proposed development would be not likely to have any significant impact on biodiversity values and a BDAR is not required. The Department supported EESG's decision and on 27 April 2021 determined that the application is not required to be accompanied by a BDAR under Section 7.9(2) of the BC Act.

5 Engagement

5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 17 June to 14 July 2021 (28 days). The application was published on the Department's website and the Department notified adjoining landholders and State and local government authorities.

The Department has considered the comments raised in the public authority and public submissions during the assessment of the application (**Section 6**) and/or by way of recommended conditions in the instrument of consent at **Appendix D**.

5.2 Summary of submissions

The Department received a total of 12 submissions, including five comments from public authorities, one from Council objecting to the proposal, and six from the public. Of the public submissions, three were in support of the project and three provided comments.

5.3 Public authority submissions

A summary of the issues raised in the public authority submissions is provided in **Table 4** and copies of the submissions may be viewed at **Appendix A**.

Table 4 | Summary of public authority submissions to the EIS exhibition
Queanbeyan-Palerang Regional Council (Council)

Council objected to the proposal, raising the following concerns:

- access and parking
 - the road network surrounding the site does not meet current design specifications
 - the use of suburban school data and road classifications in the Transport Assessment (TA) is not appropriate
 - the travel mode share data in the TA places too much emphasis on active transport and does not reflect local travel patterns
 - too many access points and pedestrian crossings are proposed
 - the location of drop-off / pick-up facilities on Aprasia Avenue is not appropriate and would be better located on site or on Wilkins Way
 - the special education learning unit drop-off / pick-up area on Gorman Drive would potentially result in conflict with bus operations using the adjoining bus bay
 - the bus bay should be expanded to incorporate the entire Gorman Drive frontage of the site
- other
 - the buildings exceed Council's height limits for the site
 - privacy treatment should be provided to proposed second storey windows
 - acoustic treatments should be incorporated to attenuate traffic noise on adjoining streets
 - improvements should be made to the blank façade of the northern end elevation of the school hall facing onto McPhail Way.

Transport for NSW (TfNSW)

TfNSW made the following comments:

- School Zones are to be approved under a section 138 *Roads Act 1993* approval
- any new pedestrian crossings should be raised to slow vehicles
- a final School Transport Plan (STP) should be prepared in consultation with Council and TfNSW

- the Applicant should consult with local bus operators regarding school bus services.

Environment Protection Authority (EPA)

EPA made the following comments:

- noise and vibration
 - further justification is required for the proposed construction hours which exceed standard hours on Saturdays (8am to 5pm instead of 8am to 1pm).
 - a noise mitigation and management plan should be implemented to manage construction activities
- water quality
 - a high level of protection during construction is required to protect the Queanbeyan River which flows into Lake Burley Griffin and forms part of the Murrumbidgee Catchment
 - the EIS does not consider the receiving environment and relevant NSW Water Quality Objectives
 - further information is required regarding management of sediment basins.

Heritage NSW, Department of Premier and Cabinet (Heritage NSW)

Heritage NSW advised that the site has been extensively disturbed through construction activities which was authorised by a previous Aboriginal Heritage Impact Permit. No further archaeological investigations are required at this stage.

Environment, Energy and Science Group, Department of Planning, Industry and Environment (EESG)

EESG advised that a BDAR waiver was issued for the site and that it had no further comments.

Civil Aviation Safety Authority

The Civil Aviation Safety Authority advised that it had reviewed the Aeronautical Impact Assessment (AIA) prepared by Aviation Projects and had no objections to the development as it would not affect aviation safety.

5.4 Public submissions

The public submissions:

- requested that consideration be given to providing a local preschool
- raised concerns regarding the need for shade structures until the landscaping had matured
- raised concerns regarding traffic and the safety of children and pedestrians
- raised concerns about the potential for traffic congestion around the school zones.

Three of the six submissions gave support to the proposal as a public school is needed for the community.

Copies of the public submissions received during the exhibition period may be viewed at **Appendix A**.

5.5 Response to submissions

Following the exhibition of the application, the Department placed copies of all submissions received on its website and requested the Applicant respond to the issues raised in the submissions.

On 29 September 2021, the Applicant provided a Response to Submissions (RtS) (**Appendix A**) on the issues raised during the exhibition. The RtS included:

- the relocation of the parent and carer drop-off / pick-up from Aprasia Avenue to Wilkins Way

- a reduction in pedestrian crossings, providing one on Gorman Drive instead of two
- amended landscape plans, architectural drawings and technical reports.

The RtS was exhibited for a period of 14 days from 12 October to 25 October 2021 on the Department's website. Notices were sent to previous submitters and landowners/occupiers in the same area notified for the EIS exhibition.

The Department received a total of eleven submissions for the second exhibition, comprising four additional submissions from public authorities, one submission from Council, and six submissions from the public. Of the public submissions, two provided comments and four submissions were in objection to the proposal.

5.5.1 Public authority submissions to the RtS

A summary of the issues raised in the public authority submissions is provided at **Table 5** and copies of the submissions may be viewed at **Appendix A**.

Table 5 | Summary of public authority advice on the RtS

Queanbeyan-Palerang Regional Council

Council advised that a number of concerns remained unaddressed, and that it did not support the proposal unless its detailed recommended conditions were imposed on the development. Council provided the following additional comments:

- access and parking
 - the Applicant's argument that using the same bus route as a nearby independent school would alleviate the risk of buses queuing on Gorman Drive is not accepted
 - the nearby independent school has recently extended its bus bay to reduce bus queuing, indicating the issue
 - a larger bus bay should be provided on Gorman Drive
 - while changes made to the SELU drop-off / pick-up bay on Gorman Drive had addressed some prior comments, it is still not "best design practice" and may result in conflict with bus operations and queuing
 - any roads used for interim bus routes (prior to the completion of the full proposed extent of Gorman Drive) should be upgraded where required
 - the proposed school zone should consider existing school zones
 - the STP should ensure that management strategies are in place to discourage crossing mid-block on McPhail Way instead of using the two pedestrian crossings proposed at each end of the street given likely desire line in the middle of the block
 - pedestrian safety fencing should be considered to direct pedestrians to formal crossings
- other
 - concerns remain about the height of the proposed buildings, need for privacy treatment for second storey windows and the façade of the northern end elevation of McPhail Way.

TfNSW

TfNSW reiterated comments made in its EIS submission and provided recommended conditions.

EPA

EPA advised that it had reviewed the RtS and was satisfied its comments to the EIS had been addressed.

Heritage NSW

Heritage NSW advised that it had no further comments.

EESG

EESG advised that the RtS had not amended the development footprint in a way that would void the BDAR waiver for the proposal.

5.5.2 Public submissions to the RtS

The public submissions raised concerns in relation to the relocation of the drop-off / pick-up area to Wilkins Way and associated traffic, parking and amenity (overlooking) impacts to residents residing on Wilkins Way and the immediately connecting roads.

5.6 Supplementary Response to Submissions

The Department requested the Applicant provide a response to the issues raised in the additional submissions to the RtS. On 12 November 2021, the Applicant provided a Supplementary Response to Submissions (SRtS) that included:

- a letter from the Applicant's traffic consultant responding to comments
- a detailed response to Council's comments and recommended conditions
- updated architectural drawings detailing minor design changes responding to comments.

In relation to Council's RtS comments, the SRtS noted:

- the Applicant's investigations have found that the bus bay queuing issue raised by Council generally relates to lack of staggering the arrival of buses rather than the length/quantity of bays - concerns about bus queuing can be resolved with operational arrangements through the STP
- concerns regarding the SELU drop-off / pick-up area can be resolved through parking restrictions and management arrangements in the STP
- the proposed design for the widening of Wilkins Way would be suitable for an interim bus route subject to minor changes to the kerb at either end of the road – these changes are incorporated in the amended plans included in the SRtS
- bus routes would be determined closer to the opening of the school
- concerns regarding crossing in the mid-block of McPhail Way could be addressed in the STP.

The Department referred the SRtS to Council. Council advised it withdrew its objection to the proposal but requested a condition of consent that the STP be submitted to Council for approval, prior to the commencement of operation.

6 Assessment

The Department has considered the EIS, the issues raised in submissions, and the Applicant's RtS and SRtS in its assessment of the proposal. The Department considers the key issues associated with the proposal are:

- traffic, transport, and parking
- built form and urban design.

These issues are discussed below. Other issues considered during assessment are discussed at **Section 6.3**.

6.1 Traffic, transport, and parking

A TA and preliminary STP were submitted with the EIS and updated in the RtS to address TfNSW and Council comments. The TA assessed existing conditions surrounding the site and transport impacts associated with the proposal including:

- existing traffic, parking conditions and school travel patterns
- traffic generation and distribution
- future intersection and road infrastructure upgrades
- forecast intersection and network performance
- car parking
- pedestrian safety requirements
- service vehicle requirements
- construction access and traffic management
- traffic generation mitigation measures.

6.1.1 Existing site conditions

The site is surrounded by roads (**Figure 12**) including:

- Gorman Drive to the southwest, an east-west local 'collector' road with a single lane in each direction and median between the two lanes for the eastern half of the site frontage
- Aprasia Avenue to the north, an east-west local road with a single lane in each direction
- Wilkins Way to the east, a local road that connects Aprasia Avenue and Gorman Drive and has a single lane in each direction
- McPhail Way to the west, a north-south local road with a single lane in each direction and 90 degree parking on its western side.

All roads have a 50km speed limit.



Figure 12 | Roads adjoining the site (Source: NearMap 2021)

The wider Googong road network (existing and proposed) is shown in **Figure 13**.

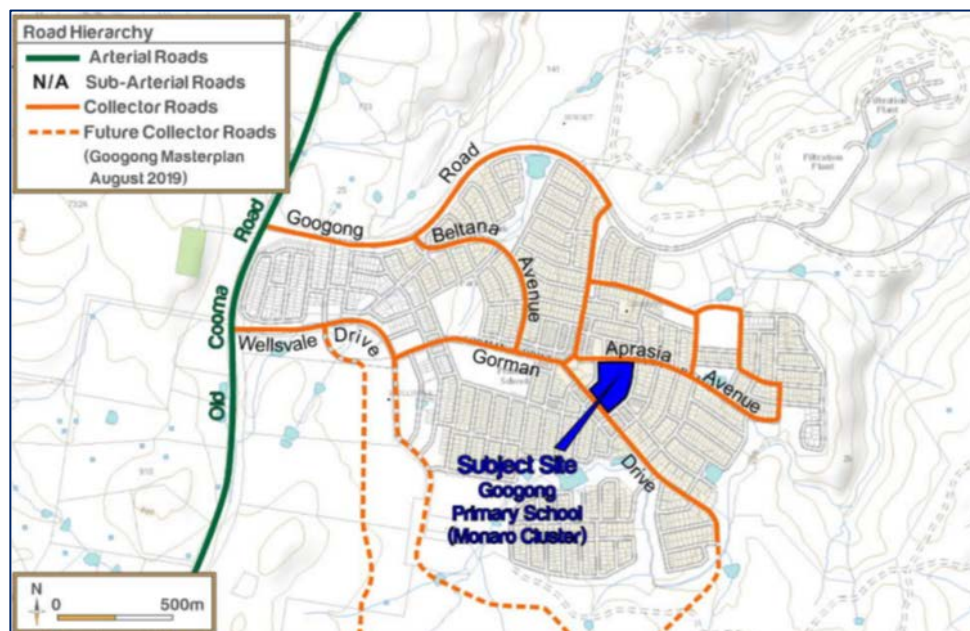


Figure 13 | Googong Road Hierarchy (Source: Applicant's EIS 2021)

The site is served by an interim bus route (837 Googong to Queanbeyan) with the nearest bus stop to the site being on Gorman Drive (**Figure 14**). The bus route is likely to be revised once Googong is fully developed.

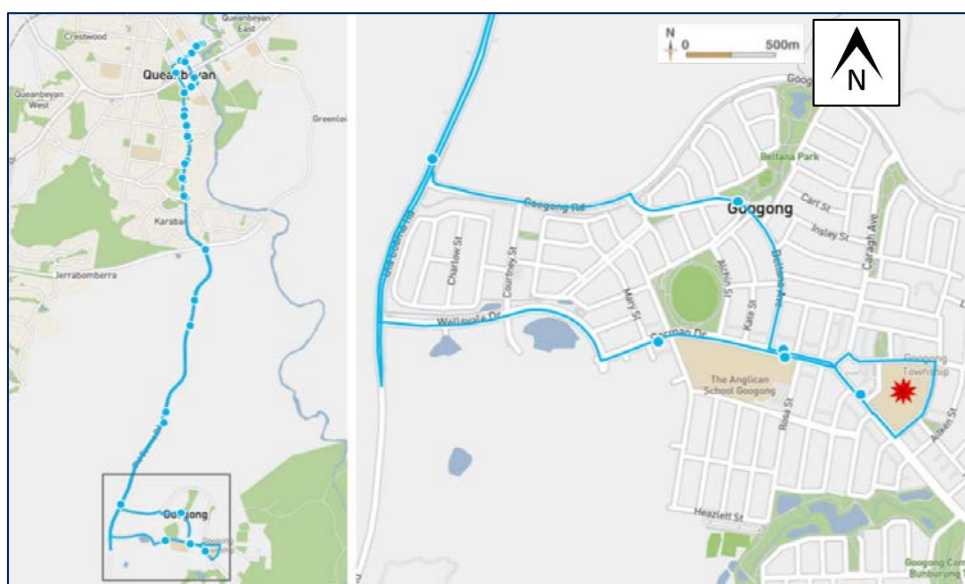


Figure 14 | Interim bus route 837 (Source: Applicant's EIS 2021)

The area is serviced by pedestrian footpaths and cycling infrastructure (**Figure 15**).



Figure 15 | Surrounding transport networks (Source: Applicant's EIS 2021)

6.1.2 Operational traffic

The TA considered the operational impacts of the proposal by considering performance of nearby intersections (**Figure 12**), including:

- Gorman Drive / McPhail Way
- Gorman Drive / Wilkins Way
- Aprasia Way / Wilkins Way
- Aprasia Way / McPhail Way.

To forecast expected vehicle trips generated by the proposal, the TA took the average trip generation rate for three schools surveyed in a TfNSW Trip Generation Surveys Report (2014). It found:

- 0.53 trips per student in the AM peak
- 0.31 trips per student in the PM peak.

Modelling to inform the TA to determine current intersection performance, and future performance at opening in 2023 and 10 years after in 2033, with and without the proposed development, factored in two per cent compounded background traffic growth. The modelling found that all intersections would operate at Level of Service (LoS) A, indicating that intersections are operating within capacity.

Public submissions raised concerns regarding traffic congestion and suggested the school be located away from major roads.

Council's EIS submission raised concerns with the TA in relation to:

- use of metro data rather than regional data to determine trip generation rates
- under estimation of the percentage of students that would be dropped off by car given the:
 - high percentage (96%) of parents that drive to work in Googong
 - climatic conditions that discourage walking and cycling
 - inconsistency with observed travel behaviour at a similar school, Jerrabomberra Public
- the two per cent annual growth rate factored in does not properly reflect the expected rate of growth in Googong that has experienced almost 17% growth in recent times.

TfNSW did not make any comments on trip generation or intersection performance.

The RtS response from the Applicant's traffic consultant to Council comments advised:

- Googong has higher levels of pedestrian infrastructure that supports walking compared to Jerrabomberra
- the road network in Googong is based on a grid like format that supports shorter and more direct walking and cycling connectivity within the neighbourhood
- a sensitivity analysis had been undertaken using high trip generation rates using regional primary school (**Table 6**)
- further SIDRA modelling was undertaken for the key intersections using the higher trip generation rates
- the modelling found that the intersections continue to operate at LoS A in both scenarios, except for Gorman Drive / Wilkins Way which would operate at LoS B in the 2033 scenario, indicating that the intersections operate within capacity under all scenarios
- a further sensitivity analysis was undertaken that incorporated five per cent compounded growth over 10 years which exceeds the expected growth over that period – a further SIDRA analysis using this data confirmed the above expected intersection performance.

Table 6 | Trip generation rates (source: Applicant's RtS 2021)

Scenario	AM (trips per students)	PM (trips per students)
Original TA	0.53	0.31
Sensitivity analysis one	0.88	0.71
Sensitivity analysis two	1.23	1.01

Council did not raise any further concerns regarding trip generation rates.

The Department has considered the information provided by the Applicant and advice provided by Council. The Department particularly notes Council's EIS comments regarding trip generation rates and the Applicant's response including sensitivity testing with higher trip generation and background growth rates.

The Department is satisfied that the Applicant has appropriately considered potential additional traffic generated by the proposal and impacts on the performance on the surrounding road network. The Department is satisfied that key intersections operate at satisfactory levels and well within capacity both at opening and at 2033. Overall, the Department is satisfied that the local road network has capacity to accommodate the additional traffic generated by the proposal.

The Department has recommended conditions that require the preparation and review of a STP. The review of the plan would consider operational transport arrangements and any additional measures required to mitigate impacts on the local road network.

6.1.3 Drop-off / pick-up and bus

The proposal originally set out in the EIS included (**Figure 16**):

- the provision of the main parent and carer drop-off / pick-up area along Aprasia Avenue
- SELU drop-off / pick-up area at the eastern end of the Gorman Drive frontage
- bus bay at the western end of the Gorman Drive frontage.

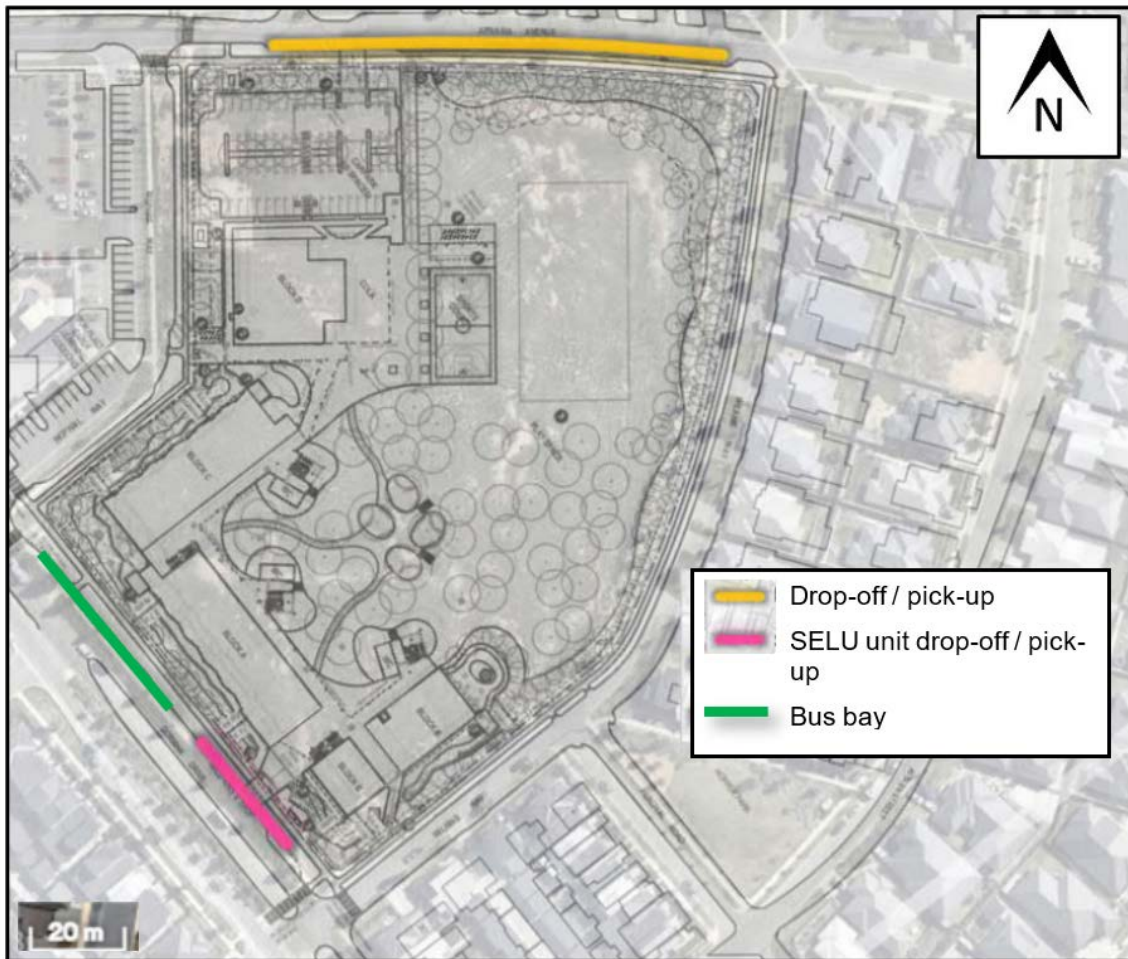


Figure 16 | Drop-off / pick-up areas proposed in EIS (Base source: Applicant's EIS 2021)

In its EIS submission, Council objected to the proposal on the basis that the:

- location of the drop-off / pick-up area on Aprasia Avenue is not appropriate and would be better located on Wilkins Way or on site
- SELU drop-off / pick-up area on Gorman Drive should be relocated to allow for a larger bus bay as it would potentially result in conflict with bus operations
- bus bay should be expanded to incorporate the entire Gorman Drive frontage of the site to ensure there is sufficient capacity to avoid queuing on the street.

Public submissions raised concerns regarding the safety of children and pedestrians coming to and from the school, and the need for appropriate crossings and parking to allow for the safe drop-off and pick-up of children. Potential for traffic congestion was also raised, and it was suggested that the school should be developed away from major roads to avoid the impacts of school zones to motorists.

The Applicant amended the proposal in the RtS to:

- relocate the main parent and carer drop-off / pick-up area to Wilkins Way
- redesign the SELU drop-off / pick-up area to provide two accessible parking spaces and three drop-off / pick-up spaces (previously five) at the eastern end of the Gorman Drive frontage
- refine the design of the bus bay.

The relocated drop-off / pick-up area included the widening of Wilkins Way to provide a parking lane on the eastern side of the road adjacent to dwellings, single trafficable lanes in each direction and an

indented drop-off / pick-up lane on the western side. The drop-off / pick-up area includes space for 21 cars which the Applicant argues would provide sufficient capacity for expected demand based on dwell times of up to two minutes. The revised layout plan is shown in **Figure 17**.

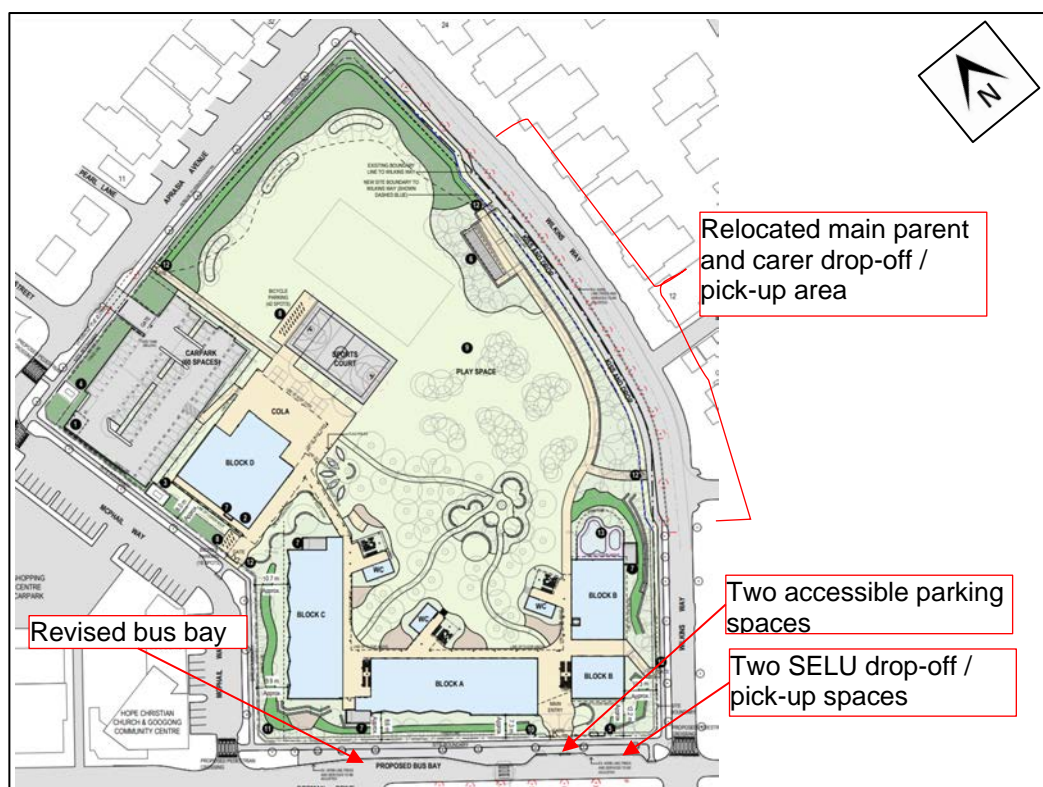


Figure 17 | Revised layout (Source: Applicant's RtS 2021)

In relation to the SELU drop-off / pick-up area on Aprasia Avenue and the capacity of the bus bay, the Applicant stated:

- use of the SELU drop-off / pick-up area would be limited and be managed through the STP
- the bus bay would be able to accommodate two buses at a time providing sufficient capacity
- school buses could follow the same routes as a nearby independent school, however with scheduling to ensure that they do not arrive at the same time and there would not be queuing.

In response to the RtS, Council acknowledged the Applicant's response to its comments, including the relocation of the main drop-off / pick-up area to Gorman Drive. However, Council generally reiterated its comments regarding the need for a larger bus bay and the location of SELU drop-off / pick-up area. Council requested that the STP be prepared to its satisfaction so that it could review management arrangements for the SELU.

Council also queried the expected interim bus routes given that Gorman Drive currently terminates approximately 700 metres to the east of the site and does not yet allow fully-circular bus routes along it through Googong. Council noted that alterations would likely be required to Wilkins Way to accommodate buses if it were used as an interim bus route. Council made comments about the wider interim bus routes in Googong.

Public submissions to the RtS raised concerns with traffic, parking and environmental amenity to residents residing on Wilkins Way and the immediately connecting roads.

In response to Council's RtS comments, the Applicant stated the following in the SRtS:

- investigations have found that bus bay queuing generally results from the lack of staggering the arrival of buses rather than the length/quantity of bays. Council's concerns about queuing are best addressed through operational arrangements
- it is anticipated that a permit system and parking restrictions would be implemented to manage use of the SELU
- interim and final bus routes would be determined in consultation with the bus operator and TfNSW
- while the proposed design of Wilkins Way would accommodate buses, minor adjustments would be required at the intersections at either end of it to accommodate bus turning – this would be incorporated into the final road design to be approved by Council.

In response to the SRtS, Council withdrew its objection to the development, however reiterated its request that the STP be submitted to it for approval.

The Department has considered the comments made in public and Council submissions and information provided by the Applicant. The Department supports the relocation of the drop-off / pick-up area onto Wilkins Way. The Department notes that the proposed design of Wilkins Way includes a parking lane along the eastern side, separate travel lanes, and a separate indented drop-off/pick-up bay on the western side. This would ensure that drop-off / pick-up would not obstruct travel lanes or inhibit resident parking. The Department acknowledges the proposal would change the use and character of Wilkins Way, but is satisfied that it would not result in significant adverse impacts (**Section 6.3**). The Department has recommended conditions that require the widening of Wilkins Way, and other road works including Gorman Drive, be designed to the satisfaction of Council as the relevant roads authority.

The Department acknowledges Council's concerns regarding bus bay capacity but accepts the Applicant's argument that bus sequencing and management would minimise queuing. In addition, the Department notes that changes can be made in the future if required to extend the bus bay along Gorman Drive if demand exceeds capacity. The Department has recommended conditions that require the preparation, implementation, and review of a detailed STP that includes management arrangements for drop-off/pick-up and bus operations. This also includes consideration of measures to address any issues identified once the school is operational, such as the extension of the bus bay if it is to be found to be insufficient.

6.1.4 Pedestrian access and safety

The original proposal included installation of four pedestrian entrances at all four street frontages and six pedestrian crossings; two on Gorman Drive, two on McPhail Way, one on Aprasia Avenue, and one on Wilkins Way.

Council raised concerns with the number of pedestrian entrances and crossings proposed and their potential impact on safety and traffic flow. TfNSW recommended that pedestrian crossings should be raised to slow vehicles approaching the crossings.

The Applicant reduced the number of proposed pedestrian crossings in the RtS to five (**Figure 18**), by replacing proposed crossings at each end of Gorman Drive with a single mid-block crossing. The crossings were also upgraded to be raised pedestrian crossings. The number of pedestrian entrances was increased to six to provide convenient access from the relocated drop-off / pick-up area on Wilkins Way.

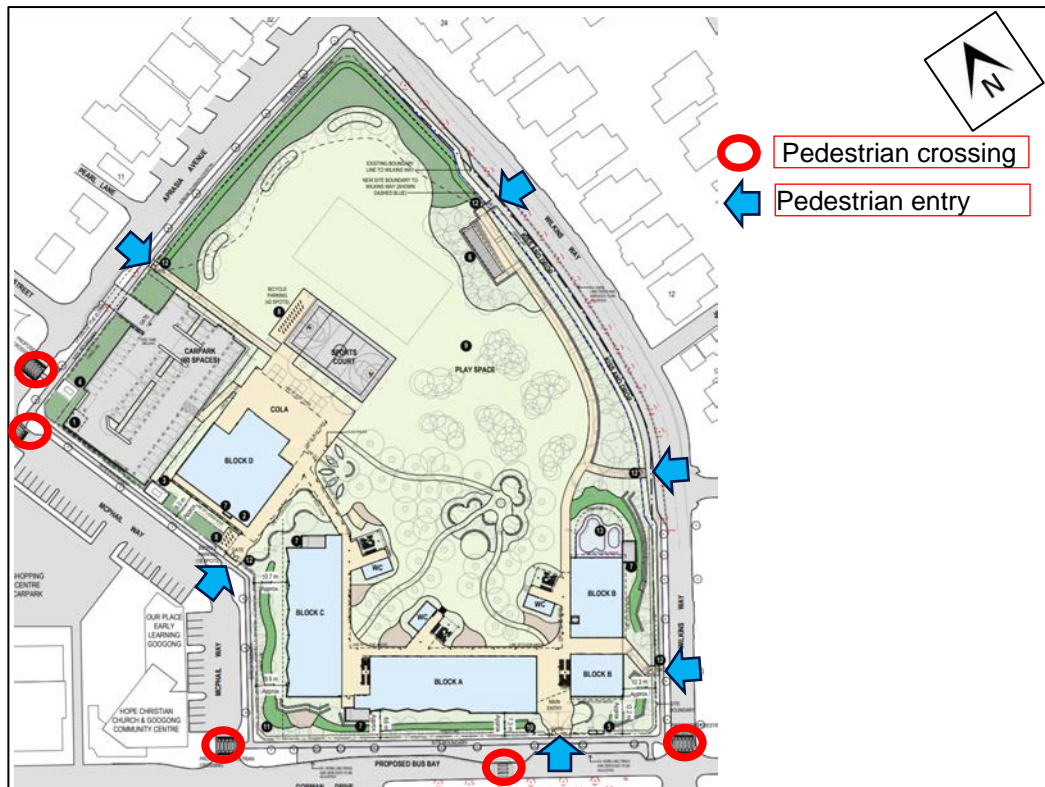


Figure 18 | Revised pedestrian layout (Source: Applicant's RtS 2021)

In its comments on the RtS, Council recommended that management strategies be put in place to discourage pedestrians crossing at mid-block on McPhail Way, and encourage them to use the two pedestrian crossings at each end of the street. It also requested that pedestrian safety fencing be considered near pedestrian crossings.

In the SRtS, the Applicant noted the number of pedestrian entrances was determined having regard to the directions that students would travel to the school and to encourage students to walk.

The Department notes the extensive pedestrian infrastructure surrounding the site (**Figure 15**) and supports the provision of multiple entrances and pedestrian crossings to encourage walking to school. The Department has recommended conditions that require the pedestrian crossings to be designed and constructed to the satisfaction of Council, including pedestrian safety fencing on McPhail Way (if required by Council). The Department has also recommended conditions that require the preparation, implementation, and review of a STP that could include additional measures to discourage informal pedestrian crossing on McPhail Way.

6.1.5 Operational car parking

The proposal includes the provision of a 60 space on site car park to cater for 48 staff.

The Googong DCP 2010 (GDCP 2010) requires parking be provided in accordance with the Queanbeyan DCP 2012 (QDCP). The QDCP requires car parking be provided for educational establishments in accordance with the Education SEPP, which does not specify parking rates.

Council did not raise concerns in relation to parking.

The Department is satisfied that the proposal would provide sufficient parking to cater for staff. This would minimise overspill onto surrounding streets. The Department has recommended conditions that require the car park to be completed prior to commencement of operation.

6.1.6 Construction traffic and parking

The TA included a preliminary Construction Traffic Management Plan (CTMP) which detailed construction vehicle movements, truck and crane unloading details, routes of travel, parking and access arrangements, pedestrian management provisions, and measures to address potential impacts. The preliminary CTMP stated:

- the largest construction vehicle expected to access the site is a 26m heavy vehicle
- vehicles would access the site via Gorman Drive, Caragh Avenue and Aprasia Way (**Figure 19**)
- the maximum number of trucks accessing the site is estimated to be between six and 12 trucks per hour
- approximately 20 to 40 construction workers are expected on site during peak construction works
- parking is provided on site to construction workers
- pedestrian movements on adjoining streets would be managed during construction works.



Figure 19 | Proposed construction vehicle routes (Source: Applicant's EIS 2021)

Overall, the preliminary CTMP concluded that construction traffic and parking impacts would be minor and short-term. Council has argued that construction access via Aprasia Avenue is unsuitable and should be via the existing driveway off Gorman Drive.

The Applicant responded in the RtS, noting that access via Gorman Drive was impractical given the majority of school buildings are proposed along the Gorman Drive frontage of the site. Council recommended a condition that construction access be via Gorman Drive.

The Department has considered the comments made by Council and information provided by the Applicant. The Department acknowledges Council's preference for access from Gorman Drive, but recognises this would be challenging given the need to construct the school buildings along this frontage.

The Department has recommended conditions that require the preparation and implementation of a final CTMP in consultation with Council and TfNSW, regarding proposed access arrangements and measures to manage the short-term increase in construction vehicle traffic on local roads. The Department has also recommended a condition that requires the Applicant to prepare a construction worker transport strategy to manage and minimise impacts from construction worker parking.

The Department considers that the impacts of construction works would be appropriately managed.

6.2 Built form and design

6.2.1 Bulk, scale and siting

The Applicant states that the design was informed by site analysis and urban design principles to ensure the project responds to its local context. The Applicant states that:

- buildings are oriented to address the street frontages, with the layout of buildings creating an appropriate separation that allows for visual breaks from the public domain
- the layout of the buildings responds to the site's context, with the bulk of buildings to be built on the south west corner of the site, adjacent to the North Googong town centre
- landscaping and green open spaces are on the north and eastern boundaries to create a buffer between the bulk of school buildings and adjacent residences
- the carpark addresses the neighbouring commercial facilities / carpark
- the two-storey scale of the buildings is generally in keeping with the surrounding built form and adequately conforms with the surrounding built environment and landscape.

Council raised concerns relating to the height of the buildings but it did not object to the overall design. In addition, Council raised concerns around privacy impacts due to the two storey buildings being adjacent to surrounding residential properties.

The site is not subject to a floor space ratio control under the QLEP but is subject to an 8.5m height control. The proposed maximum building height is approximately 11.3m which exceeds the control.

Under clause 42 of the Education SEPP, development consent may be granted for the purpose of a school that is State significant development, even if the development would contravene a development standard. As the Education SEPP applies to this proposal, the proposed building height is considered on merit.

The height exceedance results from the roofing and top portion of the facade of Block A, B and C as shown in **Figure 20**.

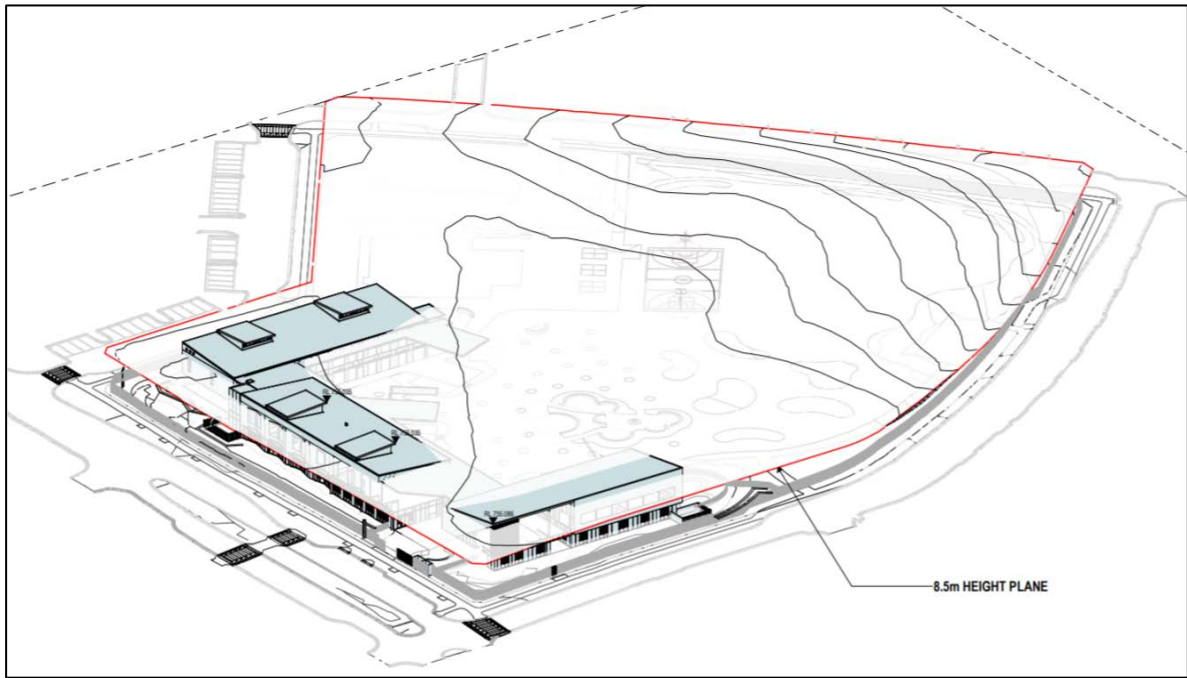


Figure 20 | Height exceedance (Source: Applicant's RtS 2021)

In support of the proposed building height, the Applicant stated that the:

- proposal complements the streetscape by providing two storey built form that is compatible with the surrounding two storey residential development and the neighbouring three storey town centre development
- proposal would not adversely affect any heritage item
- proposal provides an appropriate transition in building height between the higher density commercial development to the west and the surrounding lower density residential development
- compliance with the controls are unreasonable, particularly considering that the site is surrounded by 12m height controls to the west, south and south-east (**Figure 21**).



Figure 21 | Height limits in QLEP (Source: Applicant's EIS 2021)

The Department considers that the proposed layout of the site is appropriate given the context of the site with the buildings and main building bulk located adjacent to the North Googong town centre.

The Department has considered the proposed building height against clause 4.3 of the QLEP and is satisfied that the proposed building height would be acceptable as:

- the height exceedance is limited to 2.8m (32.9%) variation and the maximum building height would be less than the maximum height allowed on land immediately to the west, south and south-east of the site
- there would be no adverse overshadowing of adjoining residential properties
- overlooking impacts would be limited given the buildings would be setback approximately 30m from the front wall of the closest adjoining dwellings on Wilkins Way and screening would be provided by on site landscaping and street trees.

Overall, the Department is satisfied that the proposed bulk, scale and siting of the development is appropriate for the site and its context.

To reinforce screening of the development the Department has recommended conditions requiring the Applicant to undertake street tree planting, in consultation with Council where street tree planting is not currently provided or where it should be improved to effectively screen the development.

6.2.2 Building expression

The Applicant states that the building's façade and materiality has been informed through consultation with Aboriginal stakeholders and integrates with the site's wayfinding and the local landscape. The material palette comprises prefinished compressed fibre cement cladding of natural tones for the facade, light coloured metal cladding roofing, dry pressed brickwork, and concrete paving for the outdoor flooring. These materials and proposed muted accent colours seek to emphasise the relationship within a rural setting while acknowledging the changing built environment of Googong. The materiality and façade expression are shown in **Figure 22** and **Figure 23**.



Figure 22 | Perspective of Blocks A and B (Source: Applicant's RtS 2021)

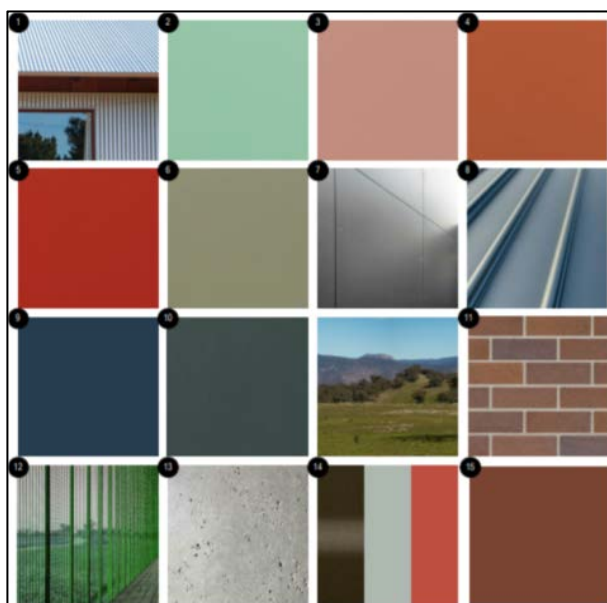


Figure 23 | External material finishes (Source: Applicant's EIS 2021)

The Department is satisfied that the proposed external colours and finishes would provide a visually appealing and functional development which would positively contribute to the existing and future character of the locality.

6.2.3 Tree removal and landscaping

The proposal includes removal of 67 street trees, that are two to five years old, to accommodate the proposed drop-off / pick-up area on Wilkins Way. The proposal includes landscaping incorporating the planting of 362 trees and various groundcovers and grasses.

The Applicant states that the landscaping design is based on principles including a need to provide shade and reduce the heat island effect, incorporate species native to the area, and incorporate Aboriginal cultural heritage. The landscaping design includes:

- deciduous tree planting at pedestrian entrances and within the outdoor play spaces
- buffer planting along the eastern boundary adjoining Wilkins Way, to act as a step down to the adjoining residential properties
- buffer planting along the western boundary, including smaller native trees
- open grass play area at the southern end of the site, surrounding by buffer planting.

Plant species considered for planting include species:

- from the ACT Government's "Municipal Infrastructure Standards Part 25 Plant Species for Urban Landscape Projects" and "Native Plant List for Water Wise Gardens in the Yass Valley"
- from the Yellow Box – Red Gum Grassy Woodland plant community type, a critically endangered community in the region
- associated with the Ngunnawal people, and were utilised for a variety of uses such as food, medicine, tools, artworks and shelter.

In response to concerns raised during the exhibition periods of the development, the Applicant updated the landscape plans to include further dry creek beds along the eastern boundary and increasing fencing setbacks by one metre. The landscaping plans are shown in **Figure 24**.



Figure 24 | Landscape plan (Source: Applicant's RtS 2021)

The Department has considered the information provided by the Applicant, comments made in the submissions, including Council, and Education SEPP Design Quality Principles.

The Department accepts that removal of the street trees is necessary to accommodate the drop-off / pick-up area on Wilkins Way. The Department has considered the biodiversity impacts of the proposal (**Section 6.3**) and concludes it would not have significant adverse impacts.

The Department is satisfied that the proposed landscaping design responds appropriately to the context of the site, with buffer planting provided along adjoining residential properties. The proposed plant species are appropriate to the region and draw on the area's Aboriginal history.

The Department has recommended conditions of consent to require the implementation and maintenance of landscaping on the site. As discussed in **Section 6.2.1**, the Department recommends the Applicant undertake street tree planting in consultation with Council.

6.3 Other issues

The Department's consideration of other issues is provided at **Table 7**.

Table 7 | Department's assessment of other issues

Issue	Findings	Department's consideration and recommended conditions
Construction noise and vibration	An Acoustic Assessment (AA) was included in the EIS, and updated in the RtS, that assessed potential construction noise and vibration impacts on nearest sensitive receivers.	The Department is satisfied that construction activities could be managed to minimise noise or vibration impacts on nearby sensitive receivers.

Issue	Findings	Department's consideration and recommended conditions
	<p>The AA established construction noise management levels for the site as perceived at the noise sensitive receivers in accordance with the Interim Construction Noise Guideline (DECCW, 2009) (ICNG).</p> <p>The AA concluded that the construction noise emissions would exceed noise management levels at surrounding receivers.</p> <p>Some works near receivers adjoining Percival Road are expected to exceed highly noise affected levels.</p> <p>The AA concluded that given the proximity of neighbouring buildings, vibration levels may need to be monitored during demolition and construction works, to ensure vibration levels remain generally compliant with the criteria outlined in the Assessing Vibration: A Technical Guideline 2006 (Department of Environment and Conservation, 2006).</p> <p>EPA recommended the implementation of a Construction Noise and Vibration Management Plan and justification for construction hours proposed outside of the standard construction hours in the ICNG.</p> <p>The Applicant's RtS responded to EPA's comments advising that no construction work is proposed outside of standard construction hours, except for the delivery of oversized plant or structures, which is consistent with the ICNG.</p>	<p>The Department has recommended conditions to require that:</p> <ul style="list-style-type: none"> • construction hours to be in accordance with the standard ICNG hours • a Construction Noise and Vibration Management Plan is prepared that incorporates the recommendations of the AA • intra-day respite periods from high noise generating construction activities be provided where necessary.
Operational noise	<p>The AA considered potential operational noise impacts, including from mechanical systems, vehicle traffic and use of outdoor play areas, internal classrooms, and the school hall, including by the community.</p> <p>The AA:</p> <ul style="list-style-type: none"> • identified applicable noise limits and recommended that a detailed assessment be undertaken prior to installation of mechanical plant and equipment • found that drop-off / pick-up operations on Wilkins Way would likely result in minor short-term exceedances of the noise criteria 	<p>The Department is satisfied that the proposal would not result in unacceptable operational noise impacts.</p> <p>The Department has recommended conditions that require:</p> <ul style="list-style-type: none"> • a detailed assessment be undertaken of plant and equipment demonstrating compliance with the identified noise criteria • the development be undertaken in accordance

Issue	Findings	Department's consideration and recommended conditions
	<p>for approximately 45 minutes during each peak period</p> <ul style="list-style-type: none"> found that student activities would meet the applicable noise criteria except for outdoor play closest to the school boundary. However, this would only be in a worst-case scenario when the entire school population is using the outdoor play areas use of the school hall, including for potential community use in the evenings, would meet noise criteria provided windows and doors are closed noted that private open space of adjoining residential properties is at the rear of dwellings where noise criteria would be achieved found that the primary source of noise intrusion into the school would be from the surrounding roads and adjoining commercial operations, however, the internal learning areas would meet the noise criteria subject to façade and glazing treatments. <p>EPA recommended all reasonable and feasible noise mitigation and management measures be implemented to ensure compliance with operational noise limits.</p> <p>Council supported the proposed acoustic treatments to learning areas facing Gorman Drive and Aprasia Avenue.</p> <p>An AIA was also included as part of the EIS to assess impacts of aircraft noise given the site's proximity to Canberra Airport. The assessment confirmed that the site is located outside of the Australian Noise Exposure Forecast 20 contour for the airport. The assessment concluded that the site is not at risk to being exposed to aircraft noise and would not require further assessment or mitigation.</p>	<p>with the recommendations of the AA</p> <ul style="list-style-type: none"> the Applicant undertake short term noise monitoring following commencement of use and address any exceedances of the noise criteria an Out of Hours Event Management Plan be prepared for events involving over 100 patrons.
Aviation	<p>An AIA was included with the EIS and a Solar Glare Assessment was provided as part of the RtS given that the site is located approximately 13.5km southeast of Canberra Airport. The site is located within the outer horizontal area of</p>	<p>The Department is satisfied that the proposal would not affect aviation operations.</p> <p>The Department has recommended a condition requiring the use of construction</p>

Issue	Findings	Department's consideration and recommended conditions
	<p>Canberra Airport's Obstacle Limitation Surface.</p> <p>The AIA found:</p> <ul style="list-style-type: none"> the school buildings penetrate the boundary of the airspace as defined by the National Airports Safeguarding Framework for the protection of the operations of Canberra Airport. however, there are buildings, structures and terrain between the site and the airport that shield the proposal from affecting the outer horizontal surface of the airport the proposal would not infringe on the obstacle clearance heights applicable to the procedures and operations of Canberra Airport the proposal would not impact air routes, aviation facilities or radars. <p>Under the <i>Airports Act 1996</i>, any activity that infringes an airport's protected airspace is called a controlled activity and would require approval before it can be carried out. As such, the AIA recommended that during construction, any use of cranes would require a referral to Canberra Airport for approval, be appropriately marked, only operated during daylight hours and be notified to pilots via a notice to airmen.</p> <p>The Civil Aviation Safety Authority and Air Services Australia supported the conclusions of the AIA.</p>	<p>crane(s) to be referred to Canberra Airport for approval prior to its use. Cranes are to also be appropriately marked, only operated during daylight hours and be notified to pilots via a notice to airmen.</p>
Flooding	<p>A Civil Engineering Report prepared for the EIS considered flood risk, and found:</p> <ul style="list-style-type: none"> the site is located above the 1 in 100-year flood level due to the existing topography, there is localised flooding in the southwestern and north eastern corners of the site the site would be regraded to mitigate the localised flooding to direct stormwater runoff into a pit 	<p>The Department is satisfied that the proposal is compatible with the flood hazard of the land, and is not likely to result in any adverse impacts on adjoining properties.</p> <p>The Department has recommended that development be undertaken in accordance with the recommendations of the Civil Engineering Report.</p>

Issue	Findings	Department's consideration and recommended conditions
	<p>and pipe network and an on site detention system</p> <ul style="list-style-type: none"> no adverse flooding impacts are anticipated following regrading and installation of the stormwater system. <p>The report noted that Council has advised that the town of Googong is not a flood prone area and would not require additional measures for flooding.</p>	
Stormwater management	<p>The development adds impervious surfaces to the site which requires stormwater management to ensure post-development flows do not exceed pre-development flows.</p> <p>The EIS included a Civil Engineering Report which discussed the proposed stormwater management strategy. This indicated that stormwater for the northern portion of the site would be captured by a series of pits and pipes and drain to an on site detention tank located under the on site car park. Stormwater from the southern portion of the site would be captured by pits and pipes and then discharged to the stormwater network at Gorman Drive.</p> <p>EPA required that the proposal consider the receiving environment and relevant NSW Water Quality Objectives.</p> <p>The Applicant provided an updated Civil Engineering Report in the RtS which confirmed that the proposed stormwater design considered the WQOs and Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG 2018). Proposed water quality measures include stormwater pit insets, rainwater tank and filtration cartridges in the on site detention tank.</p> <p>The revised report concluded that the proposal would meet the pollution reduction targets.</p>	<p>The Department considers that the proposed stormwater provisions are sufficient for the proposed development.</p> <p>The Department has recommended conditions requiring the development comply with the stormwater design and be compliant with relevant Australian Standards and industry best practice guidelines.</p>
Utilities	<p>The EIS included an Infrastructure Management Plan (the Plan) which identified that upgrades to existing services would be required to cater to the proposal.</p>	<p>The Department has recommended conditions to ensure the Applicant lodges the appropriate requests for the supply of these services and that all</p>

Issue	Findings	Department's consideration and recommended conditions
	<p>The Plan identified that water, sewer and electrical infrastructure is available to service the proposal.</p> <p>The Plan indicated that there is an existing padmount substation located at the corner of Aprasia Avenue and McPhail Way which supplies electricity to residential dwellings along Gorman Drive, Herman Circuit, Wilkins Way and Aprasia Avenue. The Plan identified that the electrical load required for the school was likely to be larger than any spare capacity on the existing padmount substation, and the upgrade of the substation is being explored. If that was not possible, a new substation is required to service the school.</p> <p>The Plan identified that any new padmount substation and other external services upgrades would be undertaken under separate assessment pathways.</p>	<p>utilities are available prior to operation.</p>
Biodiversity	<p>A preliminary ecological report was provided as part of the EIS. The report determined after site surveys, desktop reviews and previous studies, that:</p> <ul style="list-style-type: none"> the site would not involve the removal of any native vegetation or have potential impacts on biodiversity values no significant vegetation or flora and fauna values would be affected by the proposal the site is highly disturbed and contains very low biodiversity values. <p>EESG and the Department determined that the proposed development would not likely have any significant impact on biodiversity values and a Biodiversity Development Assessment Report (BDAR) was not required.</p> <p>The revised Arboricultural Impact Assessment submitted with the RtS includes the removal of 67 planted street trees. The trees are approximately two to five years old of varying species.</p> <p>EESG noted the additional tree removal proposed in the RtS did not change original conclusions with regard to biodiversity impacts.</p>	<p>The Department is satisfied that the proposal would not have significant impacts on biodiversity.</p>

Issue	Findings	Department's consideration and recommended conditions
Contamination	<p>State Environmental Planning Policy 55 - Remediation of Land (SEPP 55) requires the Department to be satisfied that the site is suitable or would be made suitable through remediation for the intended use.</p> <p>The EIS included a Preliminary Site Investigation which included a review of available current and historical site information, a site walkover, excavation of 10 test pits, collection of soil samples and laboratory testing.</p> <p>The Preliminary Site Investigation found that some of the past uses of the site had the potential to cause soil contamination including fill associated with the site previously used as a construction compound and potential use of pesticides during former agricultural use of the site.</p> <p>However, results of soil investigations show concentrations of potential contaminants were well below the relevant assessment criteria or not detected.</p> <p>The Preliminary Site Investigation concluded that the site was suitable in its present state for the intended use but recommended that an unexpected finds protocol be prepared and implemented during construction.</p> <p>The EPA did not make any comments in relation to contamination.</p>	<p>The Department has considered the information provided by the Applicant. The Department is satisfied the site is suitable for the use of a school subject to recommended conditions requiring the preparation and implementation of an unexpected finds protocol to manage any contamination. In addition, recommended conditions require that:</p> <ul style="list-style-type: none"> • should suspected asbestos containing materials be encountered on site, the affected area should be fenced off and assessed by a licenced asbestos assessor • should any fill or stockpiled material be required to be disposed off-site, it must first be assessed in accordance with NSW EPA Waste Classification Guidelines Part 1 Classifying Waste (2014) and assigned a waste classification prior to off site disposal.
Aboriginal cultural heritage	<p>The traditional custodians of the land in which the site is located are the Ngunnawal people.</p> <p>An Aboriginal and European Archaeological Assessment was prepared for the EIS that considered whether Aboriginal cultural heritage values would be affected by the proposal.</p> <p>The assessment found five Aboriginal recordings are listed in the Aboriginal Heritage Information Management System for the area around Googong, however none are located within the site.</p> <p>The assessment noted the site had predominantly been used for agricultural/pastoral purposes and</p>	<p>The Department supports the findings of the Aboriginal and European Archaeological Assessment.</p> <p>The Department has recommended a condition of consent requiring an unexpected finds protocol to be implemented.</p>

Issue	Findings	Department's consideration and recommended conditions
	<p>extensively disturbed through construction activities.</p> <p>The assessment concluded that there is a low risk of Aboriginal objects being present within the curtilage of the proposal area. However, it recommended the implementation of an unexpected finds protocol.</p> <p>Heritage NSW advised that it was satisfied that the proposal had appropriately considered and addressed Aboriginal cultural heritage impacts.</p>	
Social impacts	<p>The EIS included a Social Impact Assessment that considered the social impacts of the proposed development. It noted that the site is located in a greenfield area, with this area of Googong being a new community and experiencing significant population growth.</p> <p>The assessment found that impacts include temporary impacts from construction activities, which can be mitigated through the implementation of construction management plans.</p> <p>Overall, the assessment concluded the proposal would have social benefits as it would provide much needed improvements to cater for the education needs of the area.</p>	<p>The Department is satisfied that the proposal would have a positive social benefit. The proposal would meet the needs of the growing population of the region and would not displace any community or other facilities. Implementation of environmental management plans would manage potential construction impacts.</p>

7 Evaluation

The Department has reviewed the Applicant's EIS, RtS, and SRtS and assessed the merits of the development, taking into consideration advice from the public authorities including Council, and comments made in the public submissions.

The key issues identified with the proposal include traffic, transport and parking and built form and urban design. All environmental issues associated with the development have been addressed. The Department concludes that the impacts of the development would be acceptable and could be appropriately mitigated through conditions of consent. Consequently, the Department considers the development is in the public interest and should be approved.

The surrounding road network can accommodate construction and operational traffic and parking demands generated by the development. The proposed built form is appropriate in the context of the site and makes a positive contribution to the Googong township. The Department has recommended conditions to manage the construction and operational impacts on the surrounding land uses and require mitigation measures to be implemented.

The development is consistent with the objects of the *Environmental Planning and Assessment Act 1979* and with the State's strategic objectives to improve education results through the provision of a new education facility in an area undergoing rapid population growth.

The development is in the public interest as it would provide benefits including:

- increased educational facilities to cater for growth in the Queanbeyan-Palerang LGA
- provision of new educational facilities in an accessible area for the community
- investment \$45,572,191 to deliver 336 construction jobs and 48 operational jobs.

Consequently, the Department considers the development is in the public interest and should be approved.

8 Recommendation

It is recommended that the Director, Social and Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces:


- **considers** the findings and recommendations of this report
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of the New Primary School in Googong (SSD-1036042), subject to the conditions
- **signs** the attached development consent and recommended conditions of consent (Appendix D).

Prepared by:

John Doubleday

Social and Infrastructure Assessments

Recommended by:



Tahlia Alexander

A/Team Leader

School Infrastructure Assessments

9 Determination

The recommendation is **Adopted** by:

A handwritten signature in black ink, appearing to read 'KH', with a long horizontal flourish extending to the right.

21 December 2021

Karen Harragon

Director

Social and Infrastructure Assessments

Appendices

Appendix A – List of referenced documents

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning, Industry and Environment's website as follows.

1. Environmental Impact Statement
<https://www.planningportal.nsw.gov.au/major-projects/project/40466>
2. Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/40466>
3. Applicant's Response to Submissions and Supplementary Response to Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/40466>

Appendix B – Statutory Considerations

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of section 4.15(a)(i) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), this report includes references to the provisions of the EPIs that govern the carrying out of the proposal and have been taken into consideration in the Department's environmental assessment.

Controls considered as part of the assessment of the proposal are:

- State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)
- State Environmental Planning Policy No 64 – Advertising and Signage
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)
- Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)
- Queanbeyan Local Environmental Plan 2012.

COMPLIANCE WITH CONTROLS

State Environmental Planning Policy (State and Regional Development) 2011

The aims of this SEPP are to identify state significant development (SSD) and state significant infrastructure and confer the necessary functions to joint regional planning panels to determine development applications.

An assessment of the proposal against the relevant considerations of the SRD SEPP is provided in **Table B1**.

Table B1 | SRD SEPP compliance table

Relevant Sections	Consideration and Comments	Complies
3 Aims of Policy The aims of this Policy are as follows: (a) to identify development that is State significant development	The proposal is identified as SSD.	Yes
8 Declaration of State significant development: section 4.36 (1) Development is declared to be State significant development for the purposes of the Act if: a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and	The development is permissible with development consent. The development is for the purpose of a new school under clause 15 of Schedule 1 of the SRD SEPP that was in force at the time the application was made 15 June 2021.	Yes

Relevant Sections	Consideration and Comments	Complies
-------------------	----------------------------	----------

- b) the development is specified in Schedule 1 or 2.

State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the state by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

Educational establishments are no longer covered under the traffic generating development provisions of the Infrastructure SEPP as they are considered under the Education SEPP. Notwithstanding, the application was referred to Transport for NSW (TfNSW) for comment.

The Department has considered potential traffic impacts at **Section 6** and is satisfied the proposal would not have a significant impact on the surrounding road network. The proposal provides for appropriate vehicle access arrangements and it is considered that there would be no adverse impact on the ongoing safety and efficient operation of the surrounding road network subject to conditions.

The Department is satisfied that the proposed development meets the requirements of Infrastructure SEPP. The proposal is therefore consistent with the Infrastructure SEPP given the consultation and consideration of the comments from the relevant public authorities. The Department has included suitable conditions in the recommended conditions of consent (see **Appendix D**).

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

The Education SEPP aims to simplify and standardise the approval process for child care centres, schools, TAFEs and universities while minimising impacts on surrounding areas and improving the quality of the facilities. The Education SEPP includes planning rules for where these developments can be built, which development standards can apply and constructions requirements. The application has been assessed against the relevant provisions of the Education SEPP.

The Education SEPP was amended on 17 December 2021. In accordance with the “Saving and Transitional Provisions” that apply, the application has been assessed against the relevant provisions of the Education SEPP that were in force at the time the SSD application was made on 15 June 2021.

Clause 42 of the Education SEPP states that development consent may be granted for development for the purpose of a school that is state significant development even though the proposal would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted.

Clause 57 of the Education SEPP requires traffic generating development that involve addition of 50 or more students to be referred to the Road and Maritime Services. The Application was referred to TfNSW (incorporating Road and Maritime Services) in accordance with this clause.

Clause 35(6)(a) requires that the design quality of the proposal should be evaluated in accordance with the design quality principles set out in Schedule 4. An assessment of the proposal against the design principles is provided in **Table B2**.

Table B2 | Consideration of the Design Quality Principles

Design Principles	Response
Principle 1 - context, built form and landscape	<p>The proposal would be up to two stories in scale, in keeping with the height of surrounding residential development and North Googong town Centre. The setbacks, siting and design of the proposed buildings would mitigate the perceived bulk of the development when viewed from the street.</p> <p>The development also includes a landscape strategy, including gardens and outdoor play areas which would complement and provide a high level of amenity to the surrounding area.</p>
Principle 2 - sustainable, efficient and durable	<p>The proposal includes ESD measures (Section 4.4.3), and the materials chosen are durable and require low maintenance.</p> <p>Bicycle parking and storage for other wheeled devices (e.g. skateboards and scooters) are provided within the school site and sustainable travel modes encouraged.</p>
Principle 3 - accessible and inclusive	<p>The proposal has been designed to be accessible and inclusive through the provision of lifts and accessible paths of travel from the site boundaries up to and around the school buildings.</p> <p>The proposal incorporates wayfinding signage identifying key areas within the school assisting visitors to navigate the site.</p>
Principle 4 - health and safety	<p>The design of the school buildings provides a safe and secure school environment. The proposal has considered Crime Prevention Through Environmental Design principles, and external environments are open and visually connected to promote surveillance. A fence would surround the school to provide security and limit access. The proposal would clearly delineate the pedestrian entrances into the school to allow the management of visitors to the site.</p> <p>Environmental constraints have been considered and addressed, including internal acoustic comfort, air quality and site contamination.</p>
Principle 5 - amenity	<p>The proposal provides a variety of internal and external learning places for both formal and informal educational opportunities.</p> <p>The design of the proposed buildings maximises natural light and ventilation indoors, while the landscaping and covered outdoor areas provide ample shaded areas for students and staff use.</p> <p>The setbacks of the proposed buildings and play areas from adjoining commercial and residential uses would assist in reducing excessive noise generated from within the school buildings.</p>
Principle 6 - whole of life, flexible, adaptable	<p>The buildings allow for long term flexibility through the provision of flexible formal and informal learning areas to adapt to future learning requirements.</p>

Design Principles	Response
Principle 7 - aesthetics	<p>The proposed built form incorporates front setbacks, high quality external finishes and landscaping to contribute to the aesthetics of the neighbourhood. The proposal offers an articulated and dynamic built form with clear wayfinding.</p> <p>A site narrative has been developed through the applied material palette, landscape design, signage and wayfinding to include the local Indigenous narrative, history and culture of the Ngunnawal People.</p>

State Environmental Planning Policy No 64 – Advertising and Signage

SEPP 64 applies to all signage displayed with or without development consent that is visible from a public place or public reserve. The proposal includes two signs:

- a digital pylon sign located on the corner of Gorman Drive and McPhail
- a plinth sign located at the main pedestrian entry on Gorman Drive.

The digital pylon school sign at the main driveway entrance would identify the name of the school and provide updated messaging relative to the functioning of the school. The Department considers the digital sign is compatible with the character and function of the site as a school. However, there are residential properties along Gorman Drive which could be impacted by the digital sign, especially outside of daylight hours. The Department also has concerns about the potential safety impacts from the digital sign on road users.

The Applicant has not provided sufficient information demonstrating that light spill from the digital sign would not impact on the amenity of residents or that the proposed digital content would not impact on the safety of road users. Consequently, to ensure the sign does not unreasonably impact on the amenity of residents or safety of road users, the Department has recommended conditions of consent for the use of the digital sign requiring:

- the illumination and LED screens must be switched off between 6pm and 7am
- compliance with Australian Standard AS 4282-2019 'Control of the obtrusive effects of outdoor lighting'
- the sign must not dazzle or distract drivers and must not include content that could be mistaken for traffic signals
- must not contain video, television or movie style content
- must not emit sound
- must have a default setting that will display an entirely black display area when no content is being displayed or if a malfunction occurs.

Under clause 8 of SEPP 64, consent must not be granted for any advertising sign application unless the proposal is consistent with the objectives of the SEPP and with the assessment criteria which are contained in Schedule 1. The Department has carried out assessment against Schedule 1 of SEPP 64 on the basis of the above recommended conditions (**Table B3**) and concludes the proposed signs are acceptable.

Table B3 | SEPP 64 Schedule 1 compliance

Schedule 1 – assessment criteria	Compliance
<i>Character of the area</i>	
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signs are compatible with the existing and future character of the locality. The location of the signs are appropriately placed at entrances to the school and are appropriately sized.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signs are consistent with what would be expected for a school in a mixed use location. There is no particular design theme in the area or locality.
<i>Special areas</i>	
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The site is not part of any environmentally sensitive area or area of identified heritage.
<i>Views and vistas</i>	
Does the proposal obscure or compromise important views?	No.
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed signs would not dominate the skyline nor reduce the quality of any vistas.
Does the proposal respect the viewing rights of other advertisers?	Yes.
<i>Streetscape, setting or landscape</i>	
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the proposed signs would be appropriate for the streetscape.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The signs would complement the school design and contribute to the visual interest of the streetscape.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The signs are simple in design and would not result in visual clutter.
Does the proposal screen unsightliness?	No applicable.

Schedule 1 – assessment criteria	Compliance
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signs would sit well below the height of the proposed buildings.
Does the proposal require ongoing vegetation management?	No vegetation management is required.
Site and building	
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The signs are of appropriate scale and proportion in the context of the entire site.
Does the proposal respect important features of the site or building, or both?	The signs are appropriately located at the site entrances and would not impact on any other important features of the site.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The purpose of the signage is to denote the main entrances and provide information for the school community. The signage would achieve this purpose.
Associated devices and logos with advertisements and advertising structures	
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Safety devices are not necessary for the proposed design of the signs. Lighting is an integral part of the LED sign.
Illumination	
Would illumination result in unacceptable glare?	No, subject to conditions.
Would illumination affect safety for pedestrians, vehicles or aircraft?	No, subject to conditions.
Would illumination detract from the amenity of any residence or other form of accommodation?	No, subject to conditions.
Can the intensity of the illumination be adjusted, if necessary?	It is unknown if the illumination could be adjusted. However, conditions are recommended to mitigate amenity impacts of the illumination including that the digital sign must only be used during daylight hours and that illumination complies with AS 4282-2019 'Control of the obtrusive effects of outdoor lighting'.

Schedule 1 – assessment criteria	Compliance
Is the illumination subject to a curfew?	Yes, subject to conditions.
Safety	
Would the proposal reduce the safety for any public road?	The proposed signs would not affect road safety, subject to conditions.
Would the proposal reduce the safety for pedestrians or bicyclists?	The proposed signs would not affect pedestrian or cyclists safety, subject to conditions.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signs would not obscure any sightlines from public areas.

State Environmental Planning Policy No. 55 - Remediation of Land

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The EIS included a Preliminary Site Investigation report which comprised a review of available current and historical site information and an intrusive soil investigation (**Section 6.3**).

In accordance with clause 7 of SEPP 55, investigations undertaken on the site demonstrate it is suitable for its intended use. The Department has recommended conditions requiring an unexpected finds protocol. The Department is satisfied the site is suitable for use as a school.

Draft State Environmental Planning Policy (Remediation of Land)

The Draft Remediation SEPP will retain the overarching objective of SEPP 55 promoting the remediation of contaminated land to reduce the risk of potential harm to human health or the environment.

Additionally, the provisions of the Draft Remediation SEPP require all remediation work carried out without development consent to be reviewed and certified by a certified contaminated land consultant. Remediation work is to be categorised based on the scale, risk and complexity of the work. Environmental management plans relating to post-remediation management of sites, including the ongoing operation, maintenance and management of on site remediation measures (such as a containment cell) are to be provided to Council.

The Department is satisfied that the proposal would be consistent with the objectives of the Draft Remediation SEPP.

Draft State Environmental Planning Policy (Environment)

The Draft Environment SEPP is a consolidated SEPP which proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. Once adopted, the Draft Environment SEPP will replace seven existing SEPPs. The

proposed SEPP will provide a consistent level of environmental protection to that which is currently delivered under the existing SEPPs. Where existing provisions are outdated, no longer relevant or duplicated by other parts of the planning system, they will be repealed.

Given that the proposal is consistent with the provisions of the existing SEPPs that are applicable, the Department concludes that the proposal would generally be consistent with the provisions of the Draft Environment SEPP.

Queanbeyan Local Environmental Plan 2012

The QLEP aims to encourage the development of housing, employment, protection of Queanbeyans natural, cultural and built heritage and provide land uses that encourage economic and business development to meet the needs of the existing and future residents of the Queanbeyan–Palerang Regional Council LGA. The QLEP also aims to protect and conserve the cultural heritage of Queanbeyan as well as protect and enhance its environmental and biodiversity values.

The Department has consulted with Council throughout the assessment process and has considered relevant provisions of the QLEP and matters raised by Council in its assessment (**Section 5**). The Department concludes the development is consistent with the relevant provisions of the QLEP and shown in **Table B4**.

Table B4 | Consideration of the QLEP

QLEP	Department Comment/Assessment
Land Use Table – Zone R1 General Residential	<p>Educational establishments are prohibited in the R1 General Residential zone. However, clause 35(1) Education SEPP states development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone. Clause 33 of the Education SEPP identifies the R1 zone as a prescribed zone; therefore the proposed school is permitted with consent.</p> <p>The proposal is considered to meet the objectives of the zone as it provides educational infrastructure to meet the needs of the day to day needs of the community.</p>
Clause 4.3 Height of buildings	<p>An 8.5m maximum height of building control applies to the site. The proposed maximum building height is approximately 11.3m. While the maximum height of building control does not apply to the development, the Department considered the objectives of clause 4.3 in its assessment and concludes the proposed building height is acceptable (Section 6.2).</p>
Clause 4.4 Floor Space Ratio	<p>The site is not subject to a Floor Space Ratio control.</p>
Clause 5.10 Heritage conservation	<p>The site is not mapped or listed as an item of heritage significance or in a heritage conservation area.</p>
Clause 5.11 Bushfire hazard reduction	<p>The site is not identified as bush fire prone.</p>

QLEP	Department Comment/Assessment
Clause 7.1 Earthworks	<p>Earthworks are proposed with approximately 2m of cut to cater for the proposed development. Surplus material generated from the proposed development would be spread over existing open areas.</p> <p>The Department considers that, subject to conditions, the proposal would not detrimentally impact on:</p> <ul style="list-style-type: none"> • drainage patterns or soil stability in the locality of the development • amenity and redevelopment opportunities of adjoining properties • nearby waterways. <p>The Department has recommended conditions of consent to address the management of soil, stormwater and unexpected finds during construction.</p>
Clause 7.2 Flood planning	The site is not mapped by Council as subject to flooding, however flooding issues were considered in Section 6.3
Clause 7.6 Airspace operations	Consideration of airspace operations is in Section 6.3 .
Clause 7.9 Essential services	The site is serviced by water, electricity, sewage disposal and stormwater drainage. An Infrastructure Management Plan provided with the EIS outlines the existing infrastructure, proposed infrastructure upgrades and how utilities connections would be maintained to the school during the development of the proposal.

Other policies

In accordance with clause 11 of the SRD SEPP, Development Control Plans do not apply to SSD. Notwithstanding, relevant objectives of relevant controls under the GDCP 2010 were considered.

Appendix C – Community Views for Draft Notice of Decision

Issue	Consideration
Traffic, transport and parking <ul style="list-style-type: none"> The proposal should be developed away from major roads to avoid impacts to motorists and consider safety for students. Safety of children and pedestrians coming to and from the school and the need for appropriate crossings and parking to allow for the safe drop-off / pick-up of children should be considered. The proposed drop-off / pick-up area on Wilkins Way should be relocated given the road's narrow width and its impacts on the amenity of adjoining properties. Council supported the location of the drop-off / pick-up area on Wilkins Way instead of on Aprasia Avenue as originally proposed in the EIS. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> A Transport Assessment was submitted that considered the impacts of the proposal on the surrounding road network. Further modelling and supporting information were provided by the Applicant in the RtS in response to comments made in the submissions. The Applicant advised: <ul style="list-style-type: none"> student safety would be ensured through formal pedestrian crossings, school zones and management measures. all nearby intersections would operate with a Level of Service of A (highest rating) once the school is completed and occupied. following consultation with TfNSW and Council, changes to intersections on both ends of Wilkins Way are planned to accommodate the drop-off / pick-up facilities and interim bus route that would traverse Wilkins Way. The Department is satisfied: <ul style="list-style-type: none"> the Applicant has appropriately considered potential additional traffic generated by the proposal and impacts on the performance on the surrounding road network. key intersections would operate at satisfactory levels and well within capacity at opening and in 2033. the local road network has capacity to accommodate the additional traffic generated by the proposal. impacts of the drop-off / pick-up area would be acceptable. <p><i>Conditions</i></p> <ul style="list-style-type: none"> The Applicant must submit plans and technical specifications for the proposed road works to the satisfaction of Council as the relevant roads' authority prior to the commencement of construction. The Applicant must prepare and review a School Transport Plan. The review of the plan would consider operational transport arrangements and any additional measures required to mitigate impacts on the local road network.
Built form and urban design <ul style="list-style-type: none"> Council raised concerns regarding the height of the school buildings and impact on the privacy of adjoining residential properties 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Applicant advised that the two storey scale of the school buildings is in keeping with surrounding built form and conforms with the surrounding built environment and landscape. The Department is satisfied that the bulk and scale of the proposed buildings would be consistent with the scale of surrounding development and that potential off-site amenity impacts would be minimised.

Appendix D – Recommended Instrument of Consent

<https://www.planningportal.nsw.gov.au/major-projects/project/40466>