



New Gledswood Hills Public School

*State Significant
Development Assessment
(SSD 8378)*



September 2018

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Cover photo

Aerial Perspective of the Site from the corner of The Hermitage Way and road MC07 (Source: Applicant's RtS)

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Glossary

Abbreviation	Definition
Applicant	Department of Education, or anyone else entitled to act on this consent
AIA	Arboricultural Impact Assessment Report
AAR	Acoustic Assessment Report
AS	Australian Standard
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
CIV	Capital Investment Value
CLEP	Camden Local Environmental Plan 2012
Consent	Development Consent
Council	Camden Council
CMP	Construction Management Plan
CTMP	Construction Traffic Management Plan
CPTED	Crime Prevention Through Environmental Design
DCP	Turner Road Development Control Plan
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
GANSW	Government Architect of NSW
GTP	Green Travel Plan
GFA	Gross Floor Area
GSC	Greater Sydney Commission
ICNG	Interim Construction Noise Guidelines
INP	Noise Policy for Industry
LGA	Local Government Area
Minister	Minister for Planning
MC06	A partially constructed local road approved by Camden Council
MC07	A partially constructed road approved by Camden Council
OEH	Office of Environment and Heritage
OTAMP	Operational Traffic and Access Management Plan

OOSH	Out of School Hours
RMS	Roads and Maritime Services
RSE	Road Safety Evaluation
RtS	Response to Submissions
SEARs	Planning Secretary's Environmental Assessment Requirements
Secretary	Planning Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SEPP 55	State Environmental Planning Policy No. 55 – Remediation of Land
Education SEPP	State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
Growth Centres SEPP	State Environmental Planning Policy (Sydney Region Growth Centres) 2006
SSD	State Significant Development
SRtS	Supplementary Response to Submissions
TfNSW	Transport for New South Wales
TIA	Traffic Impact Assessment Report



Executive Summary

This report provides an assessment of a State significant development (SSD) application lodged by the Department of Education (the Applicant) seeking approval for a new primary school on a vacant site at The Hermitage Way, Gledswood Hills. The site forms part of the South West Priority Growth Area, within the Camden Local Government Area (LGA).

The proposal seeks approval for the construction of three new buildings, two to four storeys in height, with 75 new car parking spaces and associated facilities to accommodate up to 1,000 students (from Kindergarten to Year 6) and 65 staff members, in two stages (Stage 1 and Stage 2). The application also proposes the removal of 22 trees and public domain works to provide for a drop-off and pick-up zone on an adjoining road (MC06). The school would accommodate 600 students and 45 car parking spaces after completion of Stage 1 building works. The remaining 400 students and 30 additional car parking spaces would be accommodated after completion of the Stage 2 building works.

The proposal has a capital investment value (CIV) of approximately \$41 million and would generate 65 operational jobs and 180 construction jobs. The proposal is SSD under clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) as it constitutes development for the purpose of a “new school”. Therefore, the Minister for Planning is the consent authority.

The Environmental Impact Statement (EIS) was exhibited between 18 January and 16 February 2018 (30 days). The Department of Planning and Environment (the Department) received a total of nine submissions, during the exhibition, including seven submissions from public authorities which provided comments on the proposed development and two submissions from members of the public including one objection.

The matters raised in the submissions included building height exceedance and built form, tree removal, inadequate car parking, requirement of road infrastructure works, suitability of the drop-off and pick-up zone location, pedestrian safety around the site, adverse noise impacts, stormwater management, site contamination, view impacts, student number capping and staging of the development.

The Applicant’s Response to Submissions (RtS), submitted on 22 June 2018, included further information and responses to the key issues raised in the submissions. The RtS amended the building design by: reducing the overall heights of the buildings by stepping the parapet walls; adding additional design elements to the buildings including covered outdoor learning areas at various locations. The RtS also included: details of proposed community use; clarification regarding the proposed car parking spaces and the drop-off and pick-up zone; updated landscape plans and fencing details; an updated preliminary Construction Management Plan (CMP) for Stage 2 of the development; additional noise assessment and view analysis.

A further six submissions from public authorities were received in response to the Applicant’s RtS. The Applicant responded to the outstanding issues raised in the submissions from the public authorities by providing a supplementary Response to Submissions (SRtS) in August 2018. The SRtS included additional details of pedestrian crossings and road infrastructure works; a further updated CMP for Stage 2 construction works; reasons for tree removal; further noise management measures for the multi-purpose hall; an additional view impact analysis; and a Site Audit Statement. The SRtS addressed outstanding issues in relation to public authority comments and the Department’s concerns on the RtS.

The Department identified built form and urban design, environmental amenity and traffic, transport and parking impacts as the key assessment issues.

The Department considers the proposed site layout and the built form are appropriate within the context of the site and the likely future surrounding development. Amenity impacts on future neighbours arising from the proposed built forms such as view loss, overshadowing and privacy would be negligible.

The Department has considered the traffic impacts associated with the development and concludes that the proposed location of the drop-off and pick-up zone is satisfactory and would not result in a negative impact on the local traffic network, subject to the implementation of an operational traffic and pedestrian management plan. The proposed on-site car parking area would provide adequate parking for staff members and visitors. It is acknowledged that further consultation would be required with Camden Council and Roads and Maritime Services to finalise details of the location and nature of the proposed pedestrian infrastructure on the adjoining roads, and to seek appropriate approvals from the public authorities. Conditions of consent are recommended to ensure that the infrastructure upgrade is completed prior to the commencement of the use as a school.

The Department is satisfied that the impacts of the proposal have been addressed in the EIS, RtS and SRtS and the residual impacts can be adequately managed through the recommended conditions.

The Department has considered the merits of the proposal in accordance with relevant matters under section 4.15(1), the objects of the *Environmental Planning and Assessment Act 1979*, the principles of Ecologically Sustainable Development, and issues raised in all submissions as well as the Applicant's response to these. The Department concludes the proposal is in the public interest and recommends that the application be approved subject to conditions.



Contents

Glossary	ii
Executive Summary	iv
1. Introduction	1
1.1 Site description	1
1.2 Precinct masterplan	3
1.3 Surrounding development	4
2. Project	5
2.1 Physical layout	6
2.2 Uses and activities	10
2.3 Timing	10
2.4 Related development	11
3. Strategic Context	12
4. Statutory Context	13
4.1 State significant development	13
4.2 Permissibility	13
4.3 Other approvals	13
4.4 Mandatory matters for consideration	13
5. Engagement	18
5.1 Department's engagement	18
5.2 Summary of submissions	18
5.3 Public authority submissions	19
5.4 Public submissions	20
5.5 Response to submissions and supplementary information	21
6. Assessment	23
6.1 Building form and urban design	23
6.2 Environmental amenity	34
6.3 Traffic, transport and parking	37
6.4 Other issues	44
7. Evaluation	50
8. Recommendation	51
9. Determination	51
Appendices	52

Appendix A – List of documents 53

Appendix B- Statutory considerations.....54

Appendix C – Key reasons for determination.....63

Appendix D – Recommended instrument of consent/approval.....64



1. Introduction

This report provides an assessment of a State significant development (SSD) application lodged under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), for the new Gledswood Hills Public School at Lot C, The Hermitage Way, Gledswood Hills (SSD 8378).

The Department of Education (the Applicant) proposes to develop a new primary school (Kindergarten to Year 6), to be constructed in two stages, with capacity for up to 1,000 students on the site.

1.1 Site description

The site is known as Lot C, The Hermitage Way, Gledswood Hills and is legally described as Lot 3 DP 1227491. The site is currently vacant and forms part of the South West Priority Growth Area (SWPGA), within the Camden Local Government Area (LGA).

The site is located approximately 43kilometres (km) south-west of the Sydney Central Business District (CBD), 16km south-west of the Liverpool CBD and approximately 7km north-west of the suburb of Campbelltown.

The proposed development location in the regional context is provided in **Figure 1**.

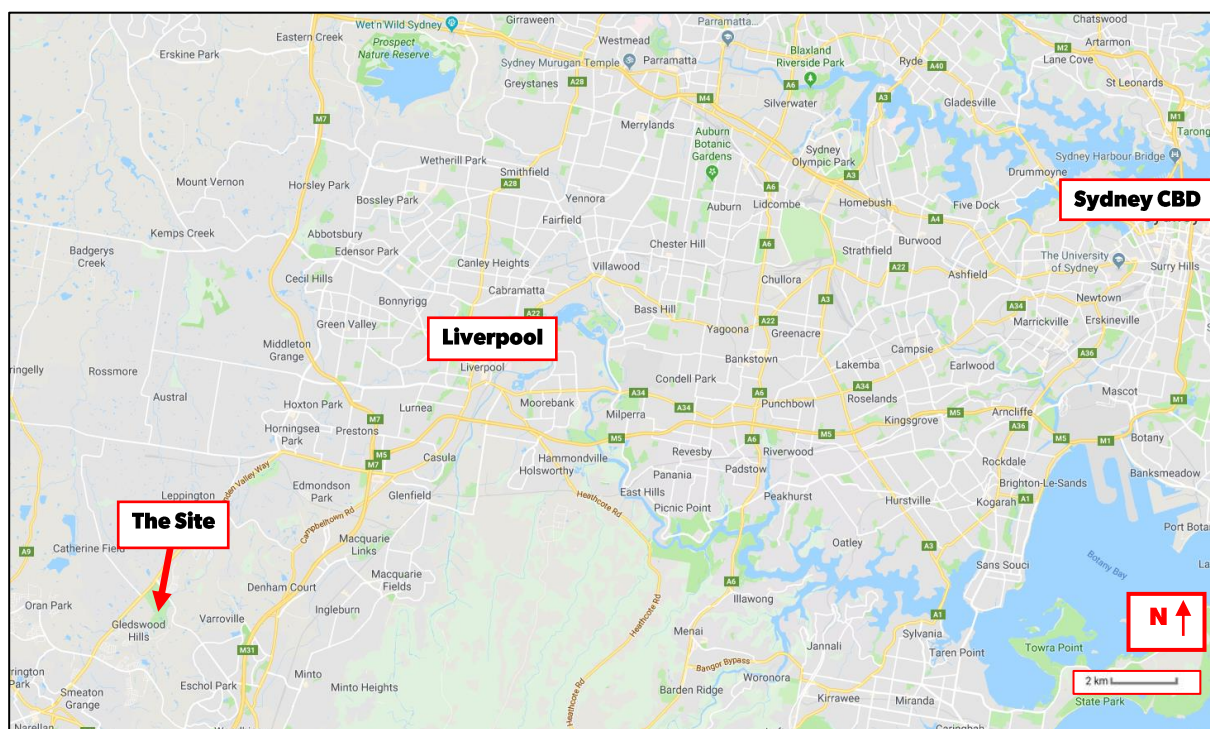


Figure 1 | Regional/Local Context Map (Source: Google Maps 2018)

The site has a total area of 2.4hectares (ha). The topography of the site falls from the west to the east with a slope of approximately 7 per cent (%). The site has a 100.47metre (m) long frontage to The Hermitage Way to its south. The site fronts onto two partially constructed roads, MC06 and MC07 (approved by Camden Council under previous development approvals) to the east and west respectively.

The site previously formed part of the Camden Valley golf course but is currently vacant. A section of the site has been cleared with some bulk earthworks carried out pursuant to a previous development approval. The location of the site and the site photos are provided in **Figures 2 - 4**.



Figure 2 | Aerial image of the site in the context of the surrounding developments (Source: Applicant's EIS)



Figure 3 | The site as viewed from The Hermitage Way (Source: Applicant's EIS)



Figure 4 | Car parking bays in front of the site on the Hermitage Way (Source: DPE 2018)

1.2 Precinct masterplan

The site is located along the northern boundary of the Turner Road Precinct (the Precinct) of the SWPGA and was rezoned in December 2007, pursuant to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP) to facilitate development of the Precinct. The Precinct would benefit from approximately 4,300 new homes, associated parks, a school (as proposed), retail and commercial developments within a designated town centre / Entertainment Precinct and an industrial area, upon completion.

The Turner Road Precinct Development Control Plan (DCP) applies to the site and includes an Indicative Layout Plan (ILP) which illustrates the anticipated development outcomes for the Precinct. The ILP also outlines the development footprint, land uses, open spaces, road layouts and location of community facilities. The Department notes that the proposed location of the school is different to that identified location on the ILP (**Figure 5**). However, the DCP allows for variations to the ILP where it is demonstrated that the development is consistent with the vision, objectives and controls of the Precinct.

The Applicant's EIS notes that the proposed location of the school would integrate with the Entertainment Precinct and not interfere with the residential amenity of the precinct. The EIS also states that the Applicant has acquired this site for the purpose of a school and the further acquisition of an alternate site within the Precinct would delay the delivery of this social infrastructure within the locality.

The Department has conducted a detailed assessment of the suitability of the proposed development on the site, in **Section 6**.

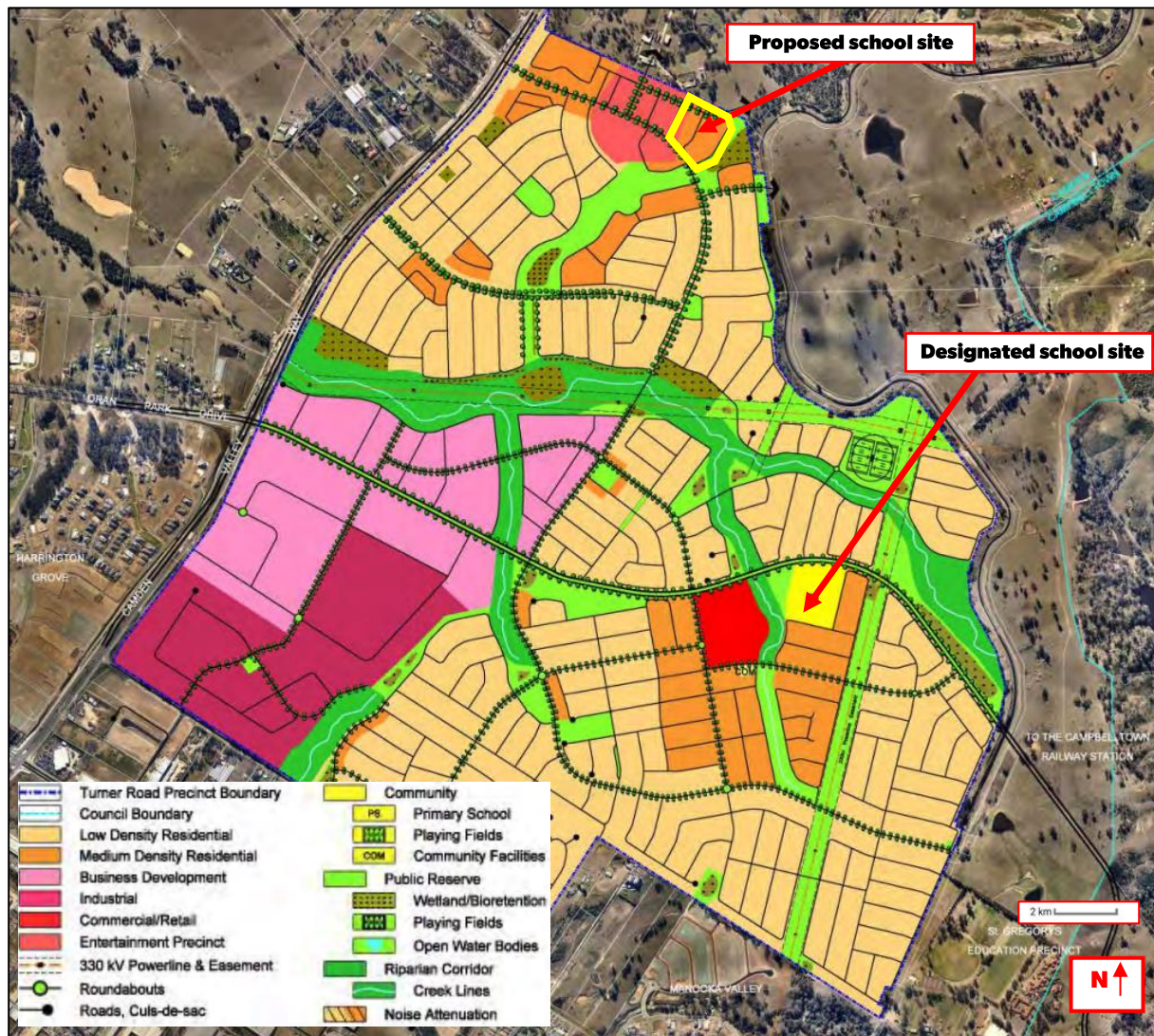


Figure 5 | The Indicative Layout Plan (Source: Turner Road Precinct Development Control Plan, Novemebr 2016)

1.3 Surrounding development

The area surrounding the subject site is currently in transition. While some parcels of land still continue to be used for rural activities, the majority of the allotments surrounding the site, within the Precinct, have already been developed for a range of residential developments.

Land immediately to the west of road MC07 is designated as the future Gledswood Hills Town Centre, including a range of future land uses such as retail, entertainment and community services in conjunction with residential uses. Allotments immediately to the east and south-east of the site are designated for open spaces, including a wetland / bio-retention area. Land adjoining the northern boundary of the site is zoned RE2 - Private Recreation pursuant to the *Camden Local Environmental Plan 2010* (CLEP). There are existing local development approvals for the construction of a golf course to the north-west of the site, retained open woodland immediately adjoining the site's northern boundary and residential developments further north and north-east of the open spaces.

The site in the context of the surrounding developments is identified in **Figure 2**.



2. Project

The key components and features of the proposal, as refined in the Response to Submissions (RtS) and the supplementary Response to Submissions (SRtS), are provided in **Table 1** and are shown in **Figures 6 to 13**.

Table 1 | Main Components of the Project

Aspect	Description
Project Summary	Development of the new Gledswood Public School, constructed in two stages, to accommodate up to 1,000 students (Kindergarten to Year 6) and 65 staff members, including 45 homebase classrooms, library, administrative and out of school hours care facilities, covered outdoor learning areas, outdoor play areas, 75 car parking spaces, signage, works within the public road reserve to provide a drop-off and pick-up zone and removal of 22 trees.
Site Preparation	• Removal of 22 trees. • Bulk earth works for building platforms, open spaces and drainage works.
Built form and development components with staging	Stage 1 Construction Works • One two – three storey building (Block A) fronting onto road MC07 and comprising: ◦ a library in two levels and an open learning area ◦ office, administration space, staff and student amenities and a canteen ◦ four special programme teaching spaces ◦ multi-purpose hall with out of school hours care facility (OOSH). • One three – four storey building (Block B) fronting onto road MC06 and comprising: ◦ 21 homebase classroom spaces and associated student amenities. • One hard surface outdoor sports court and turfed outdoor play areas. • Covered outdoor learning areas (COLA) including one for special education. • One fence-mounted business identification sign on the road MC07 entrance. • Driveways, public domain works, car parking areas and bicycle parking spaces. Stage 2 Construction Works • One three to four storey building (Block C), internally within the site, comprising 20 homebase classrooms with associated student and staff amenities. • Residual car parking spaces within the car parking area on the eastern side.
Site area	• 24,850 square meters (m²).

Gross floor area (GFA)	• Total GFA of 6,533m².
Access	• Vehicular access from road MC06 and road MC07 to the car parking and service areas. • Pedestrian access from roads MC06, MC07 and The Hermitage Way.
Car parking	• Two car parking areas with 75 on-site car parking spaces: ◦ 45 car parking spaces in Stage 1 ◦ 30 car parking spaces in Stage 2.
Bicycle parking	• 60 bicycle parking spaces.
Signage	• One fence-mounted business identification sign.
Public domain (Stage 1)	• Kerb re-alignment on the western side of road MC06 to extend the approved parking bays and create a student drop-off and pick-up zone accommodating up to 28 vehicles. • Provision of an accessible bus stop on road MC07.
Landscaping (Stage 1)	• A range of soft and hard landscaped areas and planting of 251 new trees. • Construction of pathways for pedestrian access, seating and shade structures.
Students and staff	• 1,000 students and 65 staff members including: ◦ 600 students and 39 staff members in Stage 1 ◦ 400 additional students 26 additional staff members in Stage 2.
Jobs	• 180 construction jobs and 65 operational jobs.
CIV	• \$41,311,067.00.

2.1 Physical layout

The proposed built form of the school would comprise three buildings with a maximum height of 15.75m, being two to three storeys with two circulation areas being four storeys (to connect varying levels). Block A and Block B would present continuous elevations (approximately 100m in length) to The Hermitage Way and road MC07. Block C would be located internally, being partially visible from road MC06. The car parking areas are proposed to be located at the north-western and north-eastern corners of the site with the turfed outdoor play areas located in the central and northern parts of the site.

The buildings are proposed to be contemporary in design with multi-coloured facades incorporating a range of finishes, stepped façade heights and recessed entries to break up the overall building mass.

The physical layout of the proposed buildings on the site along with the proposed staging are identified in **Figure 6**. The proposed built form details are identified in **Figures 7 - 13**.

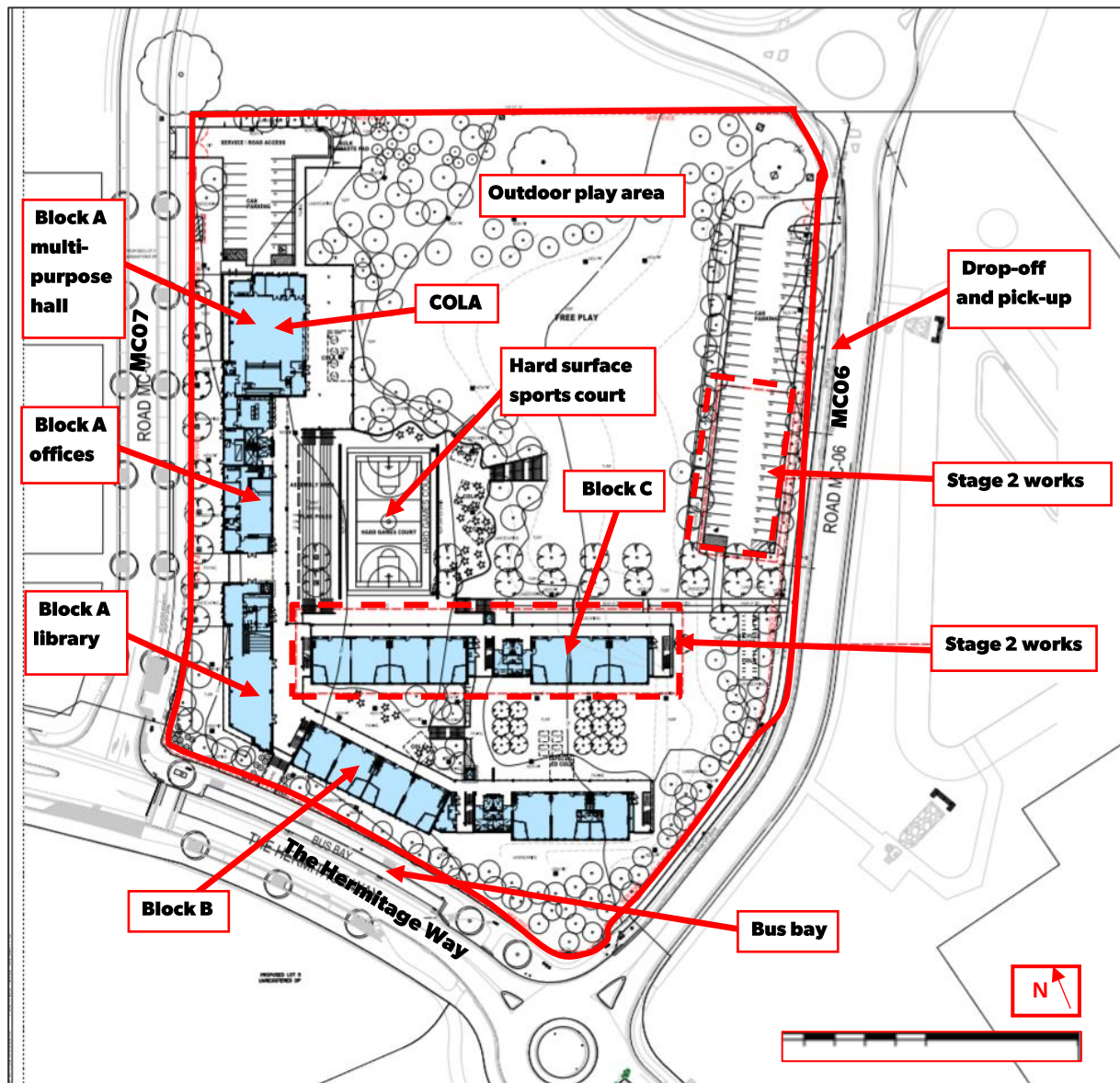


Figure 6 | Site layout and construction staging (Source: Applicant's RtS)

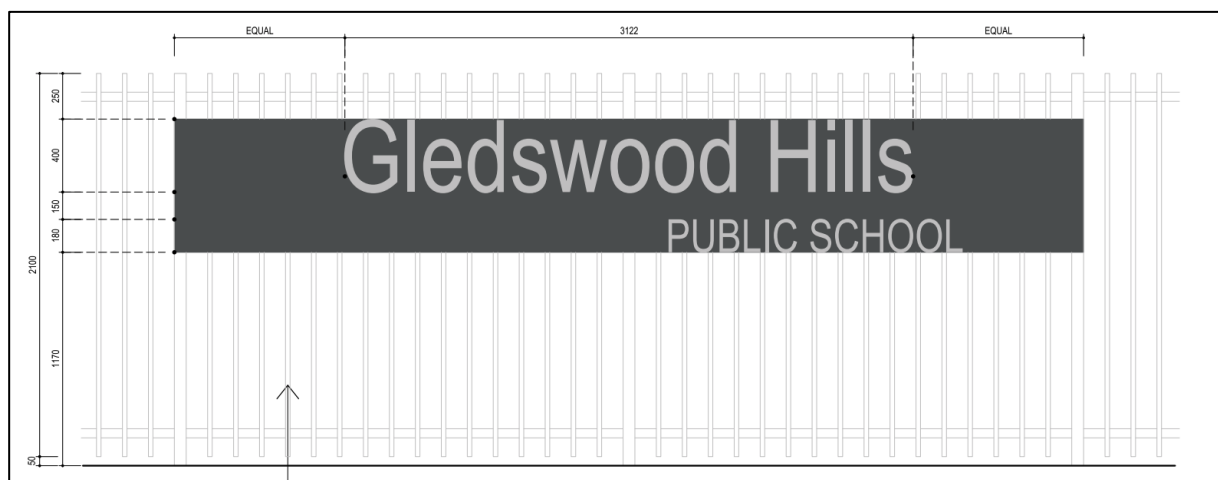


Figure 7 | Boundary fence signage at the main entrance on road MC07 (Source: Applicant's RtS)

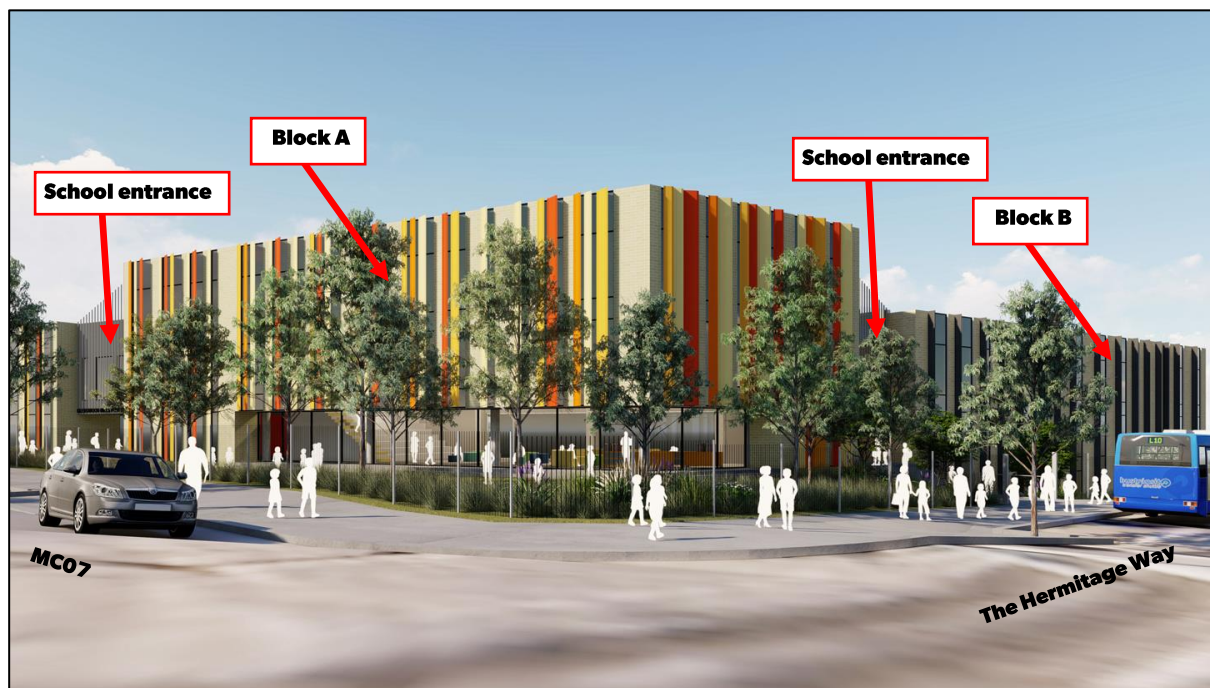


Figure 8 | View from corner of road MC07 and The Hermitage Way (Source: Applicant's RtS)

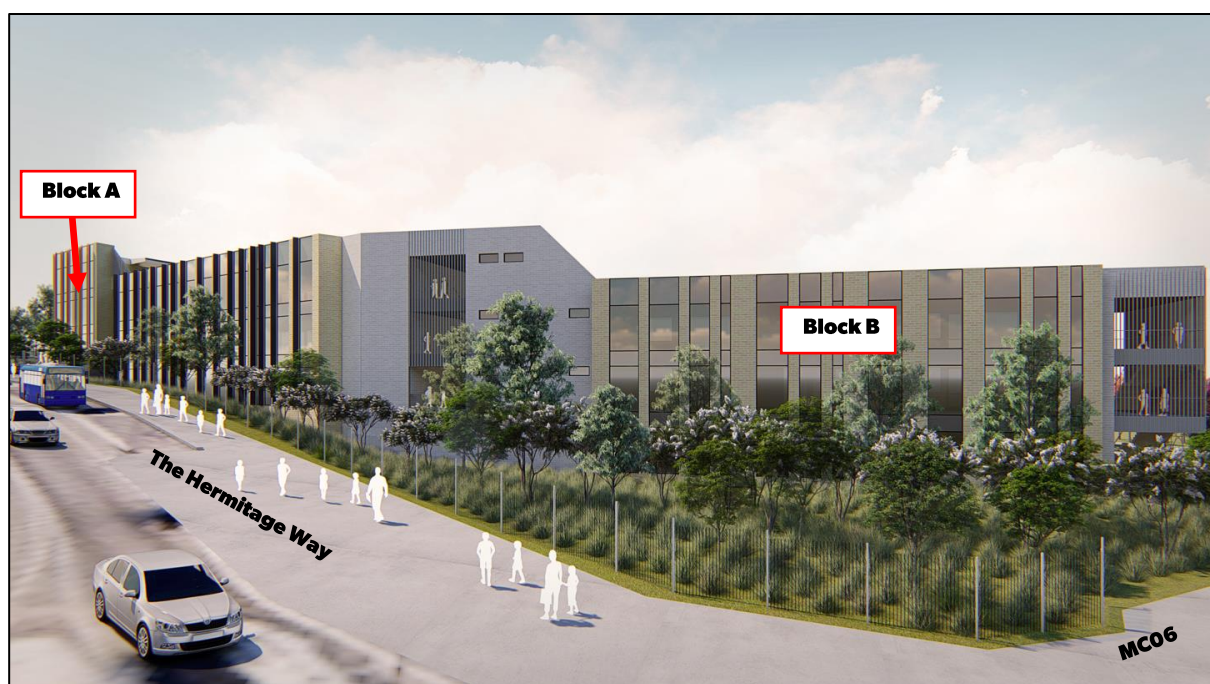


Figure 9 | View from corner of road MC06 and The Hermitage Way (Source: Applicant's RtS)

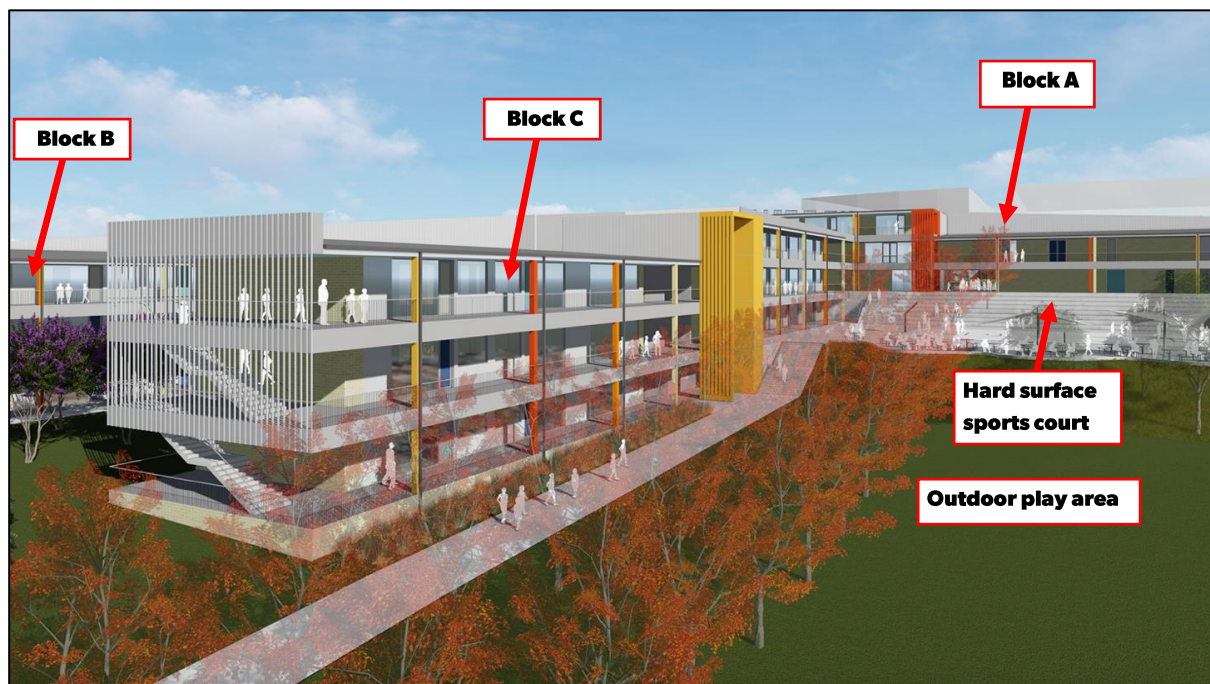


Figure 10 | View of the proposed Stage 2 building from the MC06 frontage (Source: Applicant's RtS)



Figure 11 | Street elevation MC07 (West elevation of Block A) (Source: Applicant's RtS)



Figure 12 | The Hermitage Way elevation (Blocks A and B) (Source: Applicant's RtS)



Figure 13 | Aerial Perspective of the proposed site plan (Source: Applicant's RtS)

2.2 Uses and activities

The proposed development is for the purpose of a primary school (Kindergarten to Year 6) for up to 1,000 students with ancillary facilities including an OOSH, a multi-purpose hall and a variety of outdoor play areas.

The proposed school would include community use of the multi-purpose hall, outdoor sports courts and turfed play areas as well as the school facilities in general. Details of the community uses have not been provided.

The proposed operating hours of the school would be 7am to 9pm (core hours of 8:30am to 3pm) Mondays to Fridays. The multi-purpose hall is proposed to be used until 10pm, Mondays to Fridays.

2.3 Timing

The Applicant proposes to deliver the construction of the school in two stages. The details of the proposed built form components and student accommodation in each stage are provided in **Table 1**. The construction staging is identified in **Figure 6**.

The Applicant proposes to complete the construction of Stage 1 by end of 2020, to enable student enrolments to commence in 2021.

2.4 Related development

The site formed part of a large parcel of rural land prior to the gazettal of the Growth Centres SEPP, which identified the Precinct and rezoned the land to R1 General Residential with a B4 Mixed Use zone along the northern boundary of the Precinct.

On 19 January 2016, Camden Council (Council) approved a development application (DA 1230/2015) in the northern part of the Precinct. The application comprised the construction of a 490m section of The Hermitage Way with provision for additional local roads, landscaping, associated site works, drainage works and subdivision of the land into seven residual lots and one public reserve. The site was created following this development approval. Works pursuant to this approval have been partially completed, including construction of The Hermitage Way, dedication of the road to Camden Council and subdivision of the allotments. Two local roads, MC06 and MC07, adjoining the subject site to the east and west respectively, are currently being constructed. The development application has been modified on two occasions to adjust the eastern boundary of the site to provide an on-street drop off and pick-up zone on road MC06 and to modify the adjoining stormwater basin to create a formal rain garden.

The approved road layout around the site is identified in **Figure 14**.

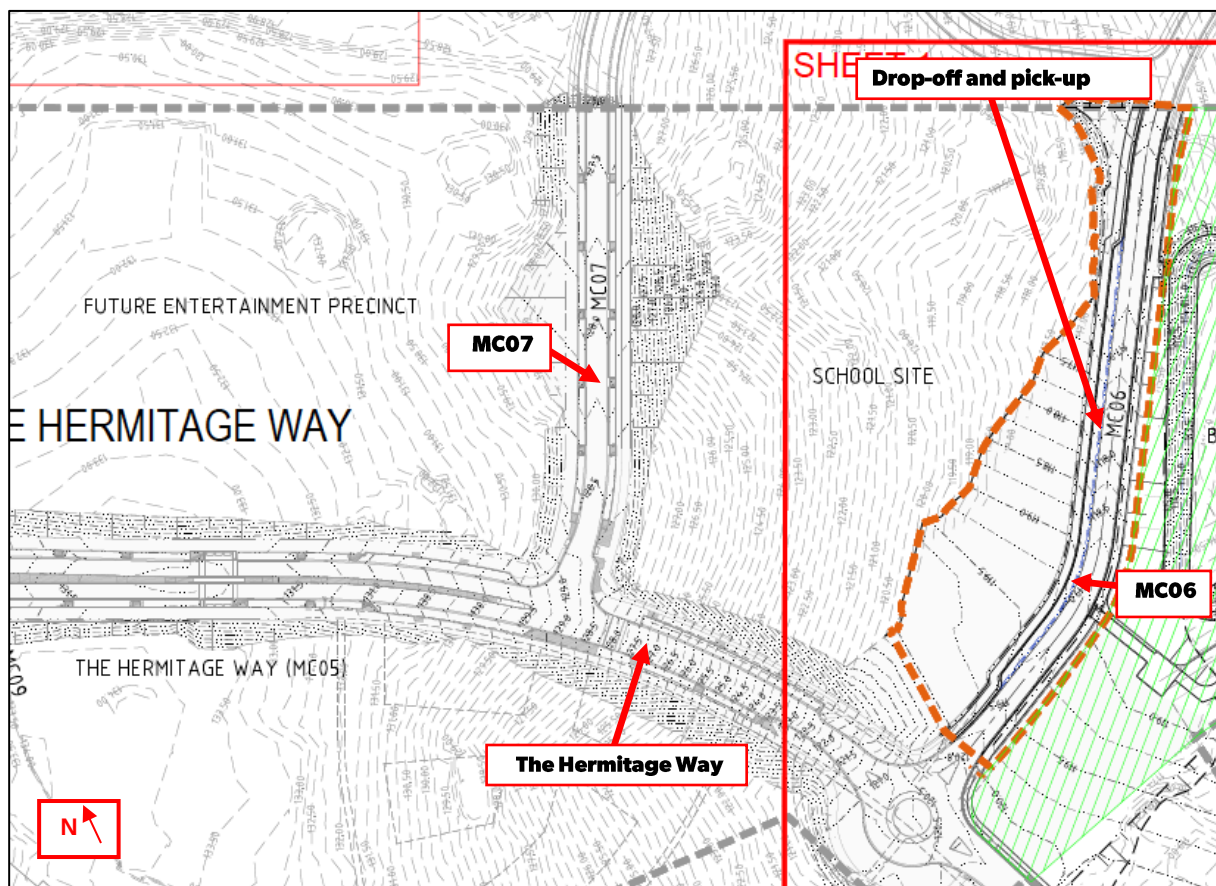


Figure 14 | Extract from plans approved under DA 2015/1230/2 (Source: Camden Council)



3. Strategic Context

Public school enrolments across NSW are anticipated to be 40,000 students higher in 2019-2020 than they were in 2015-16. In response to the need for additional public education infrastructure as a result of the increased demand, the NSW Department of Education is delivering new schools and upgrading existing schools to meet this demand through the Government's \$1 billion *Rebuilding NSW Schools* fund.

The site located is within a rapidly growing greenfield land release area. The Applicant states that the proposed new school would meet the educational needs of the growing population in the Precinct which is expected to have a total population between 10,000 to 11,000 people in 4,300 new dwellings. The new school would provide much needed educational facilities and associated services for up to 1,000 primary school-aged children in the locality.

The Department considers that the proposal is appropriate for the site given it is consistent with:

- the Premiers Priorities to improve education results through the provision of new and improved teaching and education facilities
- A Metropolis of Three Cities - The Greater Sydney Plan: as it proposes new school facilities to meet the growing needs of Sydney
- the vision outlined in the Greater Sydney Commission's (GSC) Western City District Plan: as it would provide much needed school infrastructure conveniently located near the proposed town centre and opportunities to co-share facilities with the local community
- the State Infrastructure Strategy 2018 – 2038 Building the Momentum: as it proposes a new school, facilities to support the growth in demand for primary student enrolments, and a school design to accommodate infrastructure and facilities sharing with the community
- the NSW Future Transport Strategy 2056: as it would provide a new educational facility at the centre of its catchment area and adjacent to the proposed town centre, thus minimising walking and cycling distances and encouraging multi-purpose trips
- the TfNSW Sydney's Cycling Future 2013: as it would promote and cater for bicycle use through the provision of cycling parking and end-of-trip facilities
- it would provide direct investment in the region of approximately \$41 million, which would support creation of 180 construction jobs and 65 operational jobs.



4. Statutory Context

4.1 State significant development

The proposal is SSD under section 4.36 (development declared SSD) of the EP&A Act as the development is for the purpose of a new school under clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011.

The Minister is the consent authority under section 4.5 of the EP&A Act. In accordance with the then Minister for Planning's delegation to determine SSD applications, signed on 11 October 2017, the Executive Director, Priority Projects may determine this application as:

- the relevant Council has not made an objection
- there are less than 25 public submissions in the nature of objection
- a political disclosure statement has not been made.

4.2 Permissibility

The site is zoned R1 General Residential and B4 Mixed Use (the western boundary) under the Growth Centres SEPP. Educational establishments are permitted with consent in both the R1 General Residential and B4 Mixed Use zones. Therefore, the Minister for Planning or a delegate may determine the carrying out of the development.

4.3 Other approvals

Under section 4.41 of the EP&A Act, a number of other approvals are integrated into the State Significant Development approval process, and consequently are not required to be separately obtained for the proposal.

Under section 4.42 of the EP&A Act, a number of further approvals are required, but must be substantially consistent with any development consent for the proposal (e.g. approvals for any works under the *Roads Act 1993*).

The Department has consulted with the relevant public authorities responsible for integrated and other approvals, considered their advice in its assessment of the project, and included suitable conditions in the recommended conditions of consent (see **Appendix D**).

4.4 Mandatory matters for consideration

Environmental planning instruments

Under section 4.15 of the EP&A Act, the consent authority is required to take into consideration any environmental planning instrument (EPI) that is of relevance to the development the subject of the development application. Therefore, the assessment report must include a copy of, or reference to, the provisions of any EPIs that substantially govern the project and that have been taken into account in the assessment of the project.

The Department has undertaken a detailed assessment of these EPIs in **Appendix B** and is satisfied the application is consistent with the requirements of the EPIs.

Objects of the EP&A Act

The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent/ approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects. Therefore, in making an assessment, the objects should be considered to the extent they are relevant. A response to the Objects of the EP&A Act is provided at **Table 2**.

Table 2 | Response to the objects of section 1.3 of the EP&A Act

Objects of the EP&A Act	Consideration
(a) <i>to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources</i>	- The proposal involves the construction of a new school on urban zoned land within an emerging suburb and would provide for the current and future needs of the community. The proposal would also provide for employment opportunities close to new homes and public transport and would result in economic and social benefits for the locality. - The development would not negatively impact on the economic welfare of the community, nor the natural environment.
(b) <i>to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,</i>	The proposal includes measures to deliver Ecologically Sustainable Development (ESD) (Section 4.4).
(c) <i>to promote the orderly and economic use and development of land,</i>	- The proposal is an orderly use and development of the land as it provides for new, fit-for-purpose educational facilities to support the development of a strategically planned new urban area. - The proposal is an economic use and development of the land as it enables shared community use of the land in conjunction with the primary use as a school.
(d) <i>to promote the delivery and maintenance of affordable housing,</i>	Not applicable.
(e) <i>to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,</i>	- The proposal would protect the environment, as detailed in Section 6. - The site is located on land which has been granted Biodiversity Certification in accordance with the Biodiversity Certificate Order dated 14 December 2007. The proposal has been assessed as being acceptable with regard to potential impacts on native flora and fauna

	including threatened species, ecological communities and habitats.
(f) <i>to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),</i>	The site does not include any buildings with European heritage values or significance. The Development would be carried out in accordance with the findings and recommendations of the Aboriginal Cultural Heritage Assessment Report, to ensure the sustainable management of cultural heritage.
(g) <i>to promote good design and amenity of the built environment,</i>	The buildings have a modern functional design that would integrate with the surrounding future built environment, as detailed in Section 6.
(h) <i>to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,</i>	The proposal would promote proper construction and maintenance of buildings subject to recommended conditions of consent.
(i) <i>to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,</i>	The Department publicly exhibited the proposal (Section 5.1), which included consultation with Council and other public authorities and consideration of their responses (Sections 5.1 and 6).
(j) <i>to provide increased opportunity for community participation in environmental planning and assessment.</i>	The Department publicly exhibited the proposal as outlined in Section 5.1, which included notifying adjoining landowners, placing a notice in newspapers and displaying the proposal on the Department's website and at Council during the exhibition period.

Ecologically sustainable development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

The development proposes a range of ESD initiatives and sustainability measures, including:

- energy conservation measures including insulation, design to optimise the use of natural light and ventilation, sun shading, automated lighting control including use of motion sensors and LED lighting, energy efficient appliances, and renewable energy generation

- water conservation measures, including use of water efficient fixtures, taps with timed flows, rainwater harvesting and reuse and a closed loop sprinkler system
- use of site specific environmental management plans
- use of recycled and plantation timbers
- avoiding use of chemicals for termite or pest controls.

The Department has considered the proposed development in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process via a thorough and rigorous assessment of the environmental impacts of the proposed development. The proposed development is consistent with ESD principles as described in section 6.6 of the Applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

A condition of consent is recommended requiring the Applicant to submit details of all design elements to the Certifying Authority demonstrating that all new buildings incorporate ecologically sustainable development initiatives equivalent to the benchmarks outlined under The Green Star – Education v1 rating tool prior to the commencement of construction.

Overall, the proposal is consistent with ESD principles and the Department is satisfied the proposed sustainability initiatives will encourage ESD, in accordance with the objects of the EP&A Act.

Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

Planning Secretary's Environmental Assessment Requirements

The EIS is compliant with the Planning Secretary's Environmental Assessment Requirements (SEARs) and is sufficient to enable an adequate consideration and assessment of the proposal for determination purposes.

Section 4.15(1) matters for consideration

Table 3 identifies the matters for consideration under section 4.15 of the EP&A Act that apply to SSD in accordance with section 4.40 of the EP&A Act. The table represents a summary for which additional information and consideration is provided for in **Section 6** (Assessment) and relevant appendices or other sections of this report and EIS, referenced in the table.

Table 3 | Section 4.15(1) Matters for Consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of the relevant EPIs is provided in Appendix B .
(a)(ii) any proposed instrument	Satisfactorily complies. The Department's consideration of the relevant EPIs is provided in Appendix B .
(a)(iii) any development control plan (DCP)	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD. Notwithstanding, consideration has been given to the relevant DCP and an assessment against the relevant provisions is provided in Appendix B .

(a)(iia) any planning agreement	The Gledswood Hills Voluntary Planning Agreement (VPA) applies to the Turner Road precinct. The proposed development would have no impact on the VPA. Notwithstanding, consideration has been given to the VPA and an assessment is provided in Appendix B .
(a)(iv) the regulations <i>Refer Division 8 of the EP&A Regulation</i>	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(a)(v) any coastal zone management plan	Not applicable.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	Appropriately mitigated or conditioned – details are discussed in Section 6 .
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Sections 4 and 6 .
(d) any submissions	Consideration has been given to the submissions received during the exhibition period – Details are discussed in Sections 5 and 6 .
(e) the public interest	Refer to Section 6 .

Biodiversity Conservation Act 2016

The site is located on land which has been granted Biodiversity Certification in accordance with the Biodiversity Certificate Order dated 14 December 2007. Accordingly, no further approvals under *the Biodiversity Conservation Act 2016* are required.



5. Engagement

5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 18 January 2018 until 16 February 2018 (30 days). The application was exhibited on the Department's website, at the NSW Service Centre and at Camden Council's office.

The Department placed a public exhibition notice in the Sydney Morning Herald, Daily Telegraph and Camden Campbelltown Macarthur Advertiser on 17 January 2018, and notified adjoining landholders and relevant public authorities in writing. The Department representatives visited the site to provide an informed assessment of the development.

Following the exhibition of the application the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions. The Department has considered the comments raised in the public authority and public submissions during the assessment of the application (**Section 6**) and /or by way of recommended conditions in the instrument of consent at **Appendix D**.

5.2 Summary of submissions

The Department received a total of nine submissions, comprising seven submissions from public authorities and two submissions from the general public. A summary of the issues raised in the submissions is provided at **Table 4** below and copies of the submissions may be viewed at **Appendix A**.

Table 4 | Summary of Submissions

Submitters	Number	Position
Public Authorities	6	
• Roads and Maritime Services (RMS)	√	Comment
• Transport for New South Wales (TfNSW)	√	
• NSW Environment Protection Authority (EPA)	√	
• Water NSW	√	
• Sydney Water	√	
• Office of Environment and Heritage	√	
Camden Council	1	Comment
Community	2	
	1	Object
	1	Support
TOTAL	9	

5.3 Public authority submissions

A summary of the issues raised in the public authority submissions is provided at **Table 5** below and copies of the submissions may be viewed at **Appendix A**.

Table 5 | Summary of public authority submissions to the EIS exhibition

Camden Council (Council)

Council did object to the proposal. However, it provided comments and concerns in relation to:

- building height exceedance, overall monotonous built form and lack of weather protected pathways
- a large number of existing trees with potential habitat impacts, being removed
- impact of the proposed buildings on the future district views for properties to the west of the site
- on-site student drop-off and pick-up arrangements
- alterations to the disabled bus bay proposed on road MC07
- location of special programme areas close to the disabled bus bay
- required road infrastructure improvements including construction of a median strip on road MC06
- additional noise assessment requirements considering sensitive receivers on the northern side of the site
- additional social planning requirements considering conflicting uses within the Entertainment Precinct

Additionally, the Council also stated the following:

- the roundabout on road MC06 should be constructed prior to the operation of the school
- amendments to the layout of road MC06 should be done as a modification to the existing road DA
- combined construction staging should be undertaken, and student numbers should be capped to 1,000
- the Camden Local Area Command should be consulted
- additional assessment or changes should be conducted having regard to including lighting, reflectivity, potable water consumption, roadworks, vehicular access design, compliance with the Salinity Investigation and Management Plan, food premises requirements, design of the waste storage areas, disabled access, site safety, storage and compliance with the Building Code of Australia.

Roads and Maritime Services (RMS)

RMS recommended that the proposed development should include:

- school zone speed limits incorporated along the three roads adjacent to the school
- adequate on-site staff car parking and vehicular access designed in accordance with relevant standards
- adequate drop-off and pick up zones and bus zones with pedestrian safety features incorporated.

RMS also recommended that a Construction Traffic Management Plan (CTMP) be prepared and submitted prior to the commencement of works.

Transport for NSW (TfNSW)

TfNSW provided the following comments:

- an additional bus stop may be required on the opposite side of The Hermitage Way to cater for the future public bus services in both directions
- appropriate pedestrian crossings be provided on roads MC06 and MC07.

TfNSW recommended additional conditions regarding:

- notification requirements prior to the operation of the school to deliver appropriate bus services
- the provision of a Green Travel Plan
- a Traffic and Parking Management Plan
- a Signage and Landmarking Plan
- a Road Safety Evaluation.

NSW Environment Protection Authority (EPA)

The EPA requested further information in relation to:

- site contamination, including imported fill and groundwater
- noise and vibration impacts during construction and operational phases of the development
- dust, erosion, sediment control and waste management
- implementation of water sensitive urban design techniques, and minimisation of energy consumption.

The EPA also recommended conditions in relation to:

- procedures for dealing with unexpected contamination
- hours of construction work and noise and waste management during construction and operation
- restrictions on hours of operation for use of the facilities by the community, and maintenance activities.

Office of Environment & Heritage (OEH)

OEH made no comments in respect of the application.

Water NSW

Water NSW provided the following comments:

- the site is located in close proximity to the Upper Canal corridor. It is critical that there is no impact on water quality of the Upper Canal
- the construction of the rainwater garden and the sediment basin to the east of the site should be completed to enable stormwater drainage from the site
- the stormwater management system for the site must be designed to ensure that no pollutants or stormwater overflows enter the Upper Canal corridor.

Sydney Water

Sydney Water provided the following comments:

- detailed requirements of water supply would be provided through a section 73 certificate application
- the proposed school would drain to a wastewater system which is dependent on a reticulation network being delivered by a private developer. Consequently, the Applicant should contact the private developer regarding the timeframes for delivery and lead in mains.

5.4 Public submissions

Two public submissions were received during the EIS exhibition including one objection. The key issue raised in the objection related to the limited number of on-site car parking spaces within the site which may cause adverse impacts to on-street parking in the locality. The other public submission supported the development and enquired about the range of educational facilities that the school would offer after commencement of operation including an OOSH.

5.5 Response to submissions and supplementary information

Following the exhibition of the application the Department placed copies of all submissions received on its website and requested that the Applicant provide a response to the issues raised in the submissions.

On 22 June 2018, the Applicant provided a RtS (**Appendix A**) on the issues raised during the exhibition of the proposal. To respond to concerns raised, the RtS provided updated acoustic and traffic assessments, an updated CMP, an arboricultural assessment report, advice on access, advice on land contamination, additional view analysis and an updated EIS. In addition, updated architectural and landscape plans were provided, incorporating the following design changes:

- amendments to the building elevations for Blocks A and B, along road MC07 and The Hermitage Way, by including a stepped parapet / roof line
- additional landscaping and tree planting along both the street frontages
- provision of additional COLAs adjacent to the hard surface outdoor sports court
- provision of a covered area over the bicycle storage area adjacent to the entrance gates on road MC06.

The RtS was made publicly available on the Department website and was referred to the relevant public authorities. An additional six submissions were received from public authorities, including Council. A summary of the issues raised in the submissions is provided at **Table 6** and copies of the submissions may be viewed at **Appendix A**.

Table 6 | Summary of public authority submissions to the RtS

Council

Council confirmed the RtS has addressed some aspects of its original submission including satisfactory amendments to the building design and the street front elevations. However, Council reiterated the following concerns from its original submission regarding:

- the requirement to carefully assess the impacts of the building height exceedance and tree removal
- capping the student numbers and combined delivery of both stages of construction works
- delivery of road infrastructure works, bus bays and provision of an on-site drop-off and pick-up zone
- social impact assessment having regard to the proximity of the site to the Entertainment Precinct
- consultation with the police, potable water, aboriginal objects, noise control and food act compliance.

Council also recommended an amended view impact analysis be provided with consideration given to the new view corridor diagrams in the latest version of the Turner Road DCP published in January 2018.

TfNSW

TfNSW reiterated the following comments from its original submission:

- requirement for suitable pedestrian crossings on roads MC06 and MC07 to increase pedestrian safety.

TfNSW also recommended:

- the creation of a 'no stopping' zone on the eastern side of road MC06 to preclude any parking opportunities
- further information on the conversion of the speed hump on Hermitage Way to a pedestrian crossing
- a condition to ensure that 60 bicycle spaces are provided on site.

RMS

- re-stated that the previously recommended conditions of consent be adhered to.

EPA

EPA re-affirmed previously recommended conditions of consent regarding:

- management of site contamination
- construction hours
- operational hours for waste collection and community use of the school facilities to alleviate any adverse noise impacts on the neighbours.

EPA also recommended restrictions to the hours of usage of the school hall for community use.

Sydney Water

- re-stated that the previously recommended conditions of consent be adhered to.

OEH

- re-stated that they had no comments.

In response to submissions to the RtS and the Department's request for additional information, the Applicant provided a supplementary RtS (SRtS) in August 2018, which provided further clarifications and included the following information:

- updated acoustic assessment and CMP to mitigate impacts to students during the construction of Stage 2
- updated acoustic assessment including amendments to the school hall design to reduce noise emissions
- identification of potential locations for pedestrian crossings adjacent to the site
- information regarding proposed earthworks and level changes throughout the site that would have impacts on the growth and long-term viability of the existing trees
- additional view impacts analysis from the future town centre.

The Applicant also indicated that the proposed corner treatment was considered satisfactory considering the use of this section of the building as a school library. Thus, no further amendments were proposed.

The SRtS was made publicly available on the Department's website.



6. Assessment

The Department has considered the EIS, the issues raised in submissions and the Applicant's RtS and SRtS in its assessment of the proposal. The Department considers the key issues associated with the proposal are:

- built form and urban design
- environmental amenity
- traffic, transport and parking.

Each of these issues is discussed in the following sections. Other issues were taken into consideration during the assessment of the application and are discussed at **Section 6.4**.

6.1 Building form and urban design

Building height

The site is subject to height controls under the Growth Centres SEPP, which permits a maximum height of 18m along the western boundary (B4 zone) of the site. The maximum heights permitted for the remaining area of the site (R1 zone) are 16m for residential flat buildings and 9.5m for all other permissible developments. **Figures 15** and **16** identify the zones and maximum height limits that apply to the site.

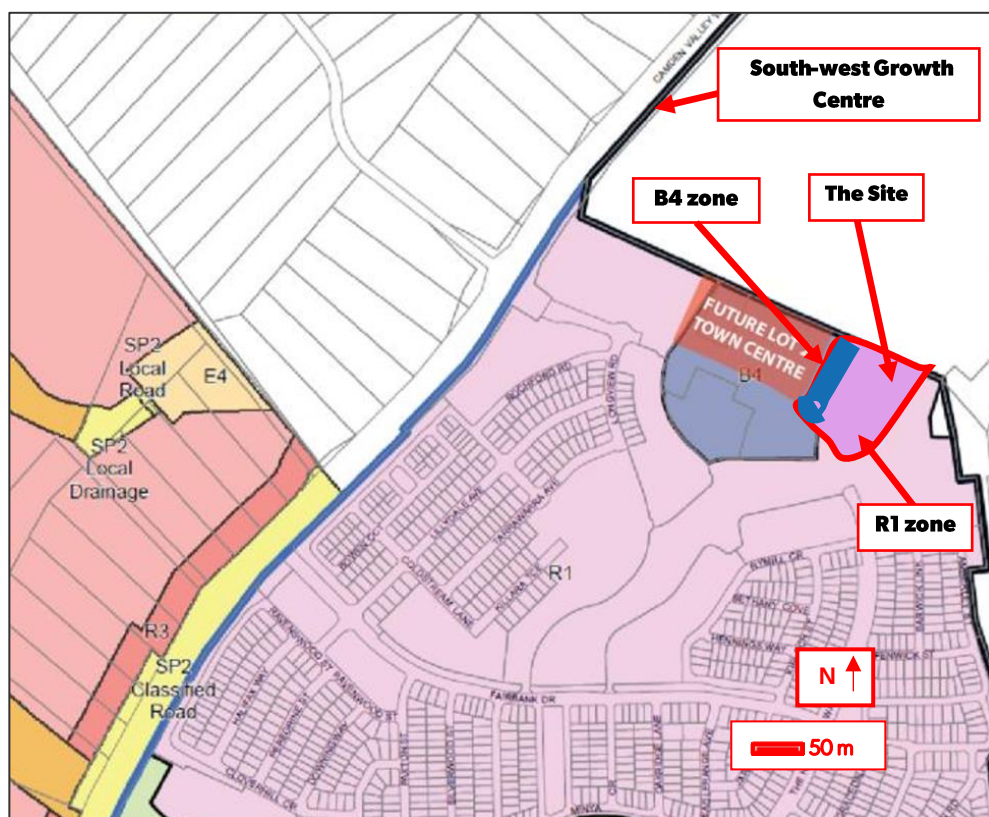


Figure 15 | Site boundaries overlaid on the Zoning Map (Source: Applicant's RtS)

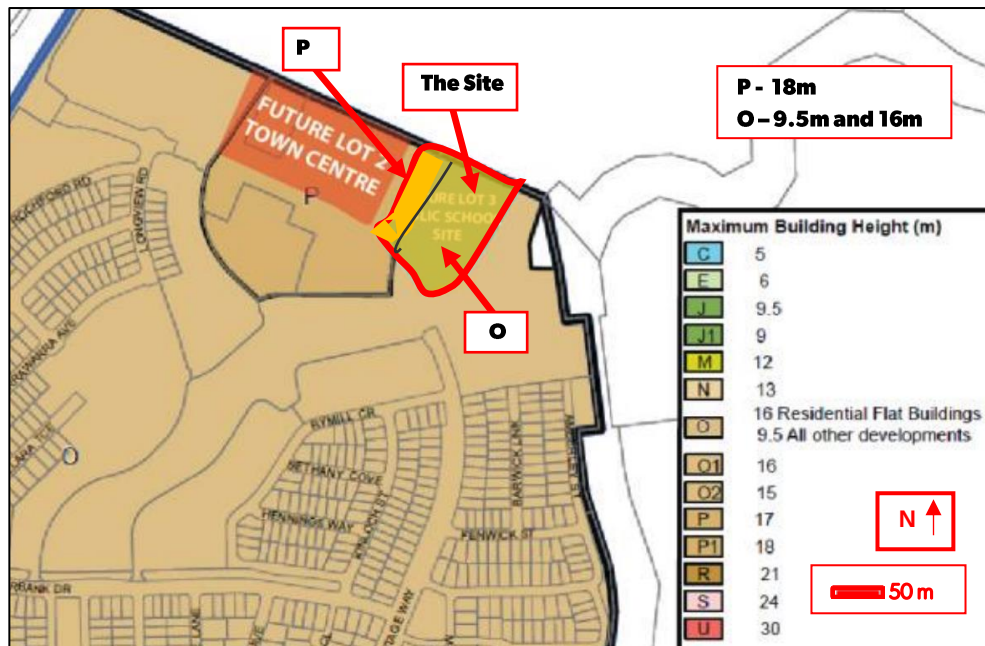


Figure 16 | Site boundaries overlaid on the Height of Buildings Map (Source: Applicant's RtS)

The proposal would result in three buildings, reaching a height of up to 15.75m. The height of the buildings would therefore exceed the 9.5m height limit applicable to educational establishments (other permissible development) in the R1 zone, by a maximum of 6.25m. Along the western edge of the site, the buildings would comply with the 18m permissible height limit. The extent of the non-compliance, as refined by the RtS, is shown in Figures 17 - 21.

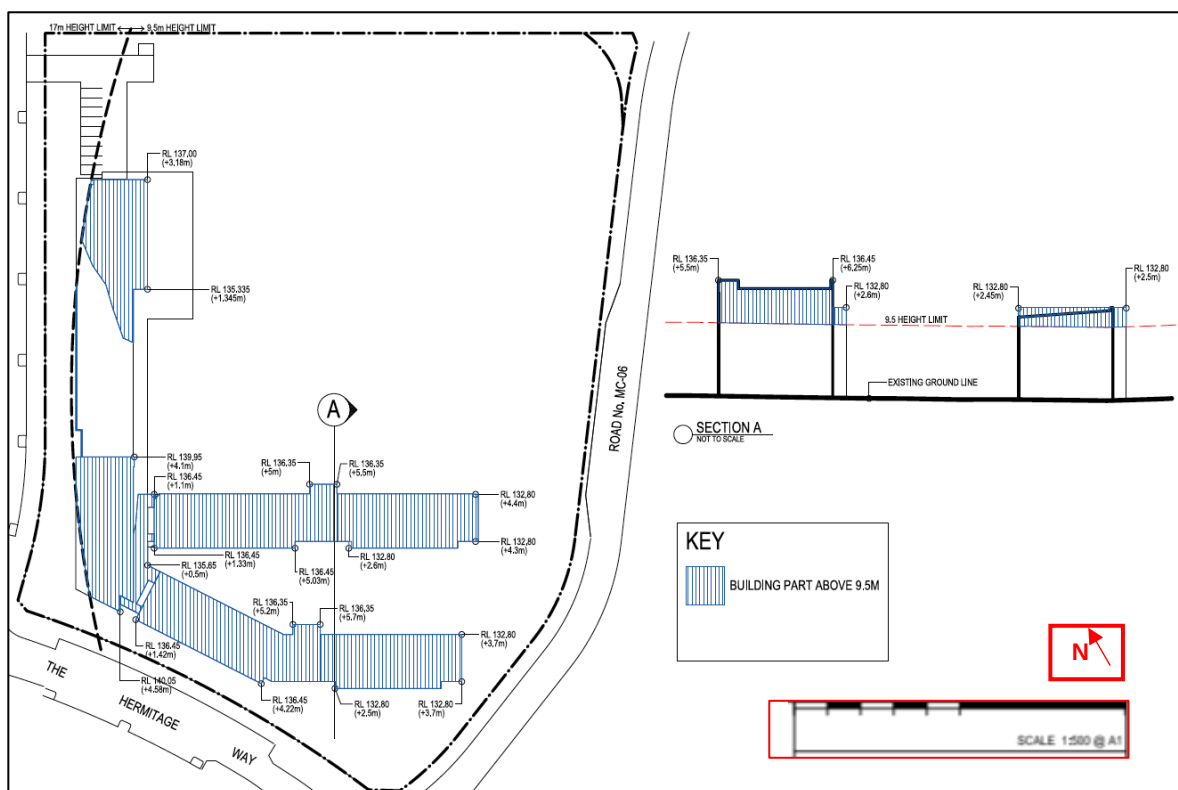


Figure 17 | Extent of height exceedance (identified as the blue hatched areas in plan) (Source: Applicant's RtS)

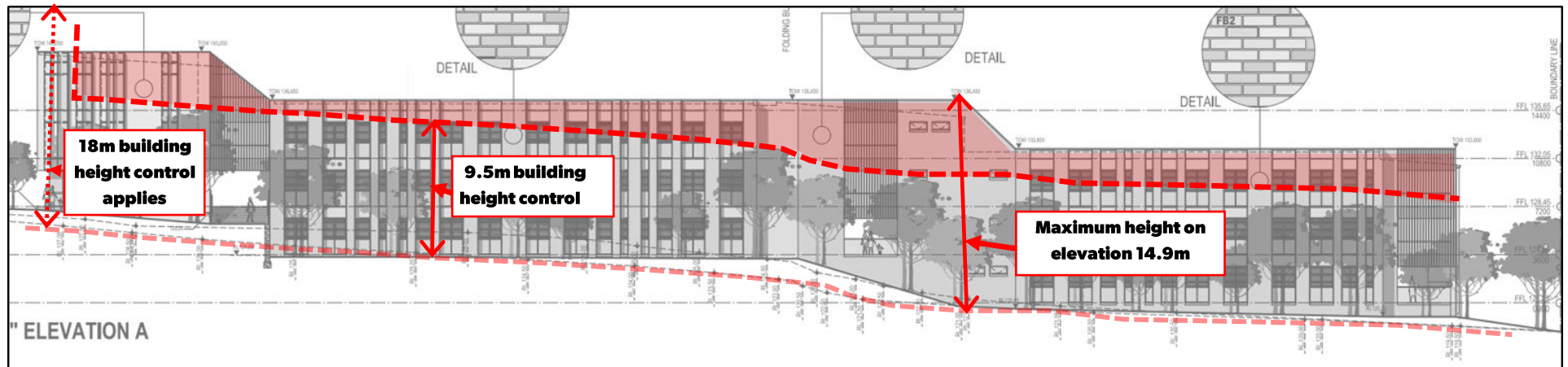


Figure 18 | The Hermitage Way elevation: areas exceeding height control shaded red (Source: Applicant's RtS)

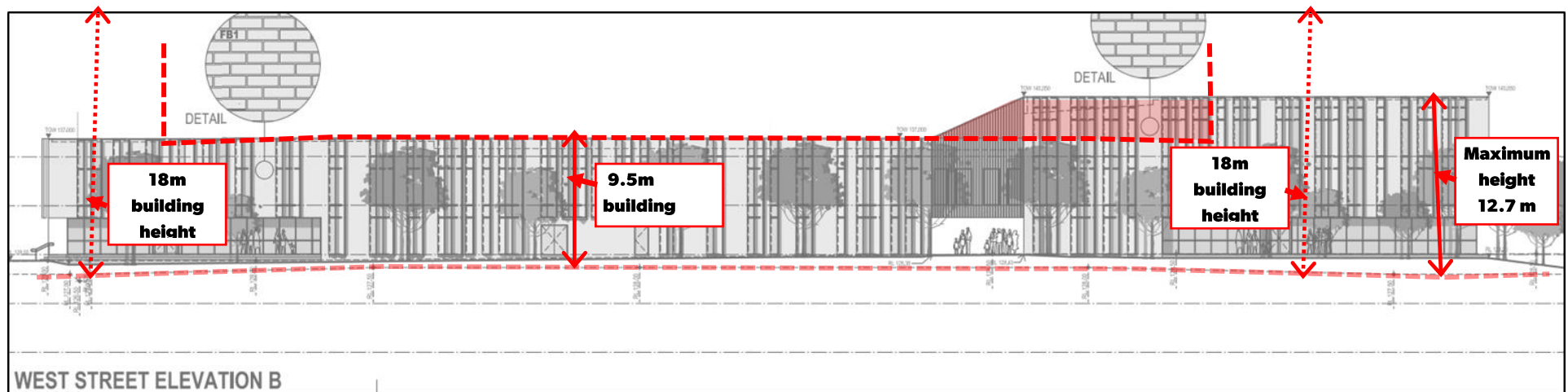


Figure 19 | Road MC07 elevation: areas exceeding height control shaded red (Source: Applicant's RtS)

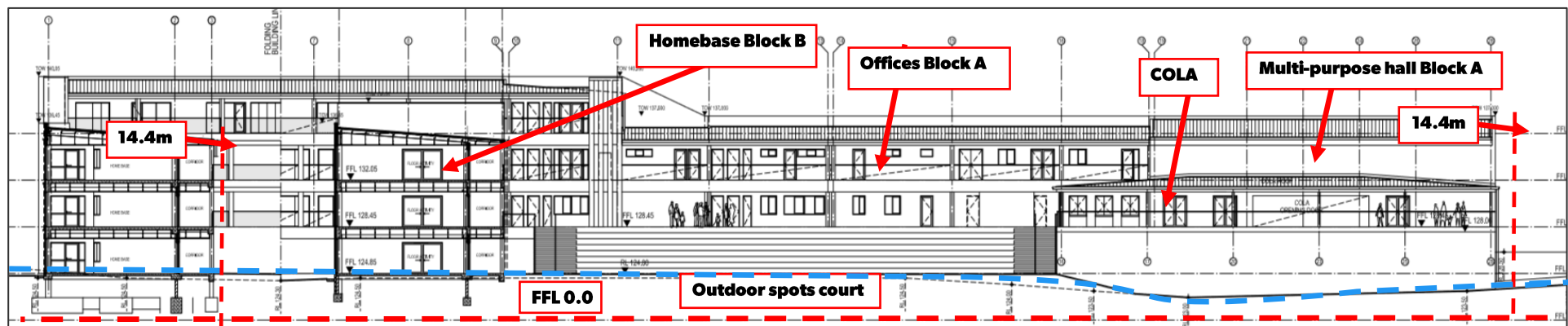


Figure 20 | Internal sectional elevation facing road MC06 identifying Building Heights (from FFL 0.0) (Source: Applicant's RtS)

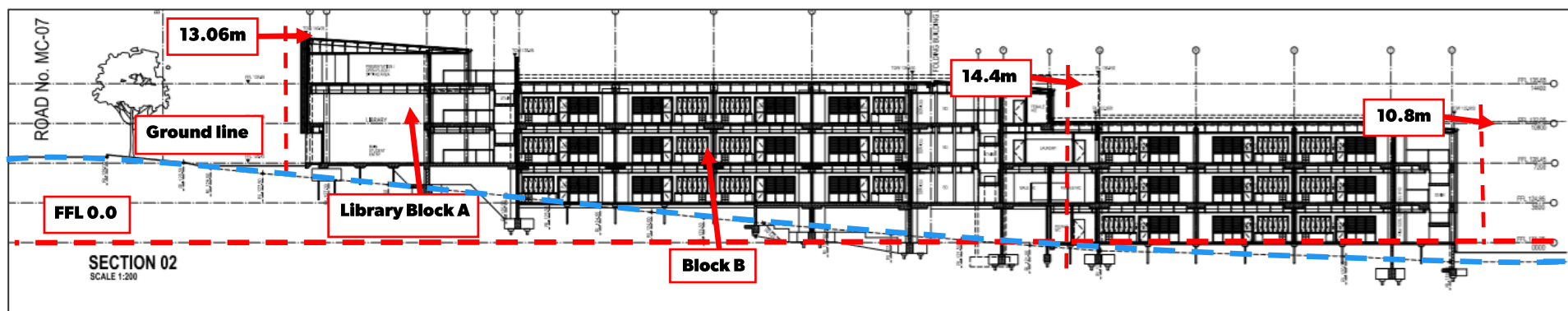


Figure 21 | Sectional elevation facing The Hermitage Way identifying building heights for Blocks A and B (Source: Applicant's RtS)

The proposal initially included continuous lengths of parapet walls, up to 4 m in height, on the roof of the buildings. Both Council and Government Architect NSW (GANSW) raised concerns that the nature and design of the parapet walls contributed to the overall additional height, bulk and scale of the proposed school buildings.

In response, the Applicant amended the building design by reducing the heights of the parapet walls and stepping the roof. The resultant buildings would have a building height varying between 10.8m – 15.75m above the existing ground level. The buildings would appear to be two to three storeys when viewed from the street frontages (**Figures 18 and 19**).

GANSW did not raise any further concerns regarding the building height exceedance.

Clause 4.6 of Schedule 1 to the Growth Centres SEPP provides flexibility in the application of the development standards, if it can be demonstrated that compliance is unreasonable and unnecessary and there is sufficient planning justification for contravention of the development standard.

Clause 42 of the Education SEPP stipulates that “*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*”. The provisions of the Education SEPP apply to this proposal. Consequently, the building height development standard does not apply in this circumstance and that the merit or otherwise of the proposal should be considered in assessing whether the built form is appropriate for the site.

Notwithstanding, the Department has considered the provisions of clause 4.6 of Schedule 1 to the Growth Centres SEPP as a guide in its assessment of the proposed building height. It has also considered the general merits of the proposal and the impacts of the height variation on the surrounding area in assessing whether the built form is appropriate for the site.

The Applicant has provided justification for exceeding the height development standard in accordance with clause 4.6 of Schedule 1 of the Growth Centres SEPP and argues why strict compliance is unreasonable or unnecessary for both the Concept Proposal and Stage 1 works with the following:

- the zoning of the land permit residential flat buildings up to 16m in height, which demonstrates that buildings up to this height are considered appropriate for the site
- the purpose of the 9.5m height control is to define the built form of low density detached and attached dwelling houses, rather than special uses such as schools
- a permissible height limit of 18m applies to the western edge of the site and the adjoining Entertainment Precinct. The school buildings would be significantly lower than the permissible height of buildings within the Entertainment Precinct
- the buildings would be adequately set back from the street frontages with appropriate landscaping softening the edges of the site to screen the overall bulk of the buildings to some extent
- the proposed two to three storey built forms on the site provide an optimal balance between provision of the required internal floor space and sufficient outdoor play areas. A compliant two storey built form would not result in a better outcome as it would reduce the availability of open space, play areas and soft landscaped areas within the site. It would also increase the cost of developing and reduce accessibility to all areas within the site

- the proposal would not result in any adverse overshadowing, loss of views or visual amenity impacts
- the proposed development complies with the provisions of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP), which allows school buildings, up to a height of 22m, to be approved as complying development.

Additionally, the Applicant has provided an assessment of the proposed development against the objectives of the relevant zones and 'clause 4.3 - Height of Buildings' of Schedule 1 of the Growth Centres SEPP. The Applicant has argued that for the height objectives, the amenity of the surrounding occupiers would not be adversely affected, and the new buildings would provide a high quality urban form integrating with the future high-density neighbourhood and town centre.

The Department has assessed the proposed height variation and has considered the clause 4.6 variation submitted by the Applicant, in conjunction with the established principle in the case of *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009*, by the Land and Environment Court. In accordance with the views expressed in this decision, sufficient environmental planning grounds, unique to a site, must be demonstrated by the Applicant for a clause 4.6 variation request to be upheld.

The Department notes that the site is unique as it forms an 'island' which does not directly adjoin other developments, being surrounded on three sides by roads and to the north by an area of open space. The closest neighbours would be within the Entertainment Precinct to the west and southwest of the site. Therefore, the built forms on the site will only have a visual relationship with the buildings in the Entertainment Precinct, which have a permissible height limit of 18m. The site itself is affected by two land use zones and two sets of height controls.

In this context, the Department considers the Applicant's arguments to be well founded for the following reasons: the need to provide an education facility in a new residential area to meet the needs of residents and support the well-being of the community; the successful interface transitions with the adjoining properties to the west and the low density residential environment further to the east and south (beyond the open spaces) by stepping the built form; the provision of a balanced built form optimising the functional parameters of the school; and traffic impacts that can be managed (**Section 6.3**). In addition, the Department agrees with the Applicant that a better outcome is achieved by the provision of taller buildings on the site, compared to lower buildings with a greater overall footprint, to achieve the same floor space which would result in less landscaped open space and outdoor play areas without any material benefit to the locality.

The Department notes that Council has indicated that the height exceedance be carefully assessed against the visual and amenity impacts on the locality. The Department acknowledges this view and considers that the site's unique location warrants the need to assess the bulk and scale of the proposal not only against the objectives of the height, but also on its merits and project need.

The proposal facilitates a denser built form in an appropriate location, being partly within and partly adjacent to the town centre (Entertainment Precinct) which also permits taller built forms. The Department has considered the design of the buildings in the following section and concludes that the buildings are of an appropriate design. The Department is satisfied that the proposed built form in conjunction with the setbacks and landscaping, would not result in adverse streetscape impacts or visual bulk. Overall, the development is considered to be of an appropriate scale in the context of the likely future surrounding developments.

The Department acknowledges that substantial benefits are associated with the proposed new school in the locality and considers the proposed height exceedances have been well justified in terms of the objectives of the development standard and can be supported. The impact of the proposed built form on the amenity of the surrounding locality and identified view corridors is discussed in the following sections.

Building design, materials and finishes

The proposed built form incorporates two long and narrow linear buildings, two to three storeys in height (with only two areas being four storeys to accommodate stairs and circulation areas), along the length of the southern and western boundaries. The third building is also a linear narrow block located internally within the site and can be viewed from the eastern boundary. The proposed buildings have been designed with contemporary and colourful facades both to the streetscape and internally. Façade finishes incorporate face brick in varying shades including coloured glazed bricks, coloured fin walls to act as sun shades and recessed windows. Grey coloured, Colourbond skillion roofs are proposed for each building. The roof would slope away from the street frontages.

Council and GANSW raised various concerns regarding the overall building design including the appropriateness of the design of the building at the corner of The Hermitage Way and road MC07, equitable access throughout the site, the lack of building modulation and articulation with identified entries, continuous parapets, integration of roof top plant and equipment and the lack of consideration of the Crime Prevention Through Environmental Design (CPTED) principles in the design. Council also requested that Camden Local Area Command be consulted to ensure a safer design of the premises.

In response, the Applicant's RtS and SRtS included considerable amendments to the building design incorporating a stepped parapet line along both street elevations to assist with breaking up the visual mass and integrating the roof top plant and equipment. The RtS also included amended landscape plans incorporating substantial landscaped setbacks along all street frontages to assist with softening the building mass as viewed from the street, details of equitable access and additional information regarding security principles adopted for the site.

Council has reviewed the amended building design, and no longer raised concerns on the resultant built form.

The Department has carefully considered the Applicant's EIS, the changes to the design in the RtS and the SRtS, and the comments from public authorities in its assessment of the built form. The Department notes that in terms of streetscape impacts, the school buildings would be dominant visual elements within The Hermitage Way and road MC07 streetscapes (**Figures 22 and 23**). Due to the orientation of the buildings and landscaped setbacks, the proposal would not have significant visual impact on road MC06 (**Figure 24**).



Figure 22 | The Hermitage Way streetscape (Source: Applicant's SRtS)



Figure 23 | The road MC07 streetscape (Source: Applicant's SRtS)



Figure 24 | The streetscape of road MC06 (Source: Applicant's SRtS)

The buildings, when viewed from the street frontages of The Hermitage Way and road MC07, would present continuous elevations that are approximately 100m in length and generally two to three storeys in height. As discussed above in this report, the proposed building heights are considered appropriate, being of a lesser height than the expected future built forms in the adjoining Entertainment Precinct.

The Department considers that the proposal, as refined by the RtS and SRtS, incorporates a range of building materials and recessed entry points, to articulate the facades of the long buildings and break the building mass. The proposed façade lengths are the result of the functional requirements of the school. Given that the site would be visually distinguished from other nearby developments, both in terms of its use and the physical separation, the façade lengths are considered acceptable. Consequently, further breaks in the massing are not required. The amended design incorporates substantial landscaped front setbacks to soften the appearance of the buildings and a range of building materials and recessed entry points. However, the Department agrees with the GANSW's comments regarding the addition of an awning or canopy to identify the main school entrance fronting on to road MC07. A condition has been recommended to this effect.

The Department also agrees with Council's view that the revised design accentuates the importance of the main corner element incorporating the school library and creates a focal point at the prominent south-western corner of The Hermitage Way and road MC07 (**Figure 8**). The Department considers that the proposed design has been appropriately amended to respond to the initial concerns raised by GANSW, Council and the Department, and further alterations to the design of the corner of the building to create a more direct relationship with the street is not necessary.

The site design has regard to the CPTED principles and would be managed in accordance with the Department of Education's security principles which is adopted for all public schools in NSW. Consequently, the Department does not consider that further consultation with NSW Police is required in this case.

The Department concludes that the resultant built form would provide an appropriate interface between the two land use zones with varying building height limits and create a focal point at the prominent and the topographically highest point of the site, being the corner of The Hermitage Way and road MC07.

On balance, the Department is satisfied that the proposed buildings would provide an appropriate interface with adjoining developments, while distinguishing the site as an educational facility.

Internal design of the school buildings

The GANSW raised concerns that the internal design of the school buildings does not demonstrate flexibility in accordance with the design principles of the Education SEPP. The GANSW further commented that there are opportunities to amend the design of the library to create access to the open space in front and its ability to be shared with the community.

In response, the Applicant's RtS advised that the spatial planning of the library and the classrooms have been given careful consideration and designed to meet the requirements of the Educational Facilities Standards and Guidelines, in consultation with the project reference groups representing the future school community. The suitability of sharing the school library with the community would be considered by the future school principal.

The Department considers that the development incorporates satisfactory outdoor learning areas and therefore there is no specific requirement to directly connect the library to the front setback area. The Department notes the proposed library would have a flexible and open layout, in terms of access to the open space or to be used by the community in the future. The classroom designs are also considered appropriate and flexible. The openings between homebase would allow for integrated use and a variety of layouts. Further, all classrooms would have windows to facilitate natural cross ventilation and access to natural light.

Landscaping, tree removal, outdoor areas and fencing

Landscape strategy and outdoor areas

The proposed landscaping works comprise a range of soft and hard landscaping works including removal of 22 trees, retention of two trees, regrading, levelling and provision of turf play areas, a hard surface outdoor court, covered outdoor learning areas, landscaped front setbacks and boundary fencing, footpaths, and proposed planting of 251 new trees as well as shrubs and groundcovers across the site (**Figure 25**).



Figure 25 | Landscape Plan (Source: Applicant's RtS)

A number of concerns were raised by Council and GANSW in relation to the design of landscaped areas, planting strategy and lack of well-designed and shaded outdoor learning areas. In response the Applicant's RtS included a revised landscape plan incorporating additional planting across the site, including within the front setbacks and additional COLAs on the site adjacent to the hard surface outdoor sports court. The revised landscape plan includes a range of replacement planting with 251 new canopy trees capable of growing up to 8m in height proposed, in addition to shrubs and ground covers.

The Department has assessed the landscape plan, refined by the Applicant's RtS, and concludes that the proposed landscape strategy would generally provide a range of attractive landscaped outdoor areas. The Department is satisfied that the site layout and landscaping scheme would include compensatory planting at various locations to replace the lost vegetation canopy, subject to a condition regarding additional tree planting (discussed below). The proposed level changes, outdoor seats and seatings, extensive play areas and the landscaped setbacks along frontages of The Hermitage Way and road MC07 are considered to be satisfactory and would suit the proposed use.

Tree removal

Figure 26 identifies the 22 trees that are proposed to be removed under this application.

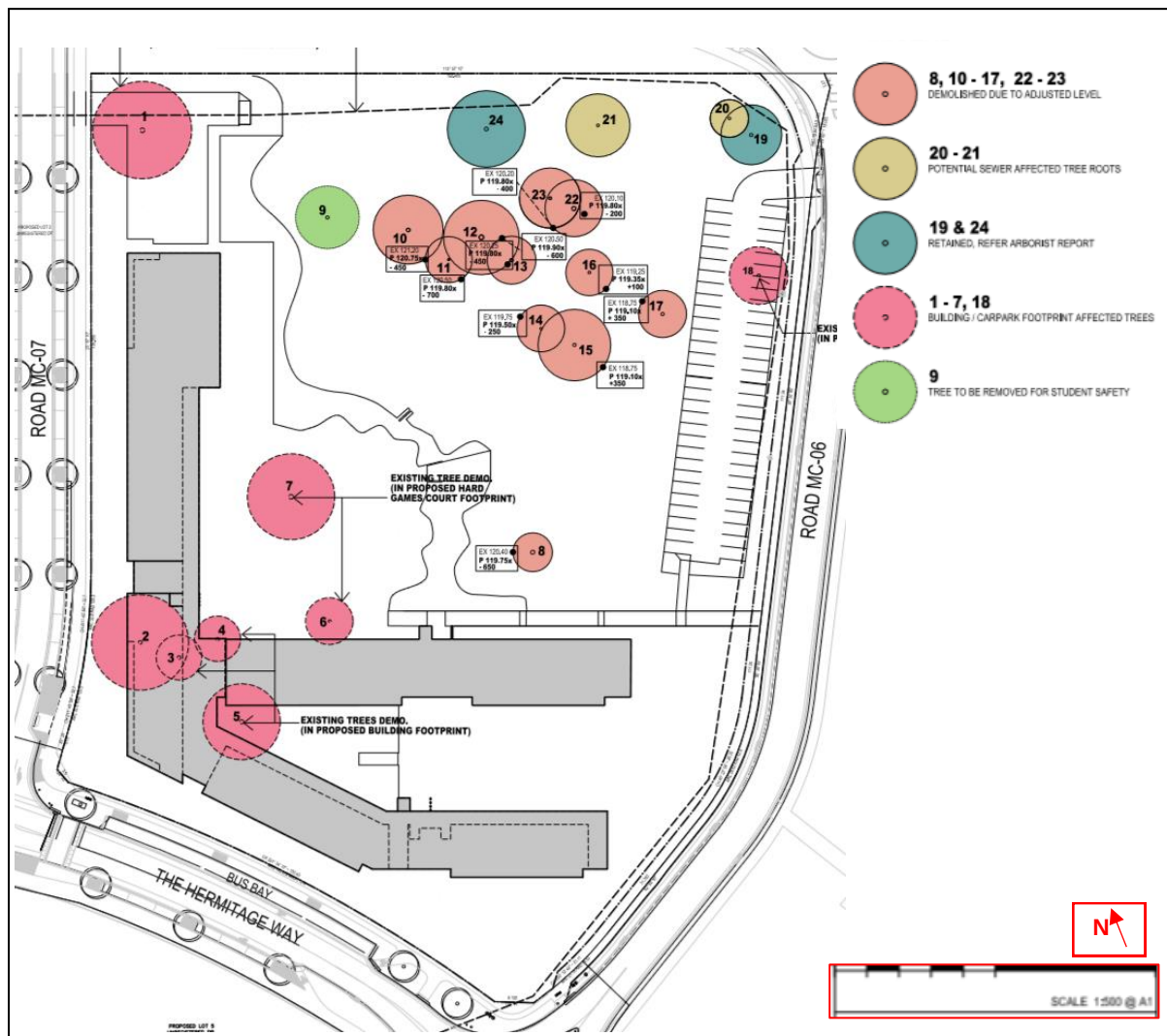


Figure 26 | Tree Removal Plan (Source: Applicant's SRTS)

Council, GANSW and the Department raised concerns regarding the adverse environmental impacts of the proposed removal of 22 mature trees from the site and the potential impact on any identified fauna species on the site.

The Applicant's SRtS responded to the concerns by providing additional information regarding the proposed earthworks and the resultant levelling of the site. The SRtS demonstrates that the proposed level changes within the tree protection zones of the existing trees are required to accommodate the stormwater lines, the future sewer line and provide an appropriate gradient to the turfed outdoor play area. An embankment would also be required to retain the western edge of the car park fronting on to road MC06.

The Department's assessment notes that biodiversity certification has been conferred on the site, and therefore issues of impacts to threatened species or endangered ecological communities has already been assessed and is not a matter for consideration in the assessment of any tree removal. The Department is also satisfied that the submitted addendum to the Arboricultural Impact Assessment Report (AIA), demonstrates that the impacted trees do not contain hollows that could be potential fauna habitat. Therefore, replacement nest boxes are not required for this site.

Notwithstanding the biodiversity values, the Department considers that the large canopy trees, ranging in height from 15m to 22m, contribute to the landscape settings of the locality as well as provide natural shading to the northern and central section of the site. The Department acknowledges that accommodation of underground services and the resultant level changes form an integral part of the proposed land use. Therefore, the removal of the 22 existing trees is unavoidable to facilitate development of this site.

The proposed planting of over 251 new canopy trees (mature height between 5m – 8m) would satisfactorily replace the lost tree canopy and make a significant contribution to the site's appearance and the amenity of the future occupants. However, the Department notes that as the proposed new trees would be considerably smaller than the existing large trees. The Department therefore considers that an additional five canopy trees, with a minimum mature height of 15m, should be planted at the edges of the outdoor play area and some key locations at the site boundaries to replace the lost urban canopy. A condition has been recommended to this effect.

The Department concludes that the removal of 22 existing trees from the site would be appropriately offset by the five additional canopy trees in conjunction with the proposed extensive replacement planting of new small to medium sized trees.

Fencing

The proposal includes a 2.1m high palisade fence along all the street boundaries (shown in **Figures 8, 9 and 13**). GANSW has raised concerns that the proposed fence would form a continuous edge or 'face' to the school boundaries and would result in a poor relationship with the public domain. GANSW recommended that the fence be redesigned to reduce its visual impact, such as by relocating the fence to the building edge and introducing soft landscaping strategies along the street setbacks to screen the fence.

In response, the Applicant's SRtS stated that the fence is designed in consultation with the Department of Education's security unit to meet the requirements of the school, including the Department of Education's Educational Facilities Standards & Guidelines. Consequently, the fence design cannot be amended in this instance. However, the Applicant submits that should the application be approved, additional consultation can be undertaken with GANSW regarding the implementation of an alternate fence design that would balance the security measures and the public domain interface.

The Department agrees with GANSW's recommendations that relocating or redesigning the fence would improve the streetscape presentation and the amenity of the public domain adjacent to the site. The Department considers that the streetscape presentation would substantially improve if the fence is setback approximately 1m - 2m from the western, southern and eastern (up to the southern edge of the car parking area) boundaries.

This would provide opportunities for additional landscaping with low height shrubs and an appropriate interface between the public domain and the site without compromising security of the students on the site. A condition to this effect is recommended.

6.2 Environmental amenity

Overshadowing

Shadow diagrams submitted with the application demonstrate that the proposed development would not result in any unacceptable shadowing impacts on any future residential developments in close proximity to the site.

The northern facing windows and private open space areas of any adjoining residential development, the public open spaces and the road reserves would receive in excess of 3 hours of solar access between 9am and 3pm on June 21. Consequently, the Department concludes that the anticipated overshadowing impacts due to the proposed buildings are minor and would not result in any unacceptable outcomes for the amenity of future development.

The shadow diagrams are provided in **Figure 27**.

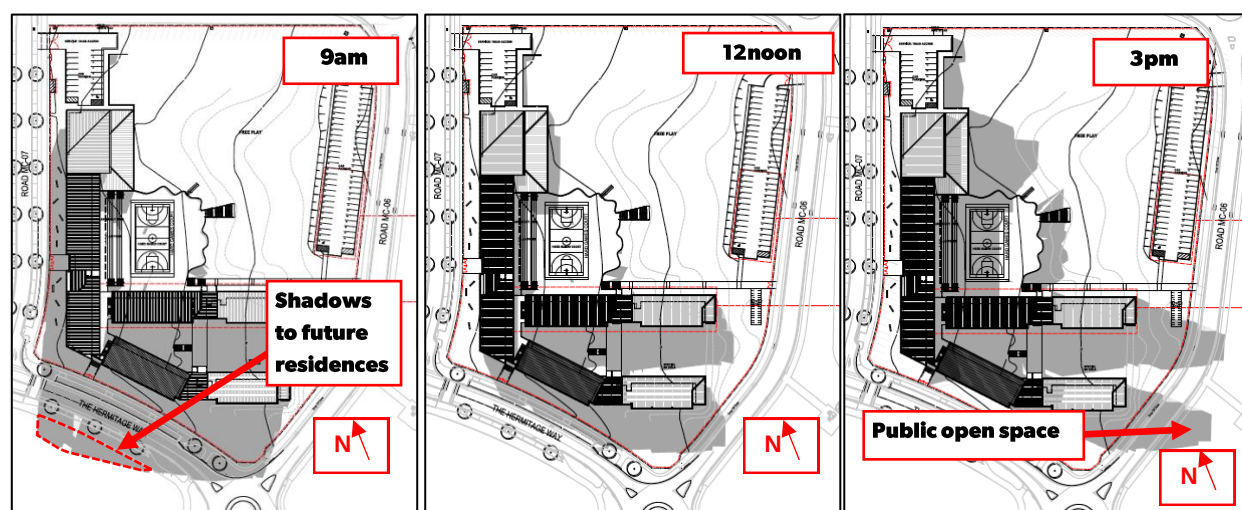


Figure 27 | Winter Solstice (June 21) Shadow Diagrams (Source: Applicant's EIS)

View impacts

The Entertainment Precinct, to the west of the site, is elevated above the site. Therefore, future residential developments have the potential to enjoy some district views over the subject site, particularly from the upper levels of future buildings on the eastern edge of the Entertainment Precinct. The potential view corridors have been identified in the DCP (**Figure 28**). The DCP provides that future developments within the Entertainment Precinct should be designed to maximise district outlooks. However, the Department notes that the DCP does not include any specific development controls applicable for the site to protect the views anticipated to be enjoyed by the future occupants of the Entertainment Precinct.

During the exhibition of the EIS, Council commented that the Applicant should conduct additional view analysis assessment, considering that the proposed development may potentially obstruct identified view corridors in the DCP.

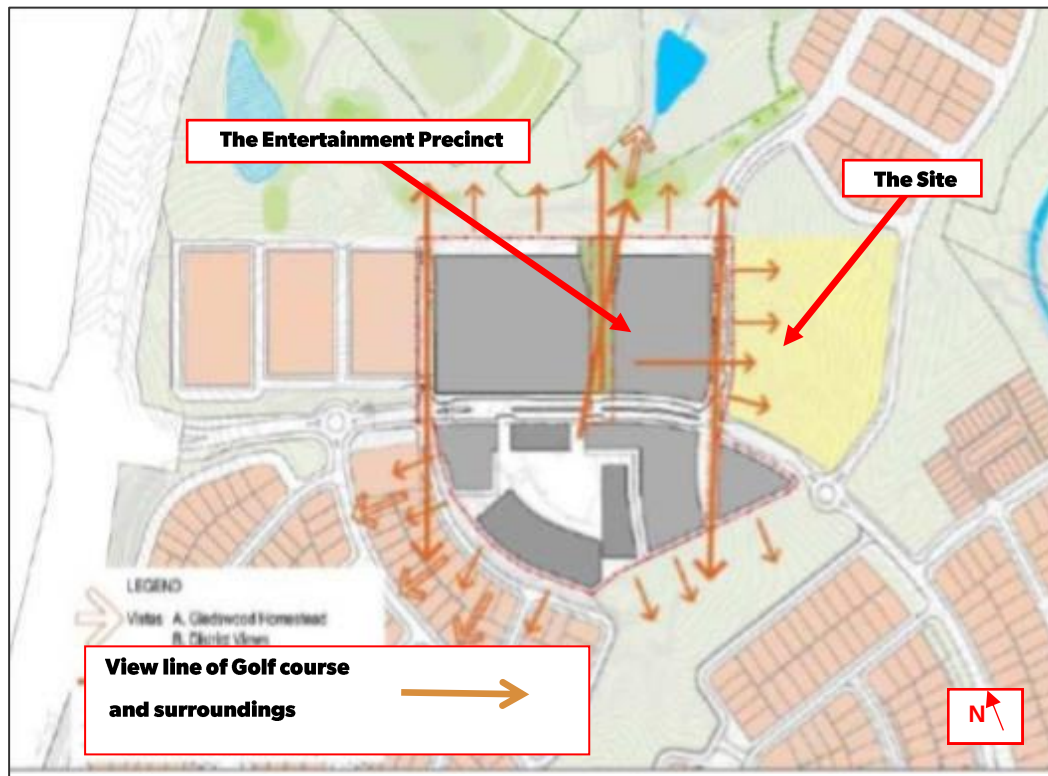


Figure 28 | Identified view corridors (Source: Turner Road Development Control Plan)

The Applicant's SRTS considered the impact of the development on the district views potentially available from the upper levels of future buildings in the Entertainment Precinct. The view analysis report notes that the lowering of the parapet walls of the school buildings would assist with improving access to views. However, to provide opportunities for further view sharing with the lower levels of the future developments, the school buildings would have to be relocated to the eastern part of the site. This would adversely affect the appropriate and logical relationship of the built form between the site and the Entertainment Precinct, which is currently achieved by the design. The Applicant has argued that the proposed design achieves a better planning outcome for the site, notwithstanding the anticipated loss of district views on the eastern side of some of the future residential developments, possibly on the lower levels of future buildings.

The Department has conducted an assessment of the proposal against the planning principles established by the Land and Environment Court in the judgement for *Tenacity Consulting v Warringah [2004] NSWLEC 140 (Principles of view sharing: the impact on neighbours)*. The principles adopt a four-step approach to analysing the impact of private view loss as follows:

- Step 1: Assessment of the views to be affected (water views/iconic views/whole views)
- Step 2: From which part of the property are the views obtained (the expectation to retain side views and sitting views is often unrealistic)
- Step 3: Extent of the impact (impact on living areas is more significant than bedrooms, and view loss should be expressed quantitatively as negligible, minor, moderate, severe or devastating)

- Step 4: Reasonableness of the proposal that is causing the impact (compliance with development controls is considered more reasonable and alternate proposal should be considered).

Having regard to the four-step approach, the Department concludes the following:

- Step 1: The affected views are district views of the surrounding area and are not considered 'iconic'. For the majority of the future developments, the available views may be categorised as 'outlooks' rather than views.
- Step 2: The location of possible building envelopes or the nature of the proposed land use within the Entertainment Precinct (whether commercial or residential) have not yet been approved. Consequently, the part of the properties from which the views would be obtained is unknown. Further, the use of the lower levels of multi-storied developments within this precinct are also not known. There are possibilities that the lower levels are allocated to commercial developments (for mixed-use developments) with only the upper levels being residential. **Figure 28** provides details of the overall orientation of the Entertainment Precinct. Based on the identified view corridors, the Department is satisfied that there would be possibilities to maintain alternate outlooks for future developments (notwithstanding the proposed use) by careful design of the upper level balconies or terraces for a high-density residential development.
- Step 3: The impact of the development on the potential future views to be enjoyed by the residents within the Entertainment Precinct, is not considered to be extensive. District views would be available from the upper floors of future adjoining developments, given they would be elevated well above the proposed school buildings. The impact would vary between negligible (no loss) for the upper levels of future developments to moderate (some loss of tree and sky view) for the intermediate levels and severe (total loss of views) for the lower levels. However, any development on this site would result in a similar outcome. Further, it is noted that these are likely to be commercial premises where view sharing is not required.
- Step 4: The proposal is reasonable in that it generally complies with the permissible height limit along the western boundary and is within the permissible height limits applicable to residential flat buildings that are permissible on the site.

The Department concludes that the proposal would allow future developments within the Entertainment Precinct to take advantage of the available district views. As such, the proposal would provide a critical social infrastructure for the locality and, on balance, the Department is satisfied that impact on identified view corridors is acceptable.

Visual privacy

The site is separated from all future adjoining development sites by road reserves and open spaces. Consequently, the Department considers that the proposal would not result in any potential for adverse visual privacy impacts, as the potential building separation distances between Block A (fronting road MC07) and the nearest residences on the opposite side of the roads would exceed 30m. This is more than the 12m - 24m separation requirement, stipulated in the Apartment Design Guide to ensure retention of visual privacy of residential properties.

6.3 Traffic, transport and parking

Construction traffic

The Applicant's EIS included an outline Construction Traffic Management Plan (CTMP) as an Appendix to the Construction Management Plan (CMP). The CTMP provides that construction vehicles would access the site from Camden Valley Way via The Hermitage Way and road MC06. The heavy construction traffic volumes would be approximately 40 vehicles per day. These movements would not coincide with the standard peak hour traffic.

Parking for 45 - 65 construction workers' vehicles would be provided on site, sufficient to cater for the expected 60 - 80 contractors on site on any one day.

Due to the absence of existing residential developments in the immediate vicinity of the site, there are limited pedestrian activities within the locality. Notwithstanding, pedestrian and cyclist routes past the site would be protected during construction where required with appropriate fencing and /or hoarding, and a traffic controller where necessary.

The Department considers that 40 construction vehicles expected to arrive / depart on one day is acceptable given the total expected vehicle movements per day. However, the Department considers it appropriate that the CTMP include a discussion of the construction impacts on traffic, pedestrian and cycle access as well as the potential cumulative impacts on the surrounding road network. Accordingly, a condition is recommended requiring the Applicant to prepare an updated Construction Traffic and Pedestrian Management Plan (CTPMP) prior to the commencement of works.

The Department has reviewed the information provided within the EIS, RtS, SRtS and TfNSW submissions and considers that subject to the implementation of recommended conditions, construction traffic impacts in the locality would be appropriately managed.

Operational traffic

The proposed development is located in a land release area which is currently developing. The Applicant submitted a Traffic Impact Assessment Report (TIA) which considered the impacts of the proposal on the surrounding road network.

The TIA has conducted surveys of other schools in the locality and estimates that the site would generate approximately 1,072 vehicle movements during the AM peak period (between 8:20am and 9:20am) and 772 vehicle movements in the PM peak period (2:45pm to 3:45pm).

The TIA notes that the proposed road network in the locality has been designed based on a previous traffic study by AECOM which allowed for a 1,000 student school on the site. The traffic study by AECOM predicted that once the area is fully developed, intersections immediately adjoining the school would operate having the highest level of services (LoS A) during the AM and PM commuter peak periods (**Figure 29**), noting that the school PM peak does not coincide with the PM commuter peak period (typically after 5pm). The TIA acknowledges that the traffic volumes associated with the proposed school may exceed the traffic volumes predicted in the AECOM traffic study. However, any adverse impacts due to the additional traffic volume would be appropriately managed by the recent improvements to the local road network, including the new roundabout on the northern end of road MC06, which were not factored in to the original assessment by AECOM. The TIA concludes that the intersections in the vicinity of the school and the road network would have the capacity to cater for the traffic associated with the proposed school.

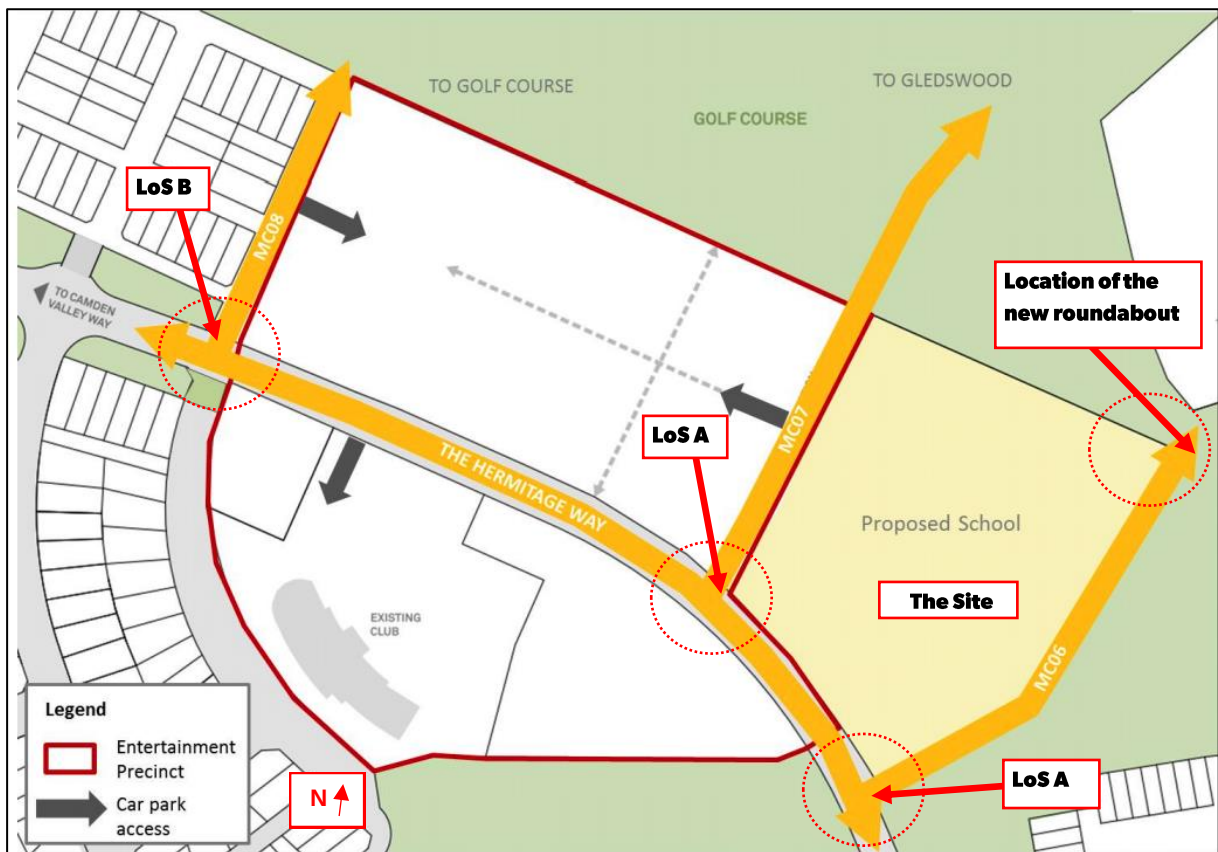


Figure 29 | Surrounding road network with the LoS (AM and PM commuter peak) as predicted by the AECOM
(Source: Applicant's EIS)

RMS, TfNSW and Council raised no concerns regarding proposed traffic generation or intersection performance.

On the basis of the AECOM traffic study and the submitted TIA, the Department is satisfied that the operation of the proposed development would not have an unacceptable impact on the surrounding road network.

Student drop-off and pick-up

The approved design of road MC06 (as per Council DA approval 2015/1230/2) includes a drop-off and pick-up zone on the western side of this road. The current proposal relies on this approved drop-off and pick-up zone and proposes further alterations by realigning the kerb on the western side of the road reserve to increase the length of this zone. The proposed drop-off and pick-up zone would accommodate up to 28 vehicles at any one time. The location of the drop-off and pick-up zone in the context of the other proposed elements of the road infrastructure and the pedestrian access to the site is identified in **Figure 30**.

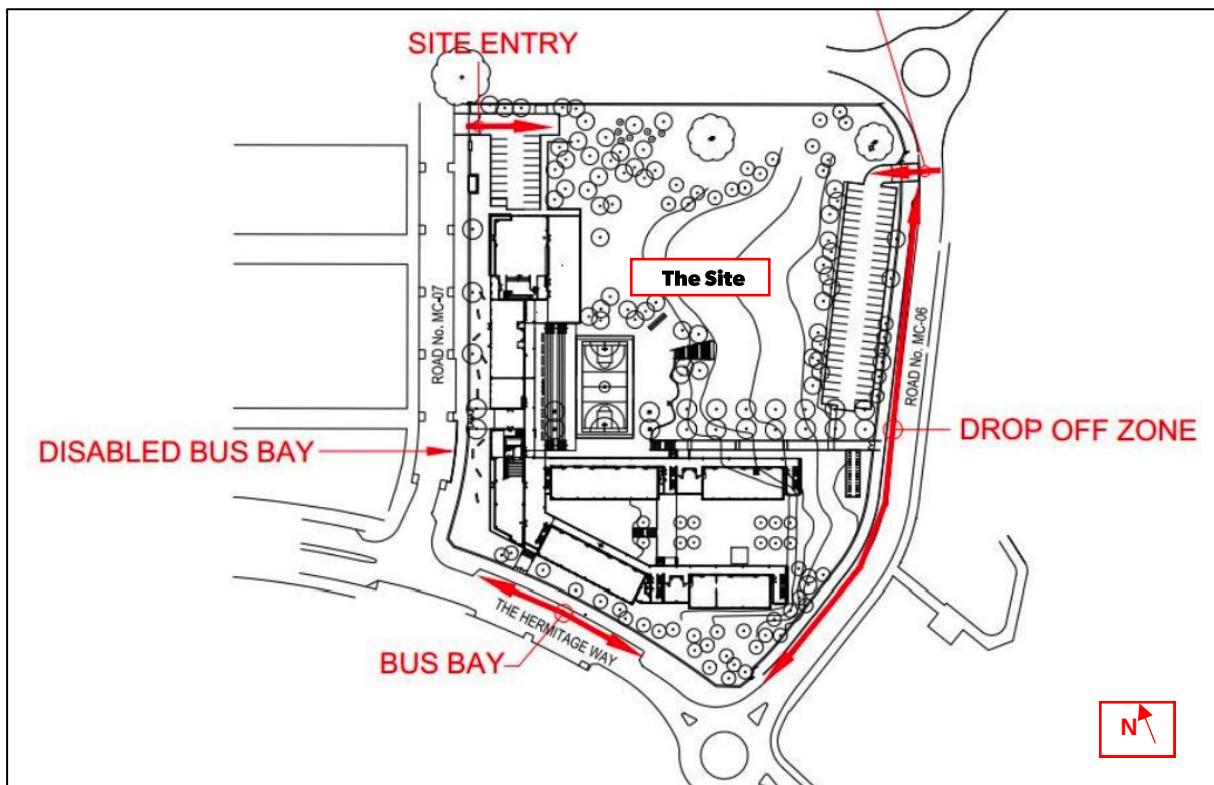


Figure 30 | Site entry points and location of on-street infrastructure (Source: Applicant's EIS)

The Applicant's TIA includes data obtained from surveys conducted for other public schools in the locality including Oran Park Public School which has a similar capacity as the proposed Gledswood Hills Public School. Based on these surveys, the TIA estimates:

- 500 vehicles would drop-off students in AM peak hour (8:20am - 9:20am) with the majority of drop-offs occurring in the 15 minutes before school starts
- 350 vehicles would pick up students in the PM peak hour (2:45pm – 3:45pm).

Based on the above data and allowing for each vehicle to be in at the drop-off and pick-up zone for 50 seconds, the TIA concludes that space for 28 vehicles is satisfactory for the proposed student population of 1,000.

During the exhibition of the EIS, Council recommended that separate on-site drop-off and pick-up area with a one-way travel lane and associated pedestrian connections be provided within the site. Additionally, Council also noted that the proposed on-street drop-off and pick-up zone on road MC06 is likely to be underutilised due to the distance from the main entry gate (up to 81m), with no weather protected pedestrian access to the school buildings. Thus, Council recommended that if road MC06 be utilised as a drop-off and pick-up zone, then weather protected access should be provided from the entry gate to the school buildings. Council also recommended that the length of that zone on road MC06 be reduced with the remaining vehicles accommodated in an additional drop-off and pick-up zone on road MC07 which is located nearer to the school buildings and entry gate. Council stated that an additional area may potentially be provided on the eastern side of road MC06 with careful consideration of its impact on the adjoining open space zone. The requirement to construct the necessary road infrastructure works including pedestrian crossings or roundabouts was also recommended by Council.

Additionally, Council requested that the Applicant lodge a separate application to modify DA 2015/1230 and incorporate the proposed alterations to the approved layout of the drop-off and pick-up zone on road MC06.

RMS did not raise any specific concerns with the proposed arrangements. TfNSW recommended that a Road Safety Evaluation (RSE) of all roads utilised for drop-off and pick-up be conducted by the Applicant within the first three months of commencement of school operations. TfNSW also recommended that a Traffic and Parking Management Plan (TPMP) be developed in consultation with Council to ensure orderly management of the drop-off and pick-up zone and safe pedestrian movements during school peak hours at locations of vehicular and pedestrian conflicts.

In response to the above submissions, the Applicant agreed to prepare the RSE and TPMP prior to the commencement of school operation and implement the required management measures effectively. The Applicant's RtS has also confirmed that if approved, the current proposal would supersede any previous approvals and therefore a further modification to DA 1230/2015 would not be required. The amended landscape plan submitted with the RtS includes a covered area above the bicycle storage space, adjacent to the entrance gate, to provide weather protection for students waiting for pick-up.

However, in terms of location, the Applicant indicates that the provision of drop-off and pick-up facilities along road MC06 is considered to be the most suitable outcome for the site as the two roundabouts at either end of road MC06 would facilitate easy access to and from the drop-off and pick-up zone enabling safe and legal U-turns. The provision of drop-off and pick-up facilities within the site would result in adverse outcomes including reduced outdoor recreation space, increased vehicle movements in / out of the site with opportunities for conflict between students and vehicles as well as additional traffic controller requirements.

The Applicant's SRtS advises that if the pedestrian crossing / refuge on road MC06 is added, then it would reduce the total number of vehicles within the drop-off and pick-up zone to be 25 – 27 spaces. If 25 vehicles were provided in the drop-off and pick-up zone, then during the student drop-offs in the mornings, each vehicle could only stand in this zone for 45 seconds on average, to avoid queuing.

The Department has reviewed the EIS, RtS, SRtS and the comments from the public authorities. The Department acknowledges that as road MC06 is at a considerable distance from the school buildings and requires an uphill walk for students being dropped off, there is a potential for this road being underutilised. However, this is also considered to be the safest on-street location for a drop-off and pick-up zone. The provision of roundabouts at each end of road MC06 and the absence of any private driveways or connecting roads minimises the potential for conflicts between vehicles using the zone and through traffic travelling along road MC06 in the future. The location of the drop-off and pick-up zone being adjacent to the school gate, would exclude any requirement for a student to cross the road. Therefore, an additional zone on the eastern side of road MC06 would not provide a better outcome for this purpose.

The Department anticipates that road MC07 would be a busier road in the future, especially after the development of the town centre with commercial and residential developments. Location of a drop-off and pick-up zone along this road would result in a greater potential for future vehicular and pedestrian conflicts and therefore is not considered to be a desired outcome.

The Department also agrees with the Applicant's argument that any on-site drop-off and pick-up zone would result in the loss of outdoor play space, more pedestrian and vehicular conflicts within the site and additional queuing which may extend beyond the vicinity of the site. The Department has recommended conditions of consent requiring the preparation and approval of a RSE and an Operational Traffic and Access Management Plan (OTAMP) outlining the requirements of the TPMP, as required by TfNSW.

The Department agrees with Council's recommendation that an awning or canopy should be provided over the main path from the entrance on road MC06 to the school buildings, to encourage utilisation of road MC06. A condition has been recommended to this effect.

The Department notes that the length of the drop-off and pick-up zone would be reduced to accommodate a pedestrian crossing / refuge on road MC06, resulting in the loss of between one and three car spaces (details provided in the following section). This would result in a slightly reduced capacity of the zone during the morning student drop-offs. Based on an average drop-off time of 50 seconds as estimated in the TIA, the reduction in spaces would extend the total time required to complete all expected drop-offs from 15 minutes to 17 minutes. The Department considers the impact to be minor and is satisfied that the drop-off and pick-up zone would operate effectively, despite the reduced length due to the pedestrian crossing / refuge on road MC06.

On the basis of the above assessment the Department is satisfied that subject to the implementation of the recommended measures in the approved RSE, implementation of a OTAMP and inclusion of further pedestrian safety provisions, the proposed on-street drop-off and pick-up zone on road MC06 would provide a suitable outcome for the site and not result in an adverse impact on the local traffic network.

The Department also notes that section 4.17 of the EP&A Act allows this SSD application to modify the previous development application for the road layout and therefore considers that a further modification application is not required in this instance.

Pedestrian safety and road design

During the exhibition of the EIS, the following road infrastructure improvements were recommended by Council, TfNSW and RMS to improve student safety, maximise the number of students walking to school and to minimise pedestrian and vehicle conflicts around the school:

- pedestrian crossings to be provided on roads MC06 and MC07
- the speed hump on The Hermitage Way to be converted to a zebra crossing
- a 300millimeters (mm) wide median strip on the northern end of the drop-off and pick-up zone, on road MC06 to ensure left-in and left-out movements for vehicle movements utilising the car park
- 40km / hour speed limits be implemented in the school zones surrounding the site
- a 'no stopping' zone be incorporated on the eastern side of road MC06 as an alternative to the proposed pedestrian crossing / refuge.

The Applicant has agreed to the above recommendations regarding the required upgrades to the road infrastructure and imposition of speed limits. The Applicant's SRtS also includes sketches of potential locations for a pedestrian crossing on road MC07 and a pedestrian refuge on road MC06 (**Figure 31**). The Applicant's SRtS indicates that a pedestrian refuge is a preferred option on road MC06, as it would result in the loss of one car parking space within the drop-off and pick-up zone, while a pedestrian crossing would result in the loss of three car parking spaces. The Applicant has requested that these requirements be recommended as conditions of consent.

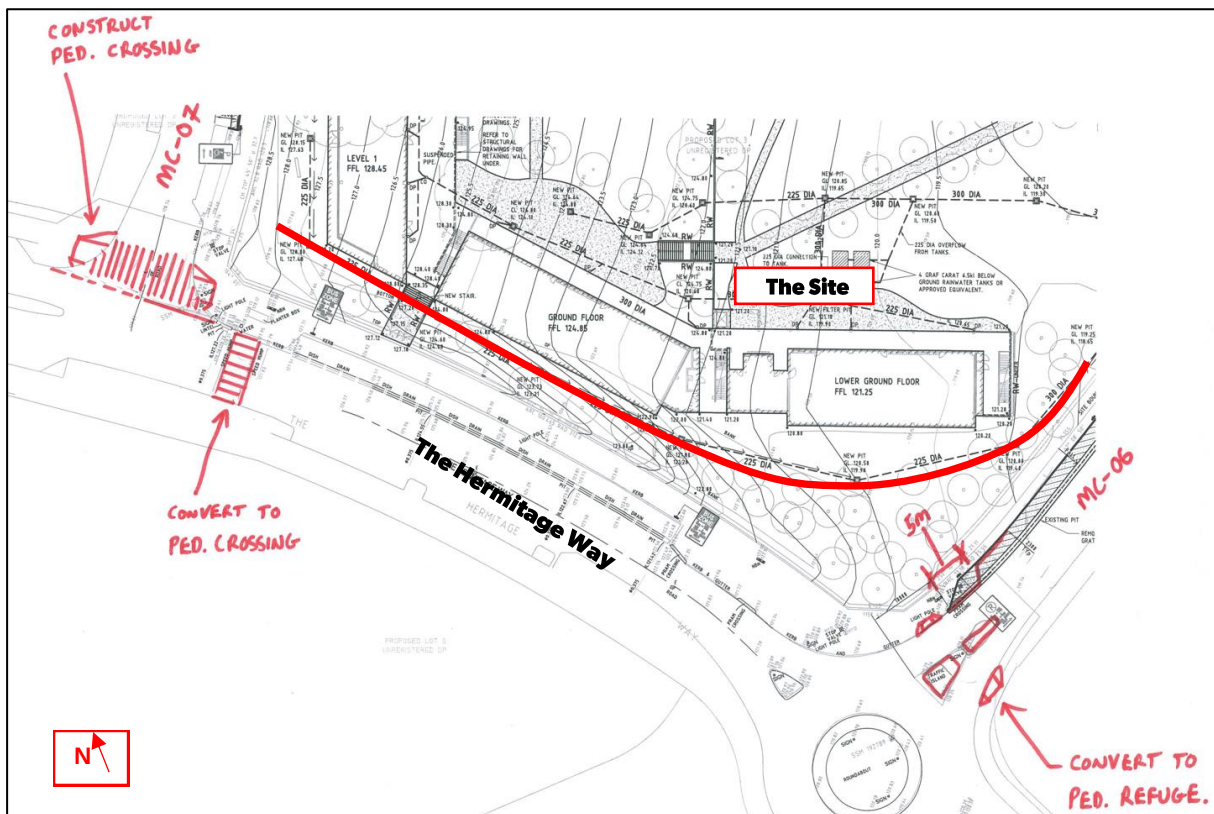


Figure 31 | Sketch of potential pedestrian crossings / refuge (Source: Applicant's SRtS)

The Department agrees with the recommendations of the public authorities that the provision of appropriate pedestrian crossings / refuge on the adjoining streets are essential to maximise pedestrian safety and to encourage and enable all users of the site to walk safely to and from the school. The Department is satisfied that the provision of the additional pedestrian infrastructure on road MC06 would have marginal impact on the efficiency of the drop-off and pick-up zone, which is acceptable.

The Department has therefore recommended a condition requiring pedestrian crossings to be provided on roads MC06 and MC07, with the final design and location of the crossings to be approved by RMS in consultation with Council. This would allow the public authorities to determine whether the pedestrian volumes at the intersections would meet the RMS warrants for a pedestrian crossing on The Hermitage Way and also determine the most suitable form of pedestrian safety facilities at all intersections.

Subject to the implementation of recommended conditions regarding addition and provision of pedestrian facilities, provision of school zone speed limits, no stopping zones, left in / out access from the on-site car park, RSE and OTAMP, associated wayfinding signage, parking restrictions and line marking, the Department is satisfied the proposal would adequately address pedestrian safety and vehicle safety in the vicinity of the site.

Car parking, bicycle parking and vehicular access

The proposal incorporates 75 on-site car parking spaces, including 45 car spaces in Stage 1 and 30 car spaces in Stage 2. The car parking areas have access from roads MC06 and MC07 and include two disabled car parking spaces. Additionally, the proposal includes 60 bicycle parking spaces adjacent to the entrance on road MC06. The number of car parking spaces is consistent with the recommended parking rates set out in the Camden Development Control Plan 2011 (used as a guide), being 1 space per staff member (65) plus 1 space for every 100 students (10 spaces).

One objection from member of the public raising concerns that the 75 car parking spaces would only cater for

the teachers and the full time equivalent staff members on the site. The proposed parking would not cater for the parents of the students and therefore would result in parking on surrounding streets. RMS recommended that the Department ensure adequate staff car parking be provided and that the parking be designed in accordance with relevant standards and provide adequate manoeuvring space for large vehicles. Council and the GANSW have recommended that some of the bicycle spaces should be provided near the entrance on road MC07.

In response to the comments from public authorities, the Applicant confirmed that the proposed car parking spaces would comply with relevant design standards. The Applicant's RtS indicated that the provision of bicycle racks on both the street frontages would encourage students to ride across the site, which should be avoided.

The Department is satisfied that the proposed number of car parking spaces is appropriate as it is consistent with Council guidelines. The Department is also satisfied there would be adequate on-street parking in the vicinity of the site to cater for parking demand during occasional large events at the school, noting many families would be located within the walking catchment of the school and / or would have access to public transport. The school is not required to provide on-site parking facilities for parents who would utilise the site for drop-off and pick-up only on regular school days. Adequate drop-off and pick-up facilities are provided on road MC06.

The Department notes that the Applicant has developed a Green Travel Plan (GTP) to encourage sustainable transport measures and reduce traffic and the need for parking at the site. TfNSW recommended a detailed GTP be developed and implemented in consultation with Council as part of the ongoing operation of the school. A condition is recommended to this effect.

The Department is also satisfied that the proposed vehicular access points are appropriately located and parking areas can be designed to comply with the relevant Australian standards and has recommended a condition to this effect. Manoeuvrability for large / service vehicles is discussed below in **Section 6.4**.

With regard to provision of bicycle parking spaces, the Department agrees with Council that it would be beneficial to provide some of the spaces at the road MC07 entrance gates. Bike racks at the entrance gates on road MC07 would also be located closer to the end-of-trip facilities. The Department therefore recommends a condition of consent requiring that 40 bicycle spaces be provided on road MC06 and 20 bicycle spaces be provided on road MC07.

Bus stops and accessible parking

The Applicant's TIA estimates that when a capacity of up to 1,000 students is reached, the school would require approximately five school buses in the morning and four school buses in the afternoon to transport students within the catchment. The existing road design includes a bus bay at the school entrance on The Hermitage Way which is able to accommodate two to three buses at once. It is also proposed that an accessible bus bay / accessible drop-off and pick-up zone would be provided near the entry gate on road MC07 for disabled access (**Figure 30**).

Council reviewed the EIS and recommended that the bus bay on The Hermitage Way should accommodate all five buses at any one time to avoid any queuing of buses on the road in the future. Council also recommended that the proposed accessible bus parking area on road MC07 should be modified to be a general disabled parking area for all types of vehicles.

TfNSW advised that a bus stop on the opposite side of The Hermitage Way may be required in the future to support public bus services operating bi-directionally along the road.

In response, the Applicant's RtS indicated that the construction of The Hermitage Way and the bus bays have been completed. Any further alteration to the length of this bus bay would require amendments to the roundabout location on road MC06, leading to major road infrastructure upgrade works, which is not

considered to be feasible for this proposal. Staggering the times of arrival and departure for buses would ensure that no more than three buses would be parked in the bus bay at any one time.

Further, the Applicant's RtS also indicated that disabled car parking spaces have been provided within the site and thus the accessible bus parking bay is not required to accommodate any additional disabled parking for the site.

The Department has reviewed the recommendations of the public authorities and the Applicant's RtS and SRtS and agrees with the Applicant's submission regarding the proposed staggered operation of the bus bay which would preclude any physical alterations to this newly constructed road infrastructure. The Department is satisfied that this is a common practise at schools and would not result in any material adverse consequences for safety, traffic management or the locality.

The Department also concludes that the provision of disabled parking within the accessible bus zone could conflict with accessible bus requirements and is not necessary given that this provision would be provided on the site in accordance with relevant Australian Standards.

The Department is satisfied that the proposed development includes appropriate provisions for school buses. Provision of other public bus stops is not considered to be necessary for the development of the school and is a matter for TfNSW and Council to consider at a later stage when / if required. The Department notes there is sufficient space on the southern side of The Hermitage Way in the vicinity of the site to provide a public bus stop in the future should this be required. Recommended conditions require that the Applicant must provide data to TfNSW to assist with planning for public transport needs for the future school.

6.4 Other issues

The Department's consideration of other issues is provided at **Table 7**.

Table 7 | Department's assessment of other issues

Issue	Findings	Department's Comments / Recommended Condition
Noise	- The EIS includes an Acoustic Assessment Report (AAR) for the proposed development. - The AAR, as refined by the RtS, notes that sensitive receivers would be located near the school to the west (future commercial and residential receivers) and to the north-east and south (developing residential receivers). - The AAR considered the impacts of the development in terms of construction noise and operational noise: Construction noise - The Interim Construction Noise Guideline (DECCW, 2009) (ICNG) outlines the process of establishing noise management levels (NMLs) to minimise construction noise impacts on sensitive receivers. - The AAR predicts that noise during construction of the proposal would exceed the calculated noise management levels for the site, with noise levels	- The Department is satisfied that the proposed noise management and mitigation measures are appropriate. - The Department notes that the construction noise levels would impact on the nearby residents.

up to 73dBA for some activities. The AAR includes the following mitigation measures in this regard:

- staging of construction works
- enclosing or screening plant and equipment
- noise monitoring to sensitive receivers
- appointment of a community liaison officer
- careful selection of equipment
- restriction of impulsive and tonal noise to between 8am and 5pm
- a one-hour respite period every three hours
- management of vehicles and work practices
- The Applicant has proposed standard construction hours as per the ICNG, except for Saturdays when construction is proposed to be undertaken until 4pm, to expedite the overall construction time.
- The AAR also included a number of recommendations to manage noise impacts to school students during the construction of Stage 2 such as: sound barrier or hoarding around works; scheduling noisy works outside of school hours; and locating plant away from classrooms.
- The EPA recommends that any activities likely to be audible at noise sensitive receivers only be undertaken during the standard construction hours except activities such as deliveries of oversize vehicles and activities that are not audible at any noise sensitive receivers.
- The Department recommends that:
 - standard construction hours as per the ICNG be adhered to.
 - the Applicant prepare a final Construction Noise and Vibration Management Plan (CNVMP) including management strategies to reduce noise impacts to sensitive receivers in accordance with the ICNG and submit a copy to the Certifier prior to the commencement of any works on the site.
- The construction works during Stage 2 would not have an unreasonable impact on the students within the site, subject to the implementation of the recommended measures in the CNVMP.

Operational noise

- The AAR demonstrates that operational noise from the school would generally be consistent with noise guidelines and therefore would not result in unacceptable amenity impacts on the surrounding sensitive receivers (acceptable noise levels being 47dBA for outdoor daytime activities, 42dBA for all other daytime noise, 39dBA for evening noise).
- Exceptions include daytime playground noise (predicted noise level up to 57dBA) and the use of the school hall for concerts and ball sports.
- The SRtS included amendments to the school hall design incorporating a ceiling and insulation. With the amended design, and subject to closure of certain doors, acceptable noise levels would be achieved (noise levels reduced to 39dBA).
- EPA recommended that the outdoor sports court and the school hall should be used: up to 6pm on week nights; or between 8am and 6pm on weekends and public holidays.
- EPA specified waste collection times for the school to be between 7:30am and 6pm on weekdays, to ensure acoustic privacy of adjoining residents.
- The Department considers that the Applicant's AAR includes satisfactory measures to reduce adverse noise impacts on the future neighbours. Further restrictions to community use of the school facilities would be contradictory to the Education SEPP.
- The Department recommends conditions requiring that:
 - short term noise monitoring be undertaken after the commencement of operation to determine the impact of the out of school hours use of the school facilities by the community
 - waste collection times be as per EPA recommendations except for the school peak hours (AM and PM).

Aboriginal heritage	• The EIS includes an Aboriginal cultural heritage assessment report (ACHAR). • The assessment found there are no registered Aboriginal sites within the study area and no surface evidence of artefacts. The site has been heavily disturbed and is not considered to have potential for subsurface archaeological material. The ACHAR recommends that no further investigations are required, subject to the preparation of an unexpected finds procedure. • OEHL made no comments in relation to Aboriginal cultural heritage. • The GANSW advised that the design of the development should integrate Aboriginal culture and heritage in the form of colours, materials and way finding signage. • The Applicant's SRTS has advised that such elements can be incorporated into the detailed design of the site in the future by the school community.	• The Department has reviewed the ACHAR and is satisfied that the proposal would not result in any adverse Aboriginal cultural heritage impacts, subject to a condition to ensure appropriate action is taken should unexpected objects be discovered. • The Department recommended that the Applicant include design of detailed wayfinding signage and incorporation of Aboriginal cultural heritage elements in the construction documentation.
Contamination	• A Site Audit Statement was submitted with the EIS which certified the suitability of the site for use as a school. The EIS stated that subsequent to validation of the site, fill has been imported onto the site. • In response to EPA's concerns, the Applicant's SRTS included an updated site audit statement certifying the suitability of the site for use as a school. • The EPA recommended conditions requiring the Applicant to prepare and implement a procedure for dealing with unexpected finds.	• The Department considers that the site is appropriately remediated and subject to the implementation of the recommended conditions, the site would be suitable for its intended use without unacceptable risk in relation to contamination. • The Department recommended EPA conditions in relation to managing contamination during construction.
Staging	• It is proposed to undertake the construction works in two stages (Figure 6). • The Applicant's EIS indicates that the construction staging would allow for earlier occupation of the school to meet the fast-growing demand. • Council recommended that the construction works should be undertaken in a single stage and the school be operational as soon as possible. • The Department notes that all of the facilities in association with the teaching spaces are proposed in Stage 1. Stage 2 would only incorporate additional home bases and car parking to cater for the additional demand. • Wheelchair access to the parts of the site including the hard court and play areas relies on lift access which is proposed to be delivered in Stage 2.	• The Department considers that the proposed construction staging would result in effective and early delivery of the critical infrastructure. • The Department recommended a condition requiring that temporary ramps be provided connecting all levels of Stage 1 to ensure equitable access for all users until the lift in Stage 2 is constructed.

Student numbers	• Council requested that the maximum number of students for the school be capped at 1,000 to be consistent with the impacts assessed in the EIS. • The Applicant indicated that capping the number of students would prevent flexibility for future growth and should be avoided. • The Department notes that Planning Circular PS 17-004 encourages flexibility in terms of student numbers through the use of outcome-based consent conditions or measures to mitigate impacts rather than caps on student numbers. • This approach provides flexibility in the future and allows schools to expand under the complying development provisions of the Education SEPP.	• The Department is satisfied that there is sufficient space on the site to accommodate additional car parking or extend the proposed buildings in the future. • The proposal would not result in significant adverse traffic or acoustic impacts • Consequently, capping of student number is not considered appropriate in this instance.
Signage	• The proposal includes one identification sign on the fence at the main entrance on road MC07. • The sign would be approximately 4m x 0.75m in size and would not be illuminated (Figure 7). • GANSW noted the single sign would provide limited identity and wayfinding assistance. • In response, the Applicant's RtS indicates that additional signage would be proposed after the commencement of use and establishment of the school community. • The Department has assessed the proposed sign against the provisions of State Environmental Planning Policy No.64 (SEPP 64) and considers it to be satisfactory (Appendix B). • The Department has recommended that the boundary fence be relocated 1m - 2m from the site boundary of road MC07 (Section 6.1). Relocation of proposed sign to be 1m from the boundary would still serve the purpose of identifying the school.	• The Department is satisfied that the proposed signage, would be appropriate for a school site, denoting the main entrance and assisting with way finding.
Construction impacts	• A preliminary Construction Management Plan (CMP) has been provided for Stages 1 and 2 and contain high-level consideration of construction related impacts and management. • The SRtS included a Construction Management Plan for Stage 2, with recommendations to ensure the safety of the students and staff in the vicinity of the works. • Proposed mitigation measures include fencing and hoarding to separate students from work areas and control of dust, odour and noise emissions to protect the amenity of students.	• The Department recommends that the Applicant prepare a detailed Construction Environmental Management Plan (CEMP) prior to commencement of Stage 1 construction works. • The construction impacts would be appropriately mitigated subject to the implementation of the recommendations in the CMP.

Food safety	• Council recommended that food areas on the site, including the OOSH kitchenette and the canteen be designed to comply with the <i>Food Act 2003</i> and AS 4674-2004 Design, Construction and Fit Out of Food Premises. Council have noted some non-compliances on the plan.	• The Department recommends a condition requiring the proposal to comply with the applicable requirements of AS 4674-2004.
Operational waste management	• The EIS, as refined by the RtS, includes a preliminary Waste Management Plan which indicates that delivery and garbage collection vehicles would enter the site at the carpark off road MC07. • The longest vehicle accessing the site would be the 11.5m long heavy rigid garbage truck. • Council provided comments in relation to the operational waste management system including provision of waste pads, the waste collection area design, capacity of bins and restriction to the maximum size of service vehicle that can safely turn within the designated turning area.	• The Department considers that Council's garbage collection times and garbage trucks would not access the site. The waste capacity can be managed by the school and therefore further amendments to the waste collection area are not necessary. • The Department has recommended a condition limiting the maximum size of trucks servicing the site to 11.5m. • The Department also recommended a condition requiring the waste collection area be designed in accordance with Council's waste management guidelines to ensure pollution is minimised.
Stormwater management	• Stormwater on the site has been designed to be captured and diverted to the neighbouring premises to the east, which includes a stormwater management system approved for the entire Precinct. As such, no additional stormwater treatment measures are required for the school site. • Water NSW indicated that the stormwater system must be constructed prior to the construction of the school. • Water NSW recommended that any pollutants in the disposed stormwater from the site should not enter the nearby Upper Canal corridor.	• The Department has recommended conditions in accordance with the comments from Water NSW. • The Department is satisfied that subject to the recommended conditions, the proposed stormwater from the site would be appropriately managed and not impact on the Upper Canal corridor.
Utilities	• Sydney Water indicated that the site would need connections to the watermain on the Hermitage Way and road MC07. The site should also be connected to reticulate water supply. • The Applicant confirmed that the utilities would be provided prior to occupation of the premises.	• The Department has recommended conditions to ensure that all utilities are available prior to commencement of the use on the site.
Social impact	• The proposal would result in a school which is a needed facility in the locality. The school would	• The Department considers that the site is strategically located and would integrate

also provide the opportunity for sharing the facilities with the community after hours on weekdays and potentially on the weekends in the future.

- Council requested that an additional social impact assessment be conducted by the applicant and consideration be given to the land use conflict between the proposed used and potential licensed premises that may operate in the future within the Entertainment Precinct.
- The Applicant has advised access to the school would be managed in accordance with standard procedures based on operational requirements such as all gates to be secured between 9:30am and 3pm and visitor access only through the access-controlled gate near the administration office.

well within the potential commercial developments within the Entertainment Precincts in terms of combined vehicular trips by parents.

- The Department is satisfied that subject to the access control arrangements being implemented, the land use conflicts would be appropriately managed, and the safety of the students ensured.
- The Department has recommended a condition requiring the Applicant to prepare an out-of-hours event management plan post operation of the school to ensure that the community is aware of the annual events.

Bushfire

- The site is not mapped as bushfire prone land.
- Council advised the northern part of the site is proposed to be classified as vegetation category 3 bushfire prone land.
- The Applicant has sought advice from a bushfire consultant and confirmed that the site does not comprise bushfire prone land. Thus, there are no requirements under the document 'Planning for Bushfire Protection' that are applicable to the site.

- The Department is satisfied that the proposal is acceptable with regard to bushfire risk as it is not mapped as bushfire prone land.

Public interest

- The proposal addresses the directions and actions of The Greater Sydney Region Plan, the State Infrastructure Strategy and the Western City District Plan.
- The proposal would have a positive economic and social impact, including direct investment of approximately \$41 million, the creation of up to 180 construction jobs and 65 operational jobs.

- The proposal is in the public interest as it would provide up to 1,000 additional school places with contemporary teaching and learning facilities designed to improve educational outcomes in line with the Premier's Priorities to improve education results through the provision of new and improved teaching and education facilities.



7. Evaluation

The Department has reviewed the EIS, RtS and assessed the merits of the proposal, taking into consideration advice from the public authorities, including Council. Issues raised in public submissions have been considered and all environmental issues associated with the proposal have been thoroughly addressed.

The Department considers the key issues associated with the assessment of the proposal relate to:

- built form and urban design
- environmental amenity
- traffic, transport and parking.

Conditions have been recommended to satisfactorily address any outstanding, residual construction or operational issues.

The application is consistent with the objects of the EP&A Act and is consistent with the State's strategic planning objectives for the site as set out in the NSW Premier's Priorities and A Plan for Growing Sydney, as it would improve education results through the provision of new and improved teaching facilities and meet the growing needs of Sydney.

The proposal is also considered to be consistent with the vision outlined in the GSC's Western City District Plan, as it would provide much needed school infrastructure conveniently located near the proposed town centre and opportunities to co-share facilities with the local community.

The Department concludes the impacts of the development are acceptable and can be appropriately mitigated through the implementation of the recommended conditions of consent. Consequently, the Department considers the development is in the public interest and should be approved, subject to conditions.



8. Recommendation

It is recommended that the Executive Director, Priority Projects, as delegate of the Minister for Planning:

- **considers** the findings and recommendations; and
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application;
- **agrees** with the key reasons for approval listed in the notice of decision (see **Appendix C**);
- **grants consent** for the application in respect of SSD 8378; and
- **signs** the attached development consent and recommended conditions of consent (see **Appendix D**).

Aditi Coomar

Principal Planner, Social and Other Infrastructure Assessments

Recommended by:

Andrew Beattie

Team Leader

Social Infrastructure Assessments

Recommended by:

Karen Harragon

Director

Social and Other Infrastructure Assessments



9. Determination

The recommendation is: **Adopted / Not Adopted** by:

David Gainsford

21/9/18.

Executive Director

Priority Projects Assessments

as delegate of the Minister for Planning.



Appendices

Appendix A – List of documents

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows.

1. Environmental Impact Statement
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8378
2. Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8378
3. Applicant's Response to Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8378
4. Applicant's Supplementary Response to Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8378

Appendix B - Statutory considerations

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of section 4.15(a)(i) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the Department's environmental assessment.

Controls considered as part of the assessment of the proposal are:

- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)
- State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centre SEPP)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64)
- Deemed State Environmental Planning Policy No 20 – Hawkesbury-Nepean River (DSEPP 20)
- Draft Remediation of Land State Environmental Planning Policy (Draft Remediation SEPP).

COMPLIANCE WITH CONTROLS

State Environmental Planning Policy (State and Regional Development) 2011

The aims of this SEPP are to identify State significant development and State significant infrastructure and confer the necessary functions to joint regional planning panels to determine development applications.

Relevant Sections	Consideration and Comments	Complies
3 Aims of Policy The aims of this Policy are as follows: (a) to identify development that is State significant development	The proposed development is identified as SSD.	Yes
8 Declaration of State significant development: section 4.36 of the EP&A Act (1) Development is declared to be State significant development for the purposes of the EP&A Act if: (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2.	The proposed development is permissible with development consent. The proposal is for the purpose of a new school under clause 15 of Schedule 1.	Yes

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The Education SEPP commenced on 1 September 2017 and aims to simplify and standardise the approval process for child care centres, schools, TAFEs and universities while minimising impacts on surrounding areas and improving the quality of the facilities. The Education SEPP includes planning rules for where these developments can be built, which development standards can apply and constructions requirements. The application has been assessed against the relevant provisions of the Education SEPP.

Clause 35(6)(a) requires that the design quality of the development should be evaluated in accordance with the design quality principles set out in Schedule 4. An assessment of the development against the design principles is provided in **Table B1**.

Clause 42 of the Education SEPP states that 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. The proposed school buildings would have a maximum height of 15.75m exceeding the permissible height limit of 9.5m allowable under the provisions of the Growth Centres SEPP. The Department notes that the height exceedance is permitted under clause 42.

Clause 57 of the Education SEPP requires traffic generating developments that involve addition of 50 or more students to be referred to the RMS. The Application was referred to RMS in accordance with this clause.

Table B1 | Consideration of the Design Quality Principles

Design Principles	Response
Context, built form and landscape	The site planning provides good aspect for the classrooms and for maximising light to the play area. The proposed buildings are over the height limit of the developments surrounding the site. However, due to nature of the community land use which requires level access across all the floors and the site constraints, the additional height is avoidable. The school has been designed to fit into the surrounding built-form, notwithstanding the height non-compliance and includes appropriate landscaping to soften the impact.
Sustainable, efficient and durable	The proposal includes ESD elements (refer to Section 4) to achieve sustainability outcomes. The materials chosen are durable and require low maintenance. Bicycle parking is provided within the school site and the submitted GTP.
Accessible and inclusive	Accessible travel path provided in all sections of the site inclusive of lifts. A condition has been recommended to ensure accessibility during the construction of Stage 2 The school hall and playing fields are to be utilised for community activities after school and during the weekends.
Amenity	The proposal creates a variety of interesting and useable playground spaces and enhance the amenity of the internal spaces by guaranteeing light and winter sun access.
Health and Safety	The design of the school buildings provides a safe and secure school environment.
Whole of life, flexible, adaptable	The proposed learning areas are flexible and provide adaptable presentation areas throughout all buildings.

Aesthetics	The proposal evokes design enhancement by proposing appropriate articulation of buildings and landscaping across the site.
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State Environmental Planning Policy (Growth Centres) 2006

The Growth Centres SEPP seeks to facilitate the development of greenfield sites for urban growth including housing, employments, shops, health and education facilities, parks, bushlands and new or upgraded infrastructure. The Growth Centres SEPP is the relevant EPI for the site and contains applicable development standards in Appendix 1 of the SEPP that are addressed further in **Table B2**.

Table B2 | Consideration of the Growth Centres SEPP (Oran Park and Turner Road Precinct Plans)

Relevant Sections	Consideration and Comments	Complies
Clause 1.2 Aims of the Precinct Plan		
The aims of the Precinct Plan are:		
<i>a) to make development controls for land in the Oran Park and Turner Road Precincts within the South West Growth Centre that will ensure the creation of quality environments and good design outcomes</i>	The proposal does not adversely affect any of the aims of the Precinct Plan.	Yes
<i>b) to protect and enhance the environmentally sensitive areas and natural and cultural heritage of those Precincts</i>		
<i>c) to provide for multifunctional and innovative communities in those Precincts that encourage employment and economic growth</i>		
<i>d) to promote housing choice and affordability in those Precincts</i>		
<i>e) to provide for the sustainable development of those Precincts</i>		
<i>f) to minimise the impact on existing and future communities of the full range of risks posed by natural hazards such as bushfires and flooding.</i>		
Zone R1 General Residential objectives		
- to provide for the housing needs of the community - to enable other land uses that provide facilities or services to meet the day to day needs of residents - to support the well-being of the community, including educational, recreational, community, religious and other activities and, where appropriate, neighbourhood shops if there will be no adverse effect on the amenity of proposed or existing nearby residential development - to allow for small scale kiosks, function centres, restaurants and markets that support the primary function and use of recreation areas, public open space and recreation facilities located within residential areas - to allow for small scale intensity tourist and visitor accommodation that does not interfere with residential amenity - to provide for a variety of recreational uses within open space areas.	The proposal satisfies the objectives of the zone as it would: - provide a non-residential land use the provides an essential service to meet the day to day needs of the community; - provides educational facilities to support the well-being of the community - provides recreational facilities that can be co-shared with the community.	Yes

Zone B4 Mixed Use

The objectives of the zone are:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To encourage development that supports or complements the primary office and retail functions of the Neighbourhood Centre Zone and the Local Centre Zone.*
- *To encourage development providing services to the surrounding community.*
- *To permit development that adds to the vitality and diversity of commercial and retail centres while not prejudicing their principal function.*

The proposal satisfies the objectives of the zone as it would:

Yes

- provide a non-residential land use that provides an essential service to complement the primary office and retail functions of the Neighbourhood Centre Zone.
- provides educational facilities to support the well-being of the community
- provides recreational facilities that can be co-shared with the community.

Clause 4.3 Height of buildings

The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

The objectives of this clause are as follows:

- to preserve the amenity of adjoining development in terms of solar access to dwellings, private open space and bulk and scale*
- to provide for a range of residential building heights in appropriate locations that provide a high quality urban form*
- to facilitate higher density neighbourhood and town centres while minimising impacts on adjacent residential areas*
- to provide appropriate height controls for commercial and industrial development.*

The proposal exceeds the applicable height control. Refer to discussion in **Section 6.1**.

No

The objectives of the clause are satisfied as:

- The proposal would have no adverse natural or built environment impacts
- The proposal would be consistent with the future building heights for residential flat buildings on the site and would provide an appropriate interface between the low density residential areas and the higher density Entertainment Precinct.

Yes

Clause 4.6 Exceptions to development standards

The objectives of this clause are:

- to provide an appropriate degree of flexibility in applying certain development standards to particular development, and*
- to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

The Application includes a Clause 4.6 objection (**Section 6.1**) seeking a variation to the applicable height control for the site (15.75 m in lieu of the permissible 9.5 m). The Department has assessed the reasons for variation to be satisfactory (**Section 6.1**).

Yes

Clause 5.9 Preservation of trees and vegetation

The clause provides that development consent is required for the removal of trees

In accordance with the clause, development consent is sought for the removal of 22 trees.

Yes

The proposal includes sufficient justification to demonstrate that

the loss of 22 trees on the site is unavoidable. The development incorporates satisfactory replacement planting with up to 251 trees to compensate the loss of canopy.

Clause 6.6 Development in Special Areas

The clause provides that the consent authority must not grant development consent for development on land in a special area unless a development control plan that provides for detailed development controls has been prepared for the land.

The western edge of the site is within a designated special area: The Entertainment Precinct. The Turner Road Development Control Plan applies to the site. The Department considers that the proposal is generally consistent with the objectives of the Turner Road Development Control Plan.

Yes

State Environmental Planning Policy No. 55 - Remediation of Land

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The SRTS includes a Site Audit Statement which certifies the site is suitable in its current state for the proposed use as a school. The Department is therefore satisfied the relevant requirements of SEPP 55 have been met and the site would be suitable for its intended use without unacceptable risk in relation to contamination. The Department has recommended conditions relating to ensure measures are in place should any unanticipated contamination be found during works.

State Environmental Planning Policy No. 64 – Advertising and Signage

SEPP 64 applies to all signage that under an EPI can be displayed with or without development consent and is visible from any public place or public reserve.

The development includes one business identification sign. The proposed sign would be located on the fence at the main entrance on road MC07. It would be approximately 4.0m x 0.75m, non-illuminated, powder coated aluminium to match the school buildings. Under clause 8 of SEPP 64, consent must not be granted for any signage application unless the proposal is consistent with the objectives of the SEPP and with the assessment criteria which are contained in Schedule 1. **Table B3** below demonstrates the consistency of the proposed signage with these assessment criteria.

Table B3 | SEPP 64 compliance table

Assessment Criteria	Comments	Compliance
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The sign is considered to be relatively understated for the size of the site, would be compatible with the future character of the school, and would not detract from the future character of the surrounding area.	Yes

Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is no established theme for signage. The sign would be consistent with the school design.	Yes
2 Special areas		
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?	The proposal does not detract from the amenity or visual quality of any special areas.	Yes
3 Views and vistas		
Does the proposal obscure or compromise important views?	The sign would not obscure any views.	Yes
Does the proposal dominate the skyline and reduce the quality of vistas?	The sign would sit well below the height of proposed adjoining buildings and therefore does not affect the skyline or vistas.	Yes
Does the proposal respect the viewing rights of other advertisers?	There are no other advertisers in the vicinity of the sign.	Yes
4 Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The sign would be of appropriate scale and proportion for the fence.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The sign would complement the school design and therefore the visual interest of the streetscape.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The sign is simple in design and would not result in visual clutter.	Yes
Does the proposal screen unsightliness?	Not applicable (N/A).	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The sign would sit well below the height of proposed adjoining buildings and trees.	Yes
Does the proposal require ongoing vegetation management?	No vegetation management required.	Yes
5 Site and building		
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?	The sign is of appropriate scale and proportion for the fence and is considered relatively understated in the context of the entire site.	Yes

Does the proposal respect important features of the site or building, or both?	The sign is appropriately located at the site entrance and does not impact on any other important features of the site.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The purpose of the sign is to denote the entrance and it is not considered necessary to demonstrate innovation or imagination in this case.	Yes
6 Associated devices and logos with advertisements and advertising structures		
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?	No associated devices are proposed.	Yes
7 Illumination		
Would illumination result in unacceptable glare?	The sign would not be illuminated.	Yes
Would illumination affect safety for pedestrians, vehicles or aircraft?		
Would illumination detract from the amenity of any residence or other form of accommodation?	N/A	N/A
Can the intensity of the illumination be adjusted, if necessary?	N/A	N/A
Is the illumination subject to a curfew?	N/A	
8 Safety		
Would the proposal reduce safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No. Extensive views of the footpath and entrance area would still be available.	Yes
Would the proposal reduce safety for any public road?	No. The sign would not affect the public road.	Yes

Deemed State Environmental Planning Policy No 20 – Hawkesbury Nepean River

DSEPP 20 applies to all land within the Camden LGA and contains various provisions aimed at protecting the environment of the Hawkesbury-Nepean River system.

Clause 4 of the DSEPP requires that certain 'General Provisions' under clause 5 and 'Special Planning Policies and Recommended Strategies' under clause 6 must be taken into consideration by a consent authority determining an application for development on land to which the DSEPP applies. The provisions relevant to the assessment of this application relate to managing water quality and quantity, protecting flora and fauna, and protecting cultural heritage. These matters have been addressed in the EIS and in **Section 5** and the Department is satisfied that consideration has been given to all relevant matters under the DSEPP.

Draft State Environmental Planning Policy (Remediation of Land)

The Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP) will retain the overarching objective of *SEPP 55* promoting the remediation of contaminated land to reduce the risk of potential harm to human health or the environment.

Additionally, the provisions of the Draft Remediation SEPP will require all remediation work that is to be carried out without development consent: to be reviewed and certified by a certified contaminated land consultant; categorise remediation work based on the scale, risk and complexity of the work; and require environmental management plans relating to post-remediation management of sites or ongoing operation, maintenance and management of on-site remediation measures (such as a containment cell) to be provided to Council.

The Department is satisfied that the proposal will be consistent with the objectives of the Draft Remediation SEPP.

Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)

The Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP) is a consolidated SEPP which proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. Once adopted, the Draft Environment SEPP will replace seven existing SEPPs. The proposed SEPP will provide a consistent level of environmental protection to that which is currently delivered under the existing SEPPs. Where existing provisions are outdated, no longer relevant or duplicated by other parts of the planning system, they will be repealed.

Given that the proposal is consistent with the provisions of the existing SEPPs that are applicable, the Department concludes that the proposed development will generally be consistent with the provisions of the Draft Environment SEPP.

Development Control Plans

It is noted that clause 11 of SRD SEPP provides that Development Control Plans (DCP) do not apply to SSD. Notwithstanding, consideration has been given to the provisions of the Turner Road Precinct DCP (DCP).

The EIS has provided an assessment against the Turner Road Precinct DCP. The objectives of the DCP are:

- a) *To facilitate urban development that meets environmental sustainability objectives*
- b) *To ensure all development achieves a high standard of urban and architectural design quality*
- c) *To promote housing that provides a high standard of residential amenity*
- d) *To ensure housing density targets are met through the provision of a range of housing types that offer greater diversity and affordability*
- e) *To maximise opportunities for local employment and business*
- f) *To create walkable neighbourhoods with good access to public transport*
- g) *To create vibrant, successful neighbourhood and specialist business and entertainment centres*
- h) *To ensure density targets are met and a range of housing types are provided*
- i) *To provide social infrastructure that is flexible and adaptable*
- j) *To maximise opportunities for future residents to access and enjoy the outdoors*
- k) *To protect and enhance the South Creek riparian corridor, significant trees and vegetation*
- l) *To ensure the timely delivery of critical infrastructure.*

Section 2.1 of the DCP includes an Indicative Layout Plan (ILP). The EIS notes that the proposed location of the school would not be consistent with the ILP. However, the proposal would generally comply with the objectives of the DCP and would not have any adverse impacts on the amenity of the future users of the nearby Entertainment Precinct. The location of the school on the proposed site would also not preclude any

development on the site that is designated for the purpose of a school in the ILP. Consequently, the site is considered to be suitable for the development, as discussed in **Section 4** and **6**.

Section 3.1 of the DCP provides development controls regarding 'Street Network and Design'. The proposed development would not have any negative impact on the recommended street network, pedestrian or cyclist routes identified in the DCP. The proposal would result in using the western side of road MC06 as a drop-off and pick-up zone. The general usage of this area for student drop-off and pick-up was previously approved by Council and is considered to be suitable by the Department (**Section 6.3**).

Section 6.7 of the DCP identifies that remnant vegetation is located on the northern section of the site. The development proposes to remove the existing trees in this section of the site. The details have been considered in **Section 6.1**. The Department's assessment considers that the removal of the proposed trees is unavoidable to allow development of the site. The removal of the trees would have no impact on threatened species or communities.

Part B of the DCP includes site specific provisions for the Entertainment Precinct. The amended DCP, published in January 2018, excludes the site from the Entertainment Precinct. Thus, the development controls in Part B no longer apply to the site. Notwithstanding, the Applicant has undertaken a view impact analysis in accordance with Part B of the DCP. The matter is discussed in **Section 6.2**. The Department has assessed the view impact analysis conducted by the Applicant and concludes that the location of the school would have some impact on the views proposed to be enjoyed by the residents within the Entertainment Precinct. However, the potential loss of views is comparable to any other development on this site. The views to be enjoyed by the residents on the upper levels of any adjoining high-density development, would be maintained.

No other specific development controls apply to this site.

Gledswood Hills Voluntary Planning Agreement

The Gledswood Hills Voluntary Planning Agreement (VPA) applies to land bound to the north El Caballo Blanco development, to the east by the Upper Sydney Canal and the Gregory Hills development, to the south by the South Creek riparian corridor, and to the west by Camden Valley Way. The VPA was made between SH Camden Valley and Council in 2013 and has works and contribution value more than \$24million. The VPA includes dedication of two major facilities to Council being the South Creek crossing and linear open space through the centre of the site, as well as other parks and facilities. A monetary contribution toward the funding of other off-site facilities such as a library, leisure centre and youth recreation centre located within the Oran Park Town Centre, were also made as a part of this VPA.

The location of the proposed school on the current site and any proposed infrastructure works would not have any impact on the VPA.

Appendix C – Key reasons for determination

Appendix D – Recommended instrument of consent/approval