



## APPENDIX D – STATUTORY COMPLIANCE TABLE

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
<i>Environmental Planning and Assessment Act 1979</i>			
Section 1.3	<p><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>	<p>The proposal will provide high-quality educational facilities which will promote the social welfare of the school and the local community.</p> <p>The proposal has been designed to improve the road network within, in and out of the school for reduced congestion and improved traffic management. Additionally, the proposal seeks to improve the learning environment of students while improving the conservation strategies of the heritage items on the site and the natural environment on the site.</p> <p>Subject to the implementation of the various mitigation measures recommended by the specialist consultants as summarised in this EIS, the proposal does not have any unreasonable environmental or social impacts on adjoining properties or the public domain.</p>	Throughout EIS
	<p><i>To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i></p>	<p>The proposed buildings have incorporated ecological sustainability using recyclable material brick, timber low carbon concrete and steel and a performative roof to harness the energy through solar panels, capture water, add to thermal comfort and provide solar access throughout the building. The buildings have recognised the sites environment and</p>	

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Section 1.3		<p>incorporated the significant vegetation into the learning experience of the students.</p> <p>Relevant economic, environmental and social considerations as discussed in <b>Section 6</b> of the EIS.</p>	<b>Throughout EIS</b>
	<p><i>To promote the orderly and economic use and development of land</i></p>	<p>The proposal represents the optimisation of the school to allow for orderly renewal of the campus and more economical use of the land.</p>	
	<p><i>to promote the delivery and maintenance of affordable housing,</i></p>	<p>The proposal offers private accommodation for students and staff. While this does not directly add to the affordable housing supply, it offers to house employees of the school. Through offering teaching staff, who are considered key workers, with housing, the proposal will provide affordable housing to suit the demands of The King's School employees.</p>	
	<p><i>To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats</i></p>	<p>A Biodiversity Development Assessment Report (<b>Appendix P</b>) has been prepared by EcoLogical, which confirms that the development is likely to have a significant impact on the biodiversity values of the site, including species of native animals and plants, ecological communities and their habitats.</p> <p>The proposed development has been sited to minimise the potential impacts on the environment, including the re-routing of the internal road on Masons Drive to reduce the impact on the Sydney Turpentine Ironbark Forest.</p> <p>A total of 42 biodiversity offset and ecosystem credits are required for the proposal, and 36 species credits for the Southern Myotis.</p>	

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
Section 1.3	<p><i>To promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i></p>	<p>The proposal promotes the sustainable management of building and cultural heritage through a variety of strategies.</p> <p>The EIS is accompanied by an ACHAR, HIS, and HAIA which detail the proposals potential impacts on the known and mapped heritage values of the site. The reports conclude that the proposed development can proceed, subject to the implementation of recommended mitigation measures. The proposed development has been sites to minimise any potential on built, cultural and environmental heritage.</p> <p>The proposed development celebrates Aboriginal cultural heritage through incorporating the identified Connecting to Country principles into the design of the proposal. This is evident in the materiality and siting of the STEAM building, the cantilevering of the GLU over the existing dam, and emulative materiality of the PAB building which responds to the natural environment of Hunts Creek.</p>	Throughout EIS
	<p><i>To promote good design and amenities of the built environment,</i></p>	<p>The proposal has incorporated the advice from the State Design Review Panel (SDRP) to ensure the proposal has quality and considered design outcomes.</p>	
Section 4.15	<p>Relevant environmental planning instruments:</p> <p><i>SEPP (Resilience and Hazards) 2021</i></p> <p><i>SEPP (Planning Systems) 2021</i></p> <p><i>SEPP (Transport and Infrastructure) 2021</i></p> <p><i>SEPP (Industry and Employment) 2021</i></p> <p><i>SEPP (Biodiversity and Conservation) 2021</i></p>	<p>The compliance of the proposed development against the relevant provisions of each applicable EPI is discussed in detail throughout this table.</p>	Section 4

<b>Statutory Reference</b>	<b>Relevant Considerations</b>	<b>Relevance</b>	<b>Section in EIS</b>
	<i>Parramatta Local Environmental Plan 2023</i>		<b>Section 4</b>
Section 4.15	Draft environmental planning instruments:	None relevant to the proposed development.	<b>N/A</b>
Section 4.15	Relevant planning agreement or draft planning agreement	None relevant to the proposed development.	<b>N/A</b>
Section 4.15	<i>Environmental Planning and Assessment Regulation 2021 – Schedule 2</i>	This EIS has been prepared in accordance with Schedule 2 of the Regulations.	<b>Section 4</b>
Section 4.15	Development control plans:  <i>Parramatta Development Control Plan 2023</i>	Clause 2.10 of the Planning Systems SEPP states that development control plans (DCP) (whether made before or after the commencement of this Policy) do not apply to SSD.  As such, there is no requirement for assessment of the proposal against Parramatta Development Control Plan 2023 (PDCP 2023) for this SSDA. Notwithstanding this, consideration has been given to the Parramatta DCP 2023.	<b>Section 6</b>
Section 4.15	The likely impacts of that development include environmental impacts on both the natural and built environments and social and economic impacts in the locality.	The likely impacts of the development, including the environmental impacts on the natural and built environments and social and economic impacts on the locality, are assessed in detail within the EIS.	<b>Section 6</b>
Section 4.15	The suitability of the site for the development	The suitability of the site for the proposed development is demonstrated and discussed in Section 7 of the EIS.	<b>Section 2 and 7</b>
Section 4.15	Any submissions made	Submissions will be considered a following the exhibition of the application.	<b>Section 7</b>
Section 4.15	The public interest	The public interest of the development is demonstrated and discussed in Section 7 of the EIS.	<b>Section 7</b>

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<b>Environmental Planning and Assessment Regulation 2021</b>			
Part 8 Division 2	Part 8 Division 2 of the EP&A Reg provides that environmental assessment requirements will be issued by the Secretary with respect to the proposed EIS.	This EIS has been prepared to address the requirements of Part 8 Division 2 of the EP&A Regulations and SEARs.	<b>Throughout EIS</b>
<b>Biodiversity Conservation Act 2016</b>			
Section 7.14	The likely impact of the proposed development on biodiversity values as assessed in the Biodiversity Development Assessment Report (BDAR). The Minister for Planning may (but is not required to) further consider under that <b>BC Act</b> the likely impact of the proposed development on biodiversity values.	<p>A Biodiversity Development Assessment Report (<b>Appendix R</b>) has been prepared by EcoLogical, which confirms that the development is likely to have a significant impact on the biodiversity values of the site, including species of native animals and plants, ecological communities, and their habitats.</p> <p>A detailed assessment of the impact of the proposed development on the known biodiversity value of the site is contained in <b>Section 6.10</b> of the EIS.</p>	<b>Section 6.13</b> <b>Appendix R</b>
<b>NSW National Parks and Wildlife Act 1974 (NPW Act)</b>			
Section 4.41	The NPW Act aims to prevent the unnecessary or unwarranted destruction of relics and the active protection and conservation of relics of high cultural significance. The provisions of the Act apply to both indigenous and nonindigenous relics.	An Aboriginal Cultural Heritage Assessment Report (AHCAR) has been prepared by Artefact Pty Ltd ( <b>Appendix CC</b> ) and a Historical Archaeology Impact Assessment (HAIA) has been prepared by Urbis Pty Ltd ( <b>Appendix EE</b> ). Both the ACHAR and the HAIA have assessed the potential impacts of the proposed development on nonindigenous and indigenous archaeology. The reports have determined that the proposed development has nil-low potential to uncover or impact archaeological relics.	<b>Section 6.8</b> <b>Section 6.10</b> <b>Appendix CC</b> <b>Appendix EE</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
<b>Mandatory relevant considerations under EPIs</b>			
<b>State Environmental Planning Policies</b>			
State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)			
<i>State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)</i>	Clause 15(2) of Schedule 1 of the Planning Systems SEPP provides that development for the purpose of educational establishments that has a CIV of more than \$50 million is classified as SSD.	The proposed alterations and additions to the existing school has an estimated CIV of more than \$50 million excluding GST. Therefore, the proposal is SSD in accordance with Clause 15, Schedule 1 of the Planning Systems SEPP.	<b>Section 4</b>
<i>State Environmental Planning Policy (Resilience and Hazards) 2021 (R&amp;H SEPP)</i>			
Section 4.6 Contamination and remediation to be considered in determining development application	Section 4.6 states a consent authority must be 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.	A Preliminary Site Investigation and a subsequent Detailed Site Investigation (DSI) has been undertaken by JBS&G at <b>Appendix X</b> and <b>Appendix LL</b> , respectively.  The DSI confirmed that the site is suitable for the proposed development and that any contaminants identified are below the ecological or human health risk level.	<b>Section 6.16</b> <b>Appendix X</b> <b>Appendix LL</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&amp;I SEPP)</i>			
<p>Section 2.121 Traffic-generating development</p>	<p>Section 2.121 applies to traffic-generating developments as specified under schedule 3 of the SEPP and relates to new premises of the relevant size or capacity, or an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity. The proposed development fronts the Cumberland Highway – a state road. Therefore, the development requires written notice of the application to TfNSW within 7 days after the application is made.</p> <p>Before determining a development application for development to which this section applies, the consent authority must—</p> <p>(a) give written notice of the application to TfNSW within 7 days after the application is made, and</p> <p>(b) take into consideration—</p> <p>(i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and</p> <p>(ii) the accessibility of the site concerned, including—</p>	<p>Traffic impact associated with the proposed works are discussed in <b>Section 6.9</b> of the EIS and assessed within the Transport and Accessibility Impact Assessment prepared by TTW enclosed in <b>Appendix N</b>.</p>	<p><b>Section 6.9</b> <b>Appendix N</b></p>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
Section 2.121 Traffic-generating development	<p>(A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and</p> <p>(B) the potential to minimise the need for travel by car and to maximise the movement of freight in containers or bulk freight by rail, and</p> <p>(iii) any potential traffic safety, road congestion or parking implications of the development.</p>	See above.	<b>Section 6.9</b> <b>Appendix N</b>
Section 3.35 Development for purposes of campus student accommodation	<i>A development consent must not be granted unless the consent authority has considered the design quality of the development, evaluated in accordance with the design quality principles set out in Schedule 8.</i>	The proposed design of the Boarding House and Staff Residence addresses the design quality requirements of the Transport and Infrastructure SEPP. A formal response to requirements of Schedule 8 “Design quality principles in schools” is provided in the Design Report prepared by BVN in <b>Appendix I</b> .	<b>Section 6.1</b> <b>Appendix I</b>
Section 3.36 Schools – development permitted with consent	<i>(1) Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.</i>	The King’s School site is zoned SP2 Infrastructure and R2 Low Density Residential, which are both prescribed zones for the purposes of a school under the Transport and Infrastructure SEPP. The development is therefore permitted with consents under Part 3.4 of the Transport and Infrastructure SEPP.	<b>Section 4</b> <b>Section 7</b> <b>Appendix I</b>
	<i>(2) Development for a purpose specified in section 3.40(1) or 3.41(2)(e) may be carried out by any person with development consent on land within the boundaries of an existing or approved school.</i>	Development consent is sought for the proposed works.	

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Section 3.36 Schools – development permitted with consent	<i>(5) A school (including any part of its site and any of its facilities) may be used, with development consent, for the physical, social, cultural or intellectual development or welfare of the community, whether or not it is a commercial use of the establishment.</i>	The school's facilities are available for community use (for hire) outside of school hours.	Section 4 Section 7 Appendix I
	<p><i>(6) Before determining a development application for development of a kind referred to in subsection (1), (3) or (5), the consent authority must take into consideration—</i></p> <p><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><i>(b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.</i></p>	<p>The EIS addresses the design quality of the development. A formal response to the Schedule 8 School design quality principles is included in the Design Report prepared by BVN and is attached at <b>Appendix I</b>.</p> <p>As stated above, the community does currently have access to specific school facilities outside of school hours. No changes are proposed to current arrangements.</p>	
	<i>(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.</i>	Consideration has been given to relevant provisions of the Parramatta DCP 2023 within the relevant technical reports.	
Section 3.43 State significant development for the purpose of schools—	<i>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</i>	Several proposed buildings result in minor variations to the mapped maximum building height of 9 metres under the Parramatta LEP 2023. The proposal is assessed against the control in further detail below.	Section 7

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application of development standards in environmental planning instruments	<i>environmental planning instrument under which the consent is granted.</i>	See above.	
	<p><b>Clause 3.36 Schools – development permitted with consent.</b></p> <p><i>(1) Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.</i></p>	<p>The proposed development is in the SP2 Infrastructure (School) and R2 (Low density Residential), which are a prescribed zone for the purposes of the School under the Transport and Infrastructure SEPP.</p> <p>The development is therefore permitted with consent under Section 3.4 of the Transport and Infrastructure SEPP.</p>	
<b>State Environmental Planning Policy (Sustainable Buildings) 2022</b>			
Section 3.2	<p>Development consent for non-residential development</p> <p>(1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—</p> <p>(a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,</p> <p>(b) a reduction in peak demand for electricity, including through the use of energy efficient technology,</p>	<p>The proposed development has been designed having regard to the principles of ecologically sustainable development. These are set out within the ESD Report (included at <b>Appendix M</b>).</p> <p>In addition, a Net Zero Statement, Embodied Emissions Materials Report and Embodied Emissions Forms (submitted under separate cover) have been prepared which demonstrate how the detailed design will be capable of operating at net zero emissions by 2035, and how a potential reduction in emissions from key materials will be achieved.</p> <p>The proposed development is consistent with the requirements of the Sustainable Buildings SEPP.</p>	<p><b>Section 6.5</b></p> <p><b>Appendix M</b></p> <p><b>Appendix QQ</b></p> <p><b>Appendix RR</b></p>

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	<p>(c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,</p> <p>(d) the generation and storage of renewable energy,</p> <p>(e) the metering and monitoring of energy consumption,</p> <p>(f) the minimisation of the consumption of potable water.</p>	See above.	<p><b>Section 6.5</b></p> <p><b>Appendix QQ</b></p> <p><b>Appendix RR</b></p>
Section 3.4	<p>Other considerations for certain State significant development</p> <p>(1) This section applies to non-residential development that is State significant development specified in State Environmental Planning Policy (Planning Systems) 2021, Schedule 1, sections 13–15.</p> <p>(2) In deciding whether to grant development consent to the development to which this section applies, the consent authority must consider whether the development will minimise the use of on-site fossil fuels as part of the goal of achieving net zero emissions in New South Wales by 2050.</p>	<p>The proposal is subject to Section 15 of Schedule 1 in the State Environmental Planning Policy (Planning Systems) 2021.</p> <p>The proposal aims to align with the target for net zero emissions in New South Wales by 2050 through not using fossil fuels on site from occupation.</p> <p>The proposal is designed to operate fully on fossil-free system immediately upon occupation and use, meeting the “Net Zero Ready pathway”. All buildings will utilise electric appliances, and operate using electric hot water units, storage, and pumps.</p> <p>Energy efficient passive design has been considered as part of the design process, including building orientation, shading and natural ventilation to reduce energy dependency and maximise energy efficiency.</p> <p>The proposal will minimise the use of fossil fuels in New South Wales through pursuing the “Net Zero Ready pathway” and the incorporation of passive design principles.</p>	<p><b>Section 6.5</b></p> <p><b>Appendix QQ</b></p> <p><b>Appendix RR</b></p>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
<b>Parramatta Local Environmental Plan 2023</b>			
Zoning and Land Use	<p><b>Part SP2 Infrastructure (Roads) and Part SP2 (Education Establishment)</b></p> <ul style="list-style-type: none"> <li>• <i>To provide for infrastructure and related uses.</i></li> <li>• <i>To prevent development that is not compatible with or that may detract from the provision of infrastructure.</i></li> </ul> <p><b>Part R2 Low-Density Residential</b></p> <ul style="list-style-type: none"> <li>• <i>To provide for the housing needs of the community within a low density residential environment.</i></li> <li>• <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i></li> <li>• <i>To maintain the low density residential character of the area.</i></li> <li>• <i>To ensure non-residential land uses are carried out in a way that minimises impacts on the amenity of a low density residential environment.</i></li> <li>• <i>To provide a range of community facilities that serve the needs of people who live in, work in and visit the area.</i></li> </ul>	<p>The proposal is for the purpose of improvement and upgrade works to an existing school. The subject site is primarily zoned SP2 – Educational Establishment. Therefore, the proposed works are consistent with the approved use and objectives of the SP2 zone which is to provide infrastructure and compatible land uses. The existing school is an established and compatible land use within the zone that provides educational facilities for the residents in the area and the broader LGA.</p> <p>The King’s School has co-existed within the R2 low-density residential zone for several years. The proposed development is not expected to adversely impact upon the amenity of the surrounding residential neighbourhood, rather it will positively benefit the residents by providing traffic improvements to the surrounding road network and enhanced educational opportunities for school students.</p> <p>The proposal will ensure that The King’s School continues to meet the growing needs of the current and future school community whilst improving the amenity of the North Parramatta area.</p>	<p><b>Section 4</b></p> <p><b>Section 7</b></p>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
	<ul style="list-style-type: none"> <li><i>To protect and enhance tree canopy, existing vegetation and other natural features.</i></li> </ul>		
4.3 Height of Buildings	The site is subject to a mapped maximum building height of 9m.	<p>All the proposed buildings, excluding the Sports Pavilion, will result in a minor variation to the mapped building height of 9 metres established by the Parramatta LEP 2023.</p> <p>However, the proposed building heights are appropriate for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ The desired outcome of the development will not be achieved if strict compliance was applied, because: <ul style="list-style-type: none"> <li>a. The 9m height control would typically apply to residential developments in the R2 zone. However, the proposed is for a school development, which requires more significant floor to ceiling heights to achieve a good level of internal amenity.</li> <li>b. The proposed development is consistent with the heights of existing buildings within The King’s School site.</li> </ul> </li> <li>▪ The minor variation to the building height control will not create adverse view, privacy or solar impact to surrounding developments. <ul style="list-style-type: none"> <li>a. The proposed buildings are setback from surrounding residential development, therefore protecting privacy via appropriate setbacks and building design.</li> <li>b. The proposed buildings will not reduce solar access to surrounding residential development. All amenity impacts will fall internally within The King’s School site.</li> </ul> </li> </ul>	<p><b>Section 4</b></p> <p><b>Section 7</b></p> <p><b>Appendix B</b></p> <p><b>Appendix C</b></p> <p><b>Appendix I</b></p>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
4.3 Height of Buildings	The site is subject to a mapped maximum building height of 9m.	<p>As noted above, pursuant to Clause 3.43 of the Transport and Infrastructure SEPP:</p> <p><i>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.</i></p> <p>Overall, compliance with the height control under the Parramatta LEP 2023 would not deliver meaningful benefits to The King’s School nor occupants of the surrounding properties. As such, the minor variation has been adequately assessed and can be supported based on the reasons outlined above.</p> <p>Further assessment of the detailed design and construction of the concept envelopes will be subject to further assessment as part of a future detailed DA(s).</p>	<p><b>Section 4</b></p> <p><b>Section 7</b></p> <p><b>Appendix B</b></p> <p><b>Appendix C</b></p> <p><b>Appendix I</b></p>
4.4 Floor Space Ratio	N/A	The site is not subject to a Floor Space Ratio control.	<b>N/A</b>
5.1A Development on land intended to be acquired for public purposes	<p>Development is limited for land that is intended to be acquired for a public purpose.</p> <p>Development must not be granted to development on land mapped on the land reservation acquisition map, other than development for a purpose specified for that land.</p>	<p>A small portion of the land is reserved for acquisition for the purpose of SP2 – classified road on the southern boundary of the site along Pennant Hills Road.</p> <p>No works are proposed to occur at this location.</p>	<b>N/A</b>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
5.10 Heritage Conservation	<p>Development consent is required to</p> <p>(a) demolish or move any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)</p> <p>(i) a heritage item,</p> <p>(ii) an Aboriginal object,</p> <p>(iii) a building, work, relic or tree within a heritage conservation area,</p>	<p>The King's School site is mapped and identified as a heritage item of local significance:</p> <ul style="list-style-type: none"> <li>▪ Item 176 - "Gowan Brae Group", comprising "Gowan Brae House", Kings School Chapel, gatehouse and fence, aviary, fountain, rotunda, "The Cedars", grave, 19<sup>th</sup>-century driveways and stables, iron palisade fence, horseshoe bridge/dam and roadway.</li> </ul> <p>A Heritage Impact Statement (HIS) has been prepared by Urbis at <b>Appendix CC</b> to interpret the significance of the site's heritage elements and any potential adverse impacts of the proposed development.</p> <p>The HIS has determined that given the location, scale, bulk, materiality and form of the proposed development it will not impact on the significance of any heritage elements at The King's School site.</p>	<p><b>Section 2.3</b></p> <p><b>Section 6.7</b></p> <p><b>Appendix CC</b></p>
5.21 Flood Planning	<p>Development consent must not be granted to development on flood prone land unless the consent authority is satisfied that the development will not adversely affect the land's flood function or endanger the safety of occupants and the public.</p>	<p>The location of the Staff Residences, Day Boy House, and Sports Pavilion are affected by post development overland 1% AEP flooding. The flood risk assessment of the potential flood impacts found that the proposed buildings in the proposed development scenario would be of low hazard to children and neighbouring properties. Therefore, the proposed development is consistent with Parramatta Council's Flood Policy.</p>	<p><b>Section 6.15</b></p> <p><b>Appendix U</b></p>
Clause 7.2 Earthworks	<p>Earthworks must not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p>	<p>Earthworks are proposed to facilitate the development. These works will be carried out in accordance with AS3798 (2007) and Council earthworks specification.</p> <p>It is envisaged that only minimal excavation will be required for the site, particularly at the STEAM building site given the</p>	<p><b>Section 6.14</b></p> <p><b>Appendix R</b></p> <p><b>Appendix S</b></p>

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<p>Clause 7.2 Earthworks</p>	<p>In deciding whether to grant development consent for earthworks, or for development involving ancillary earthworks, the consent authority must consider the following matters—</p> <ul style="list-style-type: none"> <li>(a) the likely disruption of, or detrimental effect on, drainage patterns, soil stability and flooding in the locality of the development,</li> <li>(b) the effect of the development on the likely future use or redevelopment of the land,</li> <li>(c) the quality of the fill or the soil to be excavated, or both,</li> <li>(d) the effect of the development on the existing and likely amenity of adjoining properties,</li> <li>(e) the source of fill material and the destination of excavated material,</li> <li>(f) the likelihood of disturbing relics,</li> <li>(g) the proximity to, and potential for adverse impacts on, a waterway, drinking water catchment or environmentally sensitive area,</li> <li>(h) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</li> </ul>	<p>sloping topography of the land. The extent of these works are described within the Geotechnical Reports (included at <b>Appendix R</b> and <b>Appendix S</b>). Section 6.14 of the EIS also outlines the earthworks proposed and the mitigation measures to be implemented to ensure no adverse impacts occur.</p> <p>It is unlikely relics will be disturbed beyond those identified in the ACHAR and the proposed development will not adversely impact the watercourse, drinking water catchment or environmentally sensitive areas.</p>	<p><b>Section 6.14</b> <b>Appendix R</b> <b>Appendix S</b></p>

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6.3 Biodiversity	<p>Clause 6.3 requires the consent authority to consider whether the development is likely to adversely impact biodiversity prior to determination.</p> <p>In deciding whether to grant development consent the consent authority must consider whether the development is likely to have:</p> <ul style="list-style-type: none"> <li>(I) an adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</li> <li>(ii) an adverse impact on the importance of the vegetation and habitat elements on the land to the survival of native fauna, and</li> <li>(iii) the potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</li> <li>(iv) an adverse impact on the habitat elements providing connectivity on the land, and</li> <li>(v) an adverse impact on the habitat of threatened species, populations or ecological communities, and</li> </ul>	<p>A Biodiversity Development Assessment Report (<b>Appendix P</b>) has been prepared by EcoLogical, which confirms that the development is likely to have a significant impact on the biodiversity values of the site, including species of native animals and plants, ecological communities and their habitats.</p> <p>The proposed development has been sited to minimise the potential impacts on the environment, including the re-routing of the internal road on Masons Drive to reduce the impact on the Sydney Turpentine Ironbark Forest.</p> <p>A total of 42 biodiversity offset and ecosystem credits are required for the proposal, and 36 species credits for the Southern Myotis.</p>	<p><b>Section 6.10</b></p> <p><b>Appendix P</b></p>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
6.5 Stormwater Management	<p>(2) Development consent must not be granted to development unless the consent authority is satisfied the development—</p> <p>(a) is designed to maximise the use of water permeable surfaces, having regard to the soil characteristics affecting on-site infiltration of water, and</p> <p>(b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and</p> <p>(c) avoids significant adverse impacts of stormwater runoff on adjoining properties, native bushland, receiving waters and land used for water-based recreation or, if the impacts cannot be reasonably avoided, minimises and mitigates the impacts.</p>	<p>TTW have prepared an Integrated Stormwater Management Plan (<b>ISMP</b>) which is attached at <b>Appendix T</b>. The ISMP is to demonstrate that an appropriate stormwater management system has been provided.</p> <p>The stormwater system will incorporate controls for the rate of flow of discharge from the site to not increase downstream drainage peak flow rates or adversely impact adjoining or downstream properties.</p> <p>On-site detention tanks will be provided for the development. The OSD's have been designed in accordance with Council's On-Site Detention Calculation Sheet They have been designed to store and control the sites discharge flow rate for storms up to and including 100 year ARI.</p> <p>The proposed stormwater system will have a beneficial effect on run-off quality as compared with existing conditions on site. This ensures that no adverse impacts from the proposed stormwater system is expected to occur to surrounding properties, native bushland or surrounding water systems.</p>	<p><b>Section 6.15</b></p> <p><b>Appendix T</b></p>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
<p><b>Parramatta Development Control Plan 2023</b></p> <p><i>Part 4: Non-Residential Development</i></p>			
<p>Section 4.5 Educational Establishments</p>	<p><b>Bulk and Scale</b></p> <p><b>C.01</b> Applications for educational establishments will be subject to the same height, floor space ratio, envelope, and landscaping controls that are identified in the Parramatta LEP 2023, Part 2 Design in Context, and Part 3 Residential Development of this DCP applicable to the land for permissible development within the applicable zone.</p> <p><b>C.02</b> Site planning must be sensitive to the streetscape character and views.</p> <p><b>C.03</b> Educational establishments are to be designed and landscaped in a manner that enhances the quality and visual amenity of the streetscape</p>	<p>The bulk, scale and materiality of the proposed development is consistent with the existing built form of The King’s School site. The location of the proposed development has undergone significant testing to ensure that the character of The King’s School, including its landscape, is not adversely impacted.</p> <p>The STEAM building is the only proposed building which will be visible from the streetscape, namely from Gowan Court. The impact of the STEAM building on the visual amenity of the has been assessed in the Visual Impact Assessment (VIA) prepared by Urbis (<b>Appendix L</b>). The VIA confirms that the visual impact of the STEAM building on Gowan Court is low and does not require mitigation.</p>	<p><b>Section 3</b></p> <p><b>Section 6.1</b></p> <p><b>Section 6.2</b></p> <p><b>Section 6.4</b></p> <p><b>Appendix L</b></p>
	<p><b>Acoustic Privacy</b></p> <p><b>C.04</b> The design of the proposed educational establishment should minimise the projection of noise from the various activities anticipated to occur within the site.</p> <p><b>C.05</b> A noise impact assessment statement, prepared by a suitably qualified acoustic engineer, is to be submitted with all applications</p>	<p>A Noise and Vibration Impact Assessment has been prepared by Acoustic Logic (<b>Appendix Q</b>) to assess the potential acoustic impacts of the proposed development on nearby residential development. The assessment confirms that the operational noise emitted from the proposed development will not adversely impact the amenity of nearby residential properties.</p> <p>The assessment predicts that noise emitted from construction activities will exceed the relevant noise management level, however won’t exceed the highly noise affected level. The</p>	<p><b>Section 6.13</b></p> <p><b>Appendix Q</b></p>

Statutory Reference	Relevant Considerations	Relevance	Section in EIS
Section 4.5 Educational Establishments	for development within residential zones or which adjoin residential zones.	potential exceedance above the relevant noise management levels is capable of being managed through the introduction of specific noise management controls and respite periods.	
	<p><b>Traffic Parking and Access</b></p> <p><b>C.07</b> On-site parking shall be provided at the rate determined by the traffic and transport impact assessment having regard to the objectives of this clause.</p> <p><b>C.08</b> All vehicles shall enter and leave the site in a forward direction. Clear distinctions should be made for vehicular traffic and pedestrian movements, both onsite and off-site.</p> <p><b>C.09</b> Measures should be taken to separate these and reduce potential conflict through design and management practices.</p> <p><b>C.10</b> Car parking spaces are to be designed to ensure ease of access, egress and manoeuvring onsite</p>	<p>The proposed development seeks to increase the existing parking provision from 471 spaces to 513 car parking spaces. The existing parking provision was incapable of accommodating the sites traffic demands, particularly during weekend sporting events. The proposed increase in car parking provision has been confirmed as a suitable rate by TTW Consulting in their Transport and Accessibility Impact Assessment (<b>Appendix N</b>).</p> <p>In addition to the additional parking, the proposed pick up and drop off arrangement will promote the safe and efficient movement of students arriving via vehicles to the Prep. School.</p> <p>The design of the proposed internal road has undergone significant revision to include traffic calming measures and a reduction in lanes to ensure a pedestrian friendly and safe environment.</p>	<p><b>Section 6.9</b></p> <p><b>Appendix N</b></p>