

23 March 2017

Ms Carolyn McNally
Secretary
Department of Planning and Environment

Attention: Karen Harragon

Dear Ms Harragon

REQUEST FOR GRANTING OF SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENT FOR A NEW SCHOOL AT 120 -126 HEZLETT ROAD, KELLYVILLE

Think Planners on behalf of TSA Management, who are acting for the Department of Education, are seeking to develop a new public primary school at 120 -126 Hezlett Road, Kellyville.

As the proposed development comprises an educational establishment and has a Capital Investment Value (CIV) in excess of \$30 million it is categorised as State Significant Development (SSD) for the purposes of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In accordance with Clause 3 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) and Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) the purpose of this letter is therefore to request the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the proposed development. To support the request for the SEARs this letter provides an overview of the proposed development, sets out the statutory context, and identifies the key likely environmental and planning issues associated with the proposal.

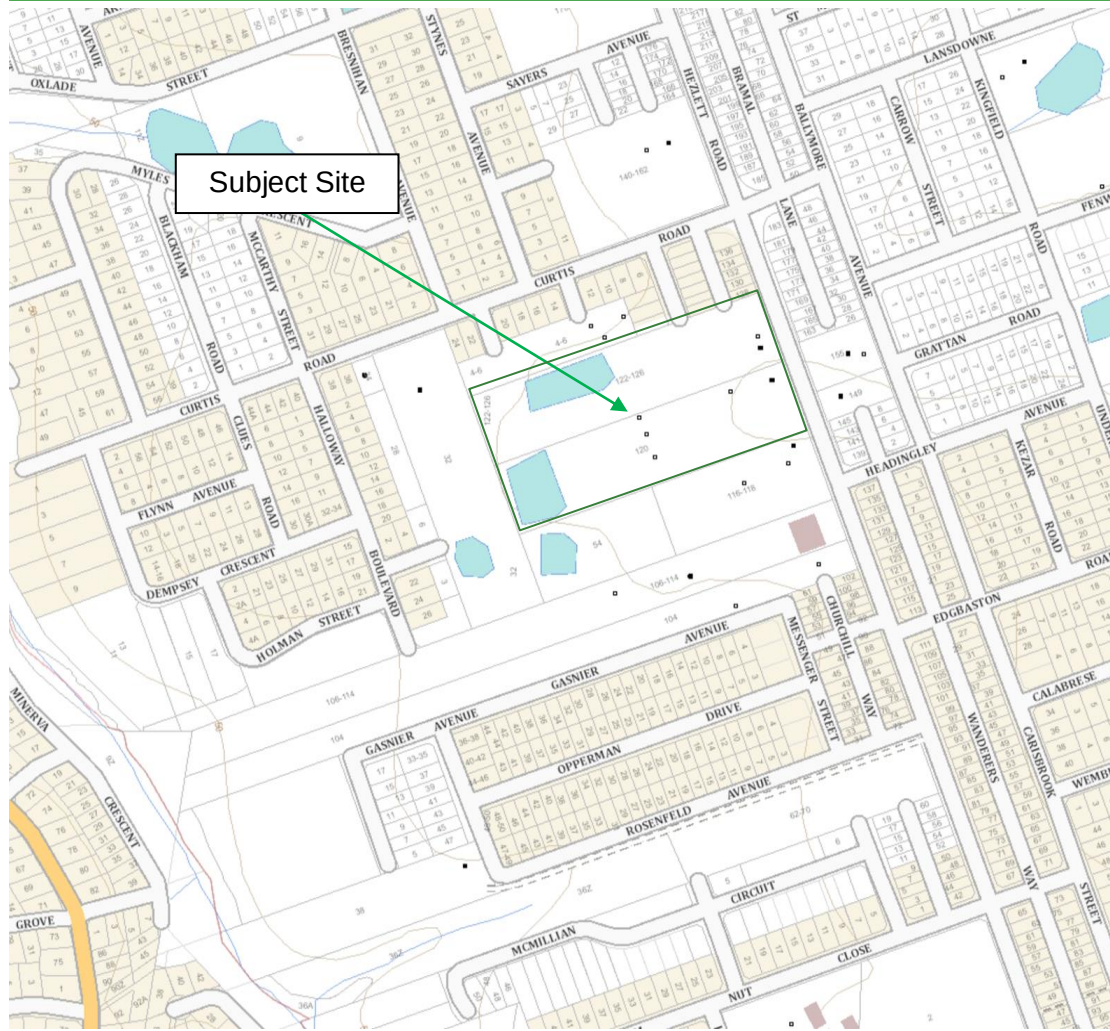
SITE

The site is legally known as Lot 2 and 3 in DP 27031, but commonly known as 120-126 Hezlett Road, Kellyville. (It is noted that the site was formally known as 56 -58 Hezlett Road, Kellyville, but due to the extent of anticipated development in this release area, the road was renumbered circa 2016.)

The site is owned by the NSW Department of Education.

The site appears up until recently to have been used for rural purposes with the site containing a dwelling, dams and outbuildings.

Figure 1: Cadastre (Source: Sixmaps 2017).



The following aerial photograph illustrates the extent of recent developments in the vicinity of the site that predominantly comprises small lot houses. It is noted that some of the larger allotments to the north of the site have either approvals or pending approvals for 3 storey apartments buildings.

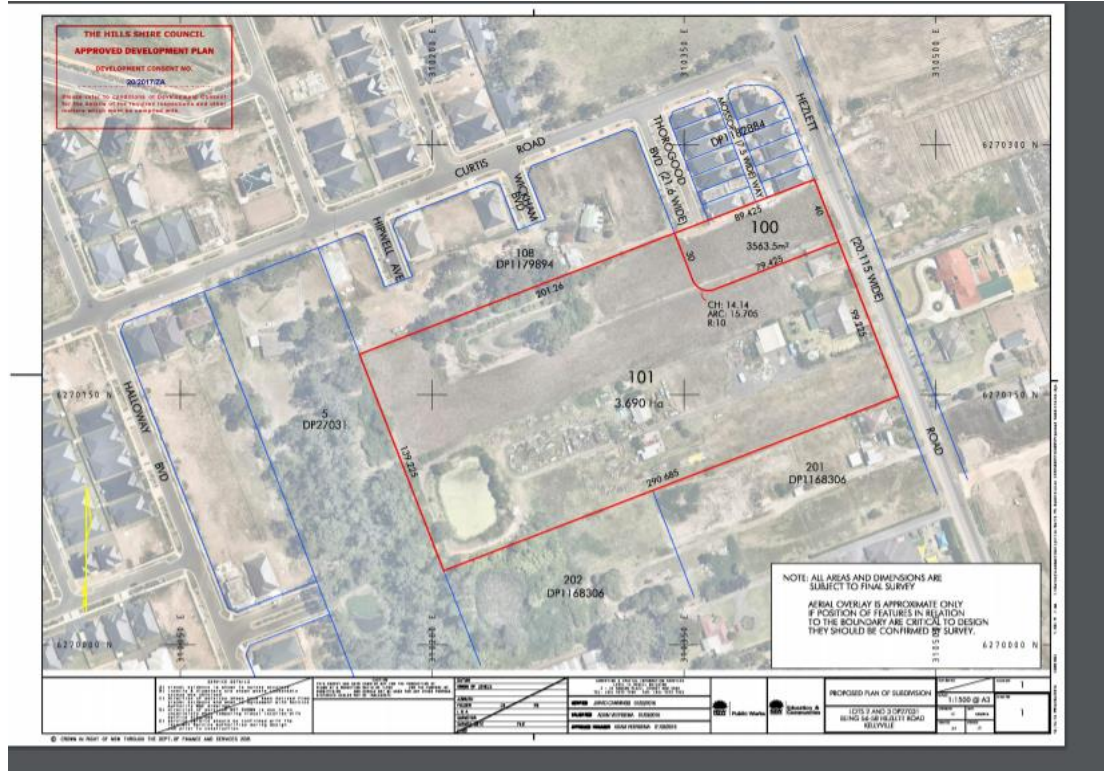
Figure 2: Aerial Photograph (Source: Googlemaps 2017).



EXISTING APPROVAL

The site benefits from an existing approval being Development application 20/2017/ZA to resubdivide the site into two residue allotments that was approved by The Hills Shire Council on 12 August 2016. An image of the approved plan of subdivision is provided on the following page:

Figure 3: Approved plan of Subdivision (Source: The Hills Shire council website 2017)



PROPOSAL

The proposal is to construct a 1000 place primary school that will result in 40 new teaching spaces and will be known as Kellyville North Public School.

Concept plans for the school that have been prepared by GHD Woodhead, accompany this letter.

It is noted that a local development application is likely to be submitted to The Hills Shire Council for a further subdivision of the site to create the school site as the approved subdivision size as the site is currently considered to be greater than required for the school.

A Complying Development Certificate is also anticipated to be approved via a private certifier for the demolition of structures from the site.

PROJECT JUSTIFICATION

The North West Growth Centre is one of the two main urban growth areas within Sydney and contains a number of Priority Growth Areas. Within the primary school catchments of this Cluster, urban development plans include an additional 35,725 dwellings, which equates to a likely demand for 2,560 additional Government primary school students within the precinct by 2031.

The five existing primary schools in the Cluster do not have capacity to meet the projected demand. There is a need for several new primary schools across the Cluster to meet the projected demand. The new schools planned for Bella Vista and North Kellyville will provide an additional 80 teaching spaces and ease enrolment pressures across the cluster.

Existing government schools within the cluster around this site are:

- Beaumont Hills Public School
- Ironbark Ridge Public School (PPP)
- Kellyville Public School
- Rouse Hill Public School
- Sherwood Ridge Public School (PPP)
- Bella Vista Public School (under construction – opens in 2018)

This site is centrally located to cater for the increased residential population.

STATUTORY CONTROLS

State Environmental Planning Policy – Sydney Region Growth Centres 2006

As shown on the zoning map extract at Figure 4, the development site is zoned both R1 General Residential and R2 Low Density Residential under the provisions of the SEPP - Sydney Region Growth Centres 2006.

Educational Establishments are permissible with consent and the proposal is consistent with the definition contained within this SEPP:

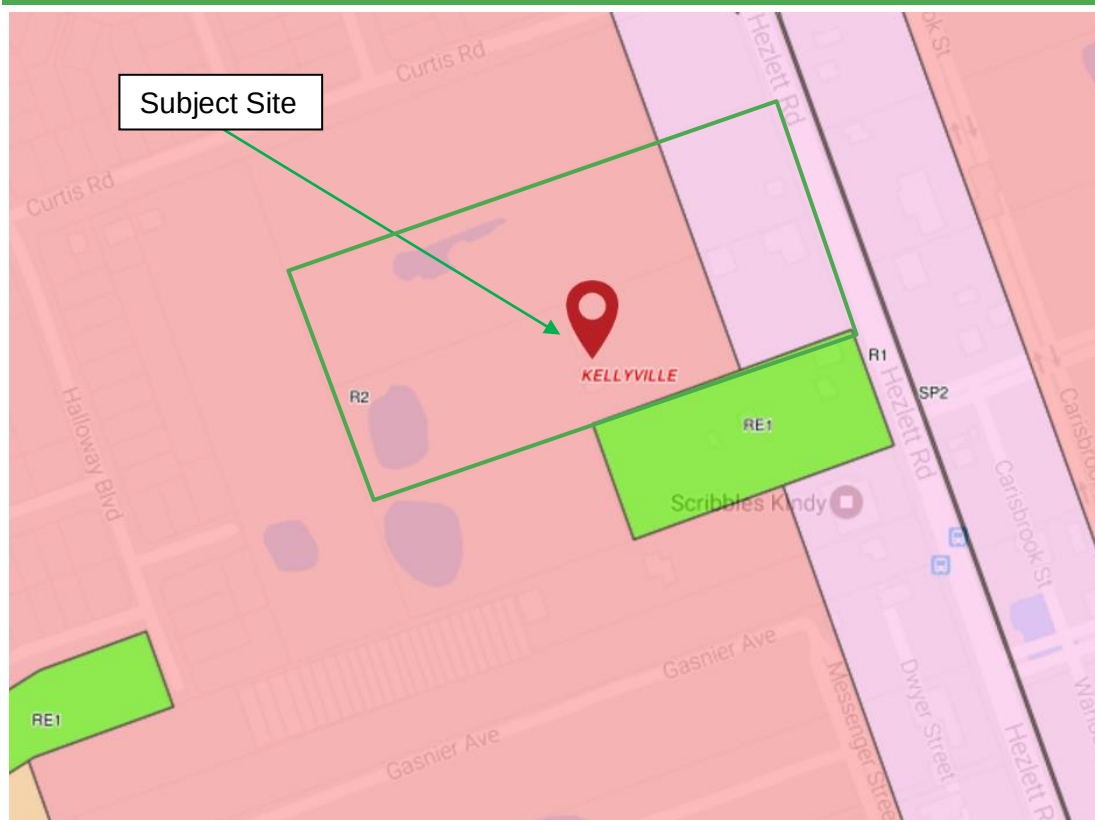
educational establishment means a building or place used for education (including teaching), being:

(a) a school, or

(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act

It is also noted that clause 28 of the Infrastructure SEPP also permits the construction of an educational facility on R1 and R2 zoned land.

Figure 4: Zoning Map Extract.



The following table outlines the primary planning controls within the Growth Centres SEPP.

State Environmental Planning Policy – Sydney Region Growth Centre 2006			
Clause	Controls	Comment	Complies
Appendix 2 North Kellyville Precinct Plan 2008			
Zoning	R1 – General Residential and R2 Low Density Residential	An educational establishment is permissible with Council consent on the site	YES
Part 4 Principal Development Standards			

4.3	Height of Buildings: 9m	It is likely that some of the future TBC buildings on the site that are 2 storey will exceed the 9m height control that applies to the entire site due to the slope across of the site.
4.4	Floor Space Ratio	An FSR control for the site is not identified. N/A

State Environmental Planning Policy – (Infrastructure) 2007

Clause 32 of the ISEPP requires a consent authority to consider the following state government publications:

(a) *School Facilities Standards—Landscape Standard—Version 22 (March 2002),*

(b) *Schools Facilities Standards—Design Standard (Version 1/09/2006),*

(c) *Schools Facilities Standards—Specification Standard (Version 01/11/2008)*

It is important to note that clause 32(3) states: *If there is an inconsistency between a standard referred to in subclause (2) and a provision of a development control plan, the standard prevails to the extent of the inconsistency.*

North Kellyville Growth Centres Precinct DCP 2016

This DCP that was last amended in November 2016 contains the fine grain controls for the development of the precinct. Although many of the controls relate to residential development the following controls are relevant to the proposed Educational Establishment.

Road layout Plan

Figure 6 of the DCP outlined the indicative road layout plan for the precinct. This is reproduced on the following page. This figure indicate that local roads and local streets are intended to traverse the site. Road's in dark blue are indicated as being 'fixed' roads in the DCP.

Figure 6: Indicating that the site contains two fixed roads.



The development will result in the proposed road layout being varied and a traffic and parking report will accompany the EIS to address this.

Carparking

Table 19 of the DCP indicates that parking for educational establishments should be provided at the rate of:

1 space per full-time employee or classroom, whichever is greater, plus 1 space per 10 students over the age of 17 years.

Where development includes the provision of a church or community facilities in conjunction with a school, additional parking must be provided at half the applicable rate

The development will result in this control being varied and a traffic and parking report will accompany the EIS to address this.

PRELIMINARY RISK ASSESSMENT

Traffic and Parking

As there will an increase in traffic volumes and parking demand in the locality. A traffic and parking study will accompany the EIS to address these matters

Contamination

As the site has been used for rural agricultural purposes in the recent past, there is potential for the site to be contaminated. A contamination report will accompany the EIS.

Aboriginal Archaeology

As there is potential for Aboriginal Archaeology to be found on the site an aboriginal archaeology report will accompany the EIS.

CONSULTATION

Formal consultation has not been undertaken with external agencies or organisations at present, although The Hills Council has some awareness of the project through the subdivision application.

It is anticipated that the SEAR's process will ensure that further formal consultation with the Hills Shire Council is not required and that requirements of agencies such as the Roads and Maritime Services can be addressed through the SEARS process and preparation of technical reports.

CONCLUSION

The CIV of the project is over \$30 million and in excess of the SSD threshold of \$30 million for educational establishment projects. A Quantity Surveyors Statement prepared by Rider Levett Bucknall is attached that confirms this.

On the basis that the project falls within the requirements of Clause 15 of Schedule 1 of the SRD SEPP being *development for the purpose of educational establishments (including associated research facilities) that has a capital investment value of more than \$30 million*. The Department of Education and Communities formally requests that the Secretary issue her Environmental Assessment Requirements for the project to facilitate the preparation of the EIS to accompany the DA for the project.

Should you require any further information, I can be contacted on 02 9687 8899 or brad@thinkplanners.com.au.

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Enclosed:
QS CIV report
Preliminary architectural plans
Aerial Site Analysis