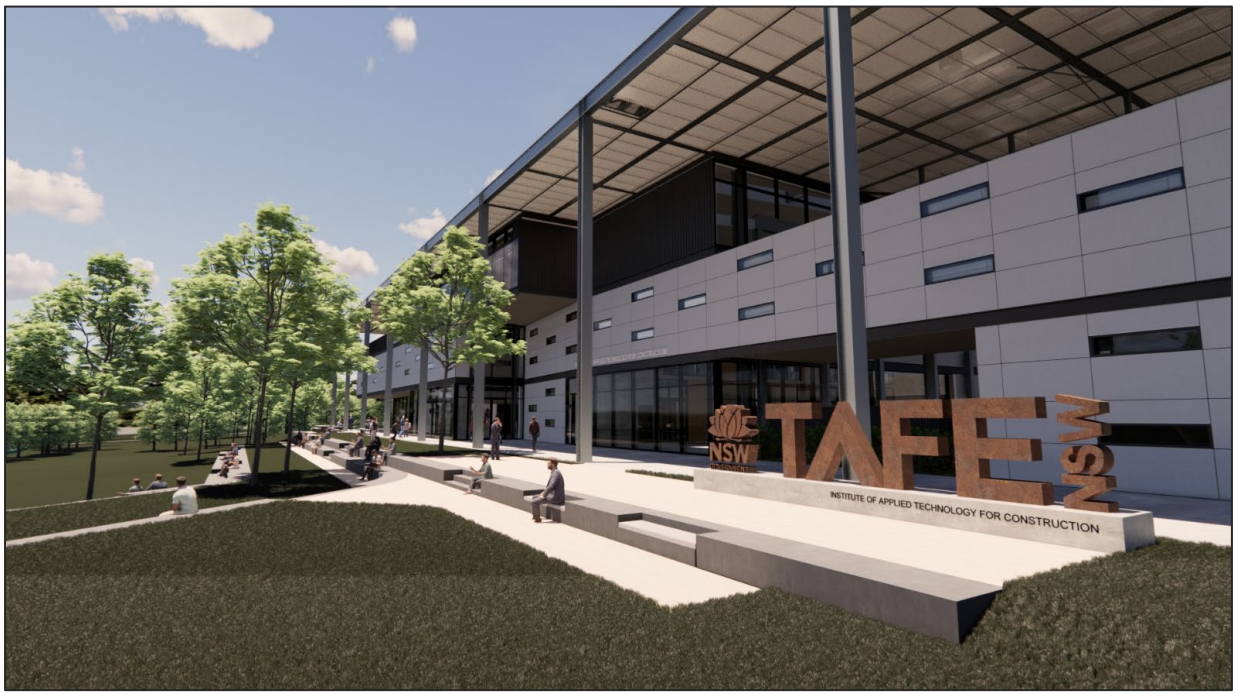
# TAFE NSW Institute of Applied Technology for Construction

## (formerly Construction Centre of Excellence)

State Significant Development SSD-8571481

September 2021



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Title: TAFE NSW Institute of Applied Technology for Construction

*Cover image: Western elevation of TAFE NSW Institute of Applied Technology for Construction (Source: Applicant, 2021)*

# Glossary

| Abbreviation | Definition |
|---|---|
| **ACHAR** | Aboriginal Cultural Heritage Assessment Report |
| **AHD** | Australian Height Datum |
| **BC Act** | Biodiversity Conservation Act 2016 |
| **BDAR** | Biodiversity Development Assessment Report |
| **CIV** | Capital Investment Value |
| **Council** | Penrith City Council |
| **DCP** | Development Control Plan |
| **Department** | Department of Planning, Industry and Environment |
| **EESG** | Environment, Energy and Science Group |
| **EIS** | Environmental Impact Statement |
| **EPA** | Environment Protection Authority |
| **EP&A Act** | *Environmental Planning and Assessment Act 1979* |
| **EP&A Regulation** | Environmental Planning and Assessment Regulation 2000 |
| **EPI** | Environmental Planning Instrument |
| **ESD** | Ecologically Sustainable Development |
| **GANSW** | Government Architect New South Wales |
| **Heritage** | Heritage NSW, Department of Premier and Cabinet |
| **IATC** | Institute of Applied Technology for Construction |
| **LEP** | Local Environmental Plan |
| **Minister** | Minister for Planning and Public Spaces |
| **NVIA** | Noise and Vibration Impact Assessment |
| **Planning Secretary** | Secretary of the Department of Planning, Industry and Environment |
| **RFS** | NSW Rural Fire Service |
| **RMS** | Roads and Maritime Services, TfNSW |

| | |
|---|---|
| **RtS** | Response to Submissions |
| **SEARs** | Planning Secretary's Environmental Assessment Requirements |
| **SEPP** | State Environmental Planning Policy |
| **SDRP** | State Design Review Panel |
| **SRD SEPP** | State Environmental Planning Policy (State and Regional Development) 2011 |
| **SRtS** | Supplementary Response to Submissions |
| **SSD** | State Significant Development |
| **TAFE Campus** | TAFE NSW Kingswood Campus |
| **TfNSW** | Transport for NSW |
| **WSU** | Western Sydney University |

# Executive Summary

This report provides an assessment of a State significant development (SSD) application for the development of an Institute of Applied Technology for Construction at the NSW Technical and Further Education (TAFE) Kingswood Campus, O'Connell Street, Kingswood (SSD-8571481). The application has been lodged by TAFE NSW (the Applicant) and the site is located within the Penrith City local government area.

## Introduction

The TAFE NSW Kingswood Campus is bounded by the Great Western Highway to the north, O'Connell Street to the east, residential land to the south and the Western Sydney University (WSU) Werrington (South) Campus to the east.

The application seeks approval for the construction of a three-storey Institute of Applied Technology for Construction (IATC) Building and at-grade carpark within the TAFE Kingswood Campus.

The proposal has a Capital Investment Value (CIV) of $75,139,463 and is predicted to generate up to 231 full-time equivalent jobs during construction and 68 full-time and 20 casual ongoing jobs during operation. The proposal is SSD under clause 4.36 of the *Environmental Planning & Assessment Act 1979* (EP&A Act) and has a CIV greater than $30 million pursuant to clause 15(3) of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011. Therefore, the Minister for Planning and Public Spaces is the consent authority.

## Community engagement

The Environmental Impact Statement (EIS) was publicly exhibited between 18 March 2021 and 14 April 2021 (28 days). The Department of Planning, Industry and Environment (the Department) received a total of eight submissions, including seven submissions from public authorities in the form of comments and one submission from Western Sydney University in support of the application. On 30 March 2021, Department representatives visited the site to inform the assessment of the development.

On 11 June 2021, the Applicant submitted its Response to Submissions (RtS) that sought to address public authority comments and made minor amendments to the original proposal, including to the design of the IATC Building and signage, and to incorporate a connection to the existing Great Western Highway shared path. Three public authorities, including Council, provided comments on the RtS. On 16 August 2021, the Applicant submitted a Supplementary RtS (SRtS) that responded to the comments made in relation to the RtS.

## Assessment

The Department identified traffic, transport and access, site suitability and built form, and landscaping and outdoor spaces as being the key issues for assessment.

The Department is satisfied that the key issues have been appropriately addressed by the Applicant or have been taken into account through recommended conditions of consent. The Department concludes that the proposal is in the public interest and is able to be approved, subject to conditions.

The Department considered the merits of the proposal in accordance with the relevant matters under section 4.15(1) and the objects of the EP&A Act, the principles of ecologically sustainable development, and issues raised in submissions as well as the Applicant's response to these.

The Department's assessment concludes the:

- proposed travel mode share, which seeks to encourage sustainable travel modes (walking, cycling and public transport) and reduce car dependency, is appropriate and the recommended sustainable transport measures and conditions of consent ensure that the proposal would not have significant adverse impacts on the local traffic network.
- car and bicycle parking and facilities are sufficient to meet demand, and vehicle access arrangements from O'Connell Street are appropriate, subject to conditions of consent.
- operational traffic impacts of the proposal can be managed and mitigated subject to conditions of consent.
- construction traffic can be accommodated by the surrounding road network.
- location of the proposed IATC Building and carpark is appropriate to balance the needs of the TAFE Campus and the wider health and education precinct, including the adjoining WSU Campus, and would improve educational outcomes.
- proposal would have acceptable amenity impacts regarding operational noise,
- height and design of the IATC Building is appropriate in the site context and would not have a detrimental visual impact on the character of the surrounding area, and responds positively to the site and its context while balancing the need to provide for the demand for new educational facilities.
- removal of 47 trees is unavoidable and justified in this instance to facilitate construction and provide for new/improved education facilities to meet growing enrolment demand. The proposal includes the provision of 106 replacement trees and shrubs, and other landscaping.
- landscaping scheme would provide pleasant outdoor spaces for students and staff, improved pedestrian and cyclist amenity and environmental outcomes on the site and surrounding area.

# Contents

# 1 Introduction

This report provides an assessment of a State significant development (SSD) application (SSD-8571481) for development of the TAFE NSW Institute of Applied Technology for Construction located at the TAFE NSW Kingswood Campus, 2-44 O'Connell Street, Kingswood.

The application seeks approval for the construction of an Institute of Applied Technology for Construction (IATC) Building and a separate carpark within the TAFE NSW Kingswood Campus (TAFE Campus), with works including:

- earthworks and tree removal.
- construction of a three-storey IATC Building comprising 8,400sqm floorspace for tertiary education use.
- vehicular access upgrades.
- construction of an at-grade carpark comprising 16 car parking spaces, a loading and waste area, and 26 bicycle parking spaces.
- landscaping works including hard and soft landscaping and through site link.
- a 1,000kVA substation.

The application has been lodged by TAFE NSW (the Applicant) under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The site is in the Penrith City local government area (LGA).

## 1.1 Site description and context

### TAFE Campus

The site is known as the TAFE NSW Kingswood Campus. The site is located at 2-44 O'Connell Street, Kingswood, legally described as Lot 1 DP 866081. The site is located approximately 44 kilometres (km) west of the Sydney Central Business District (CBD), approximately 3.5km east of the Penrith CBD and 1.4km east of the Kingswood Railway Station (**Figure 1**).

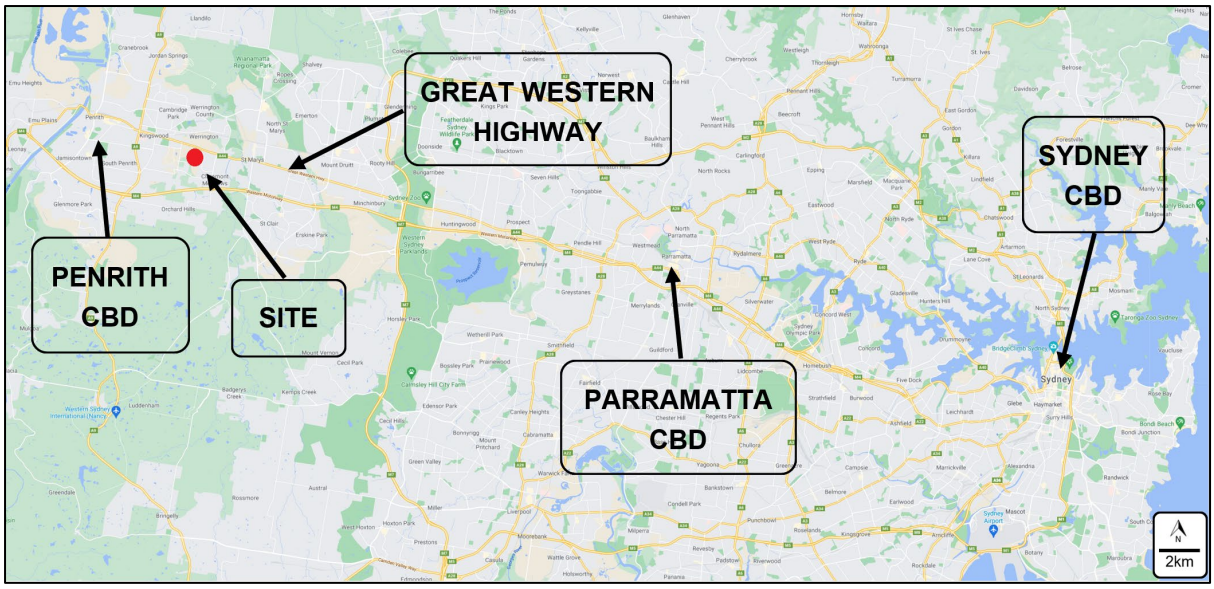


**Figure 1 |** Regional Context Map (Base source: Google Maps 2021)

The TAFE Campus is rectangular in shape and occupies approximately 23 hectares. The campus is bounded by the Great Western Highway (a State classified road) to the north, O'Connell Street to the west, residential land to the south and the Western Sydney University (WSU) Werrington (South) Campus to the east (**Figure 2**). The site slopes inward from the eastern and western boundaries, forming a distinct central basin.

The campus contains 13 main buildings and a number of smaller associated structures used by TAFE NSW for tertiary education purposes, the majority of which are in the western portion of the site. The buildings are one to two storeys in height, constructed of brick or brick veneer, and are generally aligned to step perpendicular to the slope. The buildings were constructed largely throughout the 1980s and 1990s, with the most recent building on site completed in 2015, and are of varying stages of quality and structural condition.

The central and eastern portions of the site largely contain open grassed areas and a sports field, providing a semi-rural character. Car parking is interspersed throughout the campus, including a large north-eastern carpark, a north-central carpark, and three carparks adjacent to the southern boundary. The campus contains a pond along its northern boundary fronting the Great Western Highway, which acts as a drainage function. The Nepean Arts and Design Centre is located within two buildings in the south-east corner of the site. The campus contains clusters of trees surrounding the drainage pond and interspersed between buildings and carparks, particularly within the north-west corner of the site.

The existing campus can accommodate a student population of up to 6000.

Vehicular access to the campus is provided from O'Connell Street via two non-signalised driveways, comprising:

- a driveway along the north-western site boundary providing access to the north-western and north-central carparks.
- a driveway along the south-western site boundary providing access to the southern carparks.

Pedestrian access to the site is via gates fronting O'Connell Street, and informal pedestrian access through the neighbouring WSU Werrington (South) Campus to the east. There are no pedestrian entry points from the Great Western Highway to the north.

### IATC site

The site of the proposed IATC Building is located within the eastern portion of the campus approximately 250m away from the main buildings on the western side of the campus, and adjacent to the boundary with the WSU Werrington (South) Campus. The site typically slopes from east to west, and largely comprises open grassed area consisting of an exotic understorey with weed species and three rows of planted trees (88 trees in total). Vegetation within the IATC site is not consistent with any remnant native vegetation communities and does not provide sufficient connectivity to support fauna species.

The IATC site can be accessed via the southern TAFE carparks. It can also be accessed via the WSU Werrington campus internal road network, which connects with the Great Western Highway to the north-east.

The TAFE campus, including the IATC project site, is shown in **Figure 2.** Site photos are provided in **Figures 3** to **8**.

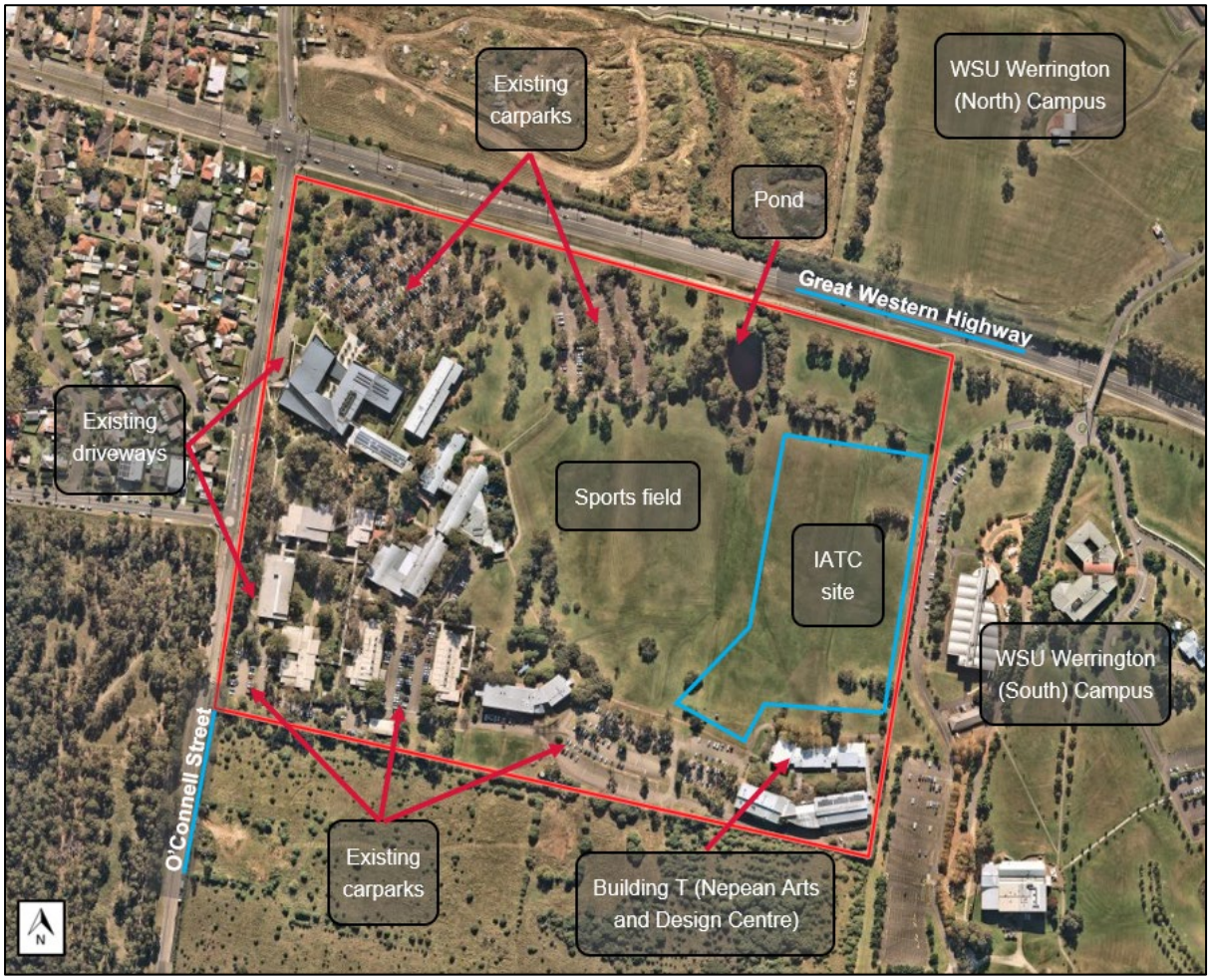


**Figure 2 |** TAFE Campus site (Base source: Nearmap 2021)

**Figure 3 |** Existing TAFE building (Source: DPIE 2021)

**Figure 4 |** TAFE Campus looking east from O'Connell Street (Source: Google Maps 2021)


**Figure 5 |** IATC site from Great Western Highway (Source: Google Maps 2021)


**Figure 6 |** IATC site (left) and WSU Werrington Campus (right) (Source: DPIE 2021)

**Figure 7 |** Existing TAFE Campus looking west from the IATC site (Source: DPIE 2021)

**Figure 8 |** Existing TAFE Campus south-eastern carpark (Source: DPIE 2021)

## 1.2 Surrounding context

The TAFE Campus is located within a specialised health, education, research and technology precinct known as 'The Quarter', which has been recognised as part of the Penrith Collaboration Area by the Greater Sydney Commission. The Quarter comprises approximately 245ha between Penrith and St Marys, and includes the TAFE Campus, the WSU Werrington and Kingswood campuses and Nepean Hospital (1.8km to the east of the application site).

The TAFE Campus is located within an existing and developing suburban setting, which retains some semi-rural characteristics. The surrounding area has a varied character including institutional and commercial uses and low-scale residential dwelling houses. The surrounding context includes (**Figure 9**):

- **North (Werrington):** low-scale residential dwelling houses and the WSU Werrington (North) Campus on the northern side of the Great Western Highway, and two local heritage listed

items (a ‘Milestone’ on the TAFE Kingswood Campus fronting the Great Western Highway and ‘Werrington Park House’ within the WSU Werrington (North) Campus). Further north is the Main Western Railway Line. The Cobham Juvenile Justice Facility is located to the north-east.

- **East:** the site adjoins the WSU Werrington (South) Campus immediately the east. Further east of the WSU campus is the low-density residential suburb of Claremont Meadows.
- **South (Caddens):** the site adjoins a large vacant lot which has a Council-approved concept plan for residential subdivision development. Further south is Caddens Corner (a large commercial retail development incorporating open space), and the NSW State Archives.
- **West (Kingswood):** low-scale residential development, open space and community facilities on the western side of O’Connell Street, and the WSU Kingswood Campus to the south-west. Further west is the Kingswood Town Centre and Kingswood Railway Station (1.4km), and Nepean Hospital (1.8km).


**Figure 9 |** Local Context Map (Base source: NearMap 2021)

### Transport and Access

The TAFE Campus is serviced by bus services running between Mount Druitt/WSU in the east and Penrith/Prariewood in the west, including bus routes 775, 776 and 835 via the Great Western Highway and O’Connell Street (operating every 20-30 minutes), and route 770 (every 30 minutes) via Caddens Corner and O’Connell Street.

The TAFE Campus is 1.4km walking distance from Kingswood Railway Station, which is served by the T1 train line with an operating frequency of 15 minutes during peak. WSU provides a private shuttle bus between Kingswood Railway Station and the WSU Werrington and Kingswood campuses every 30 minutes from 7am to 7pm Monday to Friday. TAFE NSW and WSU are in the process of negotiating a shared shuttle service agreement, to be in place within the first two operational years of the proposed IATC development.

### Western Sydney University

WSU has three campuses within proximity to the TAFE Campus, including Werrington (South) and Werrington (North) to the east and Kingswood on the opposite side of O'Connell Street to the west. The Werrington (South) Campus, which is immediately adjacent to the IATC site, accommodates research centres, the Caddens Corner development and car parking.

Master planning is currently being undertaken for both the Werrington south and north campuses, to determine the planning, land use and built form character of those sites. This is being undertaken by WSU and does not form part of this SSD application. The Applicant's EIS states that WSU have indicated that this will involve significant transformation and redevelopment of the campuses.

### Surrounding Heritage

The IATC site is located within proximity to two local heritage items listed under Schedule 5 of the Penrith Local Environmental Plan (PLEP) 2010, as show in **Figure 10**. This includes:

- Item 860, described as 'Milestone', located within the TAFE Campus and fronting the Great Western Highway.
- Item 315, described as "Werrington Park House", garden and poplar avenue at 653-729 Great Western Highway.
- Item 670, described as "Teachers residence (former)" at 56 Second Avenue.

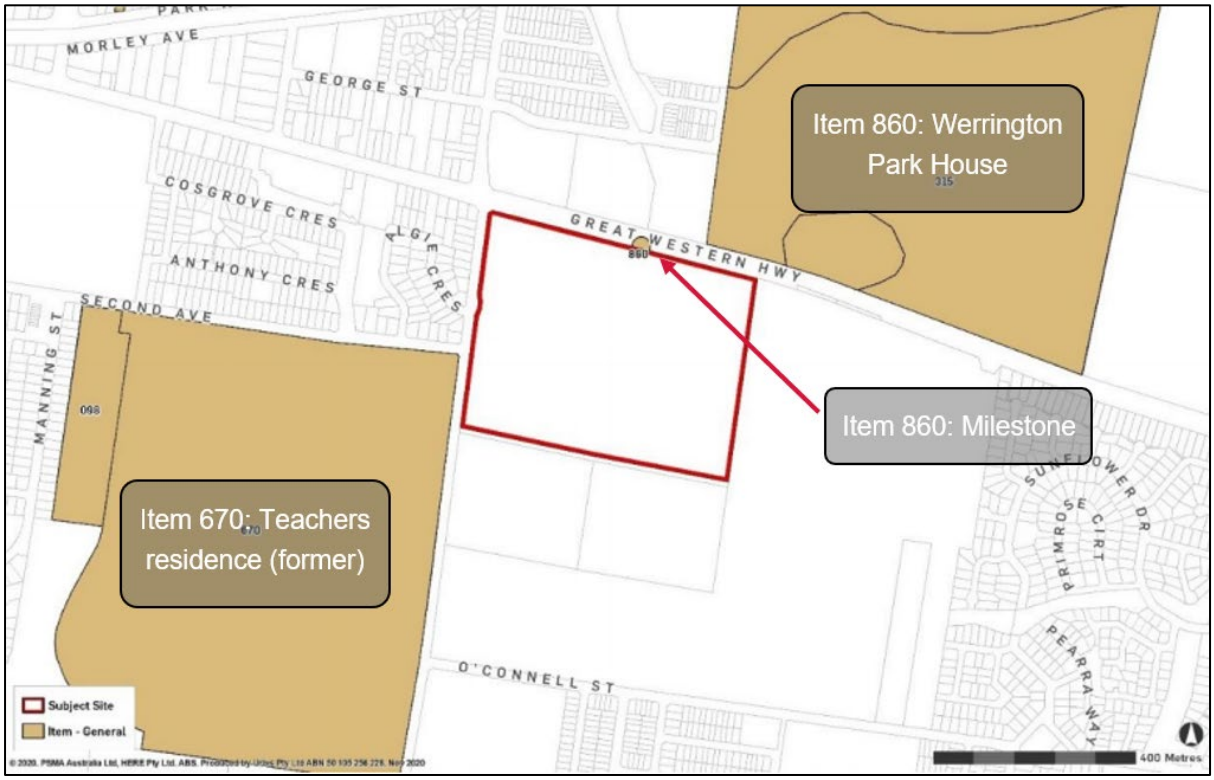


**Figure 10 |** Nearby heritage items (Base source: Applicant's EIS)

# 2 Project

The key components and features of the proposal are provided in **Table 1** and shown in **Figures 11** to **16**.

**Table 1 |** Main Components of the Project

| Aspect | Description |
|---|---|
| **Project summary** | Construction of a three-storey building and at-grade carpark / loading area for tertiary education use. Associated earthworks, tree removal, landscaping, substation and road works. |
| **Demolition, site preparation and remediation** | • No demolition works proposed.<br>• Preliminary earthworks including cut and fill of up to approximately 5m to create a level slab placement at PAD level 51.23. |
| **Built form and design** | • Three-storey IATC Building (12.5m high) containing both internal and external learning spaces, an auditorium, a café kiosk, collaboration / breakout spaces, practical workshop areas and external terraces.<br>• Due to the 6m fall of the site, the building would present as two-storey from the east and contains two at-grade main pedestrian entries located on the eastern (first floor) and western (ground floor) elevations.<br>• The rectangular building is architecturally distinctive with a 'floating' rooftop parasol and external colonnade surrounding the perimeter of the building footprint. The eastern frontage would act as an institutional frontage to address the adjacent WSU campus, whilst the western frontage provides a more relaxed entrance towards existing TAFE NSW buildings.<br>• Façade materials are contemporary in design with external finishes that complement the surrounds including structural glazed walls, prefabricated concrete façade panels, and standing seam metal cladding. |
| **Gross floor area** | • 7,836sqm. |
| **Layout / Uses** | • Ground floor: single, double and triple-height workshops, learning areas, parking, end-of-trip facilities, loading, plant, storage and pump room.<br>• Level 1: learning areas, café, industry engagement, electrical teaching, breakout areas.<br>• Level 2: learning spaces, auditorium, workspace, industry engagement, staff kitchen, plant, storage. |
| **Car, bicycle and service vehicle parking** | • 16 car parking spaces, including one accessible space.<br>• 26 bicycle parking spaces and end-of-trip facilities.<br>• Provision of a loading dock and waste collection area. |
| **Public domain and landscaping** | • Removal of 47 trees, and installation of tree protection measures for remaining trees.<br>• Local site landscaping and public domain improvements, including:<br>  ○ planting of 106 replacement trees and shrubs. |

| | |
|---|---|
| | ○ pedestrian pathway connections to the existing campus carpark and western campus edge.<br>○ outdoor seating areas.<br>○ lawn amphitheatre.<br>○ outdoor learning deck.<br>○ lighting on all major pedestrian and vehicular routs to the site and within the building curtilage.<br>• Creation of a cycle path from the IATC Building connecting to the Great Western Highway shared pathway to the north. |
| **Student population** | • IATC Building: 1,780 students (Year 2023) increasing to 3,500 students (Year 2030).<br>• TAFE Campus: 7,780 students (Year 2023) increasing to 9,500 students (Year 2030). |
| **Signage** | • Installation of 13 building identification and wayfinding signage panels, including:<br>○ eight directional signage pylons.<br>○ two 'IATC' wall-mounted façade signage panels.<br>○ three 'TAFE' at-grade signage panels. |
| **Servicing** | • Construction of a 1,000kVA substation. |
| **Jobs** | • 43 full-time and casual (2023) increasing to 68 full-time and 20 casual jobs (2030). |
| **CIV** | • $75,139,463. |

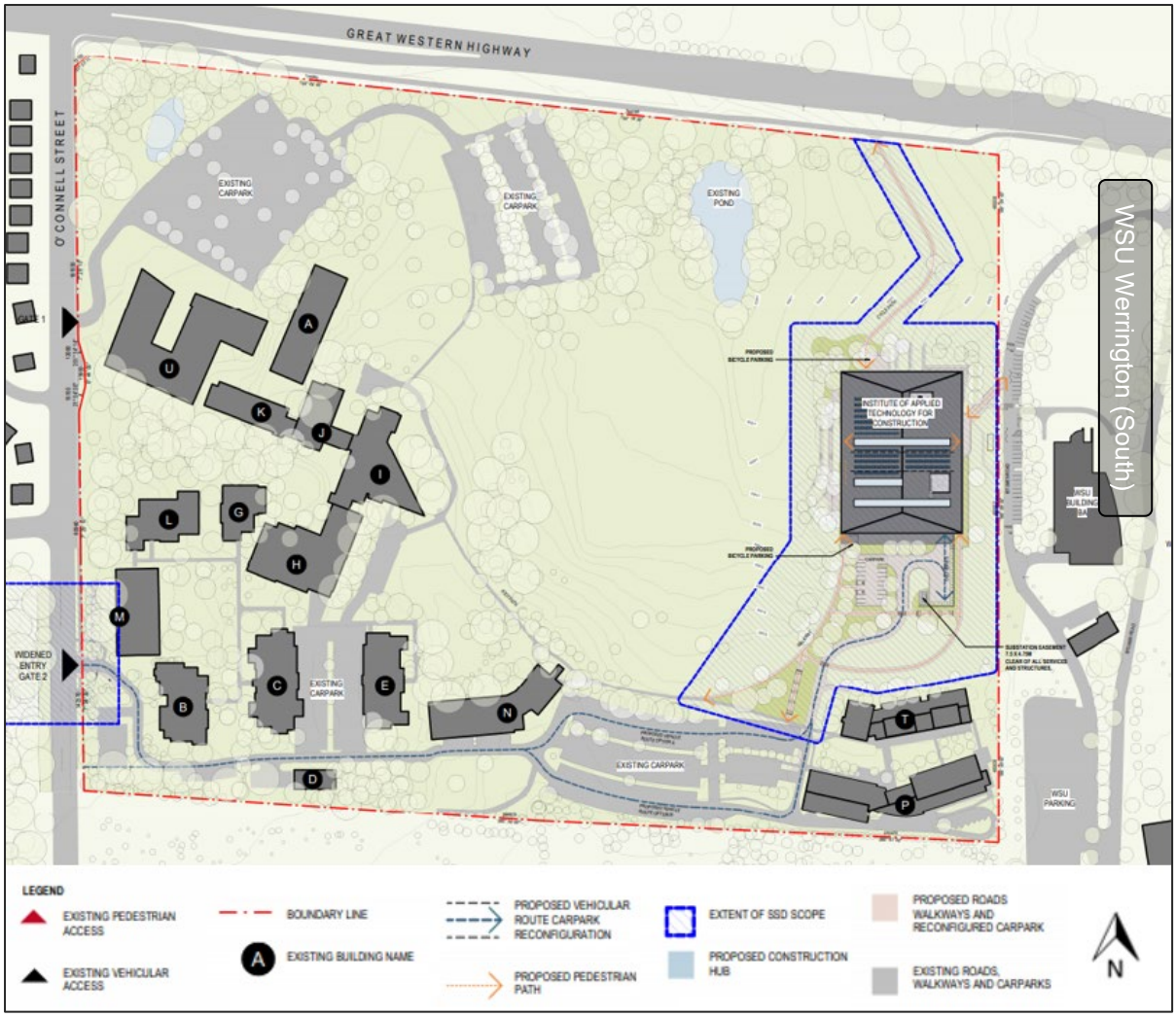


**Figure 11 |** Proposed TAFE Campus layout (Base source: Applicant's RtS)

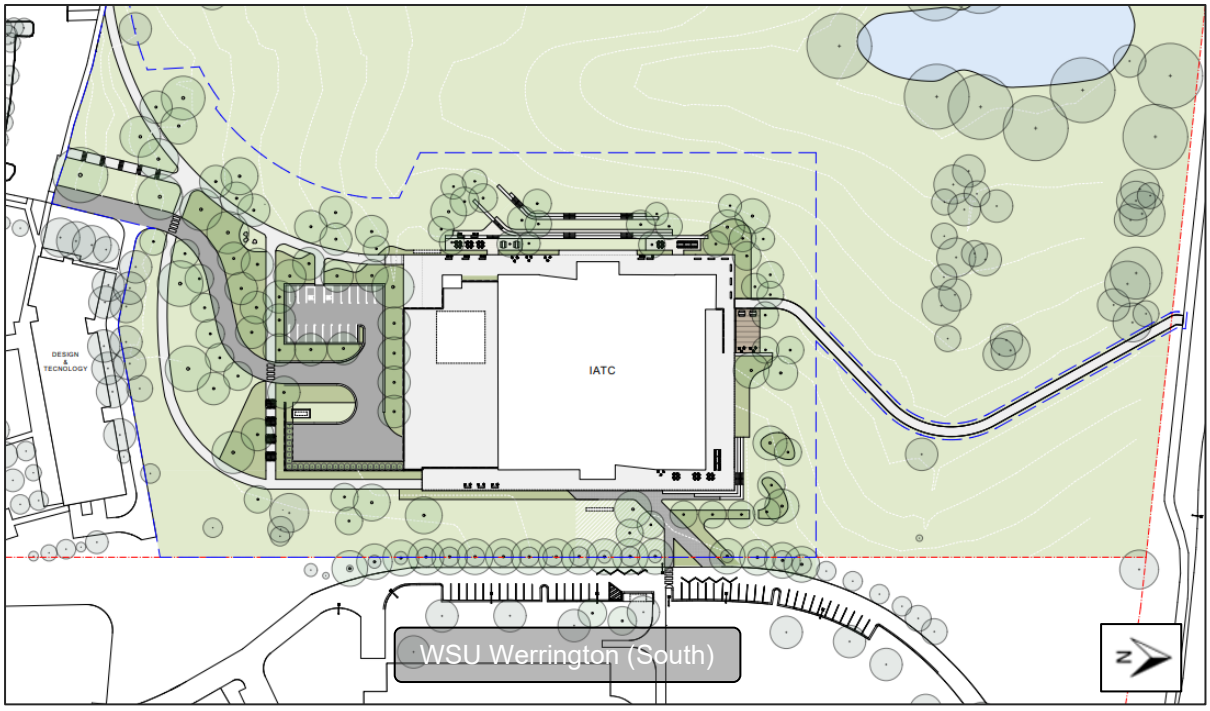


**Figure 12 |** Proposed IATC site layout (Source: Applicant's RtS)


**Figure 13 |** Proposed IATC Building floor plans (Source: Applicant's RtS)

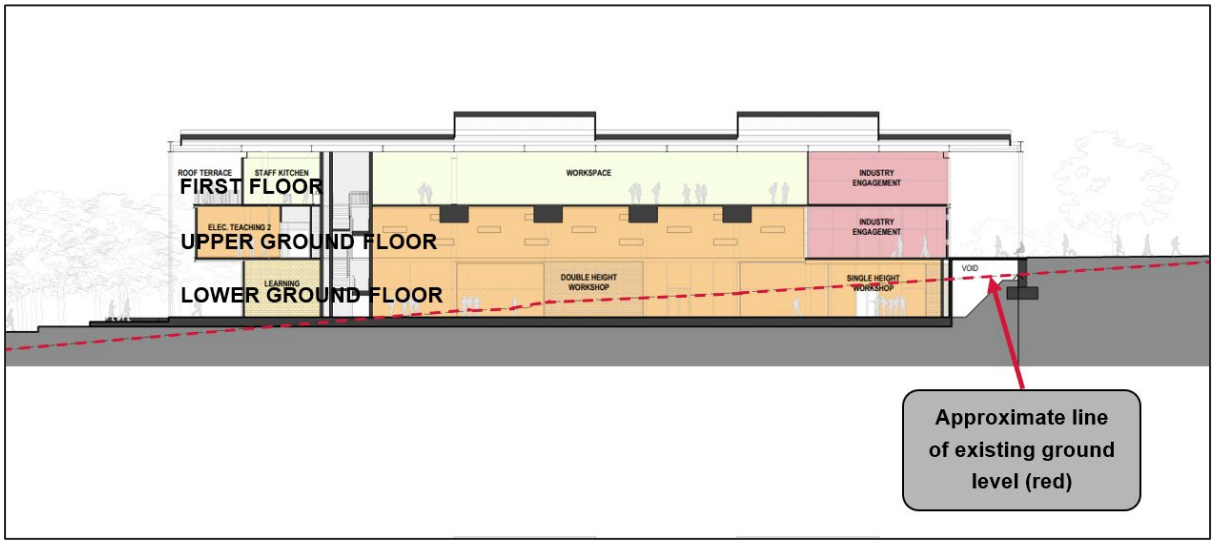


**Figure 14 |** Proposed IATC Building east-west section (Source: Applicant's RtS)


**Figure 15 |** Proposed IATC Building east and north elevations (Source: Applicant's RtS)


**Figure 16 |** Proposed IATC Building south and west elevations (Source: Applicant's RtS)

## 2.1 Layout and design

### IATC Building and carpark

The proposed IATC Building has a rectangular shaped footprint, with two main pedestrian entrances including a western entrance fronting the TAFE Campus open space and an eastern entrance providing direct access to the WSU Werrington (South) Campus. (**Figure 11** and **12**).

Due to the approximately 4.5m fall of the land from west to east (**Figure 14**), the IATC Building would appear as a two storey building at its eastern elevation fronting WSU Werrington (South) and as a three storey building at its western elevation fronting the TAFE campus open space. The eastern interface is designed to be institutional in character with a civic presence addressing the WSU campus, and the western interface is designed to provide a relaxed, student-orientated entrance towards the existing open space (**Figures 15** and **16**).

The building is of a modern / contemporary design with external materials and finishes that complement the surrounding natural and built environment, as shown in **Figures 15** and **16**. Hard and soft landscaping is proposed around the building, including 106 replacement trees. The building incorporates an overhanging roof canopy, providing a sheltered pedestrian spine which wraps around the perimeter of the building.

### Pedestrian, bicycle and vehicular access

The existing internal campus access road would be extended from the south into the IATC site, providing access to the loading dock and car parking area. The adjacent pedestrian pathway will also be extended to provide access from the south. A new cycle path will connect to the existing shared path along the southern side of the Great Western Highway to the north of the site.

The proposed carpark would provide 16 car parking spaces, including one accessible space. Both the proposed carpark and loading dock/waste collection area are located to the south of the IATC Building and orientated north-south, immediately north of the existing TAFE Campus Building T (Nepean Arts and Design Centre). The carpark and loading dock align with the eastern and western elevations of the building, respectively.

Parking would also be provided 26 bicycles, including 16 at the southern building interface and 10 at the northern building interface.

Proposed building access is shown in **Figure 12**.

## 2.2 Uses and activities

The IATC Building would be used to provide an integrated educational facility specifically designed to accommodate specialised training and education for construction-related TAFE NSW courses. The development also incorporates a café to support the educational use of the facility and the adjacent WSU Werrington (South) site.

The new IATC Building would accommodate up to 1,780 students and 43 full-time and casual staff by the Year 2023, and up to 3,500 students and 68 full-time and 20 casual staff by the Year 2030 once operating at full capacity. The proposal seeks to open for student enrolments in Semester 1, 2023.

The proposed operating hours of the IATC Building are as follows:

- Monday to Thursday: 7.30am to 10pm.
- Friday: 7.30am to 6pm.
- Saturday: 8am to 4pm.

## 2.3 Construction staging / hours

The proposed construction hours are as follows:

- Monday to Friday: 7am to 5pm.
- Saturday: 8am to 1pm.
- No construction activities to be carried out on Sundays or public holidays.

The Applicant proposes a staged construction of the development over approximately 68-77 weeks, as follows:

- Stage 1: Enabling, civil works and inground services.
- Stage 2: Structure Part 1 – inground and slab on ground.
- Stage 3: Structure Part 2 – all remaining.
- Stage 4: Façade, internal fit-out, landscaping.

# 3 Strategic context

The Applicant indicated the key drivers for the development of the IATC include the:

- training of up to 700 new apprentices each year in construction trades experiencing growth.
- creation of jobs, a stronger economy, world-class infrastructure, and better opportunities for young people.
- increase in capacity to support more students with qualifications that lead to jobs.
- support of industry convergence and addressing the acute skills shortage.
- promotion and enhancement of training and business partnerships with the WSU Werrington (South) Campus.

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

- NSW State Priorities to create jobs, improve economic competitiveness and educational results.
- the Greater Sydney Plan: A Metropolis of Three Cities, as it would facilitate growth and provide improved education facilities in an identified Metropolitan Cluster, Collaboration Area, and Health and Education Precinct under the plan.
- *State Infrastructure Strategy 2018 – 2018: Building the Momentum*, as it provides direct investment to address increased education enrolment demands, would provide access to modern learning and training environments for all students.
- *NSW Future Transport Strategy 2056*, as it would provide new educational facilities in an accessible location and provides access to new employment opportunities close to public transport.
- the vision outlined in the Greater Sydney Commission's Western City District Plan, as it would align growth with infrastructure (Planning Priority W1), integrate land use and transport planning within a 30-minute city (Planning Priority W7), contribute to the expansion of the Penrith health and education precinct (Planning Priority W9) and support the growing investment and jobs in the Penrith strategic centre (Planning Priority W11).
- Sydney's Cycling Future 2013, as it would promote and cater for bicycle use through the provision of bicycle parking and end-of-trip facilities.
- the Penrith Local Strategic Planning Statement 2020, as it would contribute to the educational prominence and strength of 'The Quarter' health and education precinct.
- the IATC Building and carpark have a total CIV of $75,139,463 and are predicted to generate approximately 231 full-time equivalent (FTE) construction jobs and support 68 full-time and 20 casual ongoing jobs.

# 4 Statutory Context

## 4.1 State significance

The proposal is SSD under section 4.36 of the EP&A Act (development declared SSD) as the development is for the purpose of a tertiary institution and has a CIV greater than $30 million pursuant to clause 15(3) of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

## 4.2 Permissibility

The Minister for Planning and Public Spaces (the Minister) is the consent authority under section 4.5 of the EP&A Act.

In accordance with the Minister's delegation to determine SSD applications, signed on 26 April 2021, the Director, Social and Infrastructure Assessments may determine this application as:

- the relevant Council has not made an objection.
- there are less than 15 public submissions in the nature of objection.
- a political disclosure statement has not been made.

## 4.3 Permissibility

The Penrith Local Environmental Plan 2010 (PLEP) identifies the site as being located within the SP2 Infrastructure – Educational Establishment zone. An educational establishment is permissible with consent within the zone.

The site is not subject to any building height, floor space ratio or lot size development standards under the PLEP. Consideration of the proposal against the other requirements of the PLEP is provided at **Appendix B**.

## 4.4 Secretary's Environmental Assessment Requirements

On 28 August 2020, the Department notified the Applicant of the Planning Secretary's Environmental Assessment Requirements (SEARs). The Department is satisfied that the EIS, RtS and SRtS adequately address the requirements of the SEARs to enable the assessment and determination of the application.

## 4.5 Biodiversity Conservation Act 2016

Under section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act), SSD applications are to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.

On 2 September 2020, a waiver was issued for the requirement for the preparation of a BDAR under section 7.9(2) of the BC Act. Subsequently, the project's building footprint was amended, and the proposed development was no longer as described in the BDAR Waiver. Therefore, the Applicant submitted a request for the issuing of a revised BDAR waiver on 15 January 2021.

On 19 January 2021, the Environment, Energy and Science Group of the Department (EESG) determined that the proposed development would not be likely to have any significant impact on biodiversity values and that a BDAR is not required. The Department supported EESG's decision and on 1 February 2021 determined that the application is not required to be accompanied by a BDAR under section 7.9(2) of the BC Act.

The Department has considered tree removal in **Section 6.3**.

## 4.6 Other approvals

Under section 4.41 of the EP&A Act, a number of other approvals are integrated into the SSD 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 application (e.g. approvals for any road 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 the assessment of the application, and included suitable conditions in the recommended conditions of consent (see **Appendix A**).

## 4.7 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 relevant to the development the subject of the development application. Therefore, the assessment report must include a copy of, or reference to, the provision of any EPIs that substantially govern the project and that have been considered 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 the 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) 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, | The development would ensure the proper management and development of suitably zoned land for the social welfare of the community and State. |
| (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment, | The proposal includes measures to deliver ecologically sustainable development as described below. |
| (c) to promote the orderly and economic use and development of the land, | The development would meet the objectives of the zone and delivery improved facilities for tertiary education infrastructure for the State. The development would economically serve the community through new jobs and infrastructure investment. |
| (d) to promote the delivery and maintenance of affordable housing, | N/A. |
| (e) to protect the environment, including the conservation of threatened species and other species of native animals and plants, ecological communities and their habitats, | The proposed development would not result in the loss of any threatened or vulnerable species, populations, communities or significant habitats. |
| (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage), | The proposed development is not anticipated to result in unacceptable impacts upon built and cultural heritage, including Aboriginal cultural heritage (see **Section 6.4**). |
| (g) to promote good design and amenity of the built environment, | The proposal has been reviewed by the Government Architect of NSW (GANSW) State Design Review Panel (SDRP) throughout the development of the proposed design. The Department considers the application would provide for good design and amenity of the built environment (see **Section 6.2**). |
| (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants, | The Department has considered the proposed development and has recommended a number of conditions of consent to ensure the construction and maintenance is undertaken in accordance with legislation, guidelines, policies and procedures (**Appendix A**). |
| (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State, | 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** and **6**). |

| | | |
|---|---|---|
| (j) | to provide increased opportunity for community participation in environmental planning and assessment. | The Department publicly exhibited the proposal (**Section 5.1**), which included notifying adjoining landowners and displaying the proposal on the Department's website. |

### 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 ESD initiatives and sustainability measures, including the:

- incorporation of passive design measures such as shading on the north, east and west facades of the IATC Building, natural ventilation in circulation spaces, and the integration of landscaping into the building design to minimise heat islanding and promote passive cooling.
- installation of a hybrid HVAC system, with individual room system control.
- management of daylight penetration levels within the building through window coverings, to minimise energy consumption.
- installation of water-cooled variable refrigerant volume/flow heat recovery system.
- use of energy metering and monitoring.
- installation of rooftop solar panels to generate renewable energy, and the use of a highly efficient LED lighting system throughout the building.
- installation of water-efficient fixtures and fittings and reuse of rainwater and greywater.
- selection of low-carbon materials for building construction.
- use of interior noise level controls and acoustic separation.
- provision of separated waste and recycling streams to allow for more effective recycling of operational waste.

The Applicant has confirmed the proposal has been designed in accordance with best practice design principles, the National Construction Code 2019 (Section J – Energy Efficiency) and Green Star Design and As-Built Submissions Guidelines targeting a minimum 5-star Green Star Rating.

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

The Department has recommended a condition that requires the Applicant to obtain evidence from a suitably qualified Green Star Accredited professional demonstrating that the development achieves all the ESD measures set out in the application, including achieving a minimum 5-star Green Star rating

with the Green Building Council Australia, prior to the commencement of building works (excluding earthworks).

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 in this report, the Notification requirements (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

### 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** and relevant appendices or other sections of this report and EIS, referenced in the table.

**Table 3 |** Section 4.14(1) matters for consideration

| Section 4.15(1) Evaluation | Consideration |
|---|---|
| (a) (i) an environmental instrument | Satisfactorily complies. The Department's consideration of the relevant EPIs is provided in **Appendix B**. |
| (a)(ii) any proposed instrument | Satisfactorily applies. The Department's consideration of the relevant draft 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 relevant DCPs in **Section 6**. |
| (a)(iiia) any planning agreement | N/A. |
| (a)(iv) the regulations<br>Refer Division 8 of the EP&A Regulation | 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. |
| (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 (see **Section 6**). |
| (c) the suitability of the site for the development | The site is suitable for the development as discussed in **Sections 3** and **6** of this report. |
| (d) any submissions | Consideration has been given to the submissions received during the exhibition period (see **Sections 5** and **6**). |
| (e) the public interest | Refer to **Section 6**. |

# 5 Engagement

## 5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act and Part 6, Division 6 of the EP&A Regulation, the Department publicly exhibited the application from 18 March 2021 until 14 April 2021 (28 days). The Application was made publicly available on the Department's website.

The Department notified landholders and relevant public authorities in writing. Representatives of the Department also visited the site on 30 March 2021 to provide an informed assessment of the proposal.

The Department has considered the comments raised in the public authority and public submissions during the assessment of the application. The submissions received are summarised in the following section of this report.

## 5.2 Summary of submissions

A summary of submissions received is provided in **Table 4**. Copies of the submissions may be viewed at **Appendix A**.

**Table 4 |** Summary of submissions

| Submitter | Number | Position |
|---|---|---|
| **Public Authorities** | **7** | |
| Penrith City Council | 1 | Comment |
| Transport for NSW | 1 | Comment |
| Heritage NSW, Department of Premier and Cabinet – Aboriginal cultural heritage | 1 | Comment |
| DPIE Environment, Energy and Science Group | 1 | Comment |
| NSW Environment Protection Authority | 1 | Comment |
| NSW Rural Fire Service | 1 | Comment |
| Sydney Water | 1 | Comment |
| Endeavour Energy | 1 | Comment |
| **Community** | **1** | |
| Western Sydney University | 1 | Support |
| **TOTAL** | **8** | |

## 5.3 Public authority submissions

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

**Table 5 |** Summary public authority submissions

| **Penrith City Council (Council)** |
|---|
| Council provided the following comments:<br>• the proposal does not provide sufficient on-site parking when existing car parking demand rates are applied. The traffic report states that 84 per cent of students and staff currently drive to the TAFE Campus, however, the application proposes a reduced parking rate which assumes that this figure will reduce down to 70 per cent by 2030. Additional justification should be provided for this assumption.<br>• the proposal would result in a reduced Level of Service (LoS) 'D' at key intersections, and mitigation measures should be investigated.<br>• swept paths demonstrate that service vehicles will take up the majority of the width of circulation roadways and driveways. This is unsafe, and the driveway and circulation roadways should be widened.<br>• the proposal should be revised to incorporate an integrated waste collection room, in accordance with the Penrith Development Control Plan (DCP) 2014.<br>• pre-clearance surveys of trees identified for removal should be conducted, and tree protection measures included for retained trees.<br>• a Vegetation Management Plan should be conditioned, to include:<br>  ○ a replacement tree planting ratio of 2:1, as a bushland restoration effort within the patch of vegetation located to the north-west of the IATC site and associated with the existing pond/water source.<br>  ○ weed management measures.<br>  ○ Grey-headed Flying-fox foraging opportunities.<br>• the proposed floor level of RL51.70m AHD complies with Council's Annual Exceedance Probability (AEP) freeboard flood requirements.<br>• a driveway access/hardstand area should be provided for maintenance vehicles to access and clean out of the stormwater gross pollutant trap. |
| **Transport for NSW (TfNSW)** |
| TfNSW provided the following comments:<br>**Transport and Accessibility Impact Assessment (TAIA)**<br>• traffic modelling of the Great Western Highway/O'Connell & French streets intersection should be updated to reflect a consistent cycletime of 120 seconds.<br>• the existing right turn bay on the western approach is currently at around 80 per cent capacity, once the model is updated to reflect correct cycletimes it is likely the queue length will exceed the length of the bay. In this instance, mitigation measures should be investigated and may be required. |

- based on the information in the traffic report, the number of trips should be about 30 per cent higher than what is concluded in section 6.5 of the TAIA. This should be clarified.
- the TAIA demonstrates that the performance of the Great Western Highway/O'Connell St intersections worsens to LoS D in 2030 + Dev scenario (PM peak). Mitigation measures may be required by the Applicant to improve to an acceptable level of LOS C or better.
- the intersection of the Great Western Highway/WSU access (east of the application site) should be assessed, noting that students can rat run to access parking closer to the development.
- swept path analysis should include details of lane lines, kerb, gutter and median/centreline to determine whether swept paths can be achieved without crossing the centreline of O'Connell Street and other internal roads.
- to encourage active transport, a shared bicycle/pedestrian path should be provided along O'Connell Street connecting to the existing Great Western Highway shared path. Internal paths within the TAFE Campus should also be upgraded. A connection to the Great Western Highway shared path along the eastern boundary of the IATC site should also be considered.

**Green Travel Plan (GTP)**

- the targets associated with the GTP and incorporated Transport Access Guide are to be revisited by the Applicant at a later stage, once the green star rating document is available for review. However, TfNSW requests that any mode shift target changes required to achieve a 5-star rating should be outlined as part of the application, with reference to the Design & As Built V1.3 (Green Building Council of Australia, 2019). If this is not possible, a specific revision date should be provided.
- the GTP should be revised to:
    - identify and promote existing cycling infrastructure.
    - provide the response rate for the questionnaire used to inform travel mode splits.
    - provide clear actions with timeframes for how each initiative would be implemented to achieve mode shift targets.
    - additional actions should be considered top ensure mode shift targets to public transport, walking and cycling are achieved.
    - provide details of when short-term targets would be achieved.

**Construction Traffic Management Plan (CTMP)**

- the CTMP should be revised to include:
    - the Great Western Highway/WSU intersection within modelling, noting that truck routes will be using this intersection for access to the IATC site.
    - the use of a traffic controller to ensure there are no conflicts between construction trucks and vehicles / pedestrians using the carpark.

### Heritage NSW, Department of Premier and Cabinet – Aboriginal Cultural Heritage (HNSW ACH)

HNSW ACH advised that the Interim Aboriginal Cultural Heritage Assessment Report (ACHAR) does not adequately address the SEARs, is incomplete and does not include management and mitigation measures for Aboriginal cultural heritage items. A complete and finalised ACHAR must be provided in accordance with the SEARs.

### DPIE Environment, Energy and Science Group (EESG)

EESG noted that a Biodiversity Development Assessment Report (BDAR) Waiver has been issued for the development. EESG advised that conclusions of the Floodplain Management Report are reasonable.

### NSW Environment Protection Authority (EPA)

The EPA advised that the receipt and use of additional fill material must be Virgin Excavated Natural Materials, Excavated Natural Material or approved under a specific Resource Recovery Order/Exemption (issued by the EPA). The proposal does not appear to require an environment protection licence under the *Protection of the Environment Operations Act 1997*.

### NSW Rural Fire Service (RFS)

The RFS raised no specific concerns with the proposal relating to bush fire protection.

### Endeavour Energy

Endeavour Energy advised that they are managing the conditions of electricity supply with the Applicant and their Accredited Service Provider, and raised no concerns with regard to the proposal.

### Sydney Water

Sydney Water advised:

- potable water servicing should be available via multiple existing mains in O'Connell Street, and wastewater servicing should be available via an existing wastewater main within the property boundary. However, these may require amplifications, adjustments, and/or minor extensions.
- a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained.
- the approved plans must be submitted to the Sydney Water 'Tap in' online service to determine whether the development will affect any Sydney Water sewer or main, stormwater drains and/or easement.

## 5.4 Public submission

One public submission in support of the application was received from Western Sydney University, who noted that the co-location of the IATC Building adjacent to the WSU Werrington (South) and Kingswood campuses would provide opportunities to develop a tailored education partnership including co-design and delivery of curriculum and pathways between TAFE NSW and WSU course offerings.

WSU supported the development as reinforcing The Quarter precinct's vision for a well-connected, productive, and integrated health and education precinct.

## 5.5 Response to Submissions

Following the exhibition of the application, the Department placed copies of all submission received on its website and requested the Applicant provide a response to the issues raised. The Department also identified additional issues and sought clarification from the Applicant in relation to the following:

- the capacity/usage of the existing north-central TAFE Campus carpark, and any proposed methods of improving connections between the carpark and the IATC site.
- noting that the third State Design Review Panel (SDRP) meeting was held following the lodgement of the EIS, the Department requested that any outstanding issues raised during the SDRP process be addressed, and requested the Applicant identify any design amendments in response to these issues.

On 11 June 2021, the Applicant provided an RtS which included some amendments to the proposal (**Appendix A**). The RtS sought to address the issues raised during the exhibition of the EIS and proposed the following amendments:

- IATC Building design amendments, resulting in a reduced GFA of 7,836sqm (a reduction of 21sqm), including:
    - a 500mm increase to lower ground floor slab.
    - relocation of stairway 1 from the western elevation to the northern elevation.
    - rationalisation of internal layout, including amalgamation and reconfiguration of internal learning spaces and storage areas to improve functionality.
    - incorporation of a bifold door adjacent to the eastern ground floor entry.
    - refinement of roof design, roof light strategy and roof solar strategy.
    - refinement of façade glazing to reinforce internal/external connections and capture landscape views.
- incorporation of a bicycle path providing access to the IATC from the Great Western Highway.
- provision of an additional building identification pylon signage on the northern IATC elevation.
- provision of a revised TAIA including updated SIDRA modelling.

The RtS was also accompanied by a finalised ACHAR.

The RtS and ACHAR were made publicly available on the Department's website and referred to relevant public authorities. An additional three submissions were received from public authorities. A summary of 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 provided the following comments:<br>• the previously raised concerns regarding local road / intersection LoS D remain. Resolution to these concerns is required, including investigation into mitigation measures / infrastructure upgrades to ensure that the LoS is not reduced or adversely impacted upon.<br>• further analysis of the access arrangements into the site are required to inform the design arrangement and local road works necessary to accommodate the development.<br>• the Traffic and Car Parking Assessment Report should be revised to address the following:<br>  ○ intensification of use on the site, traffic volumes overall for the site (existing, proposed, and 2030 growth forecast).<br>  ○ Potential connection to proposed future road on adjacent site immediately to the south of the TAFE Campus.<br>  ○ demonstrated compliance with relevant standards, technical directions and guidelines for car parking and access.<br>  ○ assessment of potential need to upgrade existing driveway access as unsignalised intersection with regard to Austroads Guide to Road Design basic turn treatments or auxiliary lane treatments as needed.<br>  ○ provision of a Construction Traffic Management Plan, or a condition requiring one to be submitted prior to commencement of construction.<br>• the RtS does not sufficiently address waste matters raised and compliance with Penrith Development Control Plan 2014 (PDCP) and the Waste Management Guidelines.<br>• conditions should be included to address waste matters, including:<br>  ○ the full bin allocation to be displayed on architectural drawings to demonstrate that the size is sufficient.<br>  ○ amendments to the waste collection room to ensure detailed compliance with requirements. |
| **TfNSW** |
| TfNSW provided the following comments:<br>**TAIA**<br>• the updated SIDRA modelling indicates that the queue length of the right turn bay at the Great Western Highway/O'Connell St/French St intersection exceeds the length of the bay by approximately 10m during the 95$^{th}$ percentile in the 2030 + development scenario.<br>• the intersection is currently subject to an upgrade under the Federal Stimulus Program, to provide right turn red arrow pedestrian protection for traffic turning from French and O'Connell streets and provide missing pedestrian legs. These changes will likely result in longer delays and queue length, resulting in queues for the right turn bay exceeding the length of the bay earlier than predicted. |

- a condition should be included requiring that the right turn bay on the western leg of the Great Western Highway be extended to accommodate the increased traffic expected as a result of the development.
- swept path movements for a 12.5m vehicle at O'Connell Street indicate that simultaneous entry/exit cannot be achieved.
- should Council deem it necessary, a condition should be included requiring the widening of the access point to allow for simultaneous entry/exit movements of the largest vehicle with a passenger vehicle.

**GTP**

- the GTP requires further revisions to:
  - provide more details for the active transport facilities around the site (e.g. cycling and walking facilities, permeability of streets) and identify any improvements that may be required.
  - provide more details and maps of end-of-trip facilities, including the number and location of all bicycle parking spaces and showers and lockers, and identify whether the proposed facilities are sufficient to meet demand.
  - consider innovative ways to incorporate public transport and active transport into the fabric of life at the TAFE Campus (e.g. bicycle maintenance workshops, bicycle clubs, provision of real-time transport information for bus and shuttle departures).
  - update the active transport map to provide recommended walking and cycling routes to key destinations and include the WSU internal cycling and walking network.
- a communications strategy is required to include communication activities associated with all initiatives, what channels will be used, and timing and responsibility of delivery.

**HNSW ACH**

HNSW ACH advised that they support the recommendations provided in the ACHAR, and recommended that Aboriginal cultural heritage interpretation is incorporated into the development through the preparation of an Aboriginal Cultural Heritage Interpretation Strategy and Implementation Plan.

## 5.6 Supplementary Response to Submissions

The Department reviewed the RtS and requested the Applicant provide supplementary information in response to the issues raised by Council and TfNSW, and to clarify other aspects of the proposal including landscaping, signage and bicycle parking.

On 16 August 2021, the Applicant provided a response to agency submissions on the RtS and the outstanding concerns raised by the Department (**Appendix A**). The Supplementary Response to Submissions (SRtS) made the following changes to the proposal:

- the removal of an additional 17 trees.
- additional increase in width of the access driveway from O'Connell Street.
- flexibility to stage the construction of development.

Additional information and updated reports were also submitted with the SRtS, including additional SIDRA data and revised modelling for the 2030 traffic scenario at the intersection of Great Western Highway / O'Connell Street / French Street. The additional modelling indicated that the background traffic growth for the Great Western Highway in the year 2030 should be reduced from two per cent to nil, and therefore intersection upgrade works are not required.

**Council** reviewed the SRtS and requested additional information regarding proposed stormwater management and mitigation. Council also requested the Applicant assess whether turn treatments are required at O'Connell Street for access and egress to the Gate 2 site entry.

**TfNSW** reviewed the SRtS and advised they do not support the nil background traffic growth rate assumptions used by the Applicant for the Great Western Highway in the year 2030. The right turn bay into O'Connell Street must therefore be extended, unless the Applicant undertakes an area-wide traffic model to justify that a variant to the two per cent annual background traffic growth rate is acceptable. TfNSW also requested that the Applicant provides further revisions to the GTP to more thoroughly address active transport in and around the TAFE Campus.

# 6 Assessment

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

- traffic, transport and access.
- site suitability and built form.
- landscaping and outdoor spaces.

The key issues are addressed in **Sections 6.1** to **6.3**. Other issues considered during the assessment are discussed in **Section 6.4**.

## 6.1 Traffic, transport and access

The site is located in a low-density area surrounded by residential, educational/institutional and health uses. The closest classified road is the Great Western Highway, with access to the site provided from O'Connell Street to the west, with secondary access via the WSU Campus access road to the east. The TAFE Campus has access to four bus routes (each with a weekday operating frequency of 20-30 minutes) and is 1.4km walking distance from Kingswood Railway Station. There is an east-west internal pedestrian and vehicle access route through the TAFE Campus. A direct pedestrian and bicycle access from the existing shared pathway on the southern side of the Great Western Highway is proposed.

The application is accompanied by a Traffic and Accessibility Impact Assessment (TAIA), a preliminary Construction Traffic and Pedestrian Management Plan (CTPMP) and a GTP, which consider the existing road and pedestrian connections, predicted construction and operational impacts, transport mode share and sustainable transport measures.

The application proposes an overall year-round student enrolment of 9,500 students by the year 2030 across the TAFE Campus, and increase of 3,500 beyond existing. However, on-site attendance of these enrolments would be dispersed throughout the week. Daytime activity relating to the number of on-site staff and students on a typical peak weekday between 7.30am and 5pm, as outlined in the TAIA, are shown in **Table 7**. The table outlines the existing figures, together with the estimated figures at 2023 and following completion of the IATC development at 2030.

**Table 7** | Existing and estimated on-site peak attendance for staff and students

| **Existing** | | **2023 Scenario** | | **2030 Scenario** | |
|---|---|---|---|---|---|
| | TAFE Campus | Overall TAFE Campus (with IATC) | Change from existing | Overall TAFE Campus (with IATC) | Change from existing |
| **Staff** | 39 | 61 | (+22) | 78 | (+39) |
| **Students** | 998 | 1,185 | (+187) | 1,439 | (+441) |
| **Total** | **1,037** | **1,439** | **(+209)** | **1,517** | **(+480)** |

Public authorities raised concerns about the operational traffic impacts of the proposal in comments on the EIS. In response, the RtS and SRtS included updates to the TAIA and GTP seeking to address the concerns. The key issues related to traffic and access include:

- mode share and travel plan.
- traffic generation.
- on-site car parking.
- vehicle access and driveway widening.
- construction traffic and access.

### Mode share and travel plan

The TAIA included questionnaire surveys to determine travel modes for students and staff at the TAFE Campus. The surveys were conducted in November and December 2020, with 291 staff and students participating. The results of the survey are different to the modal splits outlined in the GTP, which were derived from the Green Star Sustainable Transport Calculator. The results of both surveys are summarised in **Table 8**.

**Table 8 |** Section 4.14(1) matters for consideration

| Travel Mode Type | Existing Mode Share | |
|---|---|---|
| | Questionnaire survey | Green Star Sustainable Transport Calculator |
| Car/motorcycle driver | 84 | 86.6 |
| Car passenger (including carpool and pick-up/drop-off passengers) | 6 | 5.6 |
| Train | 4 | 1.9 |
| Bus | 4 | 1 |
| Bicycle | 2 | 0.7 |
| Walk | 0 | 3.8 |
| Train & Shuttle Bus | 0 | N/A |

The Department notes that the results of the surveys slightly differ. However, both demonstrate that the majority of staff and students travelled to/from the TAFE Campus by private vehicle (90-92.6 per cent).

To improve on the existing mode share and encourage the use of sustainable transport, the GTP sets out a sustainable transport management strategy for future students and staff to assist in reducing private vehicle use, car parking demand and traffic congestion. Based on the Green Star Sustainable Transport Calculator results, the GTP recommends the adoption of long-term mode share targets for the years 2025 and 2030 to change travel behaviour, as outlined in **Table 9**.

**Table 9 |** GTP recommended target mode-share shifts

| Travel Mode Type | Travel mode targets (%) | | | |
|---|---|---|---|---|
| | Reference | 2025 | 2033 | Difference |
| Car/motorcycle driver | 86.6 | 78 | 69.3 | -17.3 |
| Car passenger (including carpool and pick-up / drop-off passengers) | 5.6 | 6.9 | 8.1 | +2.5 |
| Train | 1.9 | 4 | 6.2 | +4.3 |
| Bus | 1 | 4 | 7 | +6 |
| Bicycle | 0.7 | 2.7 | 4.7 | +4 |
| Walk | 3.8 | 4 | 4.3 | +0.5 |

To achieve the target mode-share shift, the GTP recommends implementing the following key strategies and transport initiatives:

- development and implementation of a Transport Access Guide (TAG), including details of bicycle and public transport services within vicinity of the site, to assist staff and students make travel decisions. The TAG would be implemented upon commencement of construction works on site and continue into perpetuity.
- provision of adequate bicycle parking spaces and end-of-trip facilities within the IATC Building (discussed further later in this report).
- provision of an internal shared path network that connects to the existing shared path on the southern side of the Great Western Highway.
- negotiation of a shared shuttle service agreement with WSU within the first two years of IATC operation, allowing TAFE student and staff use of the existing shuttle between Kingswood Station and the WSU Werrington (South) Campus.
- implementation of a carpool scheme for students and staff, involving on-site and web-based notice boards.
- provision of at least two electric vehicle parking spaces within the IATC carpark.

The GTP also notes that additional transport opportunities will arise following development of the Sydney Metro – Western Sydney Airport line, which will link St Marys Railway Station (3.2km north-east of the TAFE Campus) to the new Western Sydney International (Nancy-Bird Walton) Airport via six new stations.

The GTP states that the mode-shift targets (an overall shift of 17.3 per cent away from private car vehicle use) is realistic and achievable and also confirmed that the new mode share targets would be applied to the whole TAFE Campus (not just the IATC Building). The Applicant has committed to monitor and review the GTP and TAG once operations of the IATC Building commence, to ensure that they reflect any changes or updates to the surrounding public transport network. The Applicant has also committed to regularly review the success of the GTP to determine whether alternative or

supplementary measures are necessary, including by way of an annual staff and student travel survey to be conducted by a nominated Travel Plan Coordinator.

TfNSW did not object to the mode share targets outlined in the GTP. However, TfNSW did raise concern that the GTP does not sufficiently identify sustainable transport options around the site, nor timeframes for the implementation of transport initiatives, and requested additional information regarding the proposed end-of-trip facilities. TfNSW also recommended the provision of a connection to the shared path on the southern side of the Great Western Highway, and that the Applicant consider innovative ways to incorporate public and active transport into the fabric of life at the TAFE Campus.

In response to TfNSW's comments, the Applicant amended the proposal to incorporate a connection to the Great Western Highway shared path, provided additional information regarding bicycle parking and end-of-trip facilities, identified sustainable transport options around the site and proposed timeframes for the implementation the plan.

The Department has considered the TAIA and GTP, and TfNSW's comments. The Department notes that the:

- proposed mode share shift targets indicate a 17.3 per cent reduction in private vehicle use for staff and students, achieved through increased uptake of alternative sustainable transport options, when compared to the existing TAFE Campus.
- surrounding roads currently experience traffic pressures, which supports the Applicant's approach to travel mode share and a move away from private vehicle use.

The Department supports the preparation and implementation of the GTP and considers this an effective tool to guide the mode share ambition and encourage sustainable modes of transport. The Department considers it important that the TAFE Campus' travel mode share continues to evolve and improve over time to further reduce the number of trips made by private vehicles. Consequently, the Department recommends the GTP should be monitored and reviewed annually to drive improvements.

The Department considers the provision of bicycle spaces and the implementation of the GTP would assist in encouraging active transport modes from the outset of the operation of the IATC Building. Over time, the GTP would likely further reduce private vehicle use to the site and reduce the pressure on the operation of the surrounding road network.

The Department concludes that the implementation of the proposed behavioural and travel strategies in the site specific GTP would likely achieve the desired mode share and effectively address congestion on the surrounding road network, and has recommended conditions requiring the ongoing monitoring and annual review of the GTP to ensure it improves over time.

### Operational traffic generation

The TAIA includes a survey of the existing traffic conditions on the roads surrounding the site and predicts future travel modes and trips generated by the proposal based on the projected number of students and staff for the years 2026 and 2030. The SEARs requested both the 2031 and 2036 development scenarios be assessed, however the Applicant has provided an assessment of the 2026 and 2030 scenarios as the IATC development will be fully operational by 2030. TfNSW did not object to this approach.

The traffic modelling for the 2026 and 2030 development scenarios made the following key assumptions:

- trip generation based on the staff and student enrolment numbers summarised in **Table 7**.
- a background traffic growth rate of 2 per cent per annum in the 2026 and 2030 scenarios.
- a AM peak hour between 8am to 9am and PM peak hour between 4.30pm to 5.30pm.
- 54 per cent of vehicles arrive/depart the TAFE Campus during the AM peak, and 28 per cent during the PM peak.

The TAIA has calculated the peak hour trip generation (**Table 10**) and includes an assessment of the performance of three signalised intersections around the site at the 2026 and 2030 scenarios (**Table 11**), including at:

- Great Western Highway / O'Connell Street / French Street.
- Great Western Highway / Bringelly Road.
- Gipps Street / Caddens Road.

TfNSW requested that modelling also be conducted at the intersection of the Great Western Highway and the WSU access road, noting that students could 'rat run' to access parking within the WSU campus, which is closer to the IATC site than most parking areas within the TAFE Campus. However, the Department notes that students would be unlikely to use this 'rat run' given that parking within the WSU campus is paid, whereas parking within the TAFE Campus is free. Therefore, it is not necessary to conduct modelling for the operational impact of the development on the intersection of the Great Western Highway and the WSU access road.

**Table 10 |** Peak hour additional vehicle trip generation (Source: Applicant's RtS 2021)

| Scenario | AM Peak | Increase | PM Peak | Increase |
|---|---|---|---|---|
| **Base (2020)** | 235 | - | 107 | - |
| **2026** | 331 | +96 | 156 | +49 |
| **2030** | 453 | +218 | 220 | +113 |

**Table 11 |** Intersection performance Level of Service (LoS) (Base source: Applicant's RtS 2021)

| Intersection | Base | | 2026 | | 2026+ Dev | | 2030 | | 2036+ Dev | |
|---|---|---|---|---|---|---|---|---|---|---|
| | AM | PM | AM | PM | AM | PM | AM | PM | AM | PM |
| **Great Western Hwy / O'Connell St / French St** | B | B | B | C | B | C | C | C | D | C |
| **Great Western Hwy / Bringelly Rd** | B | B | B | B | B | B | B | C | B | C |
| **Caddens Rd / Gipps St** | C | C | C | C | C | C | C | C | D | C |

The assessment found that all intersections would operate at satisfactory levels in the 2026, 2026+ development and 2030 scenarios. However, TfNSW and Council both raised concerns regarding the LoS D during the AM peak at the Great Western Highway / O'Connell Street / French Street intersection in the 2030+ development scenario, noting that mitigation measures may be required to improve LoS to an acceptable level.

Following consideration of the comments from TfNSW and Council, the Applicant submitted a revised TAIA including updated SIDRA intersection modelling to accompany the RtS. The modelling indicated that the queue vehicle length of the right turn bay on the western leg of the Great Western Highway at the intersection with O'Connell Street and French Street, would exceed the length of the bay by approximately 10m during the 95$^{th}$ percentile in the 2030+ development scenario.

TfNSW also advised that the intersection is subject to future upgrade works, including the provision of missing pedestrian legs and the provision of a right turn red arrow pedestrian protection for traffic turning from O'Connell and French Streets. These upgrades are likely to result in longer delays and queue lengths, which when including the predicted traffic generated by the IATC development may result in queues for the right turn bay exceeding the length of the bay earlier than expected. TfNSW therefore requested that the right turn bay be extended to accommodate the increased traffic expected as a result of the development.

To address these concerns, the Applicant submitted additional SIDRA modelling as part of the SRtS which demonstrated a LoS B at the intersection during the AM peak in the 2030+ development scenario. The revised modelling is based on data collected from a permanent classifier counter at the intersection of the Great Western Highway and Pages Road, which is collected and distributed by TfNSW. The data demonstrates that traffic along Great Western Highway at Pages Road has decreased by 19 per cent since 2015, from 28,324 weekday movements in to 22,689 movements in 2021 (excluding traffic data from 2020 due to the COVID-19 pandemic). The revised TAIA therefore concluded that:

- it would be reasonable to reduce the background traffic growth rate from two per cent to nil.
- resulting queue lengths at the right turn bay from the Great Western Highway would be 64.4m, which would be accommodated by the existing bay length of 67m.
- the figures provided present a worst-case scenario of 84 per cent students and staff driving to the TAFE Campus, however private vehicle trip distributions would reduce following implementation of the GTP.

Following consideration of the revised TAIA contained within the SRtS, TfNSW disagreed with the Applicant's conclusion that the background traffic growth rate for the Great Western Highway can reasonably be reduced to nil. TfNSW advised that the reduction of the traffic data for the Great Western Highway at Pages Road may be related to a number of factors, including the opening of the Werrington Arterial Stage 1. However, in order to justify a reduction to the two per cent growth rate, an area-wide model would need to be undertaken to understand if the two per cent growth rate could be reduced along the relevant section of the Great Western Highway nearer to the TAFE Campus.

The Department acknowledges the concerns raised by TfNSW, and notes that the traffic data was collected from a counter located more than 3km east of the intersection of concern at Great Western Highway / O'Connell Street / French Street. The Department agrees that the data provided is not sufficient to justify the reduction of the background growth rate to nil for the Great Western Highway nearer to the TAFE Campus. Therefore, a condition has been included requiring the Applicant to

complete the extension to the right turn bay prior to the commencement of operation of the development.

The Department, however, also notes that area-wide modelling could be undertaken that may demonstrate the details required to justify the Applicant's proposed reduction to the background growth rate. Therefore, a further condition has a been included to allow the Planning Secretary to waive the requirement to extend the right-turn bay in the event that an area-wide model has been undertaken which justifies a reduction to the two per cent traffic growth rate, and that agreement has been obtained from TfNSW that the roadworks are not required.

The Department concludes that the traffic generated by the development is acceptable and, subject to the conditions and the implementation of the GTP, the traffic impacts of the proposal can be managed and mitigated over time. Furthermore, as the GTP applies to the broader TAFE Campus (not just the proposed IATC development), there is the potential that vehicle movements to/from the TAFE Campus would be reduced in the future.

### Car parking

The TAFE Campus currently provides a total of 907 car parking spaces, dispersed throughout the site across five at-grade carparks (see **Figure 2**). The application includes the provision of 16 car parking spaces within the carpark to the south of the IATC building, resulting in a total of 923 car parking spaces across the TAFE Campus for the use of students and staff.

Neither the PDCP and the Guide to Traffic Generating Developments (RMS, 2002) assess the amount of required parking for tertiary education developments. The Applicant therefore undertook a 'survey based' assessment to determine the future planning demand and corresponding on-site parking requirement associated with the development, in line with the preferred methodology outlined within the RMS Guidelines.

As discussed previously, the TAIA included questionnaire surveys to determine travel modes for students and staff at the TAFE Campus. The surveys were conducted in November and December 2020, with 291 staff and students participating. The results of the surveys found that:

- 84 per cent of students and staff drove and parked within the TAFE Campus.
- these drivers arrived prior to 9.30am.
- the balance of 16 per cent arrivals occurred after 9.30am.
- 36 per cent of departures occurred prior to 4pm, outside the on-street commuter peak.

The surveys concluded that peak parking demand occurred after 9.30am, was sustained until about 1pm and decreased progressively after that time.

Following the exhibition of the EIS, Council raised concerns that the proposal does not provide sufficient on-site parking to cater for the proposed development when existing car parking rates are applied to the site, with 84 per cent of students and staff driving to the TAFE Campus.

Additional parking surveys were undertaken within the campus carparks between the hours of 7am and 7pm on 26 November 2020 (Thursday). However, the campus was subject to restrictions due to COVID-19 during that period. Therefore, to accompany the RtS, the Applicant conducted further surveys daily from 19 to 23 April 2021 (Monday to Friday) when the campus was fully operational, representing a worse-case scenario. The results of the surveys validate the questionnaires, demonstrating that carpark demand increased after 9am, peaking at 586 vehicles between 11am and

midday on Wednesday 21 April 2021 (the day with the highest demand during the survey periods), and decreasing progressively after that time until a significant drop off after 4pm (**Figure 17**).

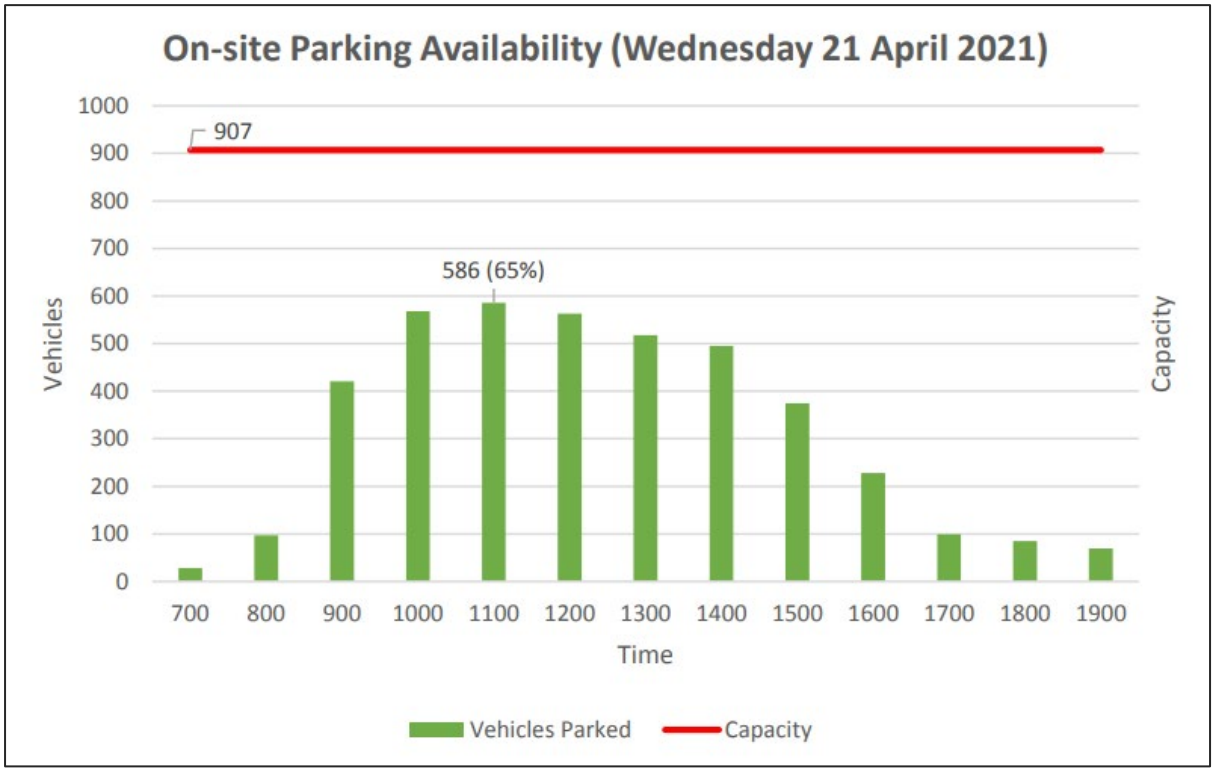


**Figure 17 |** Cars parked on campus between 7am and 7pm (Source: Applicant's EIS)

The survey results represent the worst-case scenario. They demonstrate that, during peak attendance, 65 per cent of parking spaces across the campus were occupied, representing a surplus of 321 (35 per cent) parking spaces. This is equivalent to a daily demand profile of one space per 1.8 daily persons in attendance (1,037 on Wednesday 21 April), which the TAIA uses as a base to calculate the 2023 and 2030 development scenarios. The calculated daily parking demand profiles for each scenario (existing, 2023 and 2030) are shown in **Table 12**.

**Table 12 |** Daily car parking provision and demand

| | Daily Demand (Development Year) | | |
|---|---|---|---|
| | **Reference** | **2023** | **2030** |
| Staff and student attendance | 1037 | 1,247 (+210) | 1,517 (+480) |
| Parking provision | 907 | 907 | 923 (+16) |
| Daily parking demand | 586 | 703 (+117) | 853 (+267) |
| **Surplus parking spaces** | **+321** | **+204 (-117)** | **+70 (-251)** |

The TAIA demonstrates that the existing campus car parking provision is sufficient to meet the increased demand resulting from the development in the year 2030. The Applicant also proposes the

provision of an additional 16 parking spaces within the new carpark to the south of the IATC Building, which would provide a safety margin of 70 surplus car parking spaces in the year 2030.

The TAIA therefore demonstrates that proposed parking provision would meet demand in the years 2023 and 2030, based on current travel mode share data and assuming no change in current travel behaviour. As discussed above, the Department notes that the application is accompanied by a GTP, which is expected to reduce private vehicle usage and parking demand, and therefore delivering a higher parking surplus in the year 2030 than demonstrated in the TAIA. No additional concerns were raised by Council with regard to car parking capacity at RtS stage.

The Department considers the proposed on-site car parking provision is acceptable, noting that:

- the survey-based parking assessment undertaken as part of the TAIA is in accordance with the preferred methodology outlined in RMS Guidelines.
- the predicted future (2023 and 2030) parking provision exceeds demand, providing a safety margin of 204 spaces in 2023 and 70 spaces in 2030.
- the GTP mode-share targets and travel initiatives for the site (and broader TAFE Campus) make sustainable travel modes (i.e. other than private vehicles) a more attractive and accessible option for commuting to and from the site.

Given the above, the Department is satisfied that the proposal would provide for adequate parking in both the 2023 and 2030 future scenarios. Further, the 16 additional parking spaces proposed would provide additional excess capacity within the vicinity of the IATC Building, including one additional accessible car parking space. The Department concludes the proposal would not have a detrimental impact on the locality in terms of demand for on-street car parking spaces.

### Vehicle access

The application proposes to increase the width of the southern driveway and access point from O'Connell Street (Gate 2). Following concerns raised by Council and TfNSW regarding the adequacy of the driveway width, the Applicant revised the application at RtS stage to increase the width of the entrance by 1m, for a total width of 8.9m (see **Figure 18**). Swept path drawings demonstrate that the widened driveway would accommodate the largest size vehicle (12.5m heavy rigid vehicle) passing a B99 design vehicle at the site boundary. The Applicant notes that this would not be a frequent event, as heavy rigid vehicles are only anticipated to access the site once every two weeks, arriving and departing outside of peak times.

Council raised concerns that increased traffic volumes during operation of the development would require an assessment of the need to upgrade the existing driveway access in accordance with the Guide to Road Design (Austroads, 2021), to determine if basic turn treatments or auxiliary lane treatments from O'Connell Street are needed.

The Department acknowledges that the development would result in increased vehicle traffic into and out of the driveway during operation, as demonstrated by the peak hour additional trip data provided at **Table 10**. However, as discussed above, the Applicant proposes improvements to the driveway to accommodate the development, including increasing the width of the driveway and the driveway access point from O'Connell Street. The Applicant advises that the revised driveway has been designed in accordance with the PDCP, by ensuring that:

- all vehicles enter and exist the site in a forward direction.

- the access provides appropriate sight distance in both directions in accordance with AS2890.1 and AS2890.2. Sight distances to the driveway will remain unchanged from existing.
- the design of the driveway has taken into consideration traffic volumes on the surrounding road network and modelled with SIDRA modelling, which demonstrates that the driveway will have a LoS A in the 2030+ development scenario.
- the driveway crossing and access roads have been designed in accordance with AS2890.1 and AS2890.2, and the driveway width exceeds the requirements of AS2890.1 and AS2890.2 and can accommodate two-way simultaneous flow at the access for a 12.5m heavy rigid vehicle passing a B99 vehicle.

The Department also notes that the proposal includes a minimal increase of 16 parking spaces. Further, the increased vehicle movements generated by the development would not be solely concentrated at the O'Connell Street southern access; these would be shared with the O'Connell Street northern access, which provides access to the north-east and north-central carparks. The Department is therefore satisfied that the driveway upgrade works, as proposed, would be adequate to accommodate the increased vehicle movements into and out of the site.

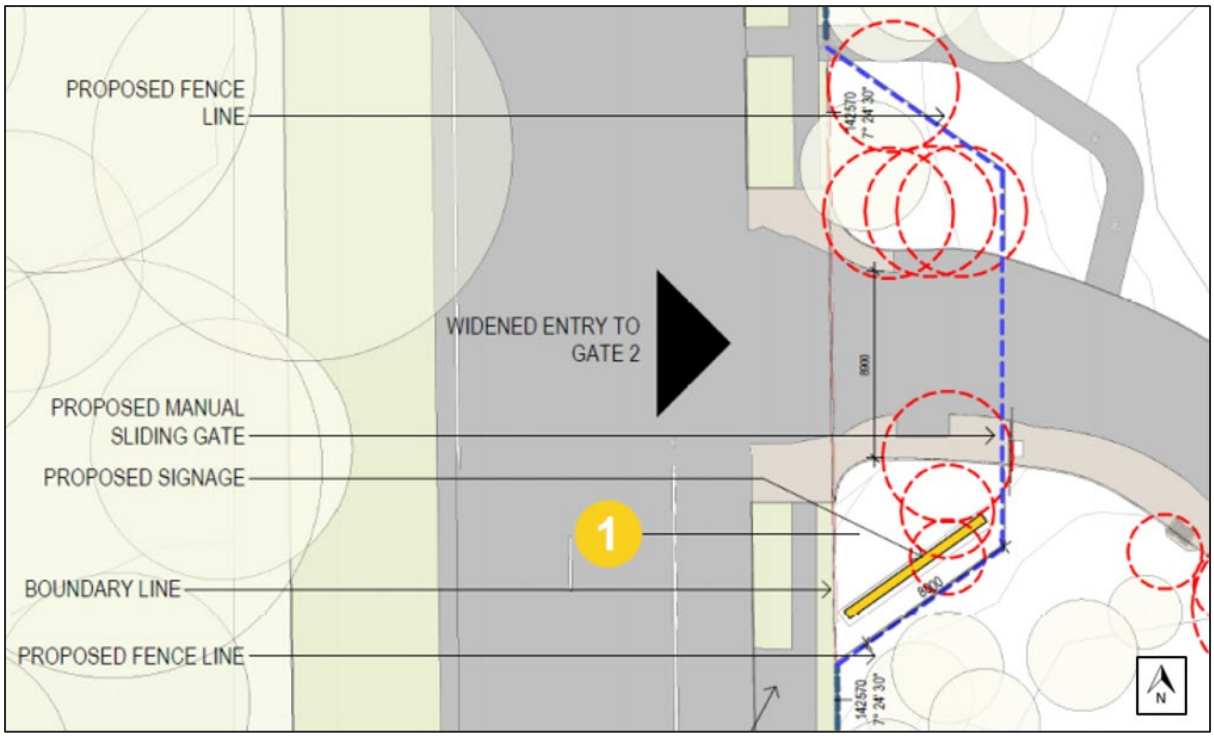


**Figure 18 |** Gate 2 (O'Connell Street) driveway access widening (Source: Applicant's SRtS)

Overall, the Department is satisfied that the widened driveway would be adequate to accommodate the swept path for passing vehicles, and considers that the proposal would not adversely impact the vehicle access to the site during construction or operation.

### Construction traffic

The EIS includes a preliminary Construction Traffic and Pedestrian Management Plan (CTPMP) which details construction vehicle movements, routes of travel, parking and access arrangements, pedestrian management and measures to address potential impacts. The TAIA predicts the proposed construction works would take approximately 19 months and generate up to 80 truck movements per

day during bulk excavation stage and 20 truck movements per day during the main construction stage.

Construction vehicles are predicted to arrive and depart via Great Western Highway (westbound) in the north, and through the WSU Werrington (South) Campus internal road network (First Avenue and King Street) into and out of the site. 12.5m heavy rigid vehicles, 19.6m truck and dog trailers and 19m articulated vehicles are proposed to service the construction site with all loading/unloading to occur within the site boundaries. Vehicle arrivals would be controlled to ensure no trucks would be required to queue or park along the WSU internal road network. All employee vehicles would be parked on-site, within a dedicated car parking area in the south-west corner of the TAFE Campus and access from O'Connell Street via the internal road network.

The Department accepts the conclusions of the Applicant's assessment of construction traffic and notes that the Great Western Highway and the WSU internal road network would be able to accommodate the heavy vehicle movements expected to be generated during construction works. The Department also supports the provision of on-site construction car parking for workers, noting that construction workers would not place pressure on available on-street parking.

Based on the above assessment, the Department has recommended a condition requiring the implementation of a final CTPMP to ensure truck access routes and establishment of work zones are addressed.

## 6.2 Site suitability and built form

### Site suitability

The proposed IATC Building is located along the eastern boundary of the site and is separated from the main campus buildings by approximately 250m. Access to and from the site is via the southern internal campus road, which is accessed from O'Connell Street (**Figure 11**). However, the Department notes that there is sufficient undeveloped land within the site to construct the IATC Building closer to the main campus facilities.

The Applicant's EIS states that the siting of the proposed IATC was selected as it achieves:

- integration with the WSU Werrington (South) Campus, to promote and enhance future training and business partnerships.
- the creation of a 'destination' building which enhances visual exposure to Great Western Highway.
- optimisation of view corridors towards the Blue Mountains.
- minimal loss of existing vegetation while ensuring that the building is not located within the nominated Flood Planning Area at the centre of the TAFE Campus.

The proposal underwent several reviews by the State Design Review Panel (SDRP), convened by Government Architect NSW (GANSW), where it confirmed it supported the proposal following minor design amendments resulting in the re-siting of the IATC Building further north, re-orientation of the carpark, and improved integration with the existing TAFE Campus pedestrian axis.

The Department has considered the location of the development against the constraints of the site and the key objectives of the proposal, and concludes that the proposed IATC Building and carpark

site is appropriate to balance the needs of the TAFE Campus and the wider health and education precinct.

### Building height

The site is not subject to a building height development standard under the PLEP (**Figure 19**). The IATC Building would appear as two storeys (14m) to the east fronting the WSU Werrington (South) Campus and, due to the fall of the land, three storeys (18.5m) to the west fronting the TAFE Campus (maximum height RL 7100 +/- 500 to top of skylight) (**Figure 20**).

As summarised in **Sections 1.1** and **1.2**, the site is currently vacant land which is located within a formerly semi-rural area with a strong and emerging institutional character, with low-scale residential development further afield. The TAFE Campus is comprised by buildings of one to two storeys in height, the majority of which are located approximately 250m to the west of the IATC site. The WSU (South) Werrington Campus immediately adjacent to the east is comprised of buildings of one to five storeys in height. The buildings closest to the proposed IATC site include:

- TAFE Building T (Nepean Arts and Design Centre), approximately 75m to the south of the proposed IATC Building and two storeys in height.
- WSU Building BA, approximately 40m to the east of the proposed IATC Building, and three storeys in height (four storeys to top of rooftop services).

No concerns were raised by Council or the GANSW regarding the height of the proposed development. In addition, the SDRP confirmed it supported the direction of the design development of the proposal.

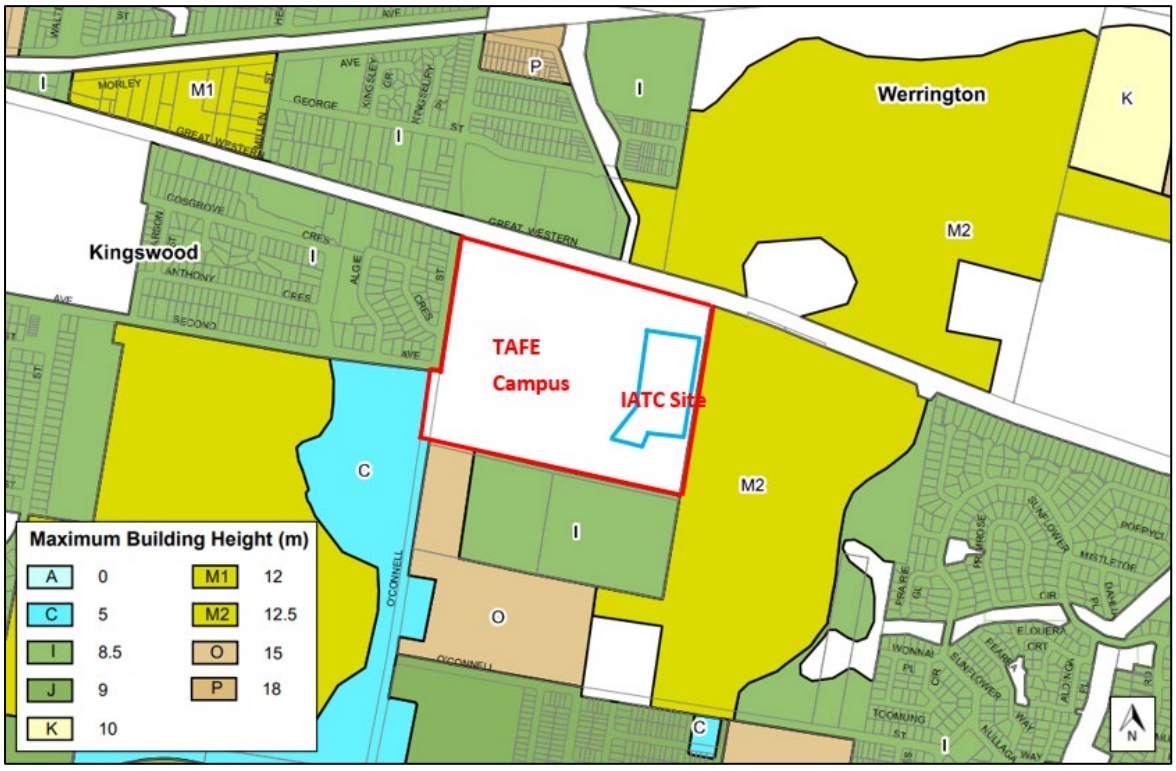


**Figure 19 |** PLEP Height of Buildings Map, including the TAFE Campus outlined in red and the IATC site outlined in blue (Base source: PLEP)

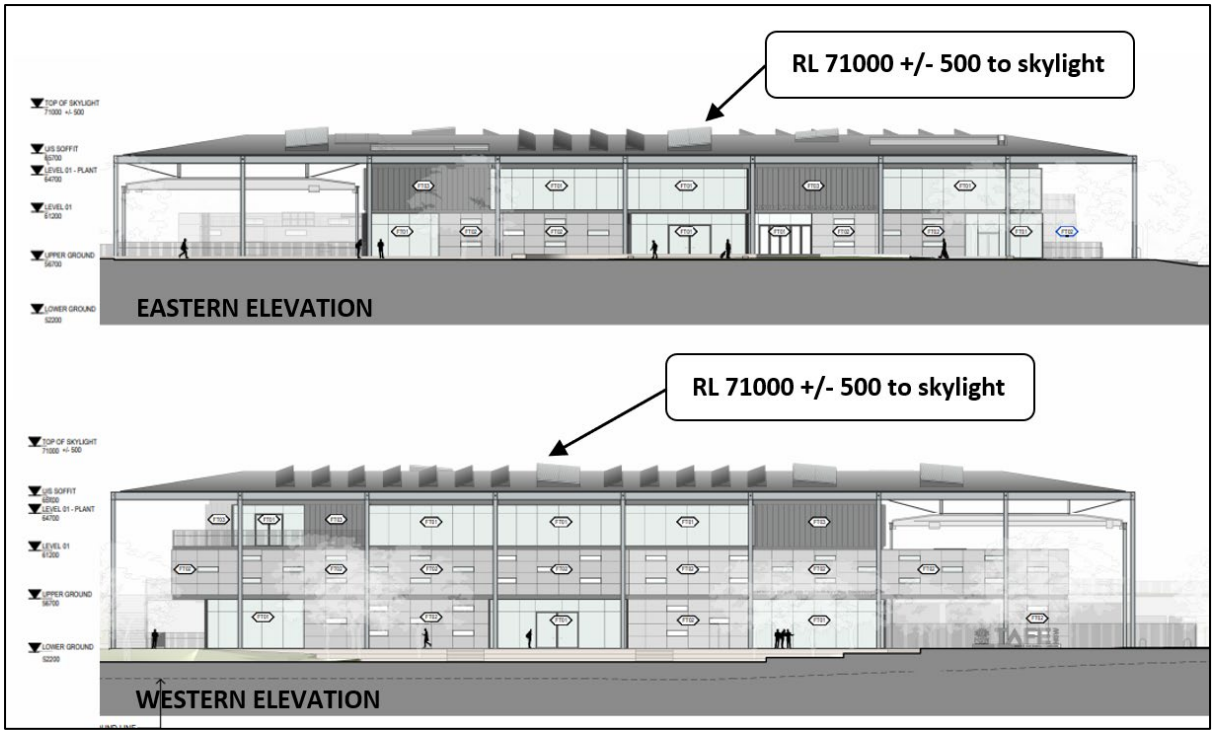


**Figure 20 |** Eastern (top) and Western (bottom) elevations of the IATC Building (Source: Applicant's RtS)

The IATC Building would be visible in public sightlines from the Great Western Highway to the north (**Figure 21**). However, it would be set back from the road by approximately 140m, would not appear taller than the nearest surrounding buildings and would retain the institutional character of the immediate area. Therefore, the proposed development would not appear as a dominant addition when viewed from the public realm.

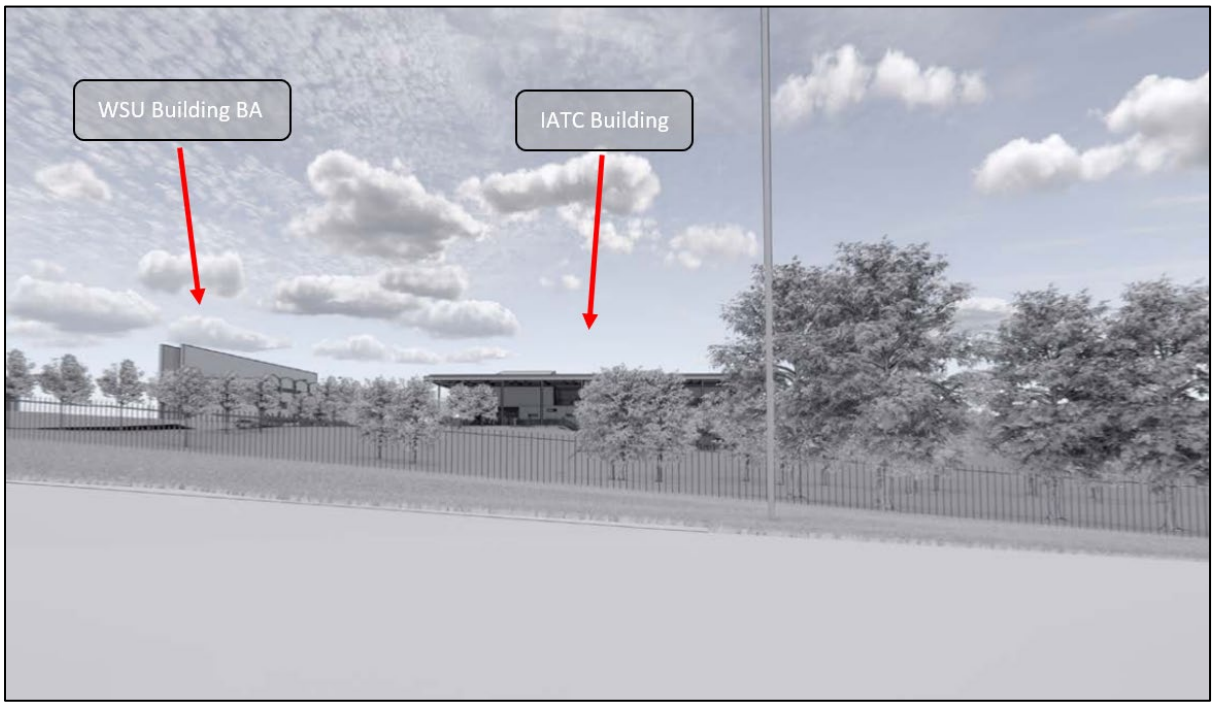


**Figure 21 |** Proposed view from Great Western Highway (Source: Applicant's RtS).

The Department has considered the proposed building height against the objectives outlined in clause 4.3 of the PLEP and is satisfied that the proposed IATC Building height would not have a detrimental impact as:

- the building is of a similar height to the existing buildings within the TAFE Campus and the WSU Werrington (South) Campus and the proposed height fits within the established and emerging character of the health and education precinct.
- the building has been sensitively designed to respond to the slope of the land.
- the proposal has balanced the reasonable developable potential of the IATC site and the need to cater for the increasing demand for TAFE enrolments in the area.
- the proposal would not have adverse heritage or amenity impacts (discussed at **Section 6.4**).

The Department concludes that the proposed building height is appropriate within the site context and would not have a detrimental impact on the surrounding area, and therefore supports the height of the building.

### Building design

The development incorporates a range of façade treatments to balance the visual impacts of the bulk and scale of the proposed IATC Building. The building is highly articulated including large rectangular openings at all levels and solid concrete panels with punched windows at lower and upper ground floor levels. The visual bulk of the building is further reduced through the inclusion of the 'floating' rooftop parasol, external colonnade, large entry forecourts, open reception areas at the east and west elevations, and double and triple-height internal spaces (**Figures 22** to **24**).

The proposed façade treatment incorporates a range of materials and finishes including concrete walls, aluminium standing seam cladding, powder-coated aluminium louvres, openable double-glazed windows, punched windows, and roof skylights. The material colour palette is neutral and complimentary in tones (**Figure 25**).

**Figure 22 |** Western entrance (left) and approach from south (right) (Source: Applicant's RtS)

**Figure 23 |** Eastern approach (left) and internal atrium space (right) (Source: Applicant's RtS).

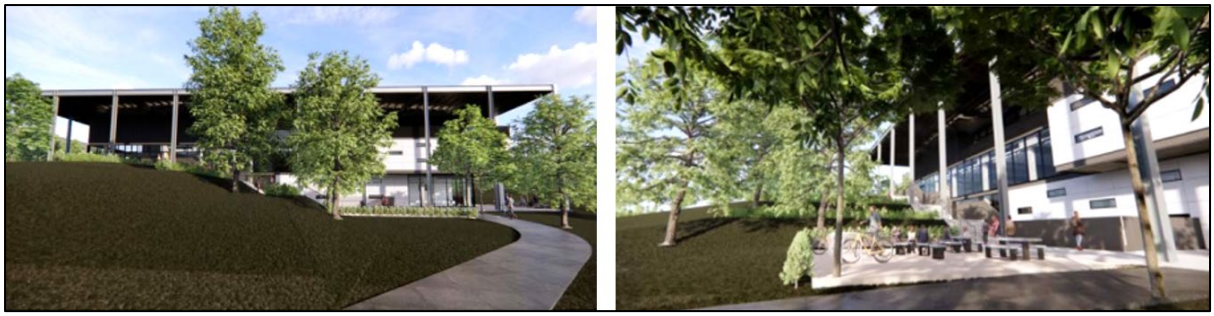

**Figure 24 |** Northern approach (left) and outdoor space integration (right) (Source: Applicant's RtS)

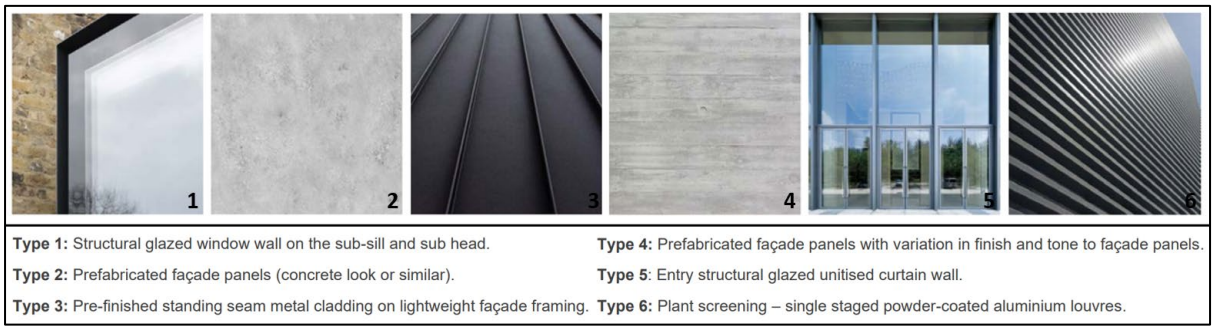


**Figure 25 |** Proposed materials and colour palette (Source: Applicant's RtS)

Council raised no concerns regarding the design of the building.

The SDRP recommended that the IATC Building be amended to provide a more integrated and welcoming arrival sequence from the TAFE Campus, further integration of the internal and external spaces along the north elevation, to capitalise on westward views from the internal glazed atrium and address thermal comfort and sun shading.

The Applicant made a number of amendments to the design of the IATC to address the SDRP recommendations, including the introduction of:

- a widened western forecourt and voids in the lower ground floor south-western elevation to strengthen the connection between the pedestrian approach and internal and external learning spaces (**Figure 22**).
- an enlarged roof overhang and reconsidered glazing positioning and ratio along the western elevation to minimise unwanted solar gain to the lower ground and first floor level internal spaces (**Figure 22**).
- additional openable glazed panels at the western elevation lower ground and ground floor levels, allowing a direct flow between the atrium and outdoor space and improving westward views (**Figure 23**).
- large formal openings to allow the northern lower ground floor level workshop to flow out to the external colonnade space, linking to a small breakout space and learning deck (**Figure 24**).

Further thermal treatment strategies will be considered during design development to reduce internal overheating, including glazing suite selections, fritted glass options, thermal louvre utilisation and air movement strategies.

The SDRP confirmed that the amendments have resulted in good design outcomes, including improved entry sequences, stronger integration of landscape with architecture, reduced massing and further articulation of the western façade, and improved northern elevation interface.

The Department has considered the design of the IATC Building and:

- supports the Applicant's design amendments.
- considers that the building successfully integrates outdoor and indoor spaces.
- considers that the building's setback would ensure the proposal would not have an overbearing impact on the street frontage.
- considers the proposed design, materials and colour palette are contextually appropriate.

Noting the above design approach, the Department concludes that the IATC Building would make a positive contribution to the health and education precinct and is acceptable.

## 6.3 Landscaping and outdoor spaces

### Tree removal and replacement planting

As existing, the IATC site contains fragmented vegetation, the majority of which consists of an exotic understorey with weed species and three rows of planted trees. The application proposes the clearing of up to 0.18ha of native and exotic vegetation including the removal of 47 trees (**Figure 26**).

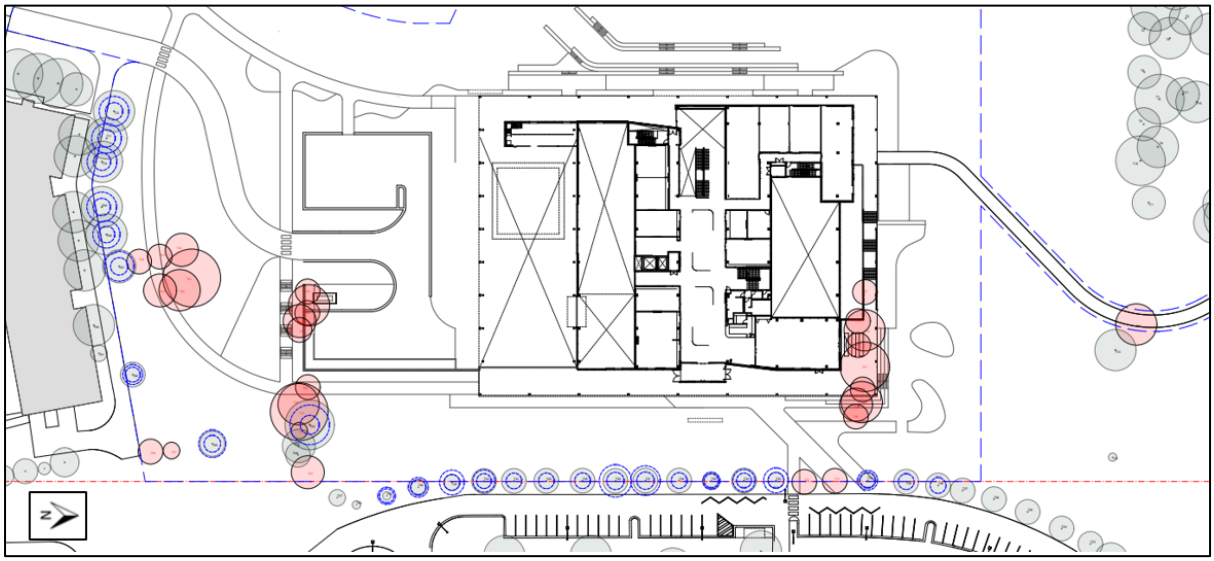

**Figure 26 |** Trees to be removed (shown in red) and to be retained and protected (shown in blue and grey) (Source: Applicant's RtS)

The proposal involves landscaping around the IATC Building and carpark to compensate for the tree removal, including the planting of 106 trees and shrubs comprised largely of native species (Cumberland Plain or NSW natives) accompanied by a small number of exotic tree species, and native and exotic shrubs, grasses and groundcovers.

The NSW Government's draft Greener Places Design Guide 2020 suggests a tree coverage target of 40 per cent in low density areas.

The Applicant's SRtS included a tree canopy assessment that identifies that the IATC site currently has a canopy coverage of 1,740sqm and the proposed tree removal would reduce the on-site canopy cover to 1,215sqm. However, this would be offset by the planting of the 106 new trees and shrubs on the site which would result in an overall canopy coverage of 8,784sqm once matured.

As discussed in **Section 4.7**, a BDAR waiver was issued for the development as EESG and the Department concluded that the development is not likely to have any significant impact on biodiversity values. EESG did not raise any objection to the proposed tree removal or impact on biodiversity and confirmed the removal of trees did not warrant a BDAR. Further, Council raised no concerns regarding the proposed tree removal, however recommended that a condition be included requiring a replacement tree planting ratio of 2:1.

The Department has considered the submissions by Council and EESG, and the information contained within the Applicant's EIS, RtS and SRtS. The Department notes that:

- due to the location of trees interspersed throughout the existing IATC site, tree removal to facilitate the redevelopment of these sites is unavoidable.
- the proposed canopy coverage of 8,784sqm would be significantly greater than the existing canopy coverage of 1,740sqm.

The Department is satisfied that the Applicant has supplied adequate justification for the removal of trees across the IATC site and that the proposed replacement planting within the site can suitably offset the removed trees. It is therefore not necessary to include a condition requiring a replacement tree planting ratio of 2:1. The Department's assessment of the proposed landscaping strategy, outdoor learning areas and connectivity works is considered below.

### Outdoor learning areas and pedestrian connectivity

In addition to the proposed tree replacement works previously discussed, the application also includes hard landscaping, outdoor learning areas and connectivity improvements for pedestrians and cyclists. The proposal includes new paving (concrete and permeable), timber decking, and formal and informal seating areas. Specifically, the application proposes:

- the following works at Lower Ground level (**Figures 27** and **29**):
    - landscaping to the north and west of the IATC Building and interspersed between the carpark and loading and waste area.
    - west-facing tiered concrete seating/steps for flexible large ground learning and events.
    - formal and informal seating areas.
    - a timber deck area providing flexible learning areas at the northern building interface.
    - pedestrian and cyclist links to the Great Western Highway to the north, and the existing TAFE Campus pathway to the south (**Figure 11**).
- the following works at Upper Ground level (**Figure 28**):
    - landscaping to the north and east of the IATC Building.
    - formal and informal seating areas, a workshop viewing area and a small group breakout area beneath the eastern colonnade.
    - a small group breakout lawn.
    - a pedestrian path connecting to the WSU Werrington (South) Campus (**Figure 11**).

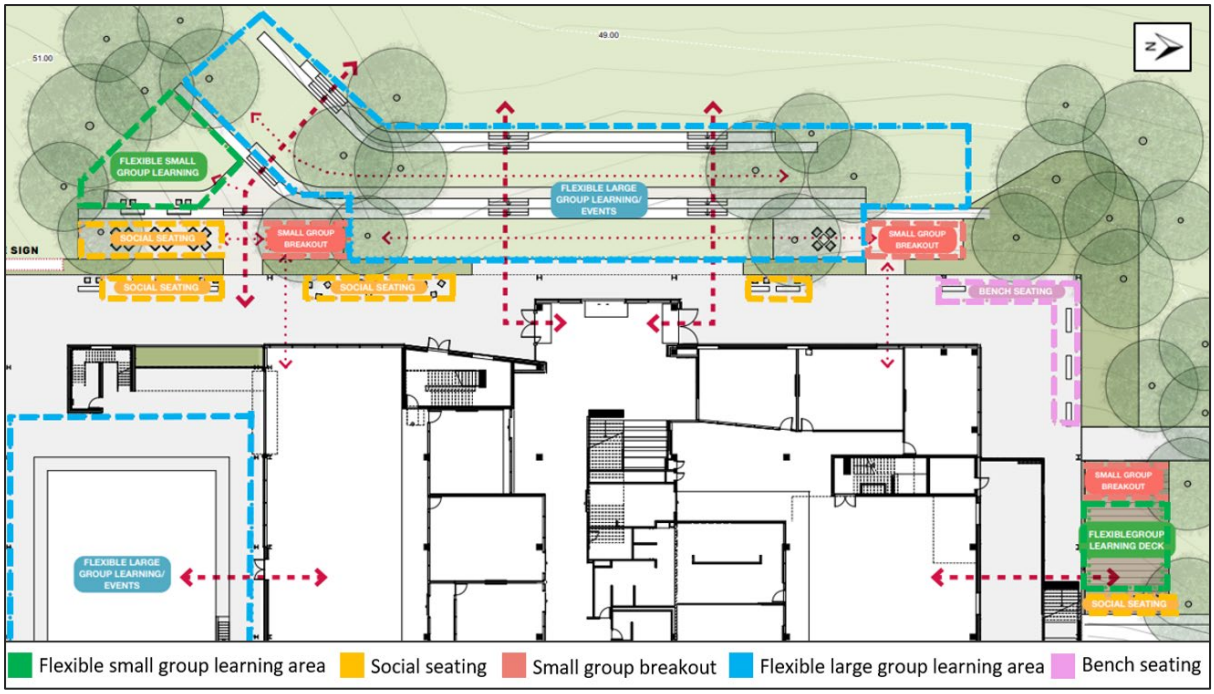


**Figure 27 |** Lower Ground Floor landscaping and outdoor learning spaces (Source: Applicant's RtS)

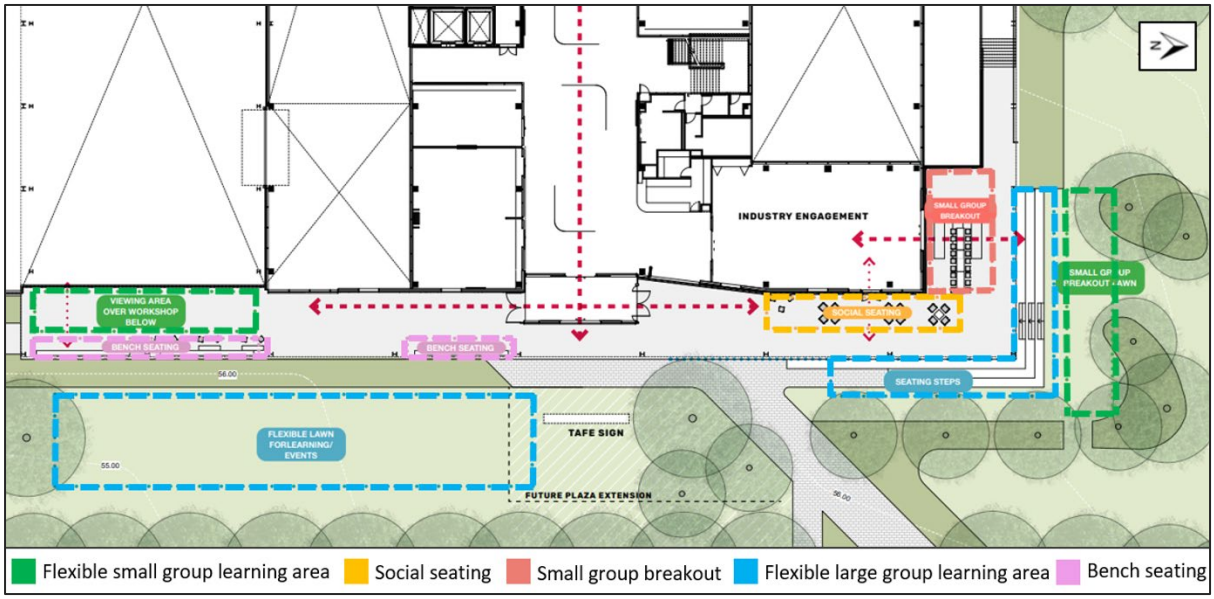


**Figure 28 |** Upper Ground Floor landscaping and outdoor learning spaces (Source: Applicant's RtS)


**Figure 29 |** Lower Ground Floor outdoor learning spaces (section) (Source: Applicant's RtS)

Council raised no concerns regarding the proposed landscaping and outdoor learning spaces. The SDRP confirmed that the proposal represents a strong integration of landscape with architecture, including visual and physical connections.

The Department has taken into considered the comments from the SDRP and the information contained within the Applicant's EIS, RtS and SRtS. Overall, the Department is satisfied that the proposed landscaping scheme for the IATC site demonstrates that the site is capable of providing a high-quality landscape outcome that would make a positive contribution to the character of the area, provide pleasant outdoor spaces for students and staff, improve pedestrian and cyclist amenity and environmental outcomes on the site and surrounding area.

## 6.4 Other issues

The Department has considered other issues in **Table 13**.

**Table 13** | Other assessment issues

| Issue | Findings | Department's consideration |
|---|---|---|
| **Noise and vibration** | A Noise and Vibration Impact Assessment (NVIA) accompanied the EIS. The NVIA establishes both construction and operation phase project noise trigger levels (PNTLs) at five surrounding sites, including at the eastern boundary with the WSU Campus and at the boundaries of four nearby residential premises.<br><br>Construction phase excavation, structural and fit-out works are not predicted to exceed the | The Department acknowledges that both the construction and operation of the development would generate some level of noise. However, the Department considers that the noise generated by the proposal is acceptable, noting |

| Issue | Findings | Department's consideration |
|---|---|---|
| | highly affected noise criteria of 75 dBA. The NVIA recommends mitigation measures to manage the noise and vibration impacts of the development, including:<br>• implementation of a site induction and training program.<br>• general construction noise control measures (e.g. scheduling, strategic selection and siting of plant, training programs, the use of noise barriers).<br>• general work practice measures (e.g. limiting of truck reversing, avoidance of tonal reverse alarms outside of standard construction hours, restriction of noisiest works to daytime period).<br>• vibration controls including use of lower impact equipment, and scheduling to avoid simultaneous high vibration activities.<br><br>Operational phase emissions from proposed fume extraction fans and electrical generators are predicted to meet the PNTLs. Following the implementation of noise propagation measures recommended in the NVIA, noise levels from the fire sprinkler pump system are also predicted to meet the PNTLs.<br><br>During normal operations, the predicted noise level for mechanical plant is 41 dBA. This exceeds the night-time PNTL of 40 dBA. However, given that the IATC Building will not operate beyond 10pm, the NVIA assumes that plant would operate at a reduced capacity during night-time hours requiring less extraction fans and ODU units. The predicted night-time noise level from the mechanical plant (38 dBA) therefore meets the PNTL.<br><br>Noise emissions from the proposed public address system and outdoor/carpark uses including balconies, industry engagement/auditorium areas, outdoor covered workshops and vehicle movements, are predicted to meet the PNTLs.<br><br>The NVIA recommends the use of operational noise management methods, including strategic selection of mechanical plant, strategic location of equipment away from sensitive receivers, and implementation of acoustic treatment including sound proofing, attenuators, louvers and mufflers, where necessary.<br><br>Noise intrusion into the IATC Building would be generated by vehicular activity along the Great Western Highway, with a critical noise level of 64 dBA at the northern IATC Building elevation identified by noise loggers. This exceeds the | that it is predicted to meet the PNTLs.<br><br>The Department considers that the glazing systems, as recommended in the NVIA, would sufficiently address noise intrusion from the Great Western Highway.<br><br>The Department has included a condition requiring that the NVIA noise management and mitigation measures be implemented and adhered to.<br><br>The Department has included a condition requiring the preparation of a Construction Noise and Vibration Management Sub-Plan, as part of a Construction Environmental Management Plan (CEMP). |

| Issue | Findings | Department's consideration |
|---|---|---|
| | recommended maximum noise intrusion for the facility of 40 dBA for internal areas and 45 dBA for external areas, as outlined within the Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning, 2008). To mitigate this exceedance, the NVIA recommends the use of either 6.38mm single laminated glazing or 6mm : 12mm : 6mm double glazing for the development. | |
| **Stormwater management** | The Applicant submitted a Civil Engineering Report accompanied by suitable MUSIC modelling, addressing stormwater requirements in accordance with Council's Stormwater Drainage Guidelines for Building Developments (2016).<br><br>The proposal does not include any on-site stormwater detention (OSD). Rather, stormwater is to be drained towards the pond/basin within the TAFE Campus.<br><br>The proposed drainage system includes the use of surface pits connected to a below ground pipe network, which would discharge stormwater to a headwall and convey flows overland towards the existing pond/basin. This would accommodate a 1 in 20-year annual recurrence interval (ARI) event. The system is designed for a critical 5% AEP storm event with overland flow catering for the 1% AEP.<br><br>To accommodate a 100-year ARI event, 70% of the roof catchment from the building would drain directly to a 60Kl rainwater harvesting tank, before overflowing to the below ground pipe network.<br><br>Connection to the Council's drainage system would be via the existing pond/basin overflow, which may require upgrade.<br><br>Proposed stormwater quality treatment includes the use of propriety filter cartridges and pit insert baskets, and the use of the rainwater tank to cater for at least 80% of the building's non-potable water demand.<br><br>To ensure that the development does not have any adverse impact on downstream drainage infrastructure and development, Council requested that a condition be included to ensure that the post-development water flows for storm events up to the 1% AEP event, match with pre-development flows. | The Department has recommended conditions requiring the development comply with the stormwater design and relevant Australian Standards and industry best practice guidance.<br><br>The Department has also included a condition requiring stormwater infrastructure be designed, in consultation with Council, to ensure that the post-development water flows for storm events up to the 1% AEP event, match with pre-development flows. |

| Issue | Findings | Department's consideration |
|---|---|---|
| **Flooding** | The Applicant submitted a Floodplain Management Report (FMR) accompanied by suitable flood modelling, addressing the flood requirements of the development in accordance with the PDCP 2014.<br><br>The proposed IATC building is not located within a nominated flood planning area, however adjacent flood affected areas include the TAFE Campus pond/basin to the north and two small areas immediately east within the WSU campus.<br><br>The 1% Annual Exceedance Probability (AEP) storm event flood planning floor level for the site is 47.65 AHD. The development would sit above this at 51.70 AHD. The building would provide adequate refuge above the probable maximum flood (PMF) level on the upper levels of the building. The development would not significantly increase the flood hazard or risk to other properties in the 1% AEP storm event.<br><br>The FMR recommends flood risk management measures including:<br>• provision of adequate stormwater infrastructure, as discussed above.<br>• installation of adequate kerbs and hops at the top of retaining walls.<br>• preparation of emergency response documentation.<br>• adoption of adequate freeboard allowance to the proposed loading dock floor level to manage any expected ponding or overland flow paths. | The Department considers the application has appropriately addressed flooding impacts, and that the proposed mitigation measures ensure that flood impacts would not pose a risk to the safety of the occupants of the IATC building.<br><br>The Department has recommended conditions requiring compliance with the management and mitigation measures recommended in the FMR. |
| **Contamination** | A Preliminary Site Investigation (PSI) accompanied the EIS. The PSI assessed the potential for site contaminants as being low due to the permeability of the silty clay fill profile, the site's historical use for rural residential and agricultural purposes, and a review of site history.<br><br>The PSI concluded that the site does not present a contamination risk of harm to human activity or any other aspect of the environment. However, as fill is present at the site, the PSI recommends the implementation of an unexpected finds protocol for future development works to enable management of any unidentified contamination, if encountered. | The Department is satisfied that the Applicant has adequately addressed clause 7 of SEPP 55 and that the IATC site is suitable for the proposed development without the need for any further remediation.<br><br>The Department has included conditions of consent requiring the provision of an unexpected finds protocol as part of the CEMP. |
| **Salinity and Acid Sulphate Soils (ASS)** | The EIS was accompanied by a Salinity Assessment and Management Plan (SAMP). | The Department considers the application has appropriately |

| Issue | Findings | Department's consideration |
|---|---|---|
| | The site is mapped within an area of 'no known occurrence of ASS', and no visual or olfactory indicators of ASS were identified during site inspections or borehole testings. The SAMP concluded that no further assessment and/or management of ASS is necessary.<br><br>Salinity was tested through the use of boreholes and soil and groundwater sampling analysis. The results demonstrate that most of the site's soils are non-saline, however there are areas of soil with slight to moderate salinity potential at deeper levels (<1m) and soils that are considered sodic to highly sodic. To manage the impact of saline soils and groundwater on the proposed development, the SAMP recommended the following:<br>• where <1m excavation is required, reuse identified subsoil as replacement filling at a similar depth to that which they were sourced and cover with soils of low or no salinity risk. Stockpiling should be minimised.<br>• avoid mixing of topsoils from across the site.<br>• where cut activities result in exposure of moderately saline and/or highly sodic soils, cover with topsoil.<br>• establish sediment and erosion controls prior to vegetation clearance and/or soil disturbance activities.<br>• appropriate design of underground water infrastructure to minimise potential future leakage to subsoils. | addressed the risks associated with saline and sodic soils.<br><br>The Department has included a condition requiring the management and mitigation measures recommended in the SAMP to be incorporated into a Construction Soil and Water Management Sub-Plan, to form part of the CEMP. |
| **Bicycle and end-of-trip facilities** | The Department notes the PDCP 2014 requires the provision of bicycle parking at a rate of 3-5% of staff, 5-10% of full-time students and 5-10% of staff for visitors. By 2030, the IATC will accommodate a maximum number of 441 students and 39 staff onsite at any one time, resulting in the requirement for 26 bicycle parking spaces.<br><br>The proposal includes the provision of 26 secure bicycle parking spaces, and end-of-trip facilities at lower ground floor level including:<br>• two change rooms, each with two showers.<br>• one accessible shower cubicle.<br>• 30 lockers.<br><br>Following review of the RtS and SRtS, TfNSW raised no concerns with regard to the bicycle or end-of-trip facilities proposed. | The Department supports the proposed bicycle parking and end-of-trip facilities, noting:<br>• they form part of the sustainable transport measures facilitating the mode share shift away from private car use.<br>• the proposal provides 26 bicycle parking spaces, as required by the PDCP 2014.<br>• end-of-trip facilities are adequate and conveniently located to the secure bicycle parking areas.<br><br>The Department has included a condition requiring the provision of the bicycle parking and end-of-trip facilities. |

| Issue | Findings | Department's consideration |
|---|---|---|
| **Signage** | The application proposes 13 signage panels, comprised of:<br>• 3 x at-grade signage panels located at the TAFE Campus southern vehicular entry at O'Connell Street and the eastern and western entrances of the IATC Building. The signs would be comprised of up-lit freestanding individual corten steel fabricated letters set on a concrete plinth (spelling 'TAFE NSW'), measuring 1.9m tall and 8.2m wide.<br>• 1 x vehicle directional signage totem pylon located at the southern entrance to the IATC carpark, measuring 3.7m tall and 0.8m wide.<br>• 7 x pedestrian directional signage totem pylons located around the periphery of the IATC Building and carpark, measuring 3m tall and 0.6m wide.<br>• 2 x wall-mounted façade signs located above the eastern and western elevation primary entrances, comprised of individually applied letters (spelling 'Institute of Applied Technology for Construction') and measuring 0.5m tall and 16.3m wide. | The Department considers the proposed signage to be appropriate in terms of its location, dimensions and proposed illumination. The signage would not result in an adverse glare or disturbance to the surrounding area.<br>The Department has included conditions requiring signage illumination to be in accordance with the relevant Australian Standards and directed away from any adjacent residential properties. |
| **Aboriginal cultural heritage** | The application includes an ACHAR, which incorporates an archaeological field survey and archaeological test excavations to determine the site's potential to contain Aboriginal archaeological remains.<br>The ACHAR concludes that there are no known Aboriginal archaeological sites across the project area, and therefore the proposal would not impact any identified Aboriginal cultural heritage values.<br>The ACHAR recommends the implementation of unexpected 'chance find' and human remains procedures to manage archaeological finds, ongoing consultation with Registered Aboriginal Parties and the inclusion of an Aboriginal Cultural Heritage induction as part of the CEMP.<br>HNSW ACH confirmed that the ACHAR satisfies the requirements of an Aboriginal Cultural Heritage Assessment. In addition to the conditions recommended within the ACHAR, HNSW ACH recommends that Aboriginal cultural heritage interpretation is incorporated into the final design of the development through the preparation of an Aboriginal Cultural Heritage Interpretation Strategy and Implementation Plan. This would guide how the | The Department agrees with the conclusions of the ACHAR and the advice provided by HNSW ACH with regard to the ACHAR.<br>The Department has conditioned the Aboriginal archaeological management and mitigation measures recommended within the ACHAR.<br>The Department acknowledges that the design of the development is largely finalised, and there is limited opportunity for continued design evolution. However, the Department agrees with HNSW ACH that there are opportunities for the incorporation of Aboriginal cultural interpretation into the final development. The Department has therefore included a condition requiring the Applicant to consult with Registered Aboriginal Parties to determine how a public art strategy for the site can |

| Issue | Findings | Department's consideration |
|---|---|---|
| | public art strategy could incorporate Aboriginal cultural heritage. | incorporate Aboriginal cultural heritage interpretation. |
| **Archaeological heritage** | The EIS was accompanied by a Heritage Impact Statement (HIS), which determines the potential heritage impact of the proposal.<br><br>The HIS notes that development site is not a listed heritage item and is not located in a conservation area. There are a small number of heritage items located in the broader vicinity of the site, however these are not within close proximity to the proposed IATC Building.<br><br>The HIS concludes that the broader vicinity heritage items are located at such a distance that the proposal would not result in any adverse physical or visual adverse heritage impacts. | The Department agrees with the conclusions of the HIS. No additional conditions or amendments are necessary. |
| **Public art** | The Application includes consideration of public art, including suggestions of how a public art plan could be developed for inclusion into the IATC development. While the strategy has not been finalised, the outline strategy may involve the display of permanent works, temporary exhibitions incorporating the work of TAFE NSW Visual Arts at Nepean students, as well as public opening of exhibitions. | The Department acknowledges the contribution that public art makes to placemaking, providing an opportunity to play a positive role in improving the public experience of buildings and spaces.<br><br>The Department has included a condition requiring the preparation of a public art strategy. The development of the strategy must involve consultation with Registered Aboriginal Parties to determine how it can incorporate Aboriginal cultural heritage interpretation, as discussed above. |
| **Development contributions** | Council's Werrington Enterprise Living and Learning Precinct Development Contributions Plan 2008 (Contributions Plan) applies to development within the WSU and TAFE South Werrington sub-precinct. The purpose of the Contributions Plan is to raise funds for the provision of open space and recreational facilities. The Contributions Plan does not specifically exclude educational establishments from the payment of section 94 contributions.<br><br>The Applicant seeks an exemption from the Contributions Plan stating that as the proposed development relates to social infrastructure provided by a public authority it should not be subject to the levying of contributions. | The Department notes that the provision of new TAFE facilities is a significant public benefit.<br><br>Noting the purpose of the Contributions Plan, the Department considers that the proposed development does not require the payment of a developer contributions under section 7.12 of the EP&A Act.<br><br>No additional conditions or amendments are necessary. |

| Issue | Findings | Department's consideration |
|---|---|---|
| **Environmental amenity** | The closest residential properties to the IATC Building are located on the opposite side of the Great Western Highway, approximately 380m to the north,<br><br>No objections were received from the public with regard to the proposed development.<br><br>During the winter solstice, the IATC Building would overshadow surrounding open spaces and part of the WSU Campus. However, the impact is minimised due to the low rise of the building resulting from its design within the topography of the site. Specifically, overshadowing would affect the external learning areas to the west of the building between 9am-11am, and the eastern building entry and a small portion of the WSU Campus adjacent to the site boundary between 2pm-4pm. | Given the distance between the IATC Building and neighbouring residential properties, the Department considers that the proposal would not have an adverse impact on residential amenity in terms of overshadowing, overlooking, loss of private views or noise disturbance.<br><br>The Department is satisfied that the development would not significantly overshadow any areas of passive open space within the TAFE Campus or the adjoining WSU Campus.<br><br>No additional conditions or amendments are necessary. |

## 6.5 Public interest

The Department is satisfied that the proposal would be in the public interest. The proposal would benefit the community as it would provide for new TAFE facilities including contemporary teaching and learning facilities with adaptable and collaborative learning spaces that would improve learning outcomes. The proposal would result in direct investment in the area of $75,139,463 and is predicted to generated 231 FTE construction jobs and support 68 full-time and 20 casual ongoing operational jobs.

Overall, it is considered that the proposal would have acceptable environmental impacts subject to the recommended conditions of consent.

# 7 Evaluation

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

The Department considers that the proposal should be approved as it would provide benefit for the community by delivering contemporary TAFE teaching and learning facilities, and is predicted to generate 231 FTE construction jobs and 68 full-time and 20 casual ongoing jobs during operation. Overall, the Department concludes the impacts of the development are acceptable and can be appropriately managed or mitigated through the implementation of recommended conditions of consent. Consequently, the Department considers the development is in the public interest and should be approved, subject to conditions.

The Department considers the key issues to be traffic and transport, site suitability, built form, tree removal, landscaping and outdoor spaces.

Overall, the proposal would not have a significant adverse impact on the local traffic network or surrounding key intersections, subject to upgrade works where necessary, prior to the commencement of operation. The Applicant has demonstrated that the proposed travel mode share is attainable subject to the implementation of the recommended sustainable transport measures and the Department's conditions of consent.

Noting the mode share shift away from private car use, and subject to the Green Travel Plan, sufficient staff and student car parking would be provided on the site. The proposal would improve connections to the existing shared pathway on the southern side of the Great Western Highway for cyclists and pedestrians, and existing pedestrian routes to/from the site are considered to be convenient, safe and efficient.

The operation of the IATC Building would have minimal operational noise impacts on the adjacent WSU Werrington Campus and nearby residential properties. The Department has recommended operational noise conditions requiring the Applicant's noise management and mitigation measures be implemented. The proposal would not have any substantial amenity impacts in terms of overshadowing, overlooking or loss of views.

The Department considers that the proposed hours of construction are acceptable. The proposal includes appropriate management and mitigation measures that would ensure construction impacts on surrounding properties and the TAFE Campus are minimised.

The proposal demonstrated that the removal of 47 trees is unavoidable and justified in this instance. In addition, the Department concluded, subject to conditions regarding tree retention, replacement and protection, the overall proposal's biodiversity and tree strategy for the site is acceptable.

The height of the IATC Building appropriately responds to the site and the existing heights of buildings within the TAFE Campus and the adjacent WSU Werrington Campus. The design of the IATC Building would make a positive contribution to the locality and is acceptable.

# 8 Recommendation

It is recommended that the Director, Social and Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report.
- **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.
- **grants consent** for the application in respect of TAFE NSW Institute of Applied Technology for Construction (SSD-8571481), subject to the conditions in the attached development consent.
- **signs** the attached development consent and recommended conditions of consent (**Appendix C**).

**Recommended by:**

**Nathan Stringer**
Senior Planning Officer
Social Infrastructure

**Recommended by:**

**Megan Fu**
A/Team Leader
Social Infrastructure

# 9 Determination

The recommendation is **adopted** by:

21 September 2021

**David Gibson**
A/Director
Social and Infrastructure Assessments

# Appendices

## Appendix A – List of referenced documents

1. **Environmental Assessment**

   https://www.planningportal.nsw.gov.au/major-projects/project/38196

2. **Submissions**

   https://www.planningportal.nsw.gov.au/major-projects/project/38196

3. **Response to Submissions**

   https://www.planningportal.nsw.gov.au/major-projects/project/38196

4. **Additional Information and Supplementary Response to Submissions**

   https://www.planningportal.nsw.gov.au/major-projects/project/38196

## Appendix B – Statutory Consideration

To satisfy the requirements of section 4.15(a)(i) of the EP&A Act, this report includes references to the provisions of the Environmental Planning Instruments (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 (State and Regional Development) 2011 (SRD SEPP).
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP).
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55).
- State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64).
- Draft State Environmental Planning Policy (Remediation of Land).
- Penrith Local Environmental Plan 2010 (PLEP).

### State Environmental Planning Policy (State and Regional Development) 2011

**Table B1** | SRD SEPP compliance table

| Relevant Sections | Consideration and Comments | Complies |
|---|---|---|
| **3 Aims of Policy**<br>The aims of this Policy are as follows:<br>(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**<br>(1) Development is declared to be State significant development for the purposes of the Act if:<br>(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<br>(b) the development is specified in Schedule 1 or 2. | The proposed development is permissible with development consent and the proposal is for the purpose of an educational establishment with a capital investment value (CIV) in excess of $30 million, under clause 15(3) of Schedule 1. | Yes |

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

The Education SEPP standardises 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 construction requirements. The application has been assessed against the relevant provisions of the Education SEPP.

Part 6 of the Education SEPP sets out the specific development controls relating to TAFE establishments and clause 52 includes requirements for TAFE development permitted with consent. An assessment of the development against clause 52 is provided at **Table B2**.

**Table B2** | Education SEPP compliance table

| Requirement | Department's Consideration |
|---|---|
| (1) Development for the purpose of a TAFE establishment may be carried out by any person with development consider on land in a prescribed zone. | The TAFE Campus is located on land zoned SP2 Infrastructure, which is a prescribed zone. |
| (2) Development for a purpose specified in clause 56(1) may be carried out by any person with development consent on land within the boundaries of an existing TAFE establishment. | Not applicable. The development is not to be carried out as 'complying development'. |
| (3) Development for the purpose of a TAFE establishment may be carried out by any person with development consent on land that is not in a prescribed zone if it is carried out on land within the boundaries of an existing TAFE establishment. | Not applicable – refer to response to clause 52(1). |
| (4) A TAFE establishment (including any part of its site and any of its facilities) may be used, with development consent, for the physical, social, cultural or intellectual development or welfare of the community, whether or not it is a commercial use of the establishment. | The Applicant does not propose the IATC Building to be available for community use. In addition, the carpark would not be available for public use. |
| (5) Subclause (3) does not require development consent to carry out development on land if that development could, but for this Policy, be carried out on that land without development consent. | Not applicable – clause 52(3) does not apply. |
| (6) Development for the purpose of a centre-based child care facility may be carried out by any person with development consent on land within the boundaries of an existing TAFE establishment. | Not applicable – the proposal does not seek approval for a child care facility. |
| (7) Development for the purpose of residential accommodation for students that is associated with a TAFE establishment may be carried out by any person with development consent on land within the boundaries of an existing TAFE establishment. | Not applicable – the proposal does not seek approval for a student accommodation. |

### 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.

As detailed at **Section 6.4**, the Department is satisfied that the Applicant has adequately demonstrated that the site is suitable for use as an educational establishment as required by SEPP 55.

### Draft State Environmental Planning Policy (Remediation of Land)

The Department is reviewing all State Environmental Planning Policies to ensure they remain effective and relevant and SEPP 55 has been reviewed as part of that program. The Department has published the draft Remediation of Land State Environmental Planning Policy (Remediation SEPP), which was exhibited until April 2018.

Once adopted, the Remediation SEPP will retain elements of SEPP 55, and add the following provisions to establish a modern approach to the management of contaminated land:

- 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.
- require environmental management plans relating to post-remediation management or ongoing management of on site to be provided to Council.

The new SEPP will not include any strategic planning objectives or provisions. Strategic planning matters will instead be dealt with through a direction under Section 117 of the EP&A Act. As detailed at **Section 6.4**, the Department is satisfied that the Applicant has adequately demonstrated that the site is suitable for use as an educational establishment as required by SEPP 55.

### State Environmental Planning Policy No. 64 – Advertising and Signage

SEPP 65 applies to all signage that under an EPI can be displayed with or without development consent and is visible from any public space or public reserve.

The development includes the provision of 13 signs. 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 assessment criteria that are contained in Schedule 1. The Department has considered the proposal against SEPP 64 assessment criteria at **Table B3**.

**Table B3** | SEPP 64 compliance table

| Assessment Criteria | Department's Consideration | Complies |
|---|---|---|
| 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 proposal is compatible with the existing character of the area and is not expected to have any adverse impacts. | Yes |

| | | |
|---|---|---|
| Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? | There are no relevant themes for outdoor advertising in the area. | 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 site is not located within an environmentally sensitive areas and does not contain a heritage item. The signs would not detract from the amenity or visual quality of the surrounding area. | Yes |
| 3 Views and vistas | | |
| Does the proposal obscure or compromise important views? | The signs are either attached to the IATC Building or free-standing and set within the proposed landscaped areas. The proposal would not obscure or compromise any important views. | Yes |
| Does the proposal dominate the skyline and reduce the quality of vistas? | The signs would not dominate the skyline or reduce the quality of vistas. | Yes |
| Does the proposal respect the viewing rights of other advertisers? | The signs are not proposed in proximity to any other advertisements and would therefore not impact on the viewing rights of other advertisers. | Yes |
| 4 Streetscape, setting or landscape | | |
| Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? | The signs are modest for the size of the site and would not detract from the character of the streetscape or setting. | Yes |
| Does the proposal contribute to the visual interest of the streetscape, setting or landscape? | The proposed signs would be of a high quality and would complement the built form. | Yes |
| Does the proposal reduce clutter by rationalising and simplifying existing advertising? | The signs are simple in design and would not result in visual clutter. | Not applicable. |
| Does the proposal screen unsightliness? | Not applicable. | Not applicable. |
| Does the proposal protrude above buildings, structures or tree canopies in the area or locality? | The signs would not protrude above any buildings, structures or tree canopies. | Yes |

| | | |
|---|---|---|
| Does the proposal require ongoing vegetation management? | No ongoing vegetation management is needed. | 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 signs are compatible with the scale and proportion of the proposed development. | Yes |
| Does the proposal respect important features of the site or building, or both? | The proposed size of the signs is modest and respect the design of the building and wider TAFE campus. | Yes |
| Does the proposal show innovation and imagination in its relationship to the site or building, or both? | The purpose of the signs is to identify the site/building and assist with wayfinding. The signs are visually interesting. | 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? | Lighting and logos are designed as an integral part of the signage. | Yes |
| **7 Illumination** | | |
| Would illumination result in unacceptable glare?<br><br>Would illumination affect safety for pedestrians, vehicles or aircraft? | The TAFE identification signs fronting O'Connell Street and at the eastern and western entrances to the IATC Building would be up-lit. The lighting would be directed to ensure there will be no adverse impacts on nearby sensitive receivers. | Yes |
| Would illumination distract from the amenity of any residence or other form of accommodation? | No. | Yes |
| Can the intensity of the illumination be adjusted, if necessary? | No. | Yes |
| Is the illumination subject to a curfew? | No. The Department does not consider a curfew is necessary given the uplighting of the TAFE identification signage would not have adverse amenity impacts. | Yes |
| **8 Safety** | | |
| Would the proposal reduce safety for pedestrians, particularly children, by obscuring sightlines from public areas? | The signage is located wholly within the site and would not reduce safety or obscure sightlines from public areas. | Yes |

| | | |
|---|---|---|
| Would the proposal reduce safety for any public road? | The proposed signage is set back from the roadway and would not reduce road safety. | Yes |

### Penrith Local Environmental Plan (PLEP) 2010

The PLEP 2010 aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the Penrith City LGA. The PLEP also aims to foster economic, environmental and social well-being and promote development that is appropriate to its context and enhances the amenity of the Penrith community and environment.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the PLEP 2010 and matters raised by Council in its assessment of the development (see **Section 5**). The Department concludes the development is consistent with the relevant provisions of the PLEP 2010. Consideration of the relevant clauses of the PLEP 2012 is provided in **Table B4**.

**Table B4** | Consideration of the PLEP 2010

| PLEP 2010 | Department's Consideration |
|---|---|
| Clause 2.1 Land use zones | The proposed Educational Establishment use is permissible with development consent in the SP2 Educational Establishment zone. |
| Clause 4.3 Height of buildings | There is no height of building standard that applies to the site. |
| Clause 4.4 Floor space ratio | There is no floor space ratio development standard that applies to the site. |
| Clause 5.3 Development near zone boundaries | The adjacent WSU Werrington site is zoned B7 Business Park. The development does not propose the carrying out of any development in the adjoining zone. |
| 5.10 Heritage conservation | The site is not a heritage item or within a heritage conservation area. The Department considered the potential heritage impacts of the development in **Section 6.4** and is satisfied the proposal would not result in any adverse outcomes for heritage conservation. |
| Clause 5.21 Flood planning | This clause provides that the consent authority must be satisfied that the development is compatible with the flood function and behaviour of the land, will not adversely affect flood behaviour resulting in adverse impacts on other development or properties, incorporates measures to manage risk, and will not significantly impact the environment.<br><br>The Department has considered flooding impacts in detail in **Section 6.4** and is satisfied that subject to conditions, the development will not result in unacceptable flood risk. |

| PLEP 2010 | Department's Consideration |
|---|---|
| Clause 7.1 Earthworks | The clause provides that the consent authority must consider the likely disruption of earthworks on drainage patterns and soil stability, future use and redevelopment of the land, the quality of excavated soil or fill, the likelihood of disturbing relics, the effects of earthworks on waterways, drinking water catchments and neighbouring amenity, and appropriate measures to mitigate the impacts of development.<br><br>The Department has considered the impacts of the proposed earthworks in detail in **Section 6.4** and is satisfied that subject to conditions, the development is acceptable. |
| Clause 7.4 Sustainable development | The clause provides that the consent authority must have regard to the principles of sustainable development as they relate to the development based on a "whole of building" approach.<br><br>The Department has considered the principles of sustainable development in its assessment of the proposal (see **Section 4.7**), and is satisfied that subject to conditions, the development is acceptable. |
| Clause 7.6 Salinity | The clause provides that the consent authority must consider whether the development is likely to have an impact on salinity processes or whether salinity is likely to have an impact on the development, and appropriate measures to avoid or reduce those impacts.<br><br>The Department has considered salinity impacts in detail in **Section 6.4** and is satisfied that subject to conditions, the development will not result in unacceptable salinity impacts. |
| Clause 7.7 Servicing | The clause provides that the consent authority must be satisfied that the development will be connected to a reticulated water supply, will have adequate facilities for the removal and disposal of sewage, and that the need for public amenities or services has been or will be met.<br><br>The Department has considered the servicing implications of the development in detail in **Section 6.4** and is satisfied that subject to conditions, the development is acceptable. |

### Development control plans

In accordance with Clause 11 of the SRD SEPP, development control plans do not apply to SSD.

## Appendix C – Recommended Instrument of Consent