



# Warakirri College, Campbelltown

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State Significant Development Assessment SSD 10420

August 2020



Published by the NSW Department of Planning, Industry and Environment

[dpie.nsw.gov.au](http://dpie.nsw.gov.au)

Title: Warakirri College, Campbelltown

Subtitle: State Significant Development Assessment SSD 10420

*Cover image: Site elevation of Warakirri College, Campbelltown (Source: Applicant's EIS)*

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# Glossary

Abbreviation	Definition
BCA	Building Code of Australia
BC Act	Biodiversity Conservation Act 2016
BDAR	Biodiversity assessment report
CBD	Central business district
CDCP	Campbelltown Development Control Plan 2015
CEMP	Construction environmental management plan
CIV	Capital investment value
CLAs	Collaborative learning areas
CLEP	Campbelltown Local Environmental Plan 2015
Council	Campbelltown City Council
Department	Department of Planning, Industry and Environment
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
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
FTE	Full-time equivalent
GTP	Green travel plan
km	Kilometres
LEP	Local Environmental Plan
LGA	Local Government Area

<b>Minister</b>	Minister for Planning and Public Spaces
<b>MRV</b>	Medium rigid vehicle
<b>ONMP</b>	Operational noise management plan
<b>OOSH</b>	Out of school hours
<b>Planning Secretary</b>	Secretary of the Department of Planning, Industry and Environment
<b>PSI</b>	Preliminary Site Investigation
<b>RFI</b>	Request for further information
<b>RMS</b>	Roads and Maritime Services, TfNSW
<b>RtS</b>	Response to Submissions
<b>SEARs</b>	Planning Secretary's Environmental Assessment Requirements
<b>SEPP</b>	State Environmental Planning Policy
<b>SQM</b>	Square metres
<b>SRDP SEPP</b>	State Environmental Planning Policy (State and Regional Development) 2011
<b>SSD</b>	State Significant Development
<b>TfNSW</b>	Transport for NSW
<b>The Site</b>	Warakirri College (6A Watsford Road, Campbelltown)
<b>The Applicant</b>	Warakirri College

# Executive Summary

This report provides an assessment of a State significant development (SSD) application for the construction and operation of Warakirri College Campbelltown, located at 6A Watsford Road, Campbelltown (SSD 10420). The Applicant is Warakirri College and the site is located within the City of Campbelltown local government area. The Department is satisfied that the subject site is suitable for the proposal and would provide a beneficial educational establishment for future students. The Department concludes the proposal is in the public interest and recommends that the application be approved subject to conditions.

The site is located on a vacant parcel of land within an industrial park and is 370m southwest of Campbelltown Railway Station and west of the T8 rail line. The proposal seeks approval for the construction of a two-storey building comprising of a reception, indoor and outdoor collaborative learning areas, a vegetable garden, basement carparking, a partially covered courtyard and landscaping. The proposal would accommodate 120 students and 12 full-time equivalent and 2 part-time staff members.

The Department of Planning, Industry and Environment (the Department) considers the application is consistent with the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act) including ecologically sustainable development, and the Greater Sydney Commission's Western City District Plan. The Department is satisfied that the site is suitable for the proposed new building and would provide new and improved educational facilities. The Department is satisfied that the key issues (traffic, parking and access) were satisfactorily considered by the Applicant and are acceptable with the inclusion of environmental mitigation measures and recommended conditions of consent.

The proposal has a capital investment value (CIV) of \$4.1 million and would generate 17 construction jobs and 14 new operational jobs. The proposal is SSD under section 4.36 EP&A Act as the proposal 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). Therefore, the Minister for Planning and Public Spaces is the consent authority.

The application was publicly exhibited for 28 days between 19 March 2020 and 15 April 2020. The Department received a total of 7 submissions, including six from public authorities and one public submission in the form of support. The key issues raised in the submissions included the impact of the proposed development on the adjacent railway corridor; the acoustic impacts of the development; operational traffic and noise impacts; the amenity of students; design specifications; and the availability of open space to cater for physical activity.

In response to the submissions, the Applicant's Response to Submissions (RtS) and supplementary RtS included minor amendments to the design of the new building and updated acoustic assessments. In its review of the RtS, TfNSW and Campbelltown City Council raised comments of their previous submissions. Other public authorities raised no additional concerns subject to conditions.

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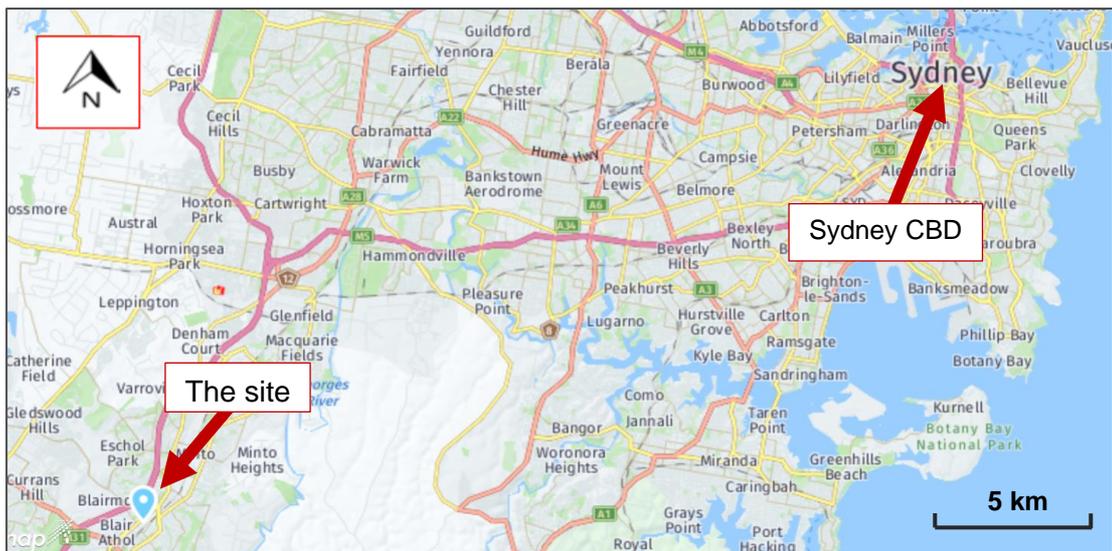
# 1 Introduction

This report provides an assessment of a State significant development (SSD) application for a new school, Warakirri College (SSD-10420), located at 6A Watsford Road, Campbelltown. Warakirri College (the Applicant) seeks approval for the design, construction and operation of a new educational establishment to cater for young adults who are disconnected from mainstream education. The Warakirri College would accommodate up to 120 students in a two-storey building.

## 1.1 Site description

The site is located at 6A Watsford Road, Campbelltown and is legally described as Lot 113 in DP 1183297. The site comprises one allotment within the Campbelltown City Council local government area (LGA). It is approximately 52 kilometres (km) south-east of the Sydney central business district (CBD).

The site location is shown in a regional context in **Figure 1**.

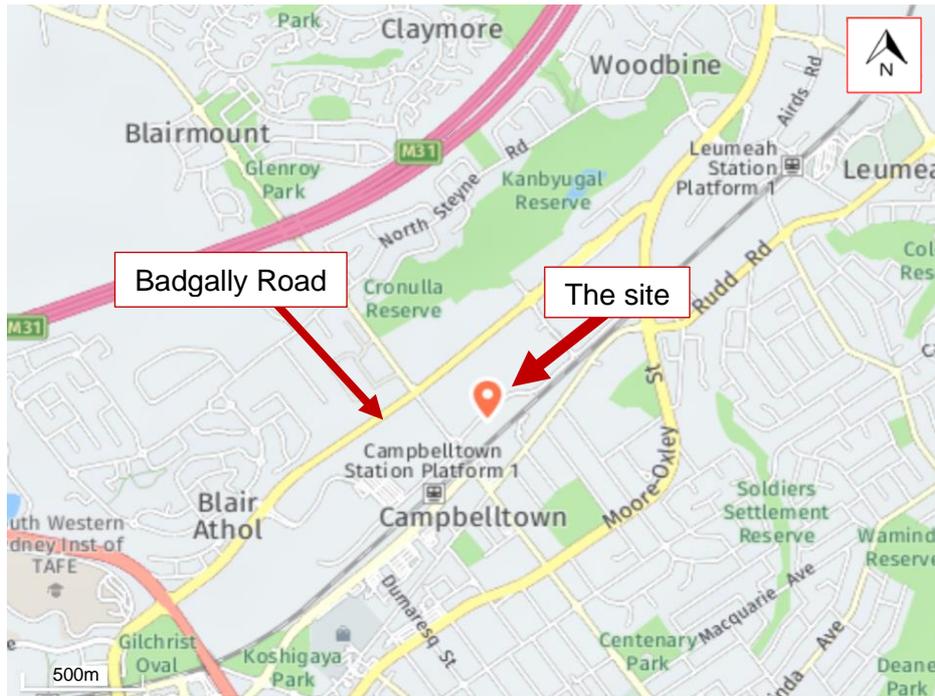


**Figure 1:** Regional context map (Source: Nearmap, 2020)

The site is rectangular in shape and is undeveloped. It has a total area of 1748 square metres (sqm) with a frontage to Watsford Road and a southern boundary that adjoins the main southern rail line/T8 railway line. Campbelltown Railway Station is in a walking distance approximately 370m southwest of the site, and bus services along Badgally Road are 130m away from the site (**Figure 2**).

The topography of the land undulates with the highest point along the southwestern boundary being 3.86m higher than the lowest point located along the north-eastern boundary. The site is vacant, with no buildings or vegetation on site.

The site in the local context is identified in **Figure 2**. **Figure 3** provides a photo of the existing features of the site.



**Figure 2:** Local context map (Source: Nearmap, 2020)



**Figure 3:** The site viewed from Watsford Road (Source: Applicant's EIS)

## 1.2 Surrounding development

The site is located within an industrial business park. The Hillsong South West Campus is located directly north of the site, on the opposite side of Watsford Road. To the east is a Pedders Suspension mechanic workshop and to the west is an office that is used as a radio station. Surrounding developments to the site vary from single to two-storey commercial and industrial buildings in scale.

The National Indoor Sports Centre, which would be used by the College to provide physical education to its students, is located to the north-east of the site. Three other indoor sporting facilities are also located within the site's general vicinity, along with several places of worship (**Figure 4**).



**Figure 4:** Surrounding uses to the site (Source: Nearmap 2020)

## 2 Project

The key components and features of the proposal, as refined by the Applicant's Response to Submissions (RtS), are provided in **Table 1** and are shown in **Figures 5 to 9**.

**Table 1 | Main components of the project**

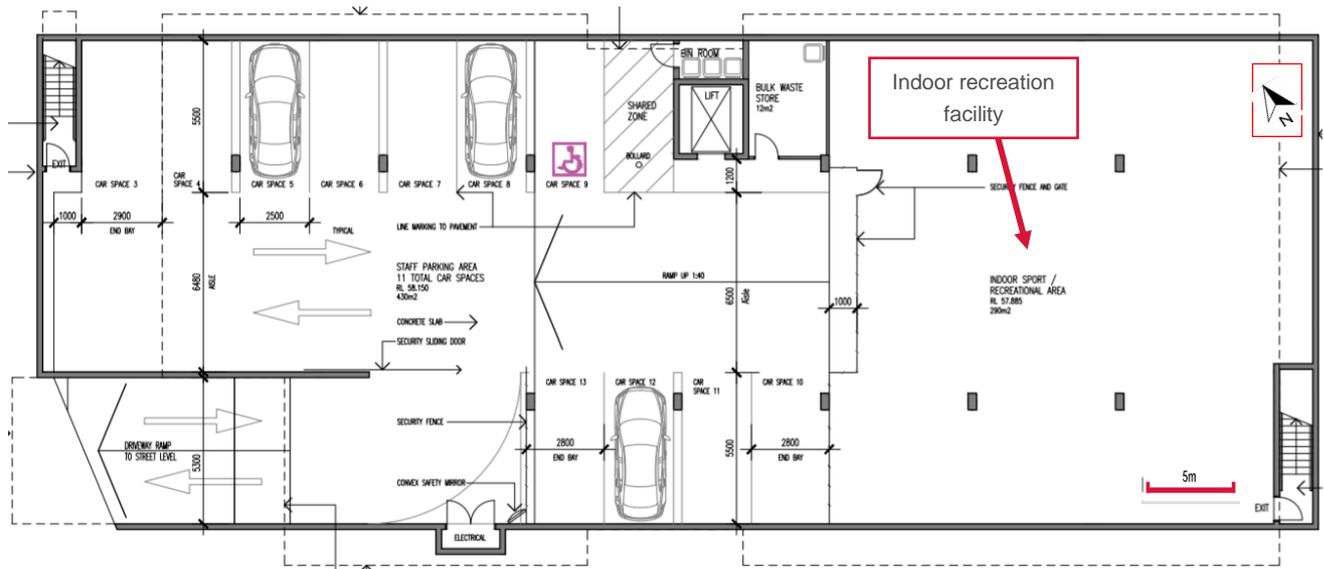
Aspect	Description
<b>Project summary</b>	The proposal involves the design, construction, and operation of a new school for up to 120 students comprising modern learning spaces, student and staff facilities, an indoor sport/recreation area and a single basement carparking level.
<b>Site area</b>	1748.2 m <sup>2</sup> .
<b>Site preparation</b>	Bulk earthworks to accommodate a single storey basement level.
<b>Built form</b>	<p>Construction of a two-storey educational building serviced by stairs, a lift and basement carparking comprising:</p> <ul style="list-style-type: none"> <li>○ Basement floor: <ul style="list-style-type: none"> <li>● 11 carparking spaces</li> <li>● bin room</li> <li>● bulk storage room</li> <li>● indoor recreational area</li> </ul> </li> <li>○ Ground floor (internal): <ul style="list-style-type: none"> <li>● reception</li> <li>● staff lunch room</li> <li>● collaborative learning areas (CLAs)</li> <li>● Head of Campus' office</li> <li>● food technology and science rooms</li> <li>● function and storage rooms.</li> </ul> </li> <li>○ Ground floor (external): <ul style="list-style-type: none"> <li>● terrace as CLA</li> <li>● vegetable garden and landscaping</li> <li>● partially covered courtyard with BBQ facilities and seating.</li> </ul> </li> <li>○ Second floor: <ul style="list-style-type: none"> <li>● eight classrooms</li> <li>● staff area with two offices</li> <li>● break out space</li> <li>● storage and building services room.</li> </ul> </li> </ul>
<b>Public domain and landscaping</b>	<ul style="list-style-type: none"> <li>● landscaped gardens at the entry of the site</li> <li>● formal entry lined with vegetation from Watsford Road</li> <li>● seating and planting area south of the site</li> <li>● use of artificial grass for open spaces</li> </ul>

- raised vegetable and herb garden.

<b>Uses</b>	The site would be used as an educational establishment between the hours of 8am-5pm on weekdays. No out of school hours (OOSH) or community use is proposed.
<b>Access</b>	<ul style="list-style-type: none"> <li>• Vehicle access from Watsford Road via a 6m wide driveway that would connect to the site's basement carparking level via a ramp.</li> <li>• Pedestrian access from Watsford Road via a separate gated pathway located in the middle of the site and adjoined by landscaped front gardens.</li> </ul>
<b>Car parking</b>	<ul style="list-style-type: none"> <li>• On site car parking arrangements would include: <ul style="list-style-type: none"> <li>○ 11 staff basement car parking spaces, including one accessible space.</li> <li>○ two car parking spaces for drop-off/pick-up and visitors, including one accessible space, at the entrance of the site.</li> </ul> </li> </ul>
<b>Bicycle parking</b>	<ul style="list-style-type: none"> <li>• Four bicycle parking spaces at the main entrance for staff and students.</li> </ul>
<b>Hours of operation</b>	The site would operate during standard operating hours on weekdays (Monday-Friday) between 8am-5pm for staff and 9am-3pm for students.
<b>Signage</b>	<ul style="list-style-type: none"> <li>• One illuminated business identification sign (1.2m x 2.4m) located adjoined to the site's front boundary</li> <li>• Two roof-mounted building identification signs displaying 'Warakirri College' located at the entrance on the north-west elevation and the south west elevations.</li> </ul>
<b>Jobs</b>	<ul style="list-style-type: none"> <li>• 17 full-time construction jobs</li> <li>• up to 12 full-time equivalent (FTE) operational jobs</li> <li>• 2 part-time operational jobs.</li> </ul>
<b>CIV</b>	\$4.1 million.

## 2.1 Physical layout and design

The proposed building would have a maximum height of 9.3m with a two-storey appearance. Basement carparking would be provided with an indoor recreation facility for students (**Figure 5**).



**Figure 5:** Indoor sporting facility (Source: Applicant's EIS)

Administration and collaborative learning areas (CLAs) are proposed on the ground floor with food technology and science rooms. A partially covered courtyard would be provided at the rear of the site for informal gatherings with concrete seating and BBQ facilities. The rear of the site would be separated from the adjacent train line by a 2m high fence and a raised vegetable and herb garden to provide natural screening and amenity for students. The proposed layout of the building is shown in **Figures 6 and 7**.

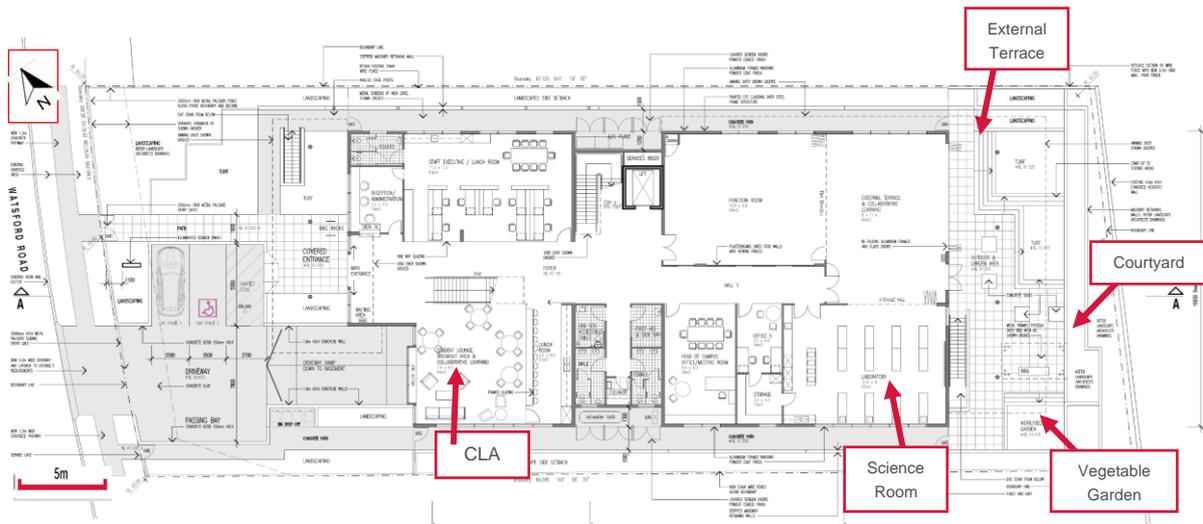


Figure 6: Proposed ground floor plan (Source: Applicant's EIS)

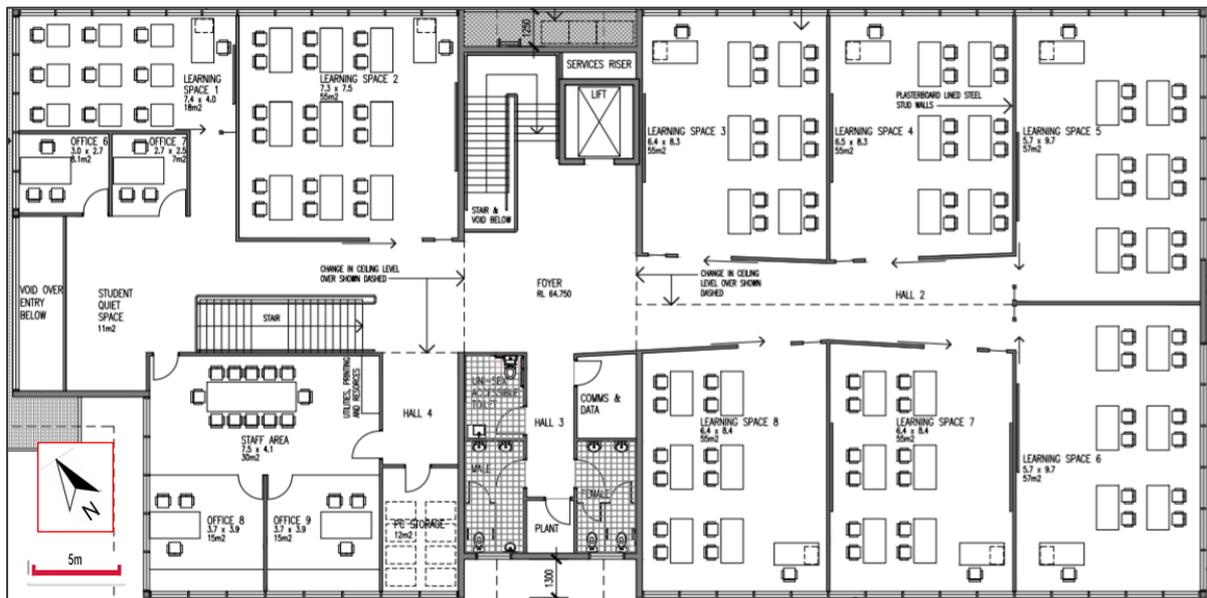


Figure 7: Proposed first floor plan (Applicant's EIS)

The building would be contemporary in design with external materials and finishes that complement the site's context and surrounding land uses. The building elevation for the site is shown in **Figure 8**.



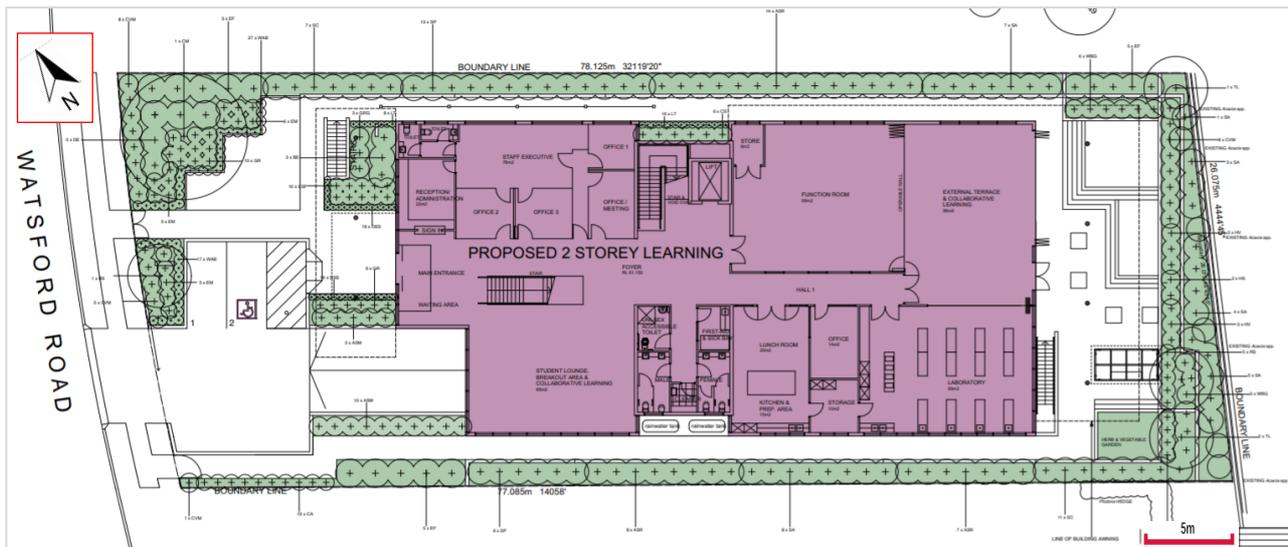
**Figure 8:** Site Elevation from Watsford Road (Source: Applicant's EIS)

## 2.2 Landscaping and public domain

Formal entry to the site is proposed from Watsford Road.

Landscaped areas are proposed along the eastern, western and southern boundaries. Two landscaped open spaces are proposed along the entry of the site from Watsford Road. A raised vegetable and herb garden is proposed at the south western corner of the site adjoining the rear boundary landscaping.

The landscaping plan for the site is provided in **Figure 9**.



**Figure 9:** Landscaping Plan (Source: Applicant's EIS)

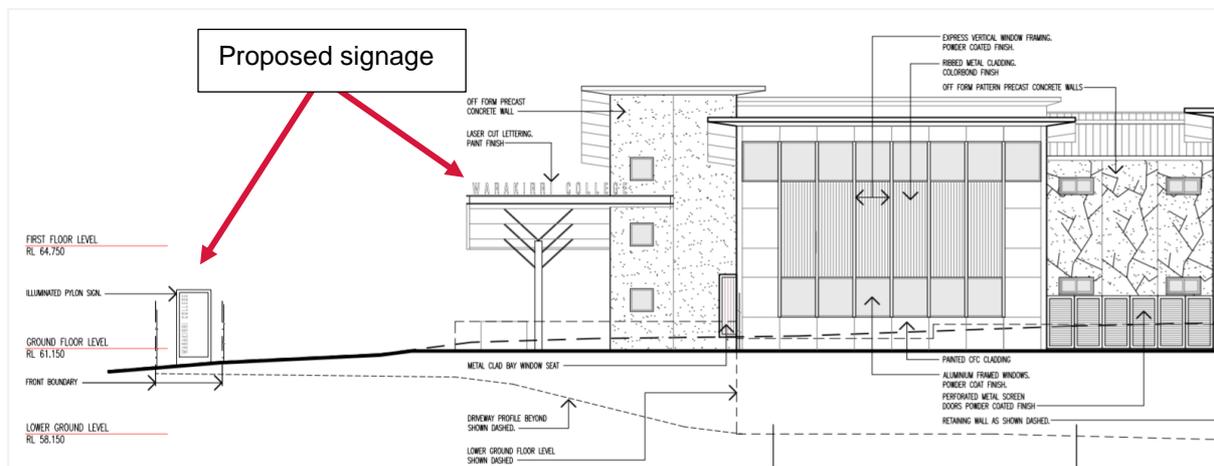
## 2.3 Signage

Three signs have been proposed for the site including one business identification sign and two building identification signs. The Environmental Impact Assessment (EIS) states the business identification sign would consist of a poly sign located at the entrance of the front boundary of the site along the Watsford Road. The sign would be backlit, 1.2m wide and 2.4m high (**Figure 11**).

The two proposed building identification signs, displaying 'Warakirri College', would be located along the entrance awning on the north-west (**Figure 10**) and south-west (**Figure 11**) elevations. The Environmental Impact Statement (EIS) states that both signs would be less than 2.5m<sup>2</sup> in size.



**Figure 10:** Proposed signage along the site's north-west boundary (fronting Watsford Road)  
(Source: Applicant's EIS)



**Figure 11:** Proposed signage along the site's south-west boundary (Source: Applicant's EIS)

## 2.4 Construction works

The proposed works are to be undertaken in a single stage. Construction would be undertaken from Monday to Friday from 7am to 6pm and on Saturdays from 8am to 1pm. The EIS states a 10-month construction period is desirable for the site, however a 12 month construction period is anticipated.

## 3 Strategic context

### 3.1 Project need and justification

Warakirri College is an independent high school that is specifically designed for the inclusion of young people who are unable to complete their education within a traditional setting. The Applicant aims to deliver high quality and specialised education to assist people between the ages of 15-22 to complete their high school studies, and has established College enrolments throughout Parramatta, Fairfield, Blacktown and Campbelltown (which has reached capacity). The Applicant states the additional 120 places at the proposed site would provide are urgently needed to meet increasing enrolment demands within the region.

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

- NSW Premier's Priorities, as the proposal intends to improve education standards and academic results for people who require alternative educational pathways.
- State Infrastructure Strategy 2018-2038, as the proposal would provide an educational establishment that is well serviced by public transport and a modern learning environment that can provide alternate educational opportunities for people to complete their Higher School Certificate.
- Greater Sydney Regional Plan, *A Metropolis of Three Cities*, as it seeks to provide an educational facility that would be well serviced by public transport and meet changing community needs.
- Western City District Plan, as it seeks to provide additional educational infrastructure to meet the additional enrollment pressures and demand for educational facilities.
- The proposal would support 12 FTE operational jobs, 2 part-time operational jobs and 17 construction jobs.

## 4 Statutory Context

### 4.1 State significance

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

The Minister for Planning and Public Spaces is the consent authority under section 4.5 EP&A Act. In accordance with the Minister for Planning and Public Space's delegation to determine SSD applications, signed on 9 March 2020, the Executive Director, Infrastructure Assessments may determine this application as:

- the relevant Council has not made an objection.
- there are less than 50 public submissions in the nature of objection.
- a political disclosure statement has not been made.

### 4.2 Permissibility

The site is identified as being located in a B5 Business Development zone in the Campbelltown Local Environmental Plan 2015. An educational establishment is permissible with development consent in the B5 zone under clause 35 of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017. Therefore, the Minister for Planning and Public Spaces or a delegate may determine the carrying out of the development.

### 4.3 Mandatory Matters for Consideration

#### Environmental planning instruments

Under section 4.15 EP&A Act, the consent authority is required to take into consideration any environmental planning instrument (EPI) that is of relevance to the development of the subject 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.

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

#### 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) 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 in **Table 3**.

**Table 2 | Response to the objects of section 1.3 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 proposal would deliver jobs and provide education to enhance the economic and social welfare of the community, while not impacting on the site's natural or other resources.
(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) principles (see below).
(c) to promote the orderly and economic use and development of land,	<p>The proposal provides for the construction of a new school which is charity based and provide specialised education opportunities to people between the ages of 15-22 who have disconnected from mainstream education.</p> <p>The development would also provide economic benefits through job creation during construction and operation.</p>
(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 would not result in the loss of any threatened or vulnerable species, populations, communities or significant habitats. See <b>Section 4.4</b> .
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The site does not include any heritage items, is not near any conservation areas, and does not impact on any nearby local heritage items.
(g) to promote good design and amenity of the built environment,	The proposal has been designed to respond to the neighboring properties in terms of bulk and scale. The proposal also incorporated ESD design elements.

(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 good construction and maintenance of buildings, subject to the implementation of recommended conditions.
(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 ( <b>Section 5</b> ), which included consultation with Council and other public authorities and consideration of their responses ( <b>Section 5.3</b> ).
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the proposal as outlined in <b>Section 5</b> , which included notifying adjoining landowners and displaying the proposal on the Department's website during the exhibition period.

### 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 the decision-making process 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 Applicant has completed a brief assessment within its EIS for the proposed development against the above ESD requirements, however no specific ESD measures have been proposed. The Department notes the design of the building includes ESD initiatives and sustainability measures, such as:

- natural ventilation.
- a high-performance building envelope designed to minimise the consumption of energy.
- climate considerations have been considered to inform window placements.
- a skillion roof design for rainwater harvesting.
- the building has been designed to encourage daylight availability and natural ventilation across the site.
- vegetated landscaping areas across the site.

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 rigorous assessment of the environmental impacts of the proposed development.

The Department is satisfied that the proposed development is consistent with ESD principles as described in 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 the ESD principles and the Department is satisfied the proposed initiatives encourage ESD, in accordance with the objects of the EP&A Act.

### 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 compiled with.

### Planning Secretary’s Environmental Assessment Requirements

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

### Section 4.15(1) matters for consideration

**Table 4** identifies the matters for consideration under section 4.15 EP&A Act that apply to SSD in accordance with section 4.40 EP&A Act. The table represents a summary of which additional information and consideration is provided for in **Section 5** and relevant appendices or other sections of this report and EIS, referenced in 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 <b>Appendix B</b> of this report.
(a)(ii) any proposed instrument	The Department’s consideration of the draft EPIs is provided in <b>Appendix B</b> of this report.
(a)(iii) any development control plan (DCP)	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD. Notwithstanding, consideration has been given to relevant DCPs at <b>Appendix B</b> .
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations Refer Division 8 of the EP&A Regulation	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), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(a)(v) any coastal zone management plan	Not applicable.

(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	Likely impacts are proposed to be appropriately mitigated or conditioned (see <b>Section 5</b> ).
(c) the suitability of the site for the development	The site is suitable for the development as discussed in <b>Sections 2, 3 and 5</b> .
(d) any submissions	Consideration has been given to the submissions received during the exhibition period. See <b>Section 5</b> .
(e) the public interest	Refer to <b>Section 5</b> .

#### 4.4 Biodiversity Development Assessment Report

Under section 7.9(2) *Biodiversity Conservation Act 2016* (BC Act), SSD applications are “to be accompanied by a biodiversity 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 28 February 2020, the Environment, Energy and Science Group of the Department of Planning, Industry and Environment (EESG) determined that the proposed development would not be likely to have any significant impact on biodiversity values and that a BDAR is not required.

The Department supports EESG’s decision and on 9 March 2020 determined that the application is not required to be accompanied by a BDAR.

# 5 Engagement

## 5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 19 March 2020 to 15 April 2020 (28 days). The application was exhibited on the Department's website.

The Department placed a public exhibition notice in the Campbelltown Macarthur Advertiser and Camden-Narellan Advertiser EGN on 18 March 2020 and notified adjoining landowners and relevant state and local government authorities in writing. Staff visited the site on 29 June 2020 to provide an informed assessment of the development.

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

## 5.2 Summary of Submissions

The Department received a total of 7 submissions, comprising six submissions from public authorities including Council and one submission from a public organisation in support of the proposal. A summary of the issues raised in the submissions is provided at **Section 5.3** and **5.4** and copies of the submissions may be viewed at **Appendix A**.

## 5.3 Public Authority Submissions

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 submissions to the EIS exhibition

### Campbelltown City Council

Council does not object to the proposal, however, it provided comments in relation to:

- minimum driveway dimensions.
- further clarification relating to driveway gradients.
- the need for further detail in the waste management plan submitted for the site in terms of the proposed waste collection strategy and swept paths for the site.
- the need for stormwater calculations.
- the potential need for an on-site detention system and to reinforce/adjust/relocate the pipeline in the road reserve.
- the need for the application to provide a dual pump system for the proposed basement carpark.
- clarification relating to drainage easement located adjoined to the site's front boundary.
- the need for the Department to condition the application to require Council approval before signage can be placed within the drainage easement adjoining Watsford Road.

### **Environment Protection Authority (EPA)**

EPA noted that Council would be the appropriate regulatory authority for any environmental pollution matters under the *Protection of the Environment Operations Act 1997*.

### **Endeavour Energy**

Endeavour Energy does not object to the proposal, however provided comments in relation to the:

- need for further information relating to the existing capacity and any augmentation and easement requirements of the development for the provision of utilities.
- requirement for the applicant to consult with Endeavour Energy through the submission of a Technical Review Request and an application for connection of load to determine the method of supply for the site and advice relating to the electrical infrastructure required to facilitate the proposed development.

### **Environment, Energy and Science Group of the Department (EESG)**

EESG noted that a BDAR waiver has been granted for the site and made comment about the Department's SEARs that were granted for the site that do not require the preparation of an Aboriginal Cultural Heritage Assessment Report (ACHAR).

To address the EESG's concerns, the Department requested that further information be provided within the Applicant's EIS to consider the site's Aboriginal cultural heritage significance. A desktop review was undertaken which found that the site is identified on the Campbelltown City Council Local Government Area Zones of Aboriginal Archaeological Sensitivity as 'urban/industrial' land. As such, the site is located within a disturbed industrial park and is not known to contain any items of aboriginal heritage.

EESG made no comments in relation to flooding.

### **Transport for NSW (Roads and Maritime Services) (TfNSW(RMS))**

TfNSW made comments in relation to the:

- need for updated plans that demonstrate the consideration of active transport opportunities.
- need for an updated acoustics report to provide further clarity relating to the impact that the adjacent railway corridor would have on the school's operations.
- lack of consultation that has been undertaken between Sydney Trains and the Applicant.

It recommended a suit of conditions should the application be approved. These conditions required the inclusion/preparation of:

- a Green Travel Plan (GTP);
- further design specifications;
- an updated Risk Assessment and Management Plan; and
- an updated Acoustics Report.

### **Sydney Water**

Sydney Water provided advised that portable water and wastewater servicing infrastructure should be available to service the site.

## **5.4 Public Submissions**

The Department received a public submission from the National Indoor Sports Complex, Campbelltown in support of the proposal and noted that it would be beneficial to the region's economy.

## 5.5 Response to submissions (RtS)

Following the exhibition of the application, the Department placed copies of all submissions received on its website and required the Applicant provide a response to the issues/comments raised in the submissions.

On 11 June 2020, the Applicant provided a RtS (**Appendix A**) on issues raised during the exhibition. The RtS included updated:

- architectural Plans;
- acoustic reports;
- construction Management Plans;
- waste management report.

The RtS also included a preliminary geotechnical assessment of potential impacts on railway infrastructure in response to agency comments.

The RtS was made publicly available on the Department's website and was referred to TfNSW, Sydney Trains, Sydney Water and Council for comments. Three submissions were received from public authorities including Council. A summary of the issues raised in the submissions is provided at **Table 7**. Copies of the submission can be viewed at **Appendix A**.

**Table 6** | Summary of public authority submissions to the RtS

### Council

Council reiterated the following concerns around the need for:

- a driveway profile and gradient.
- an on-site detention system and to reinforce/adjust/relocate the pipeline in the road reserve.

### TfNSW

TfNSW reiterated comments on:

- the need for a GTP to accurately address TfNSW's initial request.
- documents provided in the RtS, including the preliminary geotechnical report, lack rail related information.

TfNSW also recommended:

- the Applicant meet with the Sydney Coordination Office within TfNSW to discuss and develop a GTP for the site.
- conditions that were previously recommended in TfNSW's submission on the EIS were again requested to be included in the final consent.

### Sydney Water

Sydney Water requested that the Applicant provide further information relating to the water and wastewater servicing requirements for the site and justification as to why these would be required.

### Environment, Energy and Science Group (EESG)

The EESG provided no further comments.

## 6 Assessment

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

This is discussed in the following sections. Other issues considered are discussed at **Section 6.2**.

### 6.1 Traffic, access and parking

The school is in a predominantly industrial area with various commercial and industrial uses in close proximity. The existing public transport network for the College is reliant on the nearby Campbelltown Railway Station and the local bus network. Vehicle access to the site would be provided via an entry and exit driveway off Watsford Road. There is existing on-street parking available along Watsford Road, however, the Applicant's RtS states that this would not be relied upon past the 14<sup>th</sup> week of construction, as all construction workers would be instructed to use the onsite basement carpark which would have been constructed by this stage.

Due to the predominantly low scale development of the region, and the expected 60% daily attendance rate at the College on any given day (which would account to 72 students on site), the site is not expected to result in a significant increase in traffic movements within the area. The Application was supported by a Traffic and Car Parking Assessment, which provides an indication of the proposal's potential traffic, transport and parking related impacts, and a draft Construction Environmental Management Plan (CEMP) to outline the management of construction impacts.

#### 6.1.1 Construction Traffic

The Applicant provided an updated CEMP as part of RtS requirements which indicates that traffic movements for construction vehicles are expected to peak from 6:30am to 7am through the arrival of 12 construction vehicles. Deliveries to the site would also account for 2-3 heavy vehicle movements to and from the site between 7:30am to 3pm on construction days from Monday to Saturday.

The CEMP indicates street parking would be used by construction workers for the first 14 weeks until the basement carparking for the site has been constructed. After the initial 14 weeks, all construction workers would be instructed to use the basement parking to mitigate road impacts.

The EIS states that delivery vehicles would enter the site to offload. Traffic controllers would be available on site to ensure that these vehicles enter and exit the site safely. Detailed access routes for construction vehicles have not been provided, and the Department has recommended a condition to ensure that construction routes for all heavy vehicles are submitted to the Certifying Authority before construction can commence.

The Department has also recommended a condition to ensure construction vehicles (excluding site personnel vehicles) are contained wholly within the site to ensure the safety of pedestrians and that potential impacts of construction activities are appropriately mitigated. On this basis, the Department considers that construction impacts can be managed acceptably during construction for the site.

### **6.1.2 Operational traffic generation**

The Traffic and Car Parking Report submitted as part of the EIS indicates that operation of the development would generate a maximum of 13 vehicles during the morning peak and another 13 vehicles during the afternoon peak, all associated with staff travelling to and from the site.

During the exhibition of the Application, the Department and TfNSW raised concerns relating to the traffic modelling completed for the development as it did not account for students accessing the site by private vehicles. In its RtS, the Applicant indicated that students that attend Warakirri College would rarely travel to and from the site using private vehicles. The Applicant supported this assumption by client observations at other Warakirri College campuses, to anticipate that majority of students would use public transport to access the site, while two students could be expected to access the site by bicycle. To support the use of public transport, all students would be provided with school Opal cards to subsidise the cost of their travels. The Department accepts this conclusion and is satisfied with the proposed travel strategy for students.

The traffic impact assessment for the site did not determine the capacity of nearby road networks, however the Department notes that would only account for 13 vehicles in the AM and PM peaks within its locality in a low scale industrial area. The Department considers the impacts on the capacity of local road network would be negligible but considers that further consideration is required to be given to the adequacy of parking, as set out below.

### **6.1.3 Car parking, bicycle parking and access**

#### *6.1.3.1 Car parking*

Car parking is included in the proposal. The Traffic and Car Parking Assessment indicates that 11 car parking spaces including one accessible space would be provided for staff members in the proposed basement carpark. In the RtS, the Applicant states it anticipates most staff members would drive to the site, while others would use public transport. Of the 15 staff that would be hired by the College, 13 vehicles are expected to be generated by staff travelling to and from the site during the morning and afternoon peak hours. This indicates only 2 staff members are expected to use public transport on any given day.

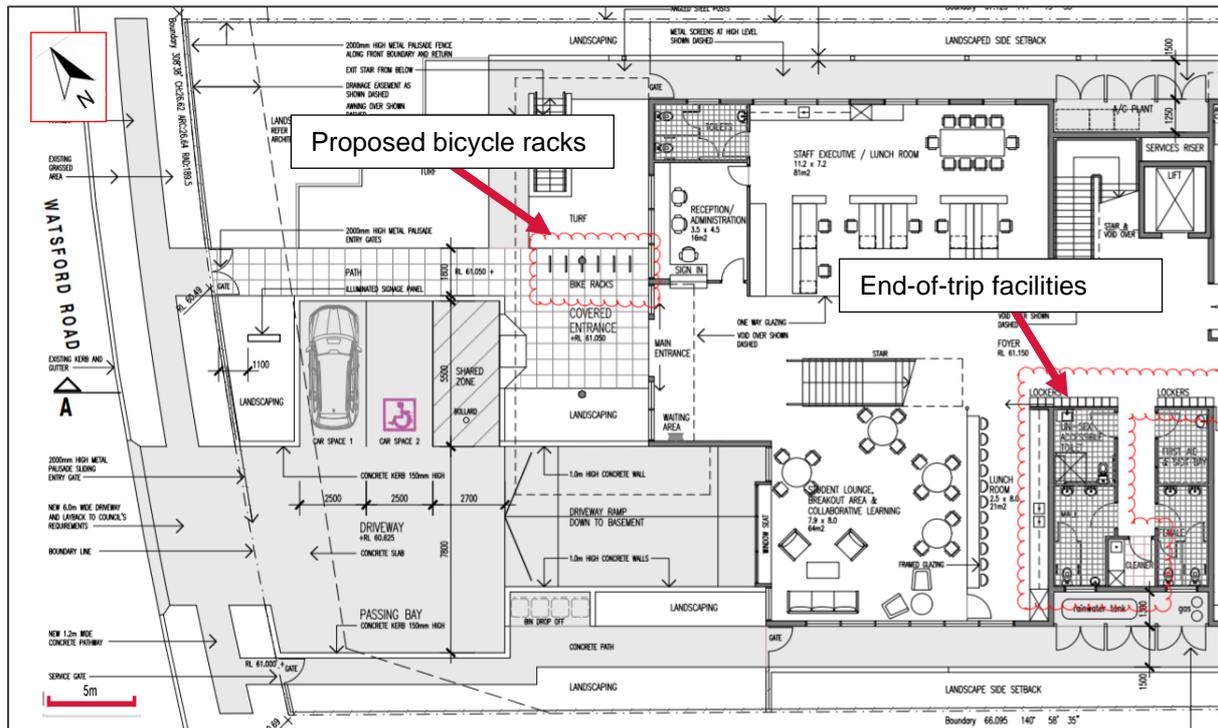
Of the 72 students expected on site on any given day, only two are expected to access the site via the use of a bicycle rather than public transport. Two visitor carparking spaces, including one accessible space, are proposed at the entrance of the site. In its submission, Council contended that the amount of carparking proposed would generally be insufficient for the proposed staff numbers. However, it considered it to be reasonable based on the nature and location of the campus and the operation of existing colleges. It also noted that the dimensions of the proposed parking spaces and aisle widths are satisfactory.

Overall, the Department notes that the proposal provides limited carparking for staff, but the proposed parking provisions are considered adequate based on the nature and location of the school being close to public transport services, and the intent to provide students with Opal cards to assist in accessing the development by public transport. Further, based on the nature of the development, its scale and location, the Department considers that the preparation of a green travel plan as requested by TfNSW is not necessary for this project.

### 6.1.3.2 Bicycle parking

The EIS included two bicycle racks to service the site. During the exhibition of the application, both TfNSW and Council recommended bicycle parking be increased. The Applicant's RtS increased the number of bicycle racks from two racks to six based on the client observations from other Warakirri College facilities. The Department considers the provision of six bicycle racks to be sufficient to service the site

In accordance with *Future Transport Strategy 2056*, bicycle racks are proposed to be located under the covered entrance of the site. End of trip facilities would also be provided to service both staff and students (**Figure 12**).

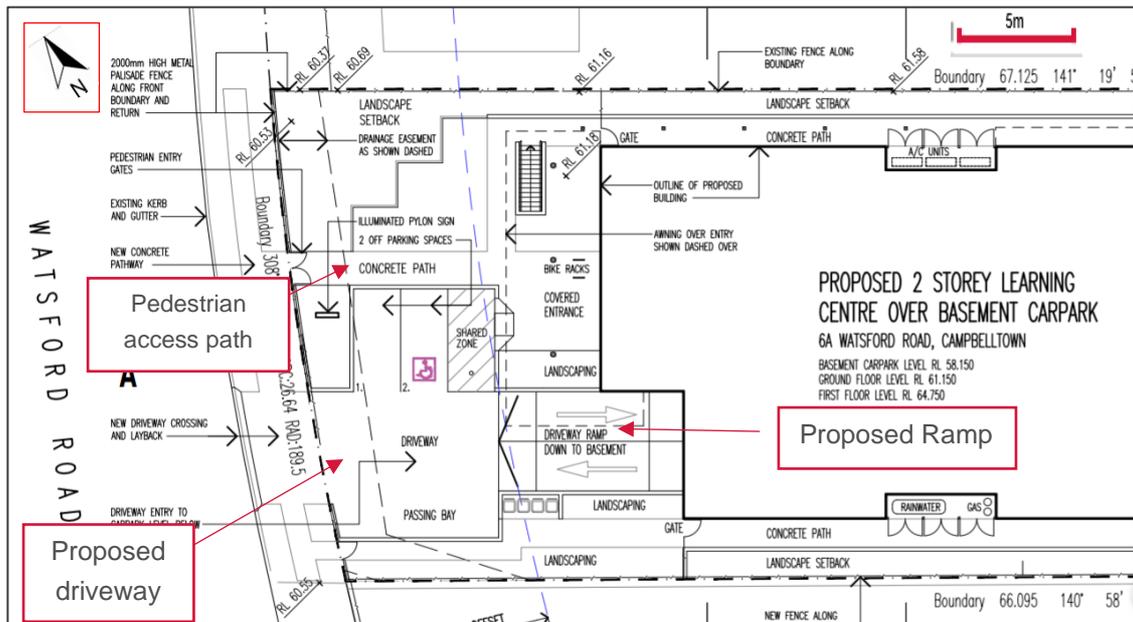


**Figure 12:** Location of proposed bicycle parking and end-of-trip facilities (Source: Applicant's RtS 2020)

The Department considers that six bicycle racks is appropriate to adequately service the site and its users. A condition is recommended to ensure that these six bicycle racks are provided on site.

### 6.1.3.3 Vehicle and pedestrian access

Access to the site is proposed to occur via separate vehicle driveway and concrete pedestrian link from Watsford Road (**Figure 13**). The EIS stated that the driveway for the visitor car parking area would be 6m wide and the ramp to the lower basement carparking would be 5.3m wide. The ramp to the basement carparking is proposed to be one-way 'in' during the morning and one-way 'out' during the afternoon.



**Figure 13:** Pedestrian and vehicle access to the site (Source: Applicant's EIS 2020)

During the exhibition of the application, Council provided comments relating to the minimum width required for the driveway and indicated that a minimum width of 5.5m is required to facilitate two-way vehicle movements along the ramp in accordance with Australian Standard AS2890.1. The Applicant's RtS stated that the driveway for the site was 6m wide, however, the proposal was amended to widen the top of the basement carparking ramp by 2.5m, to accommodate for an event when two vehicles need to pass on the driveway ramp. A safety convex mirror is proposed at the bottom of the ramp for safety measures.

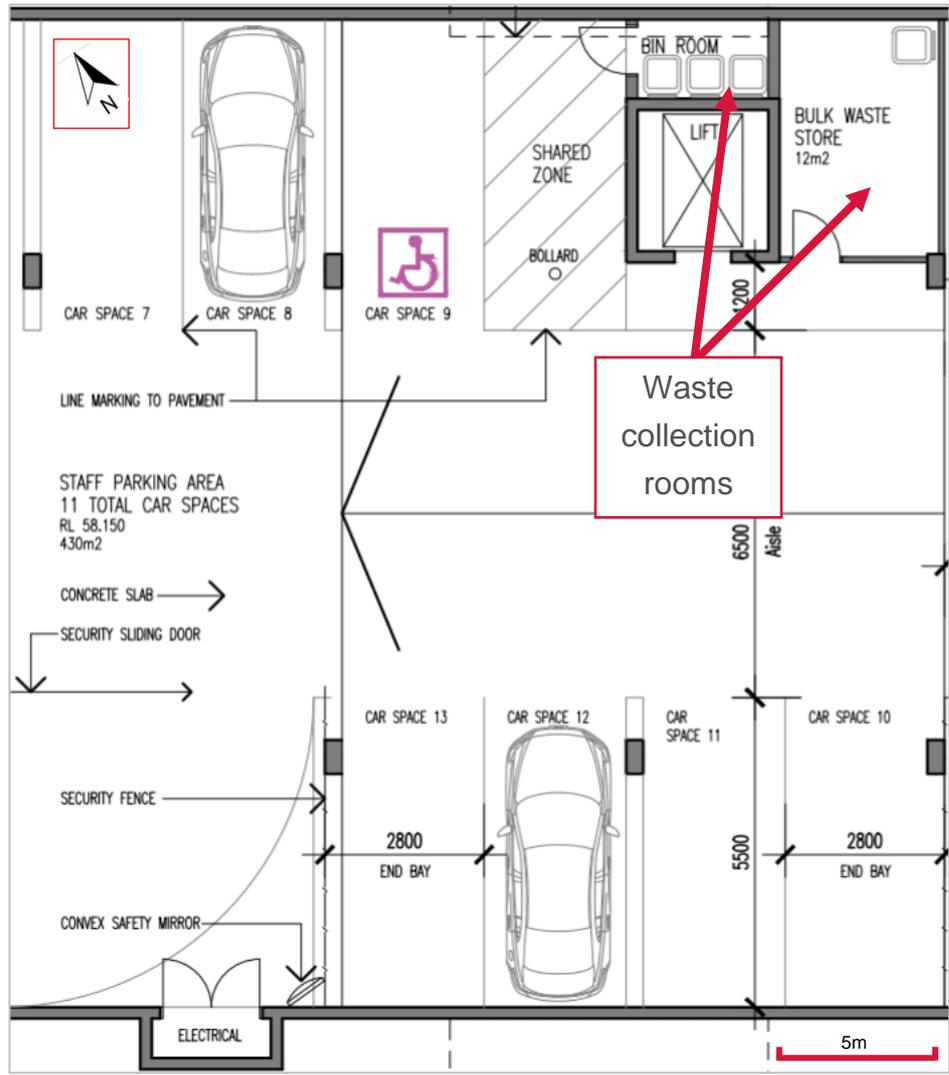
#### 6.1.3.4 Service vehicles and access

##### 6.1.3.4.1 Waste collection

Council raised concerns relating to the site's nominated Waste Management Strategy. It requested further clarity relating to the access arrangements to the site by waste collection vehicles and noted that swept paths have not been submitted for the site.

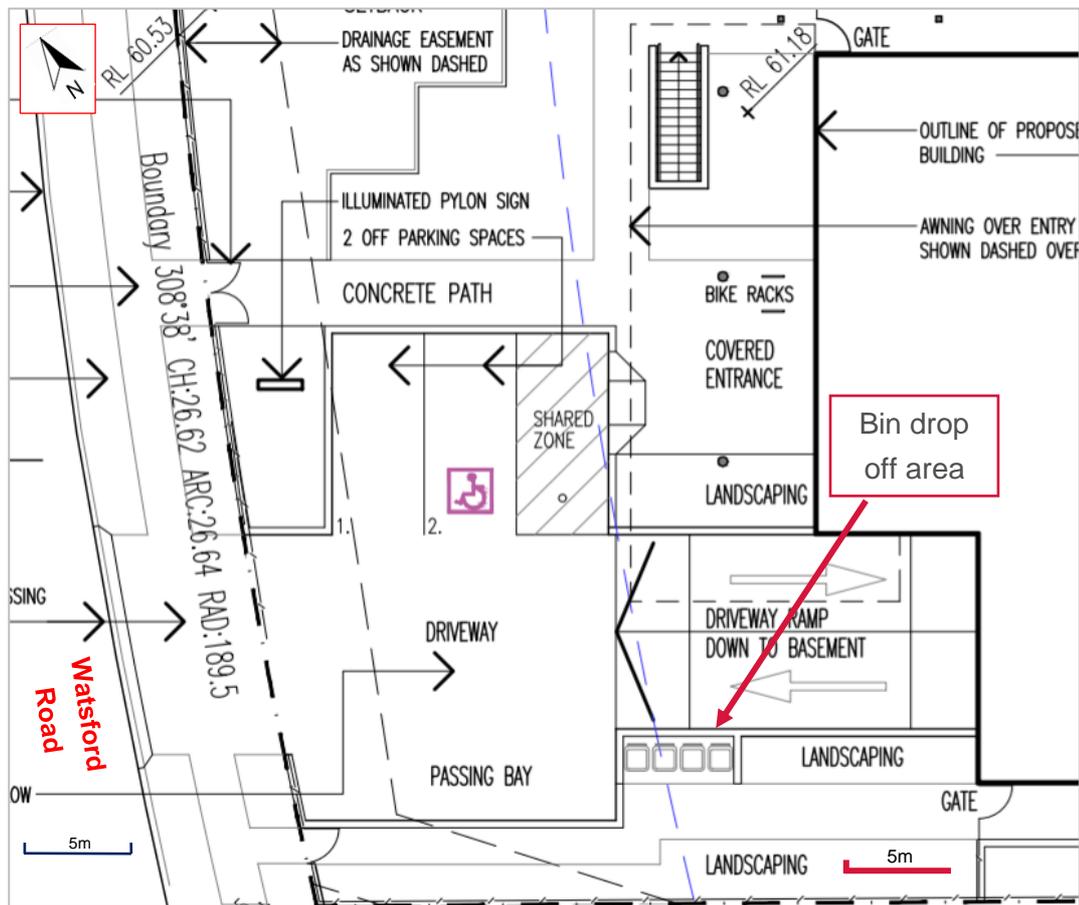
The Applicant addressed these concerns in its RtS which included a revised Commercial Waste Management Plan which specified the proposed waste collection strategy. The Department subsequently sought further information relating to this revised strategy. Upon review, the Department noted that waste collection for the site would be undertaken by a medium rigid vehicle (MRV), however, direct access of the MRV to the site has not been proposed. As such, the Department understands that waste collection is proposed to be completed once a week and undertaken through the following steps:

1. Waste generated by the site would be collected in bins in the basement level carpark (see **Figure 14**).



**Figure 14:** Location of bin rooms on basement level (Source: Applicant's EIS)

2. At the time of drop off, Warakirri cleaning staff would move the bins from the basement to an allocated 'bin drop off' area located along the site's driveway (see **Figure 15**).



**Figure 15:** Location of bin drop off area (Source: Applicant's EIS)

3. At the time of pick up, the bins would be moved from the drop off area by the site's contractors to be emptied by the garbage collection vehicle, just off Watsford Road. The bins would then be returned to the garbage drop off point by the contractors. Warakirri's cleaning staff would then relocate the bins back to the basement level car park.

The Department supports the nominated waste collection strategy for the site and has recommended a condition to ensure that this strategy is maintained for the life of the project. The Department is satisfied that the nominated strategy, subject to the recommended conditions, would ensure the safety of the school's occupants.

#### 6.1.3.4.1 Delivery and service vehicles

Deliveries for the site are scheduled to arrive during school class hours via the use of heavy vehicles. While there is no dedicated delivery bay that has been proposed, the EIS notes that these vehicles would be permitted to use the allocated visitor bays for the limited time it would take to unload deliveries.

## 6.2 Other issues

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

**Table 7 | Summary of other issues raised**

Issue	Findings	Recommendations
<p><b>Rail corridor noise impacts</b></p>	<ul style="list-style-type: none"> <li>TfNSW stated that the Acoustic Report for the site did not contain sufficient information and required a more detailed acoustic assessment to determine the potential noise and vibration impacts on the proposal from the adjacent rail corridor, as per the Department of Planning's <i>Development Near Rail Corridors and Busy Roads - Interim Guideline</i>.</li> <li>In response to this, the Applicant's RtS included an amended Acoustic Report for the site. The amended Acoustic Report provided further details relating to the recorded noise and vibration impacts from the adjacent rail line and recommended conditions to mitigate its impact on the school's operation.</li> </ul>	<ul style="list-style-type: none"> <li>The Department notes the potential impacts from the rail corridor on the proposal and supports the recommendations of TfNSW, Sydney Trains and the amended Acoustic Report.</li> <li>Conditions specified by TfNSW and the amended Acoustic Report are supported and have been recommended to be included in the final consent.</li> </ul>
<p><b>Operational Noise</b></p>	<ul style="list-style-type: none"> <li>The proposed use of the site has the potential to generate noise impacts.</li> <li>The Applicant's amended Acoustic Report noted that no amplified music, PA systems or bells would be used. Out of hours community uses are not permitted and would not generate additional noise impacts.</li> <li>The findings of the Acoustic Report found that all operational noise that is anticipated to be generated from the site would be compatible with the criteria specified in the EPA's <i>NSW Noise Policy for Industry 2017</i> and the Department of Planning's <i>Development Near Rail Corridors and Busy Roads - Interim Guideline</i>.</li> <li>Detailed acoustic reviews for mechanical plant have not been completed at this stage.</li> <li>The Department did not receive any public objections or submissions regarding future operational noise impacts.</li> </ul>	<ul style="list-style-type: none"> <li>The Department has considered the potential noise impacts as a result of the proposal. The Department supports the findings of the amended Acoustic Report and deems it unlikely for student activities to result in unacceptable noise as: <ul style="list-style-type: none"> <li>the College proposes a relatively low number of students.</li> <li>the College is not located among residential uses.</li> <li>no outside activities/physical education is proposed.</li> <li>the external bbq area would be used by students during day time hours, is located at the rear of the site and does not adjoin habitable rooms.</li> <li>the sporting facilities would be located in the basement level of the site which would mitigate potential noise impacts created by the students during their use.</li> <li>landscaping is proposed along all</li> </ul> </li> </ul>

		<p>boundaries of the site which would act as a buffer for neighbouring developments and diffuse noise.</p> <ul style="list-style-type: none"> <li>To ensure any potential noise impacts are mitigated and managed, the Department has recommended a condition for an Operational Noise Management Plan (ONMP) to be prepared and submitted to the Certifying Authority prior to the commencement of operation.</li> </ul> <p>The Department concludes potential noise impacts of the development can be managed through recommended conditions of consent.</p>
<p><b>Construction noise</b></p>	<ul style="list-style-type: none"> <li>During its review of the EIS, the Department requested further information regarding the predicted noise levels of proposed construction activities for the site through an amended Acoustic Report.</li> <li>The Applicant addressed the Department's request in its RtS, however, additional information was not provided regarding predicted construction noise for the site.</li> <li>The RtS stated that due to the locality of the site in an industrial precinct and the absence of residential buildings within 500m of the site, construction activities would not disrupt surrounding activities, making a detailed acoustic assessment unnecessary.</li> <li>Regardless, the Applicant indicated an intent to comply with all conditions of consent regarding construction noise during later phases of the development.</li> </ul>	<ul style="list-style-type: none"> <li>The Department agrees that based on the locality of the site, noise from construction activities are not anticipated to have detrimental impacts to neighbouring lands.</li> <li>The Department has recommended conditions to ensure that the impacts of construction are effectively mitigated.</li> </ul>
<p><b>Internal noise impacts</b></p>	<ul style="list-style-type: none"> <li>Council recommended a condition confirming the Applicant's commitment that windows would achieve internal sound reduction values that have been specified in the submitted acoustic report for the site.</li> </ul>	<p>The Department supports Council's condition and the recommendations specified in the amended Acoustic Report. It is recommended that this condition be included in the final consent for the Application.</p>
<p><b>Contamination</b></p>	<ul style="list-style-type: none"> <li>The preliminary site investigation (PSI) submitted for the site identified that the site has been undeveloped since 1956. It has not been previously developed or used for any activities.</li> </ul>	<ul style="list-style-type: none"> <li>Based on the site's historically undeveloped nature and the findings of the PSI undertaken, the Department supports the findings of the report and is</li> </ul>

- The PSI submitted for the site concluded that contamination is not an issue for the site based on its past land uses and the findings from samplings and on site testing.
- Further investigations into contamination risk on the site was not considered to be required.
- The Department has placed a condition on the application to ensure that an unexpected contamination procedure is prepared for the site during construction to ensure that potentially contaminated material is appropriately managed.

**Crime prevention through environmental design (CPTED)**

- Within its submission, Council requested a detailed CPTED assessment be undertaken due to the industrial nature of the area and limited passive street surveillance available.
- The Applicant's RtS addressed Council's comments by referring to the relevant sections of the EIS which indicates:
  - the College is designed to face Watsford Road with main reception windows and second storey offices providing passive surveillance of the road.
  - the frontage of the school would be fenced by a 2m high palisade fence and gate.
  - the nature of the surrounding uses does not lend itself to people loitering in the area.
  - a security sliding door is proposed in the basement parking level to restrict access to the site and protect students during the use of the indoor sporting facilities.
  - staff would be present on the site and students supervised at all times.
- The Department considers that the Applicant has sufficiently addressed safety and security in the RtS, and that the proposal would provide sufficient opportunities for natural surveillance and access control. The Department considers that this, coupled with the proposed landscaping along all boundaries of the site would ensure that the proposal upholds the safety and security of students and users of the vicinity.

**Built form**

- Council raised concerns relating to the lack of emergency exits proposed within the building.
- In its RtS, the Applicant addressed Council's concerns by clarifying that the building includes multiple exit points at the:
  - primary entrance.
  - rear exits to the outdoor bbq/garden area.
  - northern and southern basement fire exits.
- The BCA report that was submitted for the development indicates that the documentation has been assessed against the criteria of the Building Code of Australia
- The Department considers the built form of the proposed building to be suitable to the character of the surrounding area.
- The Department considers the Applicant has sufficiently addressed Council concerns and that the proposal provides sufficient entry/exit points in the event of an emergency.
- The Department notes the identified development

	<p>(BCA) and concludes that the site is capable of complying with the BCA subject to the design development recommendations being implemented.</p>	<p>recommendations that have been listed in the Applicant's BCA Report for the site and has recommended conditions to ensure that these are implemented in the building.</p>
<b>Contributions</b>	<ul style="list-style-type: none"> <li>The Campbelltown Local Infrastructure Plan 2018 applies to the site.</li> </ul>	<ul style="list-style-type: none"> <li>In accordance with Council's Plan, the Department has identified that the site would be subject to a 1% levy. The Application has been conditioned accordingly.</li> </ul>
<b>Stormwater Management</b>	<ul style="list-style-type: none"> <li>Within their submission, Council recommended that a condition be placed on the Application which prevents signage from being placed on the nearby drainage basin located across the road from the site.</li> <li>Council also identified the need for an on-site detention system and a reinforced pipeline in the road reserve to connect the site to the nearby drainage basin.</li> <li>Council provided specific design requirements and noted that these works are to be undertaken at the Applicant's cost.</li> </ul>	<ul style="list-style-type: none"> <li>The Department notes Council's comments and has recommended conditions to ensure that these requirements are upheld by the Applicant.</li> </ul>
<b>Rail corridor protection</b>	<ul style="list-style-type: none"> <li>TfNSW's submission outlined a series of requirements recommended to be incorporated into the final detailed design of the development.</li> <li>These requirements included noise and vibration related matters (as discussed under 'Rail corridor noise impacts' above), setbacks from the rail assets and prohibition of certain works in the corridor, and requirements for construction staff to ensure TfNSW's requirements are met.</li> </ul>	<ul style="list-style-type: none"> <li>The Department has recommended conditions incorporating the TfNSW requirements.</li> </ul>
<b>Utilities</b>	<ul style="list-style-type: none"> <li>Sydney Water requested that the Applicant consult with them to identify additional servicing needs required to support the development.</li> <li>Endeavour Energy recommended a condition be placed on the Application to ensure satisfactory servicing arrangements have been made for the site. This requires the submission of documentary evidence from Endeavour Energy confirming that satisfactory arrangements have been made for the connection of electricity to the proposed development.</li> </ul>	<ul style="list-style-type: none"> <li>The Department notes that this request will be addressed under the applicable Section 73 Compliance Certificate.</li> <li>A condition has been recommended to ensure satisfactory servicing arrangements, based on Endeavour Energy's comments.</li> </ul>

## **Recreation and outdoor space**

- Council raised concerns regarding the lack of open space and sporting facilities proposed to be provided on the site and its suitability of the site for educational purposes.
  - In response to these concerns, the Applicant suggested that based on the nature of the School, maintenance of a large sporting field on site would not be beneficial and would absorb the financial resources from the charity.
  - It also clarified that the proposal seeks to include a large indoor sports area in the basement that can be utilised for any occasion.
  - The RtS also indicated the intent of the site to use surrounding parks and external facilities to provide other outdoor sporting opportunities. It suggested that the use of Mawson Park, a bowling facility, indoor climbing centres, mini-golf and the National Indoor Sports Centre would be sufficient to cater to its students' sporting needs.
  - The Department recognises that Warakirri College is a unique educational provider and supports the use of the site's indoor sports area and external sporting facilities, such as the nearby National Indoor Sports Centre, to meet the physical needs of its students.
  - During exhibition, a submission in support was also received by the National Indoor Sports Centre.
-

## 7 Evaluation

The Department has reviewed the EIS, RtS and assessed the merits of the proposal, taking into consideration advice from the public authorities, including Council. All issues raised have been considered and all environmental issues associated with the proposal have been addressed. The Department concludes the impacts of the proposal are acceptable and can be appropriately mitigated through recommended conditions of consent. Consequently, the Department considers the proposal is in the public interest and should be approved subject to conditions.

The proposal is consistent with the objects of the *Environmental Planning and Assessment Act 1979* and is consistent with the State's strategic objectives as set out in the Greater Sydney Regional Plan, and Western City District Plan as it would create a specialised educational facility providing a tailored learning environment for students in the area experiencing difficulty in mainstream schooling.

The proposal is suitable for the site and identified noise and traffic impacts are considered satisfactory on balance and in the context of the benefit the proposal would provide for the community. The Department has recommended conditions to manage the construction and operation impacts on the surrounding land uses.

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

- delivering increased educational facilities in the Campbelltown LGA.
- providing educational facilities in an area in proximity to public transport facilities.
- delivery of 14 operational jobs and 17 construction jobs.

## 8 Recommendation

It is recommended that the Executive Director, 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 approval to the application;
- **agrees** with the key reasons for approval listed in the notice of decision;
- **grants consent** for the application in respect of SSD 10420; and
- **signs** the attached development consent and recommended conditions of consent (**Appendix C**).

Prepared by Rita Hatem, Student Para Planner  
Social and Infrastructure Assessments

**Recommended by:**

A handwritten signature in black ink that reads "D Crinnion". The signature is written in a cursive style with a large initial 'D'.

**Dominic Crinnion**

Team Leader

Water and Intermodal Assessments

## 9 Determination

The recommendation is **Adopted** by:

A handwritten signature in black ink, appearing to read 'David Gainsford', written in a cursive style.

12 August 2020

**David Gainsford**  
Executive Director  
Infrastructure Assessments

# Appendices

## Appendix A – List of referenced documents

The following 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/26716>
2. Submissions  
<https://www.planningportal.nsw.gov.au/major-projects/project/26716>
3. Applicant's Response to Submissions  
<https://www.planningportal.nsw.gov.au/major-projects/project/26716>
4. Request for Additional Information  
<https://www.planningportal.nsw.gov.au/major-projects/project/26716>

## Appendix B – Statutory Considerations

### Environmental Planning Instruments (EPIs)

To satisfy the requirements of section 4.15(a)(i) EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project 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 & Regional Development) 2011 (SRD SEPP).
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP).
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP).
- State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55).
- State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64).
- Draft State Environmental Planning Policy (Remediation of Land).
- Draft State Environmental Planning Policy (Environment SEPP).
- Campbelltown Local Environmental Plan 2015 (CLEP).

### Compliance with Controls

*State Environmental Planning Policy (State and Regional Development) 2011(SRD SEPP)*

**Table B1 | SRD SEPP compliance table**

Relevant Sections	Consideration and Comments	Complies
<p><b>3 Aims of Policy</b></p> <p>The aims of this Policy are as follows:</p> <p>(a) to identify development that is State significant development</p>	<p>The proposed development is identified as SSD.</p>	<p>Yes</p>
<p><b>8 Declaration of State significant development: section 4.36</b></p> <p>(1) Development is declared to be State significant development for the purposes of the Act if:</p> <p>(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</p>	<p>The proposal is for the purpose of an educational establishment with a capital investment value of more than \$20 million, under clause 15(2) of Schedule 1 of the SRD SEPP.</p>	<p>Yes</p>

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

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

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.

Clause 42 of the Education SEPP states that development consent may be granted for development for the purpose of a school that is SSD even though the development would contravene a development standard imposed by this or any other EPI 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 TfNSW (RMS). The proposal would result in an additional of 120 students and was referred to TfNSW (RMS) in this regard.

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

**Table B2 | Consideration of design quality principles**

Design principles	Response
Context, built form and landscape	<p>The building has been designed to maximise the use of the site while remaining in character with its surrounding context. The site would provide setback landscaping contributing to the setting of the locality and maintaining a boundary between the site's surrounding uses.</p> <p>The proposed layout maximises solar access and ventilation to the classrooms and the outdoor learning areas. The proposal also seeks to minimise impacts on adjoining properties through architectural design treatments and landscaping. The Department notes that development responds appropriately to its functional requirements.</p> <p>The design responds appropriately to its context and would result in a positive impact on the streetscape via the proposed materials / finishes and additional streetscape planting.</p>
Sustainable, efficient and durable	<p>The proposal commits to several sustainable strategies. The materials chosen for the new building are durable and require low maintenance.</p> <p>The Applicant has indicated that subsidised opal cards would be given to students to facilitate their use of public transport. The site's proximity of the site to public transport would encourage sustainable</p>

travel modes. Bicycle parking is provided for students that wish to travel to the site by bicycle.

Water sensitive urban design measures are proposed for site to ensure rainwater harvesting, reuse and maintenance of stormwater quality.

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Accessible and inclusive	<p>The building has been designed to be accessible and has been assessed against the provisions of the Building Code of Australia 2019 and the <i>Disability Discrimination Act 1992</i> to achieve inclusive and accessible built form. Accessible travel paths are provided in all sections of the site and lifts are included to provide barrier free connections between levels.</p> <p>Although no community use has been proposed as part of this proposal, the Department notes that the school's classrooms, sporting facilities and outdoor learning areas may be used for community activities after school and during the weekends at the discretion of the school. The development is considered to be inclusive in this regard.</p>
Health and safety	<p>The proposal has considered the CPTED principles in its design including the separation of pedestrian and vehicle areas, passive surveillance and external lighting for improved surveillance.</p> <p>The new building maximises access to natural light and ventilation to benefit the health and well-being of occupants.</p>
Amenity	<p>Due to the context and location of the development, the Department notes that the proposal would not unreasonably impact upon the amenity of adjoining properties. The proposal includes landscaping and outdoor learning areas to ensure the amenity of students is maintained.</p>
Whole of life, flexible, adaptable	<p>The proposal would provide a variety of spaces that can be adapted to suit a wide range of uses and changing needs over the long term.</p>
Aesthetics	<p>The proposal evokes design enhancement by proposing appropriate articulation and built form for the new building. Additionally, proposed landscaping along the site's boundaries would improve the overall appearance of the site and its streetscape.</p>

#### *State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)*

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.

The development is for the purpose of an educational establishment and is adjacent to a tail corridor, and in accordance with clause 87 of the Infrastructure SEPP, the consent authority must take into consideration any guidelines that are issued by the Planning Secretary for the purpose of this clause (Development Near Rail Corridors and Busy Roads – Interim Guideline).

The Department has consulted and considered the comments from relevant public authorities (**Section 5** and **6**). The Department has considered the noise impacts of the rail corridor in its assessment (**Section 6.2**) and has recommended conditions of consent, incorporating the detailed requirements of Transport for NSW (**Appendix C**).

*State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55)*

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The Applicant submitted a PSI for the site which provided a review of the site’s history and soil and water sampling. The investigation identified that there was no evidence of contamination on the site and concluded that the site is suitable for the proposed development. No further investigations or management strategies were required.

The EPA did not raise contamination concerns relating to the site. Based on EPA’s review and the findings of the PSI, the Department is satisfied that the site is suitable for the proposed development in accordance with SEPP 55. The Department has recommended that an unexpected find and contamination protocol be developed to ensure measures are in place should any unanticipated contamination be found during works.

*State Environmental Planning Policy No.64 – Advertising and Signage (SEPP 64)*

SEPP 64 applies to all signage that under an EPI can be displayed with or without development consent and is visible from any public place or public reserve.

The development includes the provision of three building identification signs which are proposed to be fixed along the northern boundary of the site. Under clause 8 of SEPP 64, consent must not be granted for any signage application unless the proposal is consistent with the objectives of the SEPP and with the assessment criteria which are contained in Schedule 1. **Table B3** below demonstrates the consistency of the proposed signage with these assessment criteria.

**Table B3 | SEPP 64 compliance table**

Assessment Criteria	Comments	Compliance
<b>1 Character of the area</b>		
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 proposal is compatible with the existing character of the area and is not expected to have any adverse impacts.	Yes

Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There are no relevant themes for outdoor advertising in the area.	Yes
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## 2 Special areas

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 located within an environmentally sensitive area and does not contain a heritage item. The sign would not detract from the amenity or visual quality of the site or the surrounding open space.	Yes
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## 3 Views and vistas

Does the proposal obscure or compromise important views?	One sign is proposed to be attached to the entrance of the front boundary of the site along the Watsford Road.  Two other building identification signs would be located along the entrance awning on the north-west and south-west elevations. The proposal would not obscure or compromise any views.	Yes
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Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed signage would not dominate the skyline or reduce the quality of vistas.	Yes
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Does the proposal respect the viewing rights of other advertisers?	The signs have not proposed in proximity to any other advertisements and would therefore not impact on the viewing rights of other advertisers.	Yes
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## 4 Streetscape, setting or landscape

Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signs are modest for the size of the site and would not detract from the character of the streetscape or setting. They would not impact on the amenity of adjoining residential properties.	Yes
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Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signs are of a high quality and would complement the built form.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The signs are simple in design and would not result in visual clutter.	Not applicable.
Does the proposal screen unsightliness?	Not applicable.	Not applicable.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposal would not protrude above any buildings, structures or tree canopies.	Yes
Does the proposal require ongoing vegetation management?	No ongoing vegetation management is needed.	Yes

## 5 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 proposal is compatible with the scale and proportion of the proposed development.	Yes
Does the proposal respect important features of the site or building, or both?	The proposed size of the signs are modest and respect the surrounding context of the site.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The purpose of the sign at the entrance of the site is to identify the site and provide wayfinding. The other two signs are for the purpose of building identification and are not considered necessary to show innovation in this case.	Yes

## 6 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?	The sign would be lit from the back. The scale and luminance of the sign is acceptable for the context of the site ad would not result adverse impacts on the safety of pedestrians, vehicles or aircrafts.	Yes
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## 7 Illumination

Would illumination result in unacceptable glare?	No.	Yes
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Would illumination affect safety for pedestrians, vehicles or aircraft?		
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Would illumination detract from the amenity of any residence or other form of accommodation?	No.	Yes
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Can the intensity of the illumination be adjusted, if necessary?	Adjustment is not necessary, due to the location of the site within an industrial business park.	Yes
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Is the illumination subject to a curfew?	No.	
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## 8 Safety

Would the proposal reduce safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The signage is unobtrusive and would not reduce safety or obscure sightlines from public areas.	Yes
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Would the proposal reduce safety for any public road?	The proposed signage would not reduce safety for any public roads given the size of the sign.	Yes
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### *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 will require all remediation work that is to be carried out without development consent, to be reviewed and certified by a certified contaminated land consultant, categorise remediation work based on the scale, risk and complexity of the work and require environmental management plans relating to post-remediation management of sites or ongoing operation, maintenance and management of on-site remediation measures (such as a containment cell) to be provided to council.

The Department is satisfied that the proposal is consistent with the objectives of the Draft Remediation SEPP, subject to recommended conditions of consent.

### *Draft State Environmental Planning Policy (Environment SEPP)*

The Draft Environment SEPP is a consolidated SEPP which proposes to simplify the planning rules for several 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 proposed development will generally be consistent with the provisions of the Draft Environment SEPP.

#### *Campbelltown Local Environmental Plan 2015 (CLEP)*

The CLEP aims to provide a comprehensive planning framework for the sustainable development of all land in Campbelltown. It seeks to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents and aims to encourage high-quality, well-designed development, that is of an appropriate design and scale to complement its setting and that enhances and encourages a safe and healthy environment.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the CLEP. The Department concludes the development is consistent with the CLEP, except zoning objectives of the site. Consideration of the relevant clauses of the CLEP is provided in **Table B4**.

**Table B4 | Consideration of the CLEP**

HLEP	Department Comment/Assessment
Land Use Zone B5	The site is within a B5 zone which does not permit development for the purpose of educational facilities. This provision is overridden by the Education SEPP which lists B5 zones as prescribed zones under clause 33 in which educational facilities are permitted with consent under Clause 35.
Clause 4.3 Height of buildings	The CLEP indicates a permissible height of 15m for the site. The proposed development would reach a height of 9.3m and is therefore in compliance this provision.
Clause 4.4 Floor space ratio	The CLEP has not identified an applicable FSR for the site.
Clause 5.10 Heritage	The site is not in the vicinity of any items of heritage significance. It is accepted that the proposed development would not impact on any heritage values.

#### **Other Policies**

In accordance with clause 11 SRD SEPP, Development Control Plans do not apply to SSD.

## **Appendix C – Recommended Instrument of Consent/Approval**

<https://www.planningportal.nsw.gov.au/major-projects/project/26716>