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APPENDIX C

Statutory Compliance Tables

SSD-41306367

New Primary School at Gregory Hills
28 Wallarah Circuit, Gregory Hills (Lot 3257 DP1243285)

Prepared for: Department of Education/ School Infrastructure NSW
October 2022

1 Environmental Planning & Assessment Act 1979– Consistency with the Objects

Proposed Development's Consistency with the Objects of the EP&A Act 1979		
Object of the EP&A Act	Assessment	Consistent
(a) <i>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,</i>	<p>The proposal involves a new primary school on urban/growth centre land and is considered an essential service for the growing community of Gregory Hills.</p> <p>The proposal will not result in significant adverse environmental impacts and accordingly will improve the social and economic welfare of the community.</p>	Yes
(b) <i>To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The proposal incorporates sustainability measures that have far reaching benefits from the perspective of energy, water and waste reduction, as well as providing a good indoor environment quality, thermal and visual comfort. The proposed development will have a positive impact on the health and wellbeing of the students and staff and is therefore consistent with the objective of Ecologically Sustainable Development. Appendix N.	Yes
(c) <i>To promote the orderly and economic use and development of land,</i>	<p>The site is zoned for urban proposes and the strategic planning process identified the site for the purpose of an education facility.</p> <p>The proposal will result in the orderly and economic use and development of the land.</p>	Yes
(d) <i>To promote the delivery and maintenance of affordable housing,</i>	This object is not applicable to the proposal.	N/A
(e) <i>To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	A stand of Cumberland Plain Woodland is located on the site. Whilst the site is Biodiversity Certified land, the stand of trees is retained (as much as possible) resulting in an improved ecological outcome. Eight trees are recommended for removal by the project arborist due their health being either dead or dying. All healthy trees will be retained with tree protection measures implemented throughout construction to ensure their protection. No threatened fauna was found during the ecological site investigation within the existing stand of trees.	Yes
(f) <i>To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	The proposal is informed by detailed and involved input regarding heritage, and it is not identified as a heritage item or a site of Aboriginal heritage significance. Local representatives of the Aboriginal community have been consulted. (Section 6.12. of the EIS, Appendix BB and Appendix CC).	Yes
(g) <i>To promote good design and amenity of the built environment,</i>	An Architectural Design Report (Appendix H) has been provided which addresses good design and amenity of the built environment, as discussed in Section 6.1 of the EIS.	Yes
(h) <i>To promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>	The design has been assessed as being capable of complying with the BCA, Australian Standards and the DDA as outlined in Section 6.16 of the EIS and Appendix J and K.	Yes
(i) <i>To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i>	The proposed development has been assessed against the various Commonwealth and State statutes and local policies and has involved consultation with relevant levels of government.	Yes
(j) <i>To provide increased opportunity for community participation in environmental planning and assessment.</i>	The proponent has actively engaged with relevant government agencies and further consultation will be undertaken during the statutory assessment process.	Yes

Proposed Development's Consistency with the Objects of the EP&A Act 1979

	Community engagement has been undertaken and will continue throughout the project.	
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2 SEPP Resilience and Hazards 2021

SEPP Resilience & Hazards 2021 – Chapter 4 Remediation of Land	
Provision	Assessment
Section 4.1 – Objects	
(1) <i>The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land.</i>	The Geotechnical Reports have considered whether the Site contains any contaminated lands.
(2) <i>In particular, this Chapter aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—</i> (a) <i>by specifying when consent is required, and when it is not required, for a remediation work, and</i> (b) <i>by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and</i> (c) <i>by requiring that a remediation work meet certain standards and notification requirements.</i>	The Geotechnical Reports have considered whether the Site contains any contaminated lands. A Site Validation Certificate was issued for the site in 2020 which deemed the site suitable for the use of an educational establishment. Refer to Section 4.4.4 and Appendix S of the EIS.
Section 4.6 - Contamination and remediation to be considered in determining development application	
(1) <i>A consent authority must not consent to the carrying out of any development on land unless—</i> (a) <i>it has considered whether the land is contaminated, and</i> (b) <i>if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</i> (c) <i>if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</i>	A Preliminary Site Investigation (Appendix W) and Report on Geotechnical (Contamination) (Appendix S) has been provided which considered whether any lands of the Site are contaminated. The reports do not identify any contaminated lands within the Site. A Site Validation Certificate was issued for the site in 2020 which deemed the site suitable for the use of an educational establishment. Refer to Section 4.4.4 and Appendix S of the EIS.
(2) <i>Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.</i>	A Site Validation Certificate was issued for the site in 2020 which deemed the site suitable for the use of an educational establishment. Refer to Section 4.4.4 and Appendix S of the EIS.
(3) <i>The applicant for development consent must carry out the investigation required by subsection (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.</i>	A Preliminary Site Investigation (Appendix W) and Report on Geotechnical (Contamination) (Appendix S) has been provided which considered whether any lands of the Site are contaminated. The reports do not identify any contaminated lands within the Site. A Site Validation Certificate was issued for the site in 2020 which deemed the site suitable for the use of an educational establishment.
(4) <i>The land concerned is—</i> (a) <i>land that is within an investigation area,</i>	The Site is not located in an investigation area. A Site Validation Certificate was issued for the site in 2020 which deemed the site suitable for use as an educational establishment.

SEPP Resilience & Hazards 2021 – Chapter 4 Remediation of Land

Provision	Assessment
<p>(b) <i>land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,</i></p> <p>(c) <i>to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land—</i></p> <p style="padding-left: 20px;"><i>(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and</i></p> <p style="padding-left: 20px;"><i>(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).</i></p>	

3 SEPP Planning Systems 2021

SEPP Planning Systems 2021 - Chapter 2 State and Regional Development	
Provision	Assessment
Section 2 – Aims	
(a) <i>to identify development that is State significant development,</i>	The proposal is SSD, as Section 2.6 identifies development for this purpose in Schedule 1 (15)(1)(a).
(b) <i>to identify development that is State significant infrastructure and critical State significant infrastructure,</i>	N/A
(c) <i>to identify development that is regionally significant development.</i>	N/A
Section 2.6 – Declaration of State significant development: section 4.36	
(1) <i>Development is declared to be State significant development for the purposes of the Act if—</i> (a) <i>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</i> (b) <i>the development is specified in Schedule 1 or 2.</i>	<p>Schedule 1 lists educational establishments as SDD that is development that has a capital investment value of more than \$20 million that is for the purpose of a new school. The proposal is for a new high school with a capital investment value of more than \$20 million.</p> <p>Refer to the CIV report at Appendix G of the EIS</p>

4 SEPP (Transport and Infrastructure) 2021

SEPP (Transport and Infrastructure) 2021 - Chapter 2 Infrastructure

Provision	Assessment
Section 2.120 – Impact of road noise or vibration on non-road development	
<p>(1) <i>This section applies to development for any of the following purposes that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 20,000 vehicles (based on the traffic volume data published on the website of TfNSW) and that the consent authority considers is likely to be adversely affected by road noise or vibration—</i></p> <ul style="list-style-type: none"> (a) <i>residential accommodation,</i> (b) <i>a place of public worship,</i> (c) <i>a hospital,</i> (d) <i>an educational establishment or centre-based child care facility.</i> <p>(2) <i>Before determining a development application for development to which this section applies, the consent authority must take into consideration any guidelines that are issued by the Planning Secretary for the purposes of this section and published in the Gazette.</i></p> <p>(3) <i>If the development is for the purposes of residential accommodation, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded—</i></p> <ul style="list-style-type: none"> (a) <i>in any bedroom in the residential accommodation—35 dB(A) at any time between 10 pm and 7 am,</i> (b) <i>anywhere else in the residential accommodation (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.</i> 	<p>Gregory Hills Drive has an average daily traffic volume of more than 20,000 and the proposal is for a educational establishment. Section 2.120 therefore applies.</p> <p>In relation to subsection (2) a Noise and Vibration Impact Assessment has been prepared by Norman Disney & Young which has considered the Noise Policy for Industry (2017). A copy of the Assessment is included at Appendix R of the EIS</p> <p>Subsection (3) does not apply.</p>
Section 2.122 – Traffic-generating development	
<p>(1) <i>This section applies to development specified in Column 1 of the Table to Schedule 3 that involves—</i></p> <ul style="list-style-type: none"> (a) <i>new premises of the relevant size or capacity, or</i> (b) <i>an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.</i> 	<p>The proposal will generate more than 200 vehicle trips per hour, therefore the application must be referred to TfNSW in accordance with subsection (3).</p> <p>Traffic impacts are addressed in Section 6.6 and the Transport and Accessibility Impact Assessment at Appendix O of the EIS.</p>

SEPP (Transport and Infrastructure) 2021 - Chapter 3 Educational establishments

Provision	Assessment
Section 3.36(6)(a): Evaluation of design quality principles in Schedule 4	Bennet and Trimble have prepared an Architectural Design Statement (Appendix Error! Reference source not found.) which provides an evaluation of the proposal against the design quality principles under Schedule 8 and demonstrates consistency.
Section 3.36(6)(b): Does development enable shared community use of school facilities	The proposed development will enable the potential shared community use of some school facilities, being the hall, library and potential for the sports oval. Refer to Section 4.4.6 of the EIS.
Section 3.36(9): DCP controls relating to Clause 35 subclauses (1), (2), (3), or (5) does not apply	Camden DCP does not apply. Notwithstanding, an assessment against DCP controls has been provided within this Statutory Compliance Table.

SEPP (Transport and Infrastructure) 2021 - Chapter 2 Infrastructure

Provision	Assessment
Section 3.43: Development consent may be granted even though development would contravene a development standard imposed by this or any other EPI.	Assessment on Built Form is contained in Section 6.1 of the EIS. The proposal contravenes the maximum building height applicable to the site to achieve a superior development and better site planning outcome.
Section.58 Traffic generating development: Referral to RMS required if development will result in educational establishment being able to accommodate 50 or more additional students.	<p>The proposal will result in accommodation of up to 1,012 students on a new campus. Accordingly, DPE are required to give written notice of the application to the TfNSW (formerly RMS).</p> <p>As discussed at Section Error! Reference source not found. of the EIS, the project team has carried out consultation with TfNSW and has incorporated that feedback into the body of this SSDA submission.</p>

5 SEPP (Industry and Employment) 2021

SEPP (Industry and Employment) 2021 - Chapter 3 Advertising and Signage	
Provision	Assessment
Section 3.1 – Aims, objectives etc	
(a) to ensure that signage (including advertising): (i) is compatible with the desired amenity and visual character of any area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design and finish, and	<p>The character of the locality in the vicinity of the Site generally consists of a new urban area of residential and commercial development with supporting educational development and open space. Residential development is located to the south and to the east. To the west is Sykes Creek and Gregory's Hill shopping centre.</p> <p>The proposed signage identifies the name of the new school at the entry, providing effective communication in a suitable location for the Wallarah Circuit street- frontage. The signage will be of a high-quality design and will utilise high-quality materials which will be detailed at Crown Certificate Stage.</p> <p>Refer to Section 4.4.7 of the EIS.</p>
(b) to regulate signage (but not content) under Part 4 of the Act	An assessment of the proposed signage in respect to Part 4 of the EP&A Act, in particular the relevant matters for consideration under Section 4.15(1) is provided in Section 4.4.7 of this EIS.
(c) to provide time-limited consents for the display of advertisements in transport corridors, and	N/A
(d) to regulate the display of advertisements in transport corridors, and	N/A
(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.	N/A
Schedule 5 - Assessment Criteria	Refer to Section 4.4.7 of the EIS.

6 SEPP (Biodiversity and Conservation) 2021

SEPP – (Biodiversity and Conservation) 2021	
Provision	Assessment
Chapter 2 Vegetation in non-rural areas	
Section 2.1 – Aims	
(a) <i>to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and</i>	Refer to Section 4.4.8 of the EIS.
(b) <i>to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.</i>	<p>The proposed development seeks to remove eight (8) trees due to their health (either dying or dead) and deemed unsafe for a school setting. The remaining 12 trees will be retained. However, this tree removal will be offset by planting of 108 trees, 396 shrubs and 1,050 groundcovers.</p> <p>Refer to Section 4.4.8 of the EIS.</p>
Section 2.3 Land to which Chapter applies	
Local government areas	SEPP applies to Camden local government area
Zones in environmental planning instrument	SEPP applies to the R1 zone
Section 2.9 Land to which Chapter applies	
Development control plan	This part applies to vegetation in any non-rural area declared in a DCP to which this part applies. Council is not the consent authority for this application.
SEPP – (Biodiversity and Conservation) 2021 - Chapter 6 Bushland in Urban Areas	
Section 6.8 Land adjoining land zoned or reserved for public open space	
<p>(1) <i>This section applies to land which adjoins bushland zoned or reserved for public open space purposes.</i></p> <p>(2) <i>Where a public authority—</i></p> <p style="padding-left: 20px;">(a) <i>proposes to carry out development on land to which this section applies, or</i></p> <p style="padding-left: 20px;">(b) <i>proposes to grant approval or development consent in relation to development on land to which this section applies,</i></p> <p><i>the public authority shall not carry out that development or grant the approval or development consent unless it has taken into account—</i></p> <p style="padding-left: 20px;">(c) <i>the need to retain any bushland on the land,</i></p> <p style="padding-left: 20px;">(d) <i>the effect of the proposed development on bushland zoned or reserved for public open space purposes and, in particular, on the erosion of soils, the siltation of streams and waterways and the spread of weeds and exotic plants within the bushland, and</i></p> <p style="padding-left: 20px;">(e) <i>any other matters which, in the opinion of the approving or consent authority, are relevant to the protection and preservation of bushland zoned or reserved for public open space purposes.</i></p>	<p>Chapter 6 of the SEPP applies to Camden local government area.</p> <p>Refer to Section 4.4.10 of the EIS.</p>

SEPP – (Biodiversity and Conservation) 2021	
Provision	Assessment
SEPP – (Biodiversity and Conservation) 2021 - Chapter 9 Hawkesbury-Nepean River	
Section 9.2 – Aims	
<i>The aim of this Chapter is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.</i>	Noted – The school is identified in the Turner Road DCP for a Primary School.
Section 9.9 Development controls	
<p>(4) Remediation of contaminated land</p> <p><i>Definition:</i></p> <p><i>Consent required for removing soil or other deposits from, or otherwise remediating, contaminated land. For the purposes of this definition, contaminated land means land on which hazardous substances occur at concentration levels above background levels, where an assessment (carried out in accordance with guidelines circulated to councils by the Department) has indicated the substances pose, or are likely to pose, an immediate or long-term hazard to human health or to the environment.</i></p>	No contamination is known to be present on site as discussed in Section 6.9 of the EIS.

7 SEPP Precincts – (Western Parkland City) 2021

SEPP – Western Parkland City- Chapter 2 State Significant Development	
Provision	Assessment
Section 2.2 – State significant precincts	
(1) Each Appendix to this Chapter describes a State significant precinct.	Appendix 2 Oran Park and Turner Road Precinct Plan applies to the site.
(2) The provisions in an Appendix to this Chapter relating to the carrying out of development on a State significant precinct have effect.	Appendix 2 Oran Park and Turner Road Precinct Plan applies to the site.
Appendix 2 Oran Park and Turner Road Precinct Plan	
Section 2.1 Land use zones. R1 – General Residential Objectives of zone	The proposal is consistent with the objectives of the zone in that the new school will provide educational services to meet the day to day needs and support the well-being of the community. The proposed school is compatible with the proposed or existing nearby residential development and will not have any adverse effect on the amenity of proposed or existing nearby residential development.
Section 4.3 Height to buildings	The proposed building height of 12.49m contravenes the building control of 9.5m for the site as it is not residential flat building which has a maximum permissible height limit on the site of 16m. An exceedance to the height limit provides a better outcome for the site as it results in a smaller building footprint, allowing a larger area for landscaping and open space.
Section 4.6 Exceptions to development standards	Under the provisions of Section 3.43 of the T&I SEPP, Section 4.6 is not applicable to the SSDA.
Section 5.9 Preservation of trees or vegetation	The proposal requires the removal of eight (8) trees (Appendix L). The landscaping proposed to be provided for the site is detailed on the landscaping plan at (Appendix M).

8 Turner Road Precinct Development Control Plan January 2018

Relevant Provisions of Turner Road Precinct DCP January 2018		
Provision	Assessment	Consistent
<p>Part 4.2 Education, Civic and Community Facilities</p> <p>Objective</p> <ul style="list-style-type: none"> To ensure a high level of provision and equitable distribution of education, civic and community facilities within the Turner Road Precinct. <p>Controls: Education</p> <ul style="list-style-type: none"> Located in accordance with Figure 20 and Oran Park and Turner Road Section 94 Contribution Plan. Encouraged to enhance community identity and way finding through iconic and land mark building design. 	<p>The proposed school is located in accordance with Figure 20 in the DCP and the Contribution Plan, on the site nominated as the public school.</p> <p>The building design for the proposed school is modern and will provide new educational facilities.</p>	Yes
Part 6.0 Environmental Management		
<p>6.2 Flooding and Watercycle Management</p> <p>Objectives</p> <p>(a) To minimise the potential impact of flooding on development.</p> <p>(b) To incorporate best practice stormwater management principles and strategies in development proposal.</p> <p>(c) To mitigate the impacts of urban development on stormwater quality.</p> <p>(d) To control the impacts of urban development on channel bed and bank erosion by controlling the magnitude and duration of sediment-transporting flows.</p> <p>(e) Limit changes in flow rate or flow duration within the receiving waterway as a result of development.</p> <p>Controls</p> <ul style="list-style-type: none"> All development to incorporate WSUD to promote sustainable and integrated management of land and water resources. 	<p>The Site is mapped as being affected by flood. Notably, the adjoining riparian corridor for Sykes Creek to the west of the Site is identified as flood prone land (mapping available via the NSW Planning Portal). The Flood Impact Assessment report prepared by Robert Bird Group (Appendix V) provides that the proposed development will have negligible effect on the flooding risk of the surrounding areas with the current architectural concept design. The Flood Planning level is RL115.1m, the lowest ground floor RL is 115.7m with all other ground floor levels being RL116.1m.</p> <p>The Integrated Water Management Plan prepared by Robert Bird Group (Appendix U), incorporates best practice WSUD into the stormwater design for the Site.</p>	Yes
<p>6.3 Salinity and Soil Management</p> <p>Objectives</p> <p>(a) To minimise the damage caused to property and vegetation by existing saline soils, or processes that may create saline soils.</p> <p>(b) To ensure development will not significantly increase the salt load in existing water courses with the site</p> <p>(c) To prevent degradation of the existing soil and groundwater environment, in particular, to minimise erosion and sediment loss and water pollution due to siltation and sedimentation.</p> <p>Controls</p> <ul style="list-style-type: none"> All development must incorporate soil conservation measure to minimise soil erosion and siltation during construction and following completion of development. All sediment and erosion controls are to be installed prior to the commencement of any construction works and maintained throughout the course of construction until disturbed areas have been revegetated/ established. 	<p>Figure 21 of the plan shows land adjoining the Site on its south-west boundary contains some moderately saline soils at depths of the order of 1m.</p> <p>A Salinity Management Plan was prepared by Douglas Partners (Appendix T) and considered the proximity of the saline soil. A sediment and erosion control plan form part of the civil package, within the Integrated Water Management Plan (Appendix U)</p>	Yes

Relevant Provisions of Turner Road Precinct DCP January 2018		
Provision	Assessment	Consistent
Certification to this effect is required by the applicant to be submitted to Council prior to construction.		
6.4 Aboriginal and European Heritage Objectives (a) To protect and manage areas and elements of identified Aboriginal and European archaeological heritage of the precinct. (b) To incorporate elements of Aboriginal and European heritage within the redevelopment of the precinct.	<p>The Site is not listed on Figure 23 Aboriginal Archaeological Conservation Areas of the plan. It is noted that some environmental matters have already been assessed as part of other works for the new urban area, which result in the creation of the Site. The SEARs Response for Aboriginal Heritage for the proposed development was not required as the Site is developed and disturbed, notwithstanding, an Aboriginal Due Diligence Report was prepared (Appendix CC)</p> <p>Existing AHIP was issued for the Site in 2020 and expires on 30 July 2023</p> <p>The Site is not listed on Figure 24 Europe Heritage of the plan.</p> <p>However, mitigation measure should provide a watching brief for unexpected uncovered relics in any excavation works and compliance with the AHIP (Appendix E)</p>	Yes
6.5 Land Adjacent to the Sydney Water Canal Objectives (a) To enhance and protect the heritage significance of the Canal and respect its rural landscape setting. (b) To retain a continuous landscape buffer adjacent to the Canal. (c) To ensure that new development is set back and visually screened from the Canal. (d) To provide public access along the Canal perimeter for heritage interpretation purposes, while ensuring the security of the Canal is maintained at all times. (e) To minimise risks to public safety. (f) To prevent stormwater or other pollutants from entering the Canal system.	N/A	N/A
6.6 Bushfire Management Objectives (a) To prevent loss of life and property due to bushfires by providing for development compatible with bushfire hazard. (b) To encourage sound management of bushfire prone areas.	<p>The Bushfire Hazard Assessment Report prepared by Blackash Bushfire Consulting indicates the Site is identified as 'bushfire prone land', because the vegetation in the south-western corner of the Site is part of the vegetation buffer zone for the Category 2 Vegetation (Forested Wetland) to the west of the Site. Category 2 Vegetation includes vegetation of a lower likelihood of ignition, as it is surrounded by development and ignition is likely to be detected. The school has been designed to provide the required Asset Protection Zone of 51m from the Category 2 Vegetation to meet the acceptable solution within PBP and to limit radiant heat level exposure to onsite buildings. An APZ of 57.9 is proposed.</p> <p>Building have been designed to comply with Building Attack Level (BAL) 12.5.</p> <p>The Report makes five (5) recommendations and they have been incorporated into the Mitigation Measures (Appendix E)</p>	Yes
6.7 Tree Preservation and Biodiversity Objectives	<p>The Site is generally cleared of vegetation in readiness for the proposed school, but there is a small stand of trees in the south-western corner of the site that is associated with Forested Wetland vegetation on the adjacent site. These</p>	Yes

Relevant Provisions of Turner Road Precinct DCP January 2018		
Provision	Assessment	Consistent
<p>(a) To ensure the protection and enhancement of existing significant trees and to improve or maintain biodiversity values within the precinct.</p> <p>(b) To maintain or improve as much existing vegetation as practicable within the precinct.</p> <p>(c) To reduce impacts of runoff from roads and impervious areas on adjacent lands.</p> <p>(d) To prevent the spread of weeds during and after construction.</p>	<p>trees were part of a Biodiversity Certified Land clearance for the new urban area and is considered that a Biodiversity Development Assessment is not required for this proposed development.</p> <p>The prevention of the spread of weeds as a result of construction process should be addressed in the Sediment and Erosion Control Plan.</p> <p>The stand of Cumberland Plain Woodland will be retained with the exception of eight (8) trees recommended for removal by the project arborist due their health being either dying or dead and unsafe for a school setting. (Appendix L)</p>	
<p>6.8 Contamination Management</p> <p>Objective</p> <p>(a) To minimise the risks to human health and the environment from the development of potentially contaminated land.</p> <p>(b) To ensure that potential site contamination issues are adequately addressed at the subdivision stages.</p>	<p>In July 2020, Douglas Partners undertook it's most recent contamination report for the Site and indicated the stockpiles and TRN Group maintenance depot which were on the site were decommissioned and validated the site was suitable for the proposed school. To confirm the remediation works are complete, a further follow up contamination report was obtained for the proposed development given the indented use as a school. In July 2022, Douglas Partners undertook the follow up report (Appendix S) and advised there was no contamination found on site and the Site is suitable for use as a school.</p> <p>In the event of contamination being found on site, mitigation measures have been recommended (Appendix E)</p>	Yes
<p>6.10 Acoustics</p> <p>Objectives</p> <p>(a) To achieve an acceptable residential noise environment whilst maintaining well designed and attractive residential streetscapes.</p> <p>(b) To discourage the use of local streets by heavy vehicles.</p> <p>Development controls:</p> <p>(4) All industrial / commercial / employment development is to comply with the Council's Environmental Noise Policy</p>	<p>The Noise and Vibration Management Plan has been prepared by Norman Disney & Young and provides the results of noise logging and predicted noise from the development including traffic as well as an assessment against EPA NSW Road Noise Policy (RNP) 2011 and NSW Interim Construction Noise Guideline. NSW Interim Construction Noise Guidelines was used for the assessment in lieu of Council's Environmental Noise Policy as it is the most recent document to assess Noise and Vibration impacts.</p> <p>Norman, Disney & Young concluded the assessment of noise and vibration impacts on the surrounding community from the proposed New Primary School at Gregory Hills will be compliant with noise and vibration regulations except with the construction noise assessment.</p> <p>A number of mitigation measures have been recommended for Construction activities as noted in Appendix E.</p>	Yes
Part 8.0 Amenity and Environment		
<p>8.1 Sustainable Building Design</p> <p>Objectives</p> <p>(a) To ensure that developments are environmentally sustainable in terms of energy and water use.</p> <p>(b) To reduce consumption of potable water and waste water discharge.</p> <p>(c) To maximise opportunities for natural ventilation in development.</p>	<p>A Sustainability Development Plan (Appendix N) prepared by Norman, Disney & Young notes the proposal is targeting a 5 Star rating under the Green Star Design & As Built v1.3 rating tool.</p> <p>The proposal is compliant with SINSW Educational Facilities Sustainability Guidelines (EFSG) and NCC Section J.</p> <p>Measure incorporated into the design include:</p>	Yes

Relevant Provisions of Turner Road Precinct DCP January 2018		
Provision	Assessment	Consistent
<p>(d) To prevent further air pollution or disturbance to amenity of nearby residents from the use of open fire places and slow combustion stoves.</p> <p>Controls</p> <p>(2) Buildings and developments not affected by BASIX are to achieve a 40% reduction of baseline potable water consumption. Where the building or development is water intensive (i.e. high water user), specific water conservation objectives must be resolved with Council.</p> <p>(3) Building design is to respond to local climate and site conditions with passive solar and ventilation measures to be incorporated into building design. High use work areas (such as offices) are to be positioned to maximise solar gain and natural ventilation.</p> <p>(5) Open fireplaces and slow combustion stoves are prohibited.</p>	<ul style="list-style-type: none"> • Natural ventilation • Solar panels • Passive design elements, such as high performance façade, effective shading and natural ventilation to reduce the energy demand of the buildings and improve indoor environment quality for students and staff. • Energy efficient building systems and on-site renewable energy to reduce greenhouse gas emissions. • Preliminary consideration of the building design's resilience and adaptation to climate change impacts. • High indoor air quality, acoustic design principles, visual amenity and thermal comfort to support the site functions as training and teaching spaces and private staff areas. • Best practice waste management principles in operation, and construction and demolition waste diversion from landfill. • Water efficient fixtures and fittings (high WELS ratings), and rainwater collection from the roof and stored for use on-site (landscaping irrigation, toilet flushing) to reduce potable water consumption. • Incorporation of stormwater management systems and water sensitive urban design (WSUD) to minimise peak stormwater flows and pollutants. • Social sustainability initiatives such as incorporation of indigenous design elements, implementation of universal design principles and providing community benefits via community use of the school facilities. 	
<p>8.2 Stormwater and Construction Management</p> <p>Objectives</p> <p>(a) To manage stormwater discharge in a manner that minimises impacts on downstream receiving waters.</p> <p>(b) To minimise soil erosion and siltation during construction and following completion of development.</p> <p>Controls</p> <p>(1) A Stormwater Concept Plan is to be submitted with each building DA indicating how stormwater will be managed and disposed of. Drainage for individual developments shall be designed in accordance with the stormwater quality and quantity targets set by the DECC, Australian Rainfall and Runoff (1997), and Council's Engineering Design Specification. All subsurface drains are to be connected into the stormwater system within the site downstream of any water tanks.</p> <p>(2) All development shall be carried out in accordance with an approved Soil and Water Management Plan prepared in accordance with <i>Managing Urban Stormwater - Soils and Construction</i>, Landcom 4th Edition March 2004 ('The Blue Book').</p> <p>(3) Where properties fall away from the street and/or are unable to drain to a trunk drainage system, an easement for draining through downstream properties must be created in the subdivision plan.</p>	<p>An Integrated Water Management Plan was prepared by Robert Bird Group (Appendix N) and includes civil drawings, Erosion and sediment Control Plans and stormwater concept.</p> <p>Stormwater will drain into the OSD basin approved under DA2022/742/1 and into the existing drainage easement to the north of the site.</p>	Yes

Relevant Provisions of Turner Road Precinct DCP January 2018		
Provision	Assessment	Consistent
<p>8.3 Waste Management</p> <p>Objective</p> <p>(a) To avoid the generation of waste through design, material selection and building practices.</p> <p>(b) To encourage waste minimisation, including source separation, reuse and recycling.</p> <p>(c) To ensure efficient storage and collection of waste and quality design of facilities.</p> <p>Controls</p> <p>(1) A Waste Management Plan is to be submitted with all DAs with the exception of single dwelling housing or superlot subdivision applications. The Plan is to address:</p> <ul style="list-style-type: none"> how recycled material, rubbish and other waste generated by clearing, excavation and construction is to be stored and controlled, the type and volume of waste expected to be generated during construction, and the method and location for the collection and disposal of waste. <p>(4) Development must demonstrate that the design takes into account refuse storage and collection without reducing the amenity of a dwelling or neighbouring lots.</p> <p>(5) Storage areas for rubbish bins are to be located away from the front of development where they have a significant negative impact on the streetscape, the visual presentation of the building entry and on the amenity of residents, building users and pedestrians.</p>	<p>A Construction Waste Management Plan (CWMP) (Appendix AA) and an Operational Waste Management Plan (OWMP) (Appendix Z) have been prepared by ECELL. The Plans identify the likely waste streams to be generated during the construction and operation phases of the development.</p> <p>The Waste Management Plans outline measures to avoid the generation of unnecessary waste, minimise the volume of waste to be collected, and recycle, reuse and recover waste generated by the proposed works.</p>	Yes
<p>8.6 Safety and Surveillance</p> <p>Objectives</p> <p>(a) To ensure that the siting and design of buildings and spaces, through casual surveillance, decreases the opportunity for crime.</p> <p>(b) To ensure that development encourages people to use streets, parks and other public places without fear of personal risk.</p> <p>Controls</p> <p>(1) Buildings should be designed to overlook streets, lanes and other public or communal areas to provide casual surveillance. In the case of corner lots habitable windows are also be oriented to overlook the side street.</p> <p>(2) The design of all development, in particular, the public domain and community facilities is to enhance public surveillance of public streets and open space/conservation areas.</p> <p>(3) Appropriate design of publicly accessible areas (eg parks, footpaths, etc) encourages a sense of</p> <p>(5) Developments are to avoid creating areas for concealment and blank walls facing the street.</p> <p>(6) Pedestrian and communal areas are to have sufficient lighting to ensure a high level of safety. These areas must be designed to minimise opportunities for concealment.</p> <p>(7) All development should aim to provide casual surveillance of the street as a means of passive security. This should be achieved by maximising outlooks and views, but minimising the overlooking of neighbouring properties. Opportunities for casual surveillance from dwellings/ studios are to be incorporated into the design of shared driveways and where rear access is proposed from laneways.</p> <p>(8) All developments are to incorporate the principles of Crime Prevention Through Environmental Design (CPTED). Development Applications for subdivision, public open space and community facilities may require a formal crime risk (CPTED) assessment as</p>	<p>The proposal has been designed in accordance with the CTPED Principles.</p> <p>A CPTED Assessment has been prepared by DFP Planning (See Appendix F)</p>	Yes

Relevant Provisions of Turner Road Precinct DCP January 2018		
Provision	Assessment	Consistent
part of the EP&A Act 1979, development assessment and Camden Council's Designing Safer Communities – Safer by Design Guidelines (October 2002).		

9 Camden Council Development Control Plan 2019

Assessment against the Relevant Provisions of Camden Council DCP 2019

Provision	Assessment	Consistent
<p>2.1 Earthworks</p> <p>Objectives</p> <ol style="list-style-type: none"> To allow for the construction of retaining walls on sloping land at the subdivision works stage of a development; Minimise cut and fill through site sensitive subdivision, road layout, infrastructure and building design; Minimise additional earthworks of lots during the construction phase; Ensure land forming does not increase the potential for the inundation of water on any other land during the full range of flood events; and Protect and enhance the aesthetic quality and amenity of the area by controlling the form, bulk and scale of land forming operations to appropriate levels. <p>Controls</p> <p>General</p> <ol style="list-style-type: none"> Subdivision and building work should be designed to respond to the natural topography of the site wherever possible, minimising the extent of cut and fill (e.g. for steep land houses will need to be of a 'split level' design or an appropriate alternative and economical solution). Subdivision and building work must be designed to ensure minimal cut and fill is required for its construction phase. 	<p>Cut and fill is required on site for the carpark area, building footprint and to achieve accessibility requirement. The extent of cut and fill is detailed in Appendix U.</p>	Yes
<p>2.18 Traffic Management and Off-Street Parking</p> <p>Objectives</p> <ol style="list-style-type: none"> Ensure pedestrian and traffic safety; Ensure quality of parking areas in terms of safety, amenity and integration with surrounding areas; Ensure a balance is achieved between the needs of proposed development and the needs of vehicular and pedestrian traffic; Ensure the provision of sufficient and suitably located parking for persons with a disability, cyclists, and motorcyclists within developments; Ensure landscaping and the materials of construction improve the amenity of the parking areas; Provide parking areas which promote ease of access as well as suitable internal circulation patterns; Ensure that adequate provision is made for off-street parking of passenger and service vehicles generated by new developments and redevelopments; Ensure adequate facilities are provided within a development for the loading and unloading of persons and goods; and Provide acceptable alternatives in lieu of on-site parking which: <ol style="list-style-type: none"> enable Council to responsibly consider development proposals which do not 	<p>A 60-space carpark is proposed off Wallarah Circuit with a single entry/ exit point. An additional 3 space supported learning drop off area is proposed east of the car park.</p> <p>17 Short stay spaces along Long Reef Circuit are approved under DA2022/742/1. It is proposed deliveries will use this area outside of peak drop off/ pick up times.</p> <p>Waste storage/ collection is located to the north of Long Reef Circuit away from pedestrian entries and staff car park.</p>	Yes

Assessment against the Relevant Provisions of Camden Council DCP 2019

<p>comply with the on-site parking requirements of this DCP</p> <ul style="list-style-type: none"> ii. provide a mechanism to avoid the development of numerous small-scale dispersed car parks; iii. promote the establishment of strategically located larger parking facilities; and iv. provide an equitable system of monetary contribution in lieu of on-site parking provision in a Contributions Plan. This will ensure Council is able to responsibly approve development applications that cannot provide all the required parking on-site or where such on-site provision is inappropriate. 		
<p>2.17 Signage</p> <p>General Requirements for Signage</p> <p>Objectives</p> <ul style="list-style-type: none"> a. Encourage signage of a high quality design and finish that is compatible with the architectural character of building or sites; b. Limit signage to not adversely impact on the amenity of the streetscapes through visual clutter; c. To ensure that signage presents as a secondary, subservient feature of the development; d. Protect the heritage integrity of the Camden LGA by ensuring all signs remain sympathetic to the heritage character of buildings or heritage conservation area; and e. Ensure signage does not interfere with road traffic and pedestrian safety. <p>Controls</p> <p>The following controls apply to all signage as defined in this section:</p> <ul style="list-style-type: none"> 1. The location, quantity, type, colour, design and size of all signage must not detract from the amenity and character of the land or building to which it relates. 2. All signage must be consistent with the scale of the building or the property on which it is located. 3. All signage must align with an approved or exempt land use being conducted on the land to which the sign is displayed. Signs or banners approved by Council under Policy 2.8 Signs and Banners are exempted. 4. All signage must remain within the property boundary except in the case of a sign attached to an awning over the footpath. <p>Signs and Road Safety</p> <ul style="list-style-type: none"> 1. Signage must not interfere with road and pedestrian safety and must adhere to the following controls: 89 Part 2 – General Land Use Controls 2. The location of signs must not obscure views of traffic signs or traffic signals or have the potential to cause confusion with traffic signs or traffic signals. 3. The location of signs must not interfere with the view of oncoming vehicles, pedestrians or a road hazard or obstruction which should be visible to drivers or other road users. 	<p>Refer to T&I SEPP assessment</p>	<p>Yes</p>

Assessment against the Relevant Provisions of Camden Council DCP 2019

<p>2.18.2 Off Street Car parking rates/requirements</p> <p>Educational Establishment – Schools</p> <p>1 car parking space per full time equivalent staff member, plus</p> <p>1 car parking space per 100 students, plus</p> <p>1 car parking space per 5 students in Year 12 where appropriate.</p> <p>On street car parking cannot be considered as a parking.</p> <p>Adequate space is also required for delivery vehicles, a drop off / pick up area and buses as appropriate.</p> <p>Developments must also accommodate:</p> <p>1 bicycle space per 25 car parking spaces in excess of the first 25 car parking spaces; and</p> <p>1 motorcycle space per 50 car parking spaces in excess of the first 50 car parking spaces.</p>	<p>60 staff members requires 60 spaces.</p> <p>60 car parking spaces (inclusive of one (1) accessible) are proposed in the staff carpark.</p> <p>Three (3) supported learning student drop off/ pick spaces are proposed along Wallarah Circuit, closet to the school entry.</p> <p>In addition, 17 short stay parking spaces are provided along Long Reef Circuit (approved under DA2022/742/1).</p> <p>60 bicycle spaces are provided at the Long Reef Circuit school entry.</p>	<p>Yes</p>
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