

APPENDIX C – STATUTORY COMPLIANCE TABLE

Mandatory matters for consideration	Response	Document Reference
Consideration under the Act and Regulation		
<i>Environmental Planning and Assessment Act, 1979</i>	<p>The proposal is consistent with the objects of the EP&A Act, in particular:</p> <ul style="list-style-type: none"> • Promotes the social welfare of the community. • Allows for the orderly and economic development of the land. • Promotes sustainable management of the built and cultural heritage (including Aboriginal heritage). • Promotes good design and amenity of the built environment. • Is development for a public purpose and provide community services. 	Section 4 of EIS
Environmental Planning and Assessment Regulation	<p>The principles of ESD are required to be considered in the assessment of the proposal. The key principles of ESD as defined in the EP&A regulation are:</p> <ul style="list-style-type: none"> • the precautionary principle. • inter-generational equity. • conservation of biological diversity and ecological integrity. • improved valuation, pricing and incentive mechanisms. <p>A ESD Report has been prepared by Steensen Varming and is provided at Appendix W which addresses the four principles.</p>	Section 6.2.6 of EIS and ESD Report - Appendix W
Relevant Environmental Planning Instruments		
State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 3 of the T and I SEPP relates to educational establishments and child care facilities. The aim of this chapter of the T and I SEPP is to facilitate the effective delivery of educational establishments and early education and care facilities across the State. The T and I SEPP balances the need to deliver additional educational infrastructure with a focus on high-quality and	Architectural Design Report – Appendix F

	<p>sustainable design.</p> <p>Pursuant to Clause 3.36(6) of the T and I SEPP, the following must be considered for the assessment of a school development permitted with consent:</p> <p style="padding-left: 40px;"><i>(a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 8, and</i></p> <p style="padding-left: 40px;"><i>(b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.</i></p> <p>The proposal is consistent with the design quality principles as demonstrated in the Architectural Design Report (refer Appendix F). In relation to subclause (b), a corridor has been identified within the site and kept clear for a potential future pedestrian connection from Felton Road East to West. The provision of any link itself is subject to further consultation between SINSW and Council and will not be provided as part of this project. The proposal has also been reviewed by the State Design Review Panel (SDRP).</p>	
<p>State Environmental Planning Policy (Resilience and Hazards) 2021</p>	<p>Chapter 3 of this SEPP states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standard, ensures land is investigated if contamination is suspected, and requires Councils to be notified of all remediation proposals. The Managing Land Contamination: Planning Guidelines were prepared to assist Councils and developers to determine when land has been at risk.</p> <p>Clause 4.6 of the SEPP requires that a consent authority must not grant consent to a development unless it has considered whether a site is contaminated, and it is satisfied that the land is suitable (or will be after undergoing remediation) for the proposed use.</p> <p>A Detailed Site Investigation has been prepared and determined that the site contains asbestos containing material and requires remediation to be made suitable for its use. A Remediation Action Plan and Preliminary Long Term Environmental Management Plan have been prepared and is discussed in Sections 3.2 and 6.1.3.</p>	<p>Sections 3.2 and 6.1.3. and Appendices M, N and O.</p>
<p>State Environmental Planning Policy (Biodiversity and Conservation) 2021</p>	<p>The Vegetation chapter of the SEPP applies to development that does not require consent. As the SSD project requires consent under the EP&A Act, the Vegetation chapter does not apply.</p> <p>The proposed development is not located within a Local Government Area to which the Biodiversity and Conservation SEPP applies in relation to Koalas.</p> <p>The development site does not contain bushland or native remnant vegetation. The vegetation</p>	<p>BDAR – Appendix EE</p>

	<p>within the development site represents planted native vegetation. Therefore, the bushland in urban areas chapter does not apply to the development.</p>							
<p>State Environmental Planning Policy (Industry and Employment) 2021</p>	<p>Chapter 3 – Advertising and Signage</p> <p>Chapter 3 of the Industry and Employment SEPP aims to ensure signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of a high-quality design and finish.</p> <p>Clause 3.6 of the SEPP stipulates that A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied—</p> <p style="padding-left: 40px;"><i>(a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and</i></p> <p style="padding-left: 40px;"><i>(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.</i></p> <p>An assessment of the proposed signs against the assessment criteria is detailed in Table 6. This assessment demonstrates the proposed sign satisfies the provisions of the SEPP, including the aims and objectives of the chapter of the policy.</p> <table border="1" data-bbox="600 853 1765 1445"> <thead> <tr> <th data-bbox="600 853 1111 917">Assessment Criteria</th> <th data-bbox="1111 853 1599 917">Comment</th> <th data-bbox="1599 853 1765 917">Complies</th> </tr> </thead> <tbody> <tr> <td data-bbox="600 917 1111 1445"> <p>1 Character of the area</p> <ul style="list-style-type: none"> • Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? • Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? </td> <td data-bbox="1111 917 1599 1445"> <p>The existing character and desired future character of this area is not likely to be altered by the proposed signage. The school are a current feature of the local area and different to surrounding uses. The signage will not change the existing relationship between the schools and surrounding residential dwellings. The signs are located at the main entrances of the schools consistent with existing signage on the site. Identification signage at the key entry points is integral. There is no theme for outdoor signage in this area.</p> </td> <td data-bbox="1599 917 1765 1445"> <p>Yes</p> </td> </tr> </tbody> </table>	Assessment Criteria	Comment	Complies	<p>1 Character of the area</p> <ul style="list-style-type: none"> • Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? • Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? 	<p>The existing character and desired future character of this area is not likely to be altered by the proposed signage. The school are a current feature of the local area and different to surrounding uses. The signage will not change the existing relationship between the schools and surrounding residential dwellings. The signs are located at the main entrances of the schools consistent with existing signage on the site. Identification signage at the key entry points is integral. There is no theme for outdoor signage in this area.</p>	<p>Yes</p>	<p>Architectural Plans – Appendix B</p>
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	<p>2 Special areas</p> <ul style="list-style-type: none"> • 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? 	<p>The signage does not detract from the surrounding residential setting and where possible signs are setback within the site.</p>	<p>Yes</p>	
	<p>3 Views and vistas</p> <ul style="list-style-type: none"> • Does the proposal obscure or compromise important views? • Does the proposal dominate the skyline and reduce the quality of vistas? • Does the proposal respect the viewing rights of other advertisers? 	<p>No views or vistas will be lost or compromised.</p> <p>The signage is located at the Felton Road west and Dunmore Avenue at the ground level. The size of the signage relates to the entries where they are located.</p>	<p>Yes</p>	
	<p>4 Streetscape, setting or landscape</p> <ul style="list-style-type: none"> • Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? • Does the proposal contribute to the visual interest of the streetscape, setting or landscape? • Does the proposal reduce clutter by rationalising and simplifying existing advertising? • Does the proposal screen unsightliness? • Does the proposal protrude above buildings, structures or tree canopies in the area or locality? • Does the proposal require ongoing 	<p>The proposed signage is consistent with that expected at a school and simplifies the existing signage to be consistent with the design of the new buildings.</p>	<p>Yes</p>	

	vegetation management?		
5 Site and building <ul style="list-style-type: none"> • 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? • Does the proposal respect important features of the site or building, or both? • Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	<p>Yes. The proposed signage is compatible with the school sites and the proposed new buildings.</p> <p>Yes. The signage has been designed to integrate into the upgraded entry points and are proportionally sized. The signage has also been positioned to respect the surrounding residential setting and are setback within the site.</p>	Yes	
6 Associated devices and logos with advertisements and advertising structures <ul style="list-style-type: none"> • 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? 	N/A no associated devices or logo are required.	N/A	
7 Illumination <ul style="list-style-type: none"> • Would illumination result in unacceptable glare? • Would illumination affect safety for pedestrians, vehicles or aircraft? • Would illumination detract from the amenity of any residence or other form of accommodation? • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew? 	N/A the two signs will not be illuminated.	N/A	

	<p>8 Safety</p> <ul style="list-style-type: none"> • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or bicyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	<p>No</p> <p>No</p> <p>No</p>	<p>Yes</p>									
<p>Parramatta (former The Hills) Local Environmental Plan 2012</p>	<p>Zoning and Permissibility</p> <p>The site is zoned R2 Low Density residential under the LEP 2012. The proposal is for alterations and additions to an 'educational establishment'. As per the R2 Land Use Table below, educational establishments are not nominated as a prohibited use and are therefore permitted with consent in the R2 Zone.</p> <p>Objectives of the Zone</p> <p>The proposal is consistent with the objectives of the R2 Zone in the LEP as follows.</p> <table border="1" data-bbox="600 884 1758 1417"> <thead> <tr> <th data-bbox="600 884 1072 951">Objective</th> <th data-bbox="1072 884 1758 951">Response</th> </tr> </thead> <tbody> <tr> <td data-bbox="600 951 1072 1082"> <ul style="list-style-type: none"> • To provide for the housing needs of the community within a low density residential environment. </td> <td data-bbox="1072 951 1758 1082"> <p>The proposal does not restrict this objective of the zone being achieved.</p> </td> </tr> <tr> <td data-bbox="600 1082 1072 1209"> <ul style="list-style-type: none"> • To enable other land uses that provide facilities or services to meet the day to day needs of residents. </td> <td data-bbox="1072 1082 1758 1209"> <p>The proposal will provide new and improved educational facilities to meet the day to day needs of the school communities.</p> </td> </tr> <tr> <td data-bbox="600 1209 1072 1417"> <ul style="list-style-type: none"> • To maintain the existing low density residential character of the area. </td> <td data-bbox="1072 1209 1758 1417"> <p>The proposal does not restrict this objective of the zone being achieved.</p> <p>The new buildings have been positioned within the site to minimise impacts on the surrounding low density residential character.</p> </td> </tr> </tbody> </table> <p>Remaining LEP 2012 Provisions</p>			Objective	Response	<ul style="list-style-type: none"> • To provide for the housing needs of the community within a low density residential environment. 	<p>The proposal does not restrict this objective of the zone being achieved.</p>	<ul style="list-style-type: none"> • To enable other land uses that provide facilities or services to meet the day to day needs of residents. 	<p>The proposal will provide new and improved educational facilities to meet the day to day needs of the school communities.</p>	<ul style="list-style-type: none"> • To maintain the existing low density residential character of the area. 	<p>The proposal does not restrict this objective of the zone being achieved.</p> <p>The new buildings have been positioned within the site to minimise impacts on the surrounding low density residential character.</p>	<p>-</p>
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	<p>Consideration of the other relevant provisions in the LEP 2012 are assessed in the following table.</p> <table border="1"> <thead> <tr> <th data-bbox="607 292 1079 352">Clause</th> <th data-bbox="1079 292 1765 352">Response</th> </tr> </thead> <tbody> <tr> <td data-bbox="607 352 1079 759"> 4.3 Height of buildings </td> <td data-bbox="1079 352 1765 759"> <p>The site is subject to a maximum building height of 9m under the LEP.</p> <p>Pursuant to Clause 3.43 of the T and I SEPP, 'development consent may be granted for development for the purpose of a school that is State significant development even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted'. Notwithstanding, justification for the proposed height variation is provided in Section 6.2.1 of the EIS.</p> </td> </tr> <tr> <td data-bbox="607 759 1079 855"> 4.4 Floor Space Ratio </td> <td data-bbox="1079 759 1765 855"> <p>The site is not subject to a maximum FSR under the LEP.</p> </td> </tr> <tr> <td data-bbox="607 855 1079 951"> 5.10 Heritage Conservation </td> <td data-bbox="1079 855 1765 951"> <p>N/A – the site is not located in close proximity to any heritage items or heritage conservation areas.</p> </td> </tr> </tbody> </table>	Clause	Response	4.3 Height of buildings	<p>The site is subject to a maximum building height of 9m under the LEP.</p> <p>Pursuant to Clause 3.43 of the T and I SEPP, 'development consent may be granted for development for the purpose of a school that is State significant development even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted'. Notwithstanding, justification for the proposed height variation is provided in Section 6.2.1 of the EIS.</p>	4.4 Floor Space Ratio	<p>The site is not subject to a maximum FSR under the LEP.</p>	5.10 Heritage Conservation	<p>N/A – the site is not located in close proximity to any heritage items or heritage conservation areas.</p>	
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<p>Draft Parramatta Local Environmental Plan</p>	<p>The draft Parramatta LEP will replace the existing LEPs that apply to the LGA with the primary focus on consolidating the existing planning controls. In relation to the subject site the following is proposed under the draft LEP:</p> <ul style="list-style-type: none"> • Maintain existing R2 Low Density Residential Zoning. • No change to existing 9m maximum building height. • Introduce a maximum FSR of 0.5:1 to the site. <p>In relation to the FSR of 0.5:1, as discussed development consent may be granted for development for the purpose of a school that is State significant development even though the development would contravene a development standard imposed under the LEP. Notwithstanding, the site benefits from a large site area of greater than 9 hectares and it is unlikely a school development on the site would exceed the future 0.5:1 FSR standard.</p>	<p>-</p>								

Consideration under other legislation		
<p><i>Environment Protection and Biodiversity Conservation Act 1999</i></p>	<p>The <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) is federal legislation which provides a legal framework to protect and manage nationally important flora, fauna, ecological communities and heritage places defined as ‘matters of national environmental significance’ (MNES). A referral must be made to the Australian Government Minister for the Environment for actions that are likely to have a significant impact on MNES.</p> <p>As discussed in the Biodiversity Assessment Report (BDAR) at Appendix EE, MNES have been identified as likely to occur on or near the development site. The BDAR identifies potential impacts to <i>Pteropus poliocephalus</i>, Grey-headed Flying Fox and concludes that the development is not likely to have a significant impact on this species.</p>	<p>BDAR - Appendix EE</p>
<p><i>Biodiversity Conservation Act 2016</i></p>	<p>The BC Act identifies and protects threatened species, populations and ecological communities that are under threat of extinction in NSW. Impacts to threatened species and endangered ecological communities listed under the BC Act are required to be assessed in accordance with Section 7.3 of the BC Act and applicants must also consider whether their proposal will exceed the following Biodiversity Offset Scheme Development Thresholds:</p> <ol style="list-style-type: none"> 1. Exceeding the clearing threshold on an area of native vegetation; 2. Carrying out development on land included in the Biodiversity Values Land Map; or 3. Having a ‘significant effect’ on threatened species or ecological communities. <p>Eco Logical have prepared a Biodiversity Development Assessment Report (BDAR) to meet the requirements of the Biodiversity Assessment Method (BAM) 2020 and the SEARs. Vegetation within the development site was identified as planted native vegetation, therefore, a BDAR was prepared under the streamlined assessment. Species credits are not required to offset the proposed impacts and planted native vegetation will be reinstated as part of the proposed development.</p> <p>The following mitigation measures are identified in the BDAR to manage any impacts at the development site before, during and after construction:</p>	<p>BDAR - Appendix EE</p>

	<ul style="list-style-type: none"> • Timing works to avoid critical life cycle events, such as breeding or nursery. • Instigating clearing protocols, including pre-clearing surveys, daily surveys and staged clearing, and using a trained ecologist or licensed wildlife handler during clearing events. • Using hygiene protocols to prevent the spread of weeds or pathogens between infected and uninfected areas. 	
The Hills Development Control Plan 2012		
The Hills Development Control Plan 2012	Under Section 3.36(9) of the Transport and Infrastructure SEPP, (9) 'a provision of a development control plan that specifies a requirement, standard or control in relation to development of a kind referred to in subsection (1), (2), (3) or (5) is of no effect, regardless of when the development control plan was made' which includes development for the purpose of a school. Notwithstanding, refer to table below for consideration of the relevant DCP provisions.	-

The Hills Development Control Plan 2012

THDCP Provision	Comment
Part B Section 2 Residential	
Land to which this section of the plan applies	Part B Section 2 of the DCP applies to all residential zoned land. The site is zoned R2 Low Density Residential and therefore this Section applies to the proposal.
2.14.10 Solar Access	The DCP requires that private open space on adjoining properties is to receive direct sunlight for a minimum of 4 hours between 9am and 3pm on 21 June. The proposal will not result in the adjoining properties receiving less than 4 hours solar access to their private open space in mid-winter. Refer to Section 6.2.4 of the EIS and the Shadow Diagrams at Appendix B for further detail.
2.8 Bushland and Biodiversity	A Biodiversity Development Assessment Report is provided at Appendix EE. The analysis identifies that the site has minimal biodiversity values.
2.9 Erosion and Sediment Control	An Erosion and Sediment Control Plan is provided at Appendix Y. Discharge from the site will be controlled through inlet pit protections, sediment fencing, and a stabilised site entry.

2.12 Stormwater Management	A Stormwater Management Plan is provided at Appendix Y. A new system is proposed that incorporates an internal stormwater pit and pipe drainage network be constructed to collect and capture all roof water and pavement run-off for up to the design minor event. The pipe network will convey run-off through the developed portion of the school grounds, then through the proposed detention basin and discharge into the existing pit on Felton Road West (for CWPS) and the existing pit on eastern side, adjacent to the carpark (for CHS).																
2.16 Waste Management	Operational Waste Management Plans have been prepared and are provided at Appendices JJ and KK. The Plans provide guidance on management of general waste and recyclable materials that will be generated during the school's operational phase. A Demolition and Construction Waste Management Plan is provided at Appendix II.																
Part C Section 1 Parking																	
2.1 General Parking Requirements	<p>The car park design does not propose and will not achieve compliance with The Hills DCP (which is the current relevant DCP for the site), which nominates parking bay dimensions and aisle widths greater than the Australian Standards. As the user group for this development will be staff only, who are using the car park on a daily basis and will be familiar with the site, compliance with the Australian Standards is considered satisfactory and suitable for this proposal.</p> <table border="1" data-bbox="613 778 1980 1114"> <thead> <tr> <th data-bbox="613 778 958 842"></th> <th colspan="3" data-bbox="965 778 1980 842">User Group</th> </tr> <tr> <th data-bbox="613 847 958 911"></th> <th data-bbox="965 847 1301 911">Staff</th> <th data-bbox="1308 847 1644 911">Students</th> <th data-bbox="1650 847 1980 911">Visitors</th> </tr> </thead> <tbody> <tr> <td data-bbox="613 916 958 1011">DCP rate</td> <td data-bbox="965 916 1301 1011">1 space per employee</td> <td data-bbox="1308 916 1644 1011">1 space per 8 year 12 students</td> <td data-bbox="1650 916 1980 1011">1 space per 30 students</td> </tr> <tr> <td data-bbox="613 1016 958 1114">CWPS car parking requirements</td> <td data-bbox="965 1016 1301 1114">90 spaces</td> <td data-bbox="1308 1016 1644 1114">-</td> <td data-bbox="1650 1016 1980 1114">54 spaces</td> </tr> </tbody> </table> <p>These DCP rates would require a total provision of 144 spaces at CWPS. Application of parking rates provided in The Hills DCP would:</p> <ul data-bbox="613 1214 1912 1310" style="list-style-type: none"> • be a significant departure from the sustainable transport strategy for the development. • encroach significantly into available open space / play space and reduce the amenity of the site for students. • create additional traffic arriving to the site would further congest the already congested road network. <p>Refer to the Transport and Accessibility Impact Assessment at Appendix S for further details.</p>		User Group				Staff	Students	Visitors	DCP rate	1 space per employee	1 space per 8 year 12 students	1 space per 30 students	CWPS car parking requirements	90 spaces	-	54 spaces
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2.3 Bicycle Parking	Bicycle storage is proposed at Educational Facilities Standards & Guidelines (EFSG) rates for students (96 spaces for CWPS, 84 spaces for CHS), and for 10% of staff. End-of-trip facilities for staff should be provided in the form of 4 showers, 2 change rooms, and lockers for each of CWPS and CHS, in accordance with NSW Planning Guidelines for																

Walking and Cycling.