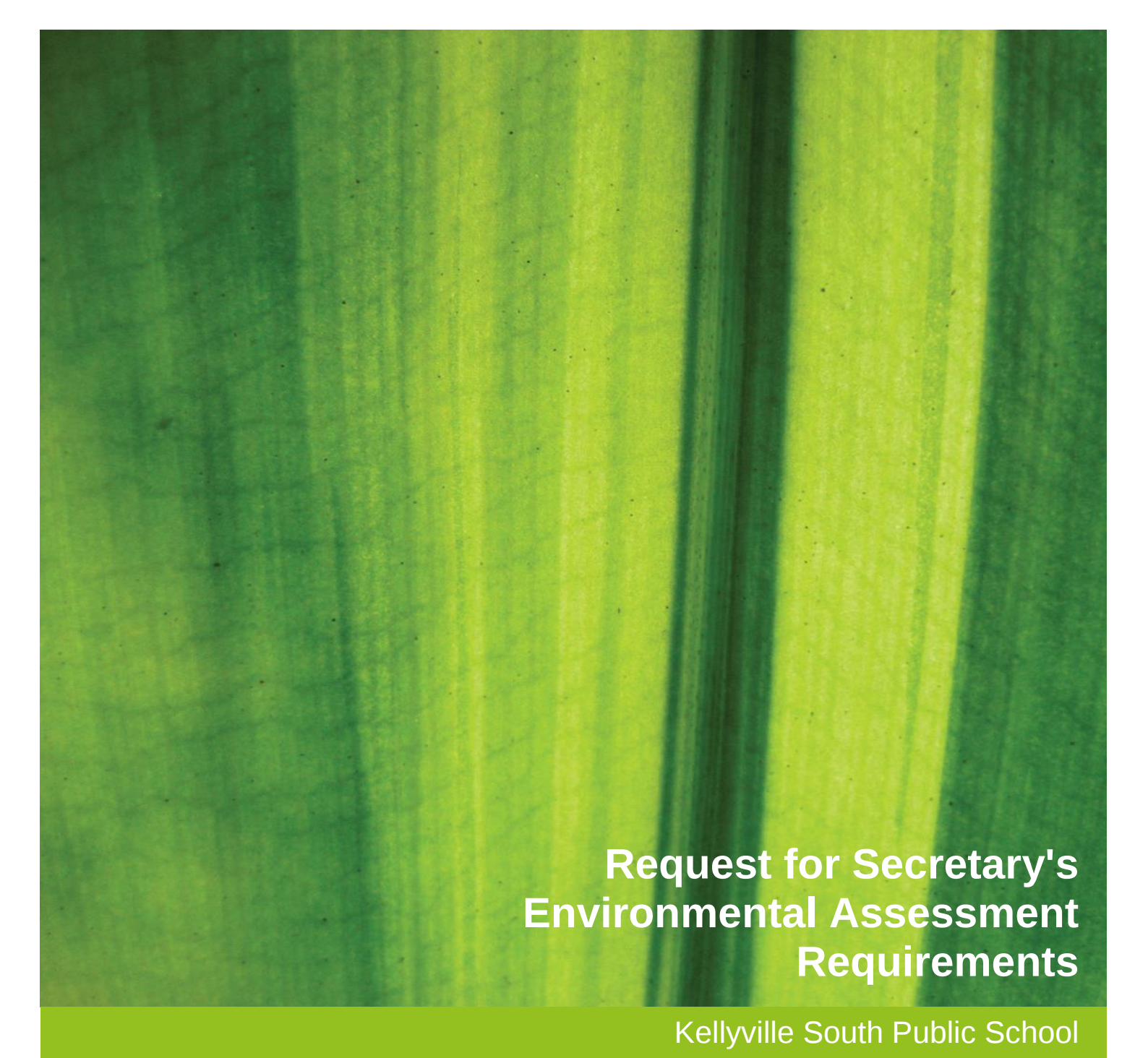




Request for Secretary's Environmental Assessment Requirements

Kellyville South Public School

July 2016

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TABLE OF CONTENTS

1	Introduction.....	2
2	Site and Surrounding Context.....	3
2.1	Site Location	3
2.2	Existing Development and vegetation	3
2.3	Surrounding Development.....	3
3	Description of the Proposal.....	5
4	Planning Framework	6
4.1	State Environmental Planning Policy (State and Regional Development) 2011	6
4.2	State Environmental Planning Policy (Infrastructure) 2007	6
4.3	State Environmental Planning Policy No. 55 - Remediation of Land	6
4.4	The Hills Shire Local Environmental Plan 2012	6
4.5	The Hills Development Control Plan.....	7
5	Likely Environmental Planning Issues	8
5.1	Architectural Quality and Built Form	8
5.2	Traffic and Parking.....	8
5.3	Flora and Fauna	8
5.4	Impact on Surrounding Sites	8
5.5	BCA and Access.....	8
5.6	Construction Management	8
5.7	Stormwater Management	8
5.8	Civil Engineering Detail	8
5.9	Contamination and Geotechnical	9
5.10	Social and economic Impacts.....	9
5.11	Safety and Security (CPTED).....	9
5.12	Consultation.....	9
6	Conclusion	10

Appendix A Concept Plans

FIGURES:

Figure 1 – Site Location.....	3
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1 Introduction

In accordance with Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), this document is a request for Secretary's Environmental Assessment Requirement (SEARs) to guide the development of Kellyville South Public School at 21-23 Fairway Drive, Kellyville. This development has a capital investment value (CIV) in excess of \$30 million. Pursuant to Schedule 1 Clause 15 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) development for the purposes of educational establishments (including schools) with a CIV in excess of \$30 million is state significant development for the purposes of the SEPP.

The site is located in the Balmoral Road Release Area. The future character of this area is a sustainable residential neighbourhood consisting of a variety of densities, from single detached dwellings to residential flat buildings. The Balmoral Road Release Area Map identifies the site as an educational establishment.

The development of the new Kellyville South Public School by the Department of Education reflects the significant need for additional public education infrastructure in this precinct. Across New South Wales, the Department of Education is funding new schools, upgrades to existing schools and improved facilities as public school enrolments are anticipated to be 40,000 students higher in 2019-20 than 2015-16. The Kellyville area is a location where significant residential growth will result in a concentration of new student enrolments. To meet the future demand, the Department of Education is required to provide a school at this location with the modern facilities required for a contemporary teaching and learning environment.

The proposed development is intended to comprise:

- A new two-storey school development including two wings connected by a COLA. The building will include classroom homebases, collaborative learning spaces, library, administrative and staff facilities.
- A sports court and communal hall building (a shared facility with The Hills Shire Council).
- A large synthetic soccer field (a shared facility with The Hills Shire Council).
- Landscaping and open space throughout the site.

The purpose of this report is to provide information to support the request to the Secretary. To assist in identifying the SEARs for the preparation of an Environmental Impact Statement (EIS) for the proposed development, this report provides:

- An overview of the site and context;
- A description of the proposed development;
- An overview of the relevant planning framework and permissibility; and
- An overview of the likely environmental and planning impacts.

Preliminary Concept Plans are attached to this report at **Appendix A**.

2 Site and Surrounding Context

2.1 SITE LOCATION

Kellyville South Public School is to be located at 21-23 Fairway Drive, Kellyville (highlighted in red in **Figure 1**). The site is approximately 3.5ha in size, with an existing frontage to Fairway Drive. New frontages will be created by new roads, Free Settlers Drive to the north and Ernesta Place to the south. The site is legally described as Lot 11 DP 247442 and Lot 501 DP 1130020.

FIGURE 1 – SITE LOCATION



2.2 EXISTING DEVELOPMENT AND VEGETATION

The existing development on the site comprises two detached dwelling houses, including driveway access from Fairway Drive.

Vegetation on site comprises 198 plant species, 66 of which are indigenous to Western Sydney and 132 which are exotic, ornamental planting or weeds. One threatened ecological community, Cumberland Shale Hills Woodland (a subset or associated of the Cumberland Plain Woodland), is located on site, although in an incomplete form. This assessment has been undertaken by UBM Ecological Consultants in preparation for an Early Works Development Application (DA) to be lodged with and assessed by The Hills Shire Council. Tree removal will form part of this Early Works DA.

2.3 SURROUNDING DEVELOPMENT

As noted, the site is located in the Balmoral Road Release Area and the surrounding area is in transition, reflecting a shift from low density residential on large lots to more dense development. The surrounding development is as follows:

- **North:** The site will be bordered to the north by the new Free Settlers Drive. Opposite the site, to the northwest, The Hills Shire Council are constructing the Balmoral Road Reserve which will comprise

- sporting fields, tennis courts and associated landscaping and parking Three buildings containing affordable rental housing have also been approved opposite the site on Free Settlers Drive.
- **East:** The site is bordered to the east by Fairway Drive. Opposite Fairway Drive is land zoned R2 Low Density, R3 Medium Density and R4 High Density Residential and a variety of residential development is to be provided along this road. Development approved along Fairway Drive includes seven residential flat buildings (174 apartments) at 28 Fairway Drive and a seniors housing development at 6 Fairway Drive.
- **South:** The site will be bordered to the south by Ernesta Place. A DA was lodged in December 2015 for the subdivision of the land to the south of the proposed school site (23A-29 Fairway Drive) to 59 residential lots of primarily between 700m² and 800m². This area is zoned R2 Low Density and R3 Medium Density Residential.
- **West:** To the west of the site is new detached dwelling development in the Brighton Drive precinct. These dwellings are generally of a significant scale, in keeping with the style of contemporary housing development in the Hills Shire region.

3 Description of the Proposal

The proposed development is intended to comprise:

- A new two-storey school development including two wings connected by a COLA, including classroom homebases, collaborative learning spaces, library, administrative and staff facilities.
- A sports court and communal hall building (a shared facility with The Hills Shire Council).
- A large soccer field (a shared facility with The Hills Shire Council).
- Landscaping and open space throughout the site.

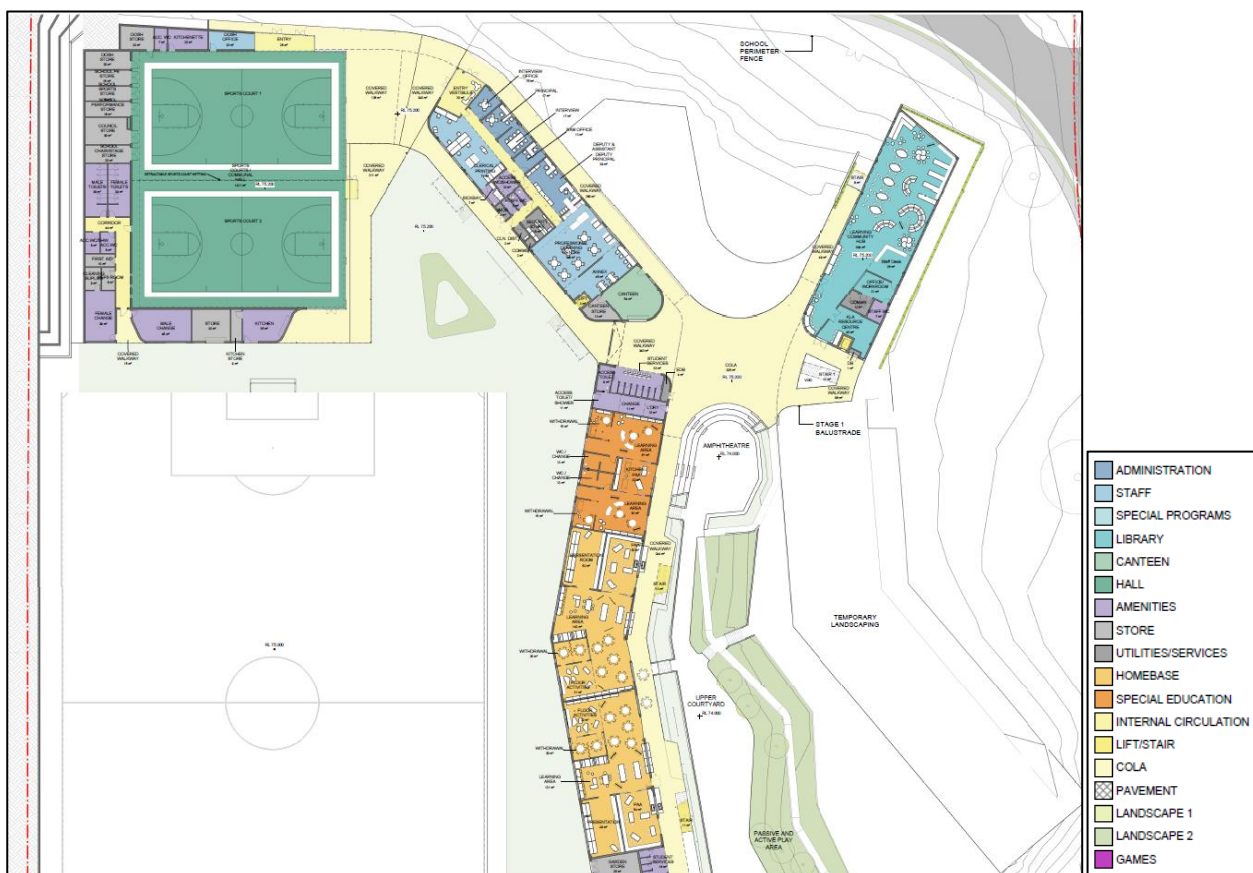
The ground floor layout is demonstrated in **Figure 2**. The proposed development will accommodate 1,000 students.

The project will provide a new homebases for K-6 students with space for up to 1,000 students in response to projected enrolment growth in the area in the surrounding suburbs.

This application does not seek a staged development; consent is sought for the detailed development of the entire school site. Construction of the project will be staged, as shown in the Concept Plans at **Appendix A**. Stage 1 of the construction works will involve the western wing, a portion of the eastern wing and the key open space areas including sports hall and sporting fields. Stage 2 of the construction works will involve the remaining portion of the eastern wing.

Early works, including demolition, tree removal, bulk earthworks and the like will be subject to a separate DA to be lodged with The Hills Shire Council.

FIGURE 2 – PROPOSED DEVELOPMENT



4 Planning Framework

The relevant state and local planning instruments applying to the proposed development are identified as follows:

- *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP)
- *State Environmental Planning Policy (Infrastructure) 2007* (Infrastructure SEPP)
- *State Environmental Planning Policy No 55—Remediation of Land* (SEPP 55)
- *The Hills Shire Local Environmental Plan 2012* (THLEP 2012)
- The Hills Development Control Plan

4.1 STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

Pursuant to Schedule 1 Clause 15 of SRD SEPP development for the purposes of educational establishments (including schools) with a CIV in excess of \$30 million is state significant development for the purposes of the SEPP. The proposed development has a CIV in excess of \$30 million and is therefore SSD for the purposes of the SRD SEPP.

4.2 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The Infrastructure SEPP provides the legislative planning framework for infrastructure and the provision of services across NSW. Clause 32 of the Infrastructure SEPP provides the relevant matters for consideration in the determination of a development application for 'educational establishments'.

Clause 32(2) states that before determining a development application for development for the purposes of a school, the consent authority must take into consideration all relevant standards in *School Facilities Standards—Landscape Standard—Version 22* (March 2002), *Schools Facilities Standards—Design Standard* (Version 1/09/2006) and *Schools Facilities Standards—Specification Standard* (Version 01/11/2008). Clause 32(3) states that if there is an inconsistency between a standard referred to in Clause 32(2) and a provision of a development control plan, the standard prevails to the extent of the inconsistency.

The above standards are no longer relied on as the guidelines for school design. The proposal has been designed with regard to a number of industry and government benchmarks including the NSW Educational Facilities Standards and Guidelines (EFSG).

4.3 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 - REMEDIATION OF LAND

SEPP 55 provides a state-wide planning approach to the remediation of contaminated land. SEPP 55 requires the consent authority to consider whether the subject land of any rezoning or development application is contaminated. If the land requires remediation to ensure that it is made suitable for a proposed use or zoning, the consent authority must be satisfied that the land can and will be remediated before the land is used for that purpose. Geotechnical and contamination investigations will be undertaken as part of the Early Works DA to be lodged with The Hills Shire Council. Details will be provided in the EIS if required.

4.4 THE HILLS SHIRE LOCAL ENVIRONMENTAL PLAN 2012

THLEP 2012 is the principal environmental planning instrument applying to the site. The zoning, permissibility and key built form controls are addressed in **Table 1**.

TABLE 1 – THLEP 2012 KEY BUILT FORM CONTROL

CONTROL	COMMENT
<u>Zoning</u> R2 Low Density Residential RE1 Public Recreation	The proposed development comprises an 'educational establishment'. This is permissible with consent in the R2 Low Density Residential zone, which comprises the majority of the site. 'Educational establishments' are prohibited in the RE1 Public Recreation zone. The RE1 Public Recreation zone will not include development associated with the school, however will accommodate Free Settlers Road. 'Roads' are permissible with consent in the RE1 Public Recreation zone.
<u>Height of Buildings</u> 10m	The portion of the site zoned R2 Low Density Residential, where school uses are proposed has a maximum building height of 10m under THLEP 2012. The maximum height of the proposed building is 10.4m. This height variation will be addressed in the EIS by way of justification pursuant to Clause 4.6 of the LEP - Exceptions to Development Standard.
<u>Other Considerations</u>	The site is not heritage listed and is not bushfire prone land. There is no FSR control that applies to the site.

4.5 THE HILLS DEVELOPMENT CONTROL PLAN

The site is subject to the precinct-specific Balmoral Road Release Area controls under Part D Section 7 DCP and the more general controls contained in Part C. The key controls applicable to the development of a public primary school on this land are:

- Parking (Part C Section 1);
- Landscaping (Part C Section 3); and
- Road Layout (Part D Section 7).

The DCP does not contain any specific controls for education establishments. Accordingly, there are few controls relevant to the proposal. The EIS will assess the proposal against the relevant DCP provisions.

5 Likely Environmental Planning Issues

5.1 ARCHITECTURAL QUALITY AND BUILT FORM

The site design has been subject to significant consideration by the Department of Education and the project team. The key issues for assessment of the architectural quality and built form include height and scale, setbacks and relationship to surrounding sites and the materials and finishes proposed. A local public school is often a community hub in a neighbourhood and a distinctive building and landscape setting has been designed to reflect this important role.

5.2 TRAFFIC AND PARKING

A full Traffic and Parking Assessment will be prepared which addresses parking requirements, new roadways, intersection analysis, vehicular and pedestrian access, sustainable transport measures and loading and unloading.

5.3 FLORA AND FAUNA

The removal of trees and ecological impacts will be considered as part of the Early Works DA to be lodged with The Hills Shire Council.

5.4 IMPACT ON SURROUNDING SITES

While the impact of the proposal on surrounding development is anticipated to be minimal, given the location of new roadways, proximity to future residential and scale of the surrounding development, the following impacts will be assessed:

- Acoustic impact;
- Visual privacy impact; and
- Overshadowing impact.

5.5 BCA AND ACCESS

A Building Code of Australia (BCA) Report will be provided which addresses BCA and access requirements.

5.6 CONSTRUCTION MANAGEMENT

A Preliminary Construction and Environmental Management Plan will be submitted with the EIS and will outline the key management measures used during construction. This will address relevant issues such as construction traffic, noise, soil erosion, dust control, stormwater management, etc.

5.7 STORMWATER MANAGEMENT

A Stormwater Concept, Stormwater Management Plan and Erosion and Sediment Control Plan will be provided, detailing a comprehensive management process.

5.8 CIVIL ENGINEERING DETAIL

Civil engineering matters, including the relationship with new roadways proposed on site, will be addressed in relevant Civil Engineering Plans.

5.9 CONTAMINATION AND GEOTECHNICAL

As discussed in relation to SEPP 55, geotechnical and contamination information will be provided as part of the Early Works DA to be lodged with The Hills Shire Council. Details can be provided in the EIS if required.

5.10 SOCIAL AND ECONOMIC IMPACTS

The social and economic impacts of the proposal will be detailed in the EIS. The anticipated social impacts are the provision of a community hub and contemporary public school infrastructure. The economic impacts will be related to employment generated during construction and operational phases.

5.11 SAFETY AND SECURITY (CPTED)

The EIS will outline the specific measures which have been integrated into the design to ensure the safety of students and the security of the broader site both in and out of school hours.

5.12 CONSULTATION

Preliminary community consultation has been undertaken, including a letterbox drop, information booths and advanced discussions with The Hills Shire Council. Key matters discussed with the local community include employment opportunities, catchment boundaries and school opening dates. Further consultation may be undertaken if required by the SEARs.

It is anticipated that the following will have an interest in this proposal and will be consulted with, if required by the SEARs:

- DPE
- DOE
- The Hills Shire Council
- RMS
- TfNSW
- Sydney Water
- Ausgrid
- Community stakeholders.

6 Conclusion

This report provides support to the request for SEARs made for the development of Kellyville South Public School at 19-21 Fairway Drive, Kellyville. The development of this school is driven by the ongoing residential growth in the surrounding area and the need for the Department of Education to provide contemporary school facilities to meet population demand and education requirements.

The site is identified for a school in the Balmoral Road Release Area DCP and will integrate with the surrounding residential development and the proposed new roadways. All relevant impacts will be assessed in the EIS, as guided by the SEARs.

Appendix A

Concept Plans

Sydney

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