

# *St Anthony of Padua Catholic School Redevelopment*

*State Significant  
Development Assessment  
(SSD-8865)  
April 2020*



April 2020

© Crown Copyright, State of NSW through its Department of Planning, Industry and Environment 2020

### **Cover photo**

Main entrance to school from Eleventh Avenue (source: Applicant's Supplementary Response to Submissions)

### **Disclaimer**

While every reasonable effort has been made to ensure this document is correct at time of printing, the State of NSW, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance or upon the whole or any part of this document.

### **Copyright notice**

In keeping with the NSW Government's commitment to encourage the availability of information, you are welcome to reproduce the material that appears in Catholic School Redevelopment Assessment Report. This material is licensed under the Creative Commons Attribution 4.0 International (CC BY 4.0). You are required to comply with the terms of CC BY 4.0 and the requirements of the Department of Planning, Industry and Environment. More information can be found at: <http://www.planning.nsw.gov.au/Copyright-and-Disclaimer>.



# Glossary

| Abbreviation       | Definition                                                                                      |
|--------------------|-------------------------------------------------------------------------------------------------|
| AAR                | Acoustic Assessment Report                                                                      |
| ACHAR              | Aboriginal Cultural Heritage Assessment Report                                                  |
| CIV                | Capital Investment Value                                                                        |
| Consent            | Development Consent                                                                             |
| Council            | Liverpool City Council                                                                          |
| CPW                | Cumberland Plain Woodland                                                                       |
| Department         | Department of Planning, Industry and Environment                                                |
| Education SEPP     | State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 |
| EESG               | Environment, Energy and Science Group                                                           |
| EIS                | Environmental Impact Statement                                                                  |
| EPA                | Environment Protection Authority                                                                |
| EP&A Act           | <i>Environmental Planning and Assessment Act 1979</i>                                           |
| EP&A Regulation    | Environmental Planning and Assessment Regulation 2000                                           |
| EPBC Act           | <i>Environment Protection and Biodiversity Conservation Act 1999</i>                            |
| EPI                | Environmental Planning Instrument                                                               |
| ESD                | Ecologically Sustainable Development                                                            |
| GANSW              | Government Architect NSW                                                                        |
| GSC                | Greater Sydney Commission                                                                       |
| Growth Centre SEPP | State Environmental Planning Policy (Sydney Regional Growth Centres) 2006                       |
| GTP                | Green Travel Plan                                                                               |
| ICNG               | Interim Construction Noise Guideline                                                            |
| ILP                | Indicative Layout Plan                                                                          |
| Liverpool DCP      | Liverpool Growth Centre Precincts Development Control Plan 2013                                 |
| LoS                | Level of Service                                                                                |
| Minister           | Minister for Planning and Public Spaces                                                         |
| OTAMP              | Operational Traffic and Access Management Plan                                                  |
| RAP                | Remedial Action Plan                                                                            |
| RL                 | Relative level                                                                                  |
| RtS                | Response to Submissions                                                                         |
| SEARs              | Planning Secretary's Environmental Assessment Requirements                                      |
| Planning Secretary | Planning Secretary of the Department of Planning, Industry and Environment                      |
| SEPP               | State Environmental Planning Policy                                                             |

|             |                                                                           |
|-------------|---------------------------------------------------------------------------|
| SIC         | Special Infrastructure Contributions                                      |
| SRD SEPP    | State Environmental Planning Policy (State and Regional Development) 2011 |
| SRtS        | Supplementary Response to Submissions                                     |
| SSD         | State Significant Development                                             |
| SWGA        | South West Growth Area                                                    |
| TfNSW       | Transport for NSW                                                         |
| TfNSW (RMS) | Transport for NSW (Roads and Maritime Services)                           |
| TIA         | Traffic Impact Assessment Report                                          |



## Executive Summary

This report provides an assessment of a State significant development (SSD) application for the redevelopment of an existing school, St Anthony of Padua Catholic School (SSD-8865) located at Eleventh Avenue, Austral. The Applicant is Sydney Catholic School and the proposal is located within the Liverpool local government area (LGA).

The existing school is small in scale and was approved as a local development in 2016 and currently operates as a primary school with 300 students. It occupies a part of the site fronting Eleventh Avenue. The proposal is a concept development application for the redevelopment of the existing school in three stages comprising:

- a Concept Proposal for the maximum building envelopes of the new school buildings, childcare centre, church, a trade training centre, an indoor recreation centre, and the site masterplan with site access, car parking and landscaped areas to accommodate 2480 students and 200 staff.
- stage 1 works for the design, construction and use of the new school buildings, indoor recreation centre, car parking, site access and landscaping works to accommodate 2280 school students, a 125-place childcare centre and 200 staff members in six construction phases.

The Applicant proposes to undertake the detailed design, construction and operation of the church and the trade centre in future Stages 2 and 3 (not included in the scope of this application).

The Department of Planning, Industry and Environment (the Department) considers the application is consistent with the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act) including ecologically sustainable development and the Greater Sydney Commission's Western City District Plan. The Department is satisfied that the site is suitable for the proposed new buildings and would provide new and improved educational facilities for the existing and future users of the site. The Department is satisfied that the key issues (built form and urban design, landscaping, and traffic and parking) were satisfactorily considered by the Applicant and found to be acceptable with the inclusion of environmental mitigation measures and recommended conditions of consent.

The proposed built form has been designed to fit within the context of the future character of the area. The built form would be complemented by the landscaping on the site and positively contribute to the surrounding locality.

The Applicant proposes the delivery of road infrastructure (road upgrades, roundabouts and road widening) surrounding the site to ensure that the local traffic network can accommodate the future school traffic. The Department considers that the proposed school would not result in unacceptable traffic impacts on the locality and includes sufficient on-site car parking and drop-off / pick-up facilities.

The Department concludes the proposal is in the public interest and recommends that the application be approved subject to conditions.

The proposal has a Capital Investment Value (CIV) of \$153 million and would generate an estimated 139 construction jobs and 200 new operational jobs. The proposal is SSD under clause 4.36 of the State and Environmental Planning Policy (State and Regional Development) 2011, as it is development for the purpose of alterations or additions to an existing school with a CIV of more than \$20 million. Therefore, the Minister for Planning and Public Spaces is the consent authority.

The application was publicly exhibited between Thursday 22 November 2018 and Wednesday 19 December 2018. The Department received a total of eight submissions, including seven from public authorities, and one comment from the public. The key issues raised in the submissions included: traffic impacts; noise impacts; soil remediation; infrastructure upgrades and development contributions.

In response to the submissions, the Applicant's Response to Submissions (RtS) and supplementary RtS included a number of amendments to the proposal including clarification of the proposed uses within the site, amendments to the design of the buildings, detailed traffic and noise assessment with amendments to the proposed roadworks and the proposed intersection upgrade works, and the overall landscaping for the site. The RtS proposed to delete an allotment from the site description resulting in an amended boundary for the site. An additional eight submissions from public authorities were received in response to the Applicant's Response to Submissions (RtS) raising no further concerns regarding the proposal, subject to recommended conditions of consent.



# Contents

|                                                                        |            |
|------------------------------------------------------------------------|------------|
| <b>Glossary .....</b>                                                  | <b>iii</b> |
| <b>Executive Summary .....</b>                                         | <b>v</b>   |
| <b>1. Introduction .....</b>                                           | <b>1</b>   |
| 1.1 Site description .....                                             | 1          |
| 1.2 Surrounding development .....                                      | 4          |
| <b>2. Project .....</b>                                                | <b>6</b>   |
| 2.1 Project Overview .....                                             | 6          |
| 2.2 Concept Proposal .....                                             | 10         |
| 2.3 Stage 1 works .....                                                | 11         |
| 2.3.1 Physical layout and design .....                                 | 11         |
| 2.3.2 Uses and activities in Stage 1 .....                             | 17         |
| 2.3.3 Construction Staging and Timing .....                            | 17         |
| <b>3. Strategic Context.....</b>                                       | <b>20</b>  |
| 3.1 Project Need and Justification .....                               | 20         |
| 3.2 Strategic Context .....                                            | 20         |
| <b>4. Statutory Context .....</b>                                      | <b>21</b>  |
| 4.1 State Significant Development .....                                | 21         |
| 4.2 Permissibility .....                                               | 21         |
| 4.3 Other approvals .....                                              | 21         |
| 4.4 Mandatory matters for consideration .....                          | 22         |
| 4.4.1 Environmental Planning Instruments.....                          | 22         |
| 4.4.2 Objects of the EP&A Act.....                                     | 22         |
| 4.4.3 Ecologically sustainable development.....                        | 24         |
| 4.4.4 Environmental Planning and Assessment Regulation 2000 .....      | 24         |
| 4.4.5 Planning Secretary's Environmental Assessment Requirements ..... | 25         |
| 4.4.6 Section 4.15(1) matters for consideration .....                  | 25         |
| 4.4.7 Biodiversity Conservation Act 2016.....                          | 26         |
| <b>5. Engagement.....</b>                                              | <b>27</b>  |

|           |                                                               |           |
|-----------|---------------------------------------------------------------|-----------|
| 5.1       | Department's Engagement.....                                  | 27        |
| 5.2       | Summary of Submissions.....                                   | 27        |
| 5.2.1     | Public authority submissions .....                            | 27        |
| 5.2.2     | Public submissions .....                                      | 30        |
| 5.3       | Response to Submissions .....                                 | 30        |
| 5.4       | Supplementary Response to Submissions.....                    | 32        |
| <b>6.</b> | <b>Assessment .....</b>                                       | <b>33</b> |
| 6.1       | Built form and urban design.....                              | 33        |
| 6.2       | Landscaping, tree removal, earthworks .....                   | 42        |
| 6.3       | Traffic and Transport .....                                   | 47        |
| 6.4       | Other Issues .....                                            | 60        |
| <b>7.</b> | <b>Evaluation .....</b>                                       | <b>68</b> |
| <b>8.</b> | <b>Recommendation .....</b>                                   | <b>69</b> |
| <b>9.</b> | <b>Determination .....</b>                                    | <b>69</b> |
|           | <b>Appendices .....</b>                                       | <b>70</b> |
|           | Appendix A – List of Documents.....                           | 70        |
|           | Appendix B – Statutory Considerations .....                   | 71        |
|           | Appendix C – Recommended Instrument of Consent/Approval ..... | 84        |





# 1. Introduction

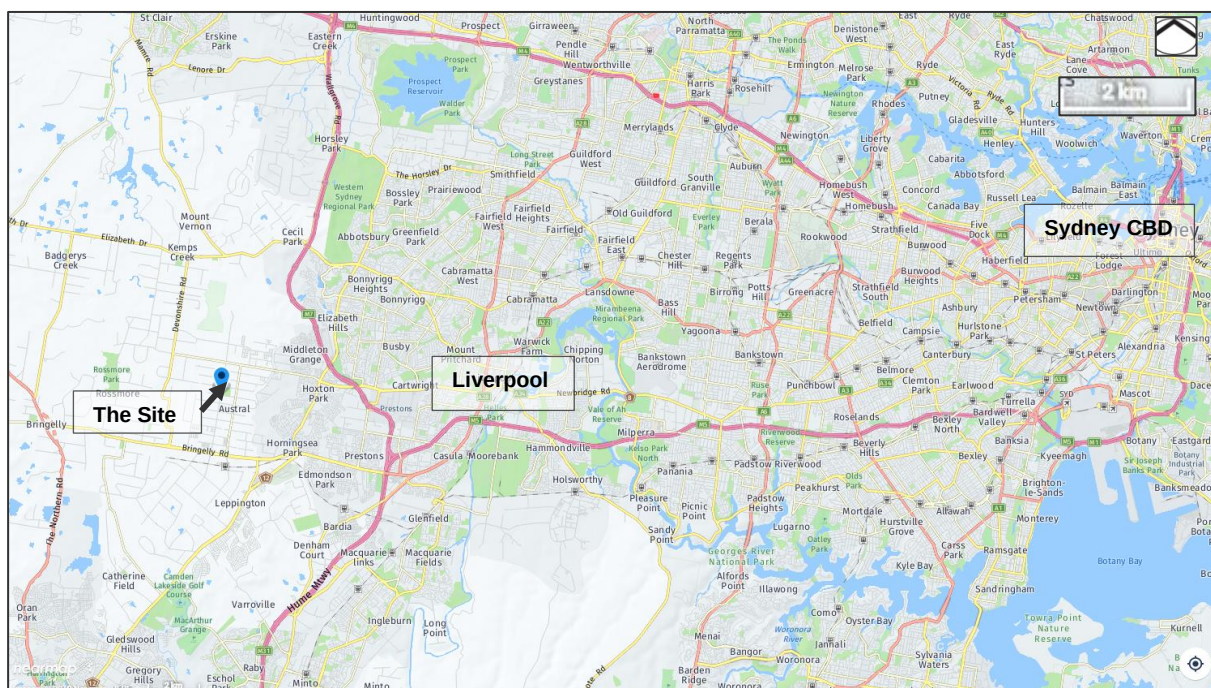
This report provides an assessment of a State significant development (SSD) application for the redevelopment of St Anthony of Padua Catholic School (the school) at Austral, within the Liverpool City Council Local Government Area (SSD-8865).

Sydney Catholic Schools (the Applicant), proposes a concept development application for the school comprising:

- a Concept Proposal for the building envelopes for school buildings (K – 12), childcare centre, a church and a trade training centre to accommodate up to 2480 students and 200 staff members, site layout, access arrangements, landscaping and staging.
- Stage 1 works comprising the detailed design, construction and use of the school buildings to accommodate up to 2280 students and staff, the childcare centre, associated landscaping, driveway car parking areas and road upgrade works in six construction phases.

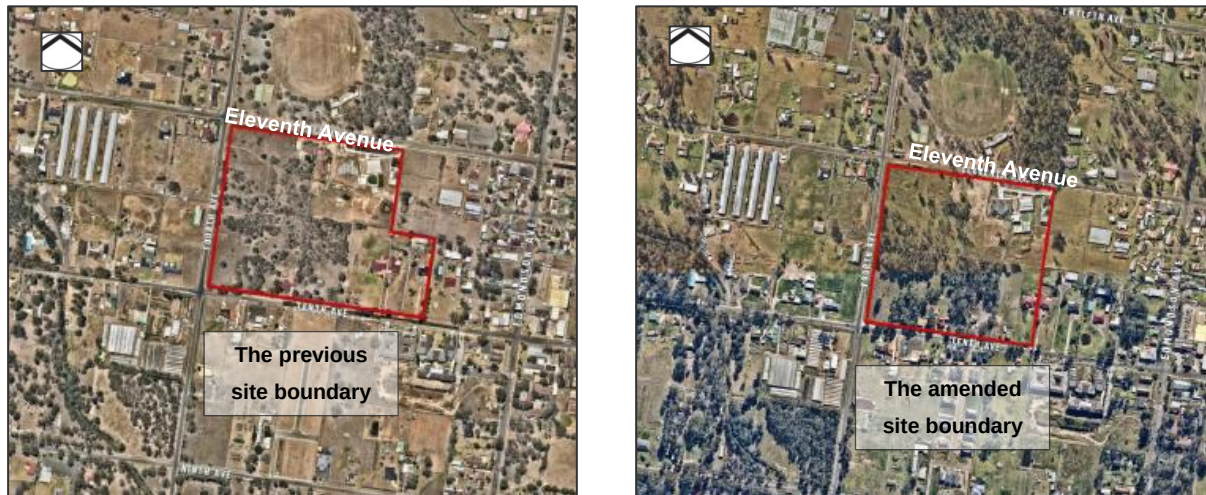
## 1.1 Site description

The site is located at 125-165 Tenth Avenue and 140-170 Eleventh Avenue, Austral within the Liverpool Local Government Area (LGA) and is approximately 37 kilometres (km) south-west of the Sydney central business district (CBD) and 10km west of Liverpool CBD (**Figure 1**). The site is located in the South West Growth Area (SWGA), an emerging greenfield corridor with planned urban development for a range of residential, commercial and community uses.



**Figure 1 |** Regional/Local context map (Source: Nearmap 2020)

When the Environmental Impact Statement (EIS) was lodged, the site was legally described as Lots 810 – 812 and 839 - 842 DP 2475 and Lots 1-2 in DP 1232692 (**Figure 2 - left**). The Applicant amended the site boundary, during the Response to Submissions (RtS), by excluding Lot 839 DP 2475 (as investigation for soil contamination on this allotment was not undertaken). Following the adjustment of the site boundary, the legal description of the site was amended to be Lots 810 – 812 and 840- 842 in DP 2475 and Lots 1-2 in DP 1232692 (**Figure 2 - right**).



**Figure 2** | The previous (left) and amended site boundary (right) (Source: Applicant's RtS)

The amended site (referred to as the site in this report) covers an area of approximately 9.7 hectares (ha) with frontages to Eleventh Avenue (north), Fourth Avenue (west), and Tenth Avenue (south). The site slopes approximately eight metres (m) from the north-eastern corner (Eleventh Avenue) to the south-western corner (Tenth Avenue).

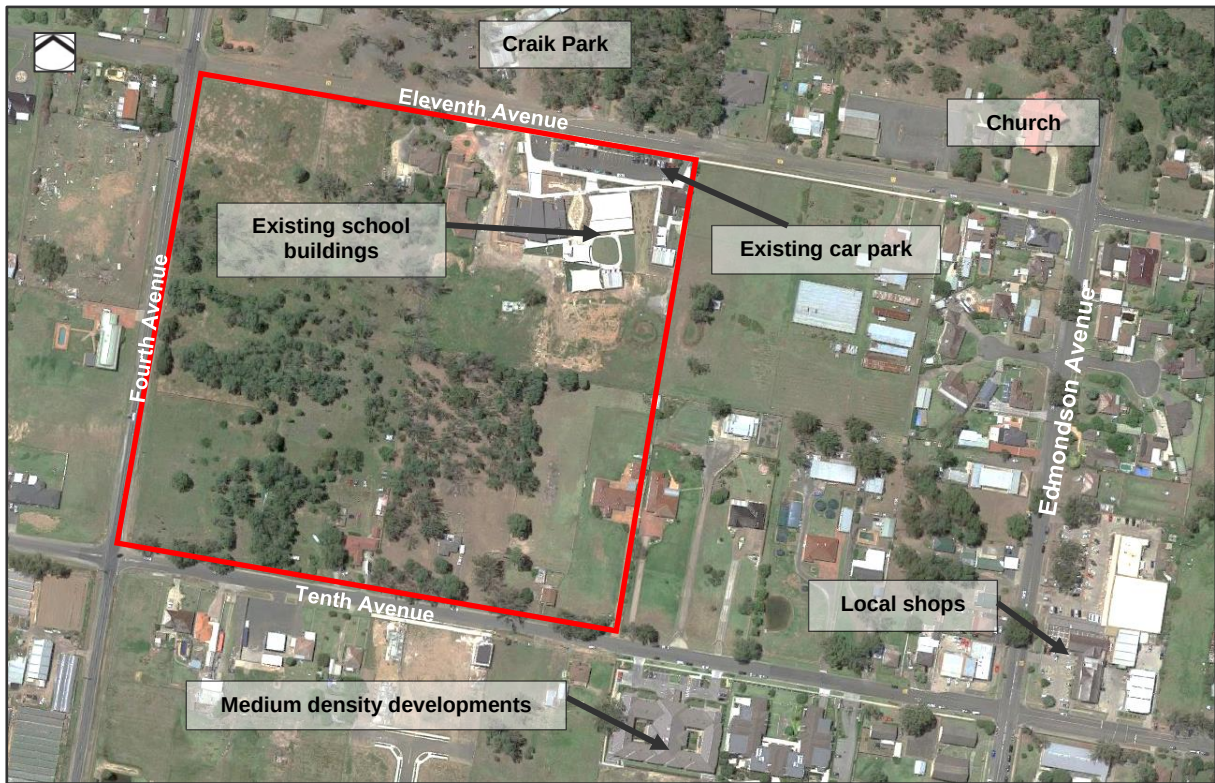
The development site currently accommodates the existing St Anthony of Padua Catholic school at its north-east corner within lots 811 and 812 only. The school was approved as a local development by Liverpool City Council (DA465/2016) to accommodate a maximum of 300 students. Seven class groups are able to be accommodated in two newly constructed single storey buildings with associated outdoor play areas. The Applicant advises that the gross floor area of the existing school is 1298 square meters and that there are 90 existing enrolments in Kindergarten and Year 1. The existing dwelling near the classrooms has been converted to a staff and administrative building. A 33-space car spaces fronts Eleventh Avenue and currently caters for the school.

Vehicular access to the on-site car park at the north-eastern corner is provided via a driveway off Eleventh Avenue. Pedestrian access to the site is currently via a dedicated entrance from the car park.

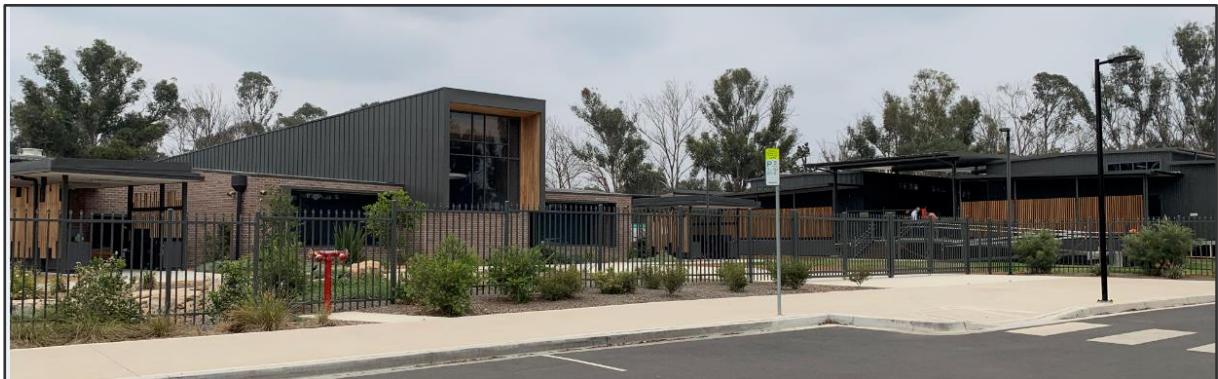
The development site includes the existing school buildings and a number of free-standing dwelling houses and associated outbuildings within the adjoining allotments. A significant portion of the site is vacant with grass paddocks and scattered vegetation comprising primarily Cumberland Plain Woodland species. Sections of the site, especially to the south are subject to flooding due to a minor overland flow path.

**Figure 3** shows an aerial photo of the site and the surrounding developments. **Figures 4 – 6** include site photos identifying the existing school buildings and the vacant areas.





**Figure 3** | Aerial view of the site and the surrounding developments (Source: Google Maps 2020)



**Figure 4** | Existing school building viewed from the car park on Eleventh Avenue (Source: DPIE 2019)



**Figure 5** | Existing play area within the site (Source: DPIE 2019)





**Figure 6** | Site as viewed from Eleventh Avenue (Source: DPIE 2019)

## 1.2 Surrounding development

The site is located within the ‘Austral and Leppington North Precinct’, a land release area that has been rezoned for higher density developments as part of the SWGA. The locality is currently undergoing transition from a semi-rural residential to a low to medium density residential locality.

To the north of the site, on the opposite side of Eleventh Avenue is Craik Park, a local open space area with tennis courts and playing fields (**Figure 7**). Dense vegetation is located along the frontage of the park to Eleventh Avenue, identified as ‘existing native vegetation area’ in the State Environmental Planning Policy (Sydney Regional Growth Centres) 2006 (Growth Centres SEPP). The vegetation mostly comprises Cumberland Plain Woodland. An existing church (St Anthony of Padua Church) adjoins Craik Park to the east.

Existing low density rural and residential developments are located on the southern, eastern and western sides of the site. The two adjoining allotments to the east (Lots 813 and 839 shown hatched in **Figure 7**) are owned by the Applicant but are not subject of this development application.

The site and the adjoining allotments are zoned low density residential under the Growth Centres SEPP, with some medium density residential zones to the east and south-east of the site. Medium density developments have been recently constructed on Tenth Avenue under the above provisions (**Figure 3**). Local neighbourhood shops are located on Edmondson Avenue, in close proximity to the site, and identified as future neighbourhood centre in the Growth Centre SEPP.

**Figure 7** identifies the site in the context of the Austral-Leppington North Indicative Layout Plan identifying the surrounding developments.



**Figure 7 |** The site plan overlaid on Austral Leppington North Indicative Layout Plan (Source: Applicant's RtS)



## 2. Project

### 2.1 Project Overview

The key components and features of the proposal (as refined in the Response to Submissions (RtS) and supplementary RtS (SRTS)) are provided in Error! Reference source not found. and are shown in **Figures 8 to 23**.

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

| Aspect                  | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Project Summary         | <ul style="list-style-type: none"><li>• Concept development application for the redevelopment of St Anthony of Padua Catholic School in three stages comprising:<ul style="list-style-type: none"><li>○ a Concept Proposal for the building envelopes for school buildings (K – 12), a childcare centre, a church and a trade training centre to accommodate up to 2480 students (including the previously approved 300 students) and 200 staff members, site layout, access arrangements, landscaping and staging of the works.</li><li>○ Stage 1 works comprising the detailed design, construction and use of the school buildings to accommodate up to 2280 students (K – 12), the 125-place childcare centre, associated landscaping, driveway car parking areas and road upgrade works in six construction phases.</li></ul></li><li>• Construction of the church and trade centre in future Stages 2 and 3 (not included in the scope of this application).</li></ul> |
| Site Area               | 97,170.30 square metres (m <sup>2</sup> )                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Concept Proposal</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Development components  | <ul style="list-style-type: none"><li>• Retention of the existing single storey buildings and use for Kindergarten.</li><li>• New uilding envelopes for the following buildings:<ul style="list-style-type: none"><li>○ school buildings.</li><li>○ indoor recreation centre.</li><li>○ childcare centre.</li><li>○ church.</li><li>○ trade centre.</li></ul></li><li>• Site layout and access arrangements.</li><li>• Car parking areas and landscaping masterplan.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |



|                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                    | <ul style="list-style-type: none"> <li>Outline staging of the development (school in Stage 1, church and trade centre in future Stages 2 and 3).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Built Envelope and locations       | <ul style="list-style-type: none"> <li>The proposed new envelopes for the school buildings include: <ul style="list-style-type: none"> <li>a main school building centrally within the site, comprising two – four storey components with the maximum height at RL89.8.</li> <li>a two – three storey high indoor recreation centre / hall building at the north-western corner with a maximum height at RL84.</li> <li>a five storey bell tower with the maximum height at RL93.</li> </ul> </li> <li>A single storey building envelope connected to the existing single storey building at the north-eastern corner, with the maximum height at RL77.57, and for use as a 125-place childcare centre.</li> <li>A new single-storey building envelope on the northern boundary of the site for the purpose of a church with a maximum height at RL83.8.</li> <li>A new two-storey building envelope at the south-eastern corner of the site for the purpose of a trade centre with maximum height at RL79.8.</li> </ul> |
| Outdoor play areas and landscaping | <ul style="list-style-type: none"> <li>One soccer field, eight outdoor playing courts, outdoor recreational and learning areas, market gardens, pedestrian pathways / entry piazza.</li> <li>Landscape masterplan identifying the retained and proposed trees.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Vehicular Access and Parking       | <ul style="list-style-type: none"> <li>Five on-site car parking areas with driveway access from Eleventh Avenue, Fourth Avenue and Tenth Avenue.</li> <li>Car parking layout to accommodate 326 cars (including the 33 existing car spaces).</li> <li>125 drop-off / pick-up spaces within the site.</li> <li>180 bicycle parking spaces.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Student Numbers                    | <ul style="list-style-type: none"> <li>Up to 2480 students including: <ul style="list-style-type: none"> <li>125 early childhood (0 – 6) spaces (36 children between 0 – 2 years, 45 children between 2 – 3 years and 44 children between 3 – 6 years).</li> <li>2280 primary and secondary school students (including 840 in primary school, 1200 in Years 7 – 10 and 240 Year 12 students).</li> <li>200 trade centre students.</li> </ul> </li> <li>Out of Hours School Care (OOSH) for 110 children.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Staging                            | <ul style="list-style-type: none"> <li>Stage 1 – construction and use of school and childcare centre in six construction phases (details below).</li> <li>Stages 2 and 3 – construction and use of church and trade centre.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

|                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Capital investment value (CIV)                       | <ul style="list-style-type: none"> <li>• \$153 million.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Jobs                                                 | <ul style="list-style-type: none"> <li>• 139 construction jobs.</li> <li>• 200 operational jobs.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Stage 1 Works</b>                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Development Components                               | <ul style="list-style-type: none"> <li>• Demolition works, tree removal and site remediation work.</li> <li>• Staged construction and use (in six stages) of school buildings to accommodate up to 2280 school students, 200 staff members and a childcare centre for 125 children.</li> <li>• Car parking areas, outdoor play areas, hard and soft landscaping.</li> <li>• Associated road works and intersection upgrades.</li> </ul>                                                                                                                                              |
| Demolition, site remediation and site establishment  | <ul style="list-style-type: none"> <li>• Demolition of eight dwelling houses, associated garages, sheds and outbuildings, and two demountable classrooms.</li> <li>• Removal of 556 trees and clearance of vegetation.</li> <li>• Removal of an existing dam.</li> <li>• Site remediation works.</li> <li>• Earthworks for site establishment.</li> </ul>                                                                                                                                                                                                                            |
| Built form                                           | <ul style="list-style-type: none"> <li>• A new two - four storey (19.3m high) 'Central Hub' school building.</li> <li>• A bell tower at the entrance piazza.</li> <li>• A new two-three storey (10.75m high) building at the north-western corner to accommodate gymnasium / hall, indoor sports courts and indoor pool (indoor recreation centre).</li> <li>• Expansion of an existing building at the north-eastern corner to provide for a single storey 125-place childcare centre.</li> <li>• Retention and use of existing single storey building for Kindergarten.</li> </ul> |
| Gross floor area (GFA)                               | <ul style="list-style-type: none"> <li>• Additional GFA of 25,845m<sup>2</sup>.</li> <li>• Additional 8015m<sup>2</sup> of covered learning / circulation / play areas.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                   |
| Access, Parking, On-site drop-off and pick-up areas. | <ul style="list-style-type: none"> <li>• Provision of 326 car parking spaces (including 14 accessible and 11 carpooling spaces), and 125 drop-off / pick-up spaces and one electric car charging station at the following locations: <ul style="list-style-type: none"> <li>○ retention of 33 existing car spaces at the north-eastern corner accessed from Eleventh Avenue (including two disabled).</li> <li>○ four new car parking areas with:</li> </ul> </li> </ul>                                                                                                             |

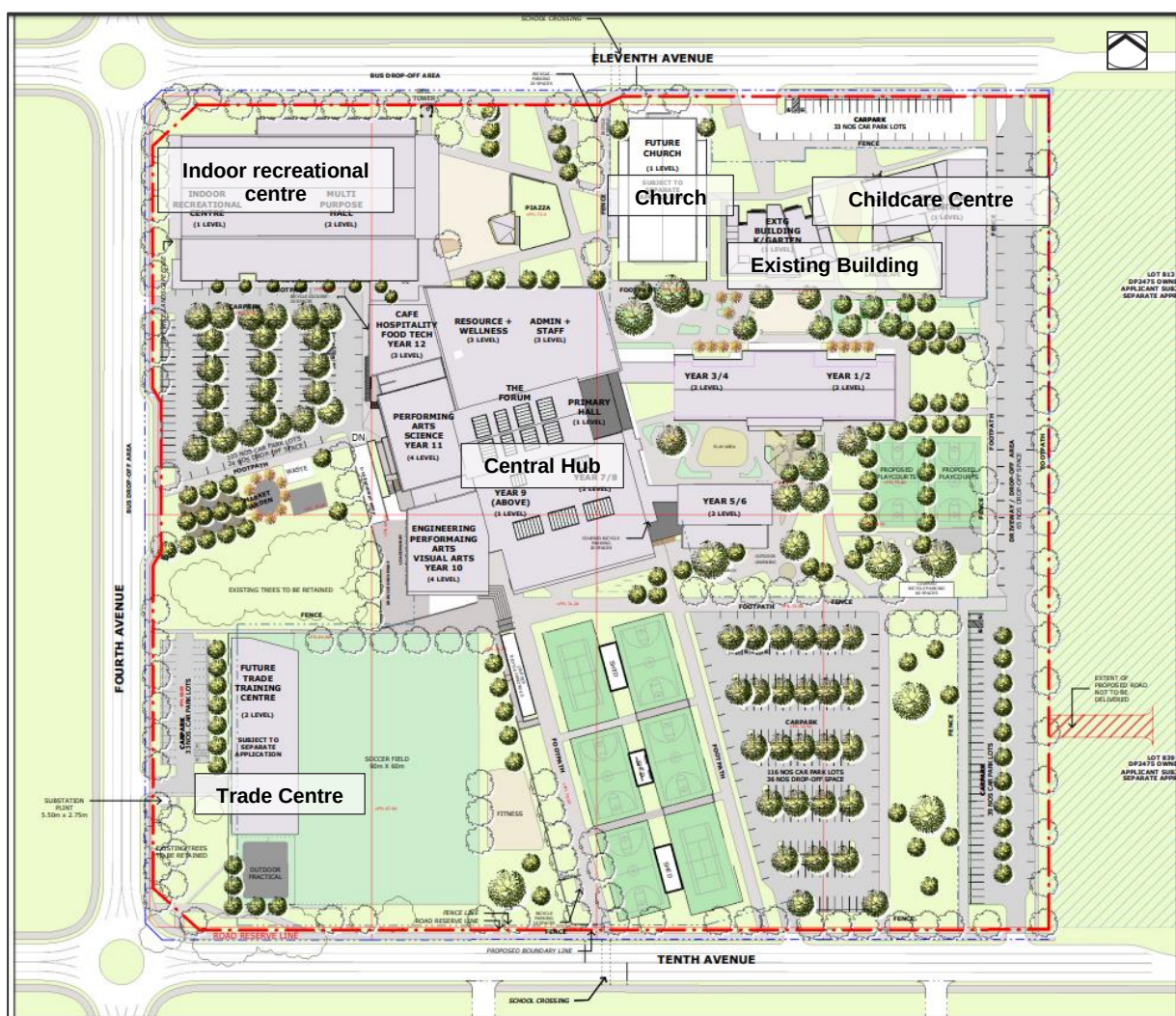


|                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                            | <ul style="list-style-type: none"> <li>– 105 car spaces (with 4 accessible), 11 carpooling spaces, and 36 drop-off / pick-up spaces accessed from Tenth Avenue (south-eastern corner).</li> <li>– 105 car spaces (with 4 accessible) and 24 drop-off / pick-up spaces accessed from Fourth Avenue (north-western corner).</li> <li>– 33 car spaces from Fourth Avenue (with 2 disabled).</li> <li>– 39 car spaces (with two accessible) and a 65 drop-off / pick-up spaces on a one-way internal road along the western boundary (connecting Eleventh Avenue and Tenth Avenue).</li> </ul> <ul style="list-style-type: none"> <li>• Pedestrian access provided at seven locations from Eleventh Avenue, Tenth Avenue and Fourth Avenue.</li> </ul> |
| Bicycle parking                            | <ul style="list-style-type: none"> <li>• A total of 180 bicycle spaces across the site, including 20 visitor parking spaces at main entrances, 120 student spaces, 20 bicycle lockers, 20 staff spaces with associated end-of-trip facilities for staff.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Public Domain and Road works               | <ul style="list-style-type: none"> <li>• Adjustment of site boundaries for road widening and footpaths.</li> <li>• Upgrade of intersections at Fourth / Tenth Avenue and Fourth / Eleventh Avenue from four-way stop sign intersections to two-lane roundabout intersections.</li> <li>• Road widening from two-lane to four-lane roads for Eleventh, Fourth and Tenth Avenues along the site frontages.</li> <li>• Provision of footpaths and associated street tree plantings.</li> <li>• Bus Bays on Eleventh and Fourth Avenues for up to 13 buses.</li> <li>• Pedestrian Crossings at Tenth and Eleventh Avenues.</li> </ul>                                                                                                                  |
| On site Landscaping and outdoor facilities | <ul style="list-style-type: none"> <li>• Provision of eight outdoor playing areas.</li> <li>• One soccer field with dimensions 90m x 60m.</li> <li>• Provision of outdoor recreation and learning spaces.</li> <li>• A landscaped entrance piazza on the northern side.</li> <li>• A market garden on the western side.</li> <li>• A native bushland preservation area.</li> <li>• Pedestrian pathways within the site and fencing.</li> </ul>                                                                                                                                                                                                                                                                                                     |
| Hours of operation                         | <ul style="list-style-type: none"> <li>• School: generally, between 8:20am – 3:30pm with staggered start and finish times.</li> <li>• Performing Arts theatre inside the school: 7am – 10pm.</li> <li>• Nighttime events at the indoor recreation centre, performing arts centre and sports field between 6pm – 10pm. (occasionally beyond 10pm)</li> <li>• Childcare Centre: 7am - 6pm Monday to Friday.</li> <li>• Out-of-hours school care (OOSH): 7am to 6pm Monday to Friday.</li> </ul>                                                                                                                                                                                                                                                      |

|                             |                                                                                                                                                                                                |
|-----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                             | <ul style="list-style-type: none"> <li>• Café: as per general school hours.</li> </ul>                                                                                                         |
| Signage                     | <ul style="list-style-type: none"> <li>• Wayfinding and traffic control signage throughout the site as necessary.</li> </ul>                                                                   |
| Community Use               | <ul style="list-style-type: none"> <li>• Potential use of the primary school hall building, fields and facilities by the community subject to management and security arrangements.</li> </ul> |
| Jobs                        | <ul style="list-style-type: none"> <li>• 112 construction jobs.</li> <li>• 200 operational jobs.</li> </ul>                                                                                    |
| CIV                         | <ul style="list-style-type: none"> <li>• \$146 million.</li> </ul>                                                                                                                             |
| Proposed construction hours | <ul style="list-style-type: none"> <li>• Monday to Friday – 7am – 6pm.</li> <li>• Saturday – 8am – 1pm.</li> </ul>                                                                             |

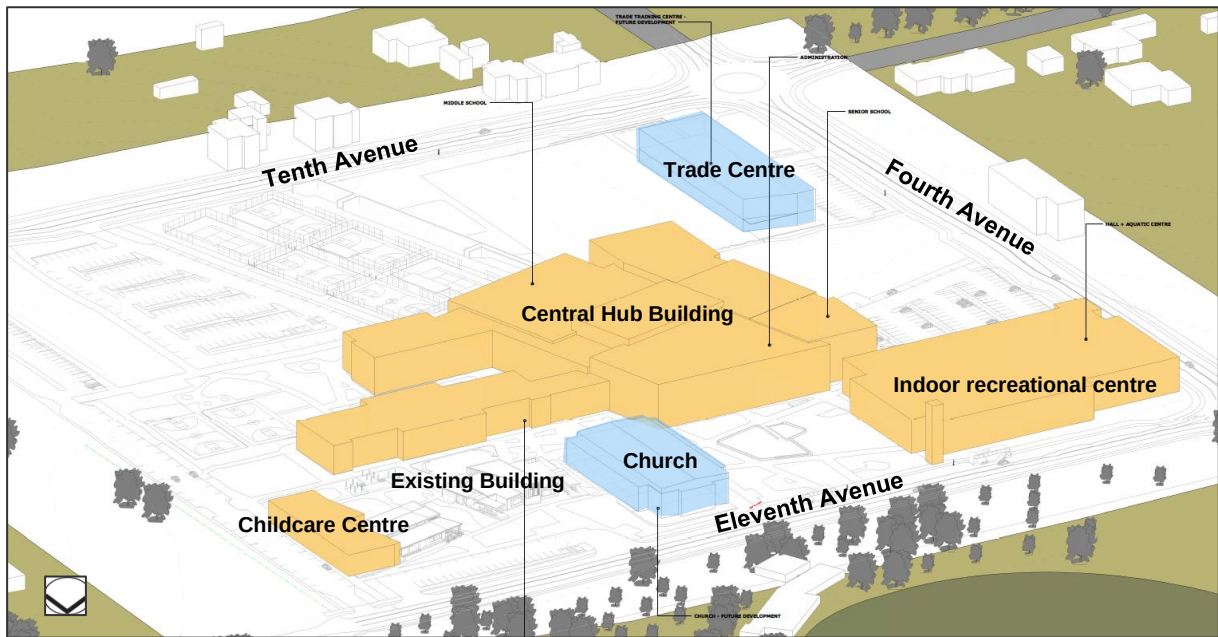
## 2.2 Concept Proposal

The Concept Proposal sets out the general site layout, building envelopes, access arrangements and landscaping layout for the site identified in **Figures 8 and 9**.



**Figure 8 | Concept Plan Site Masterplan** (Source: Applicant's SRTs)



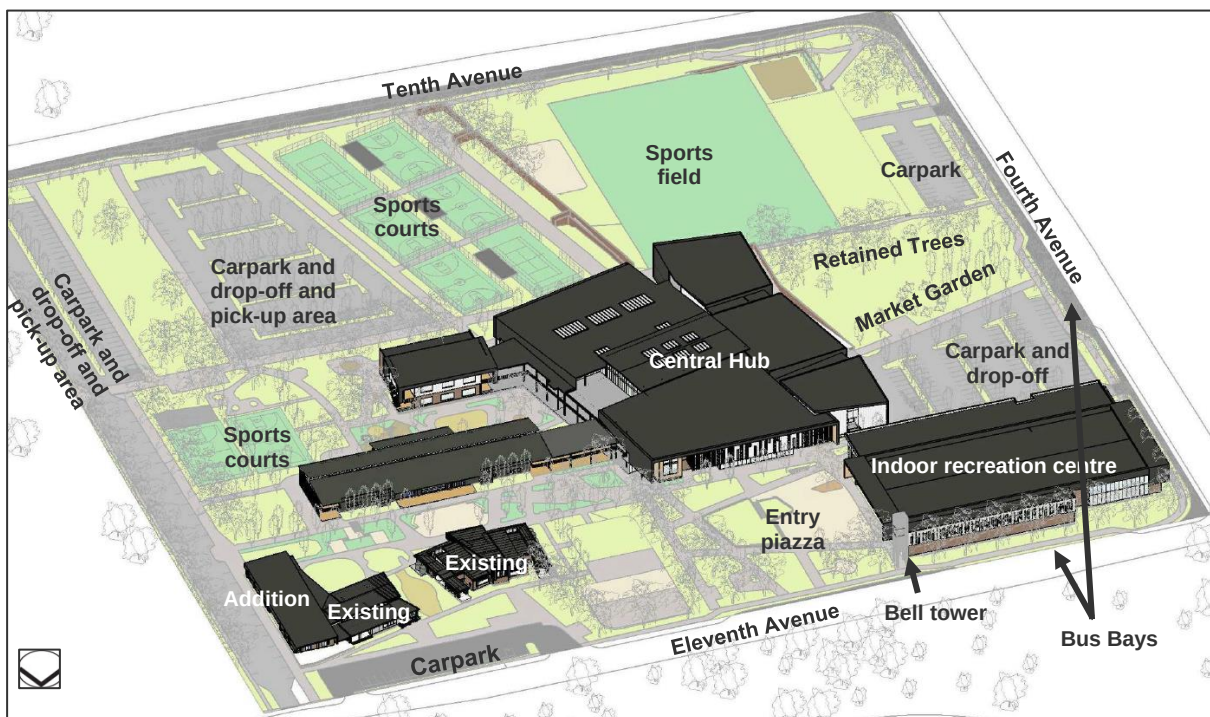


**Figure 9 |** Concept Plan Building Envelopes (Stage 1 in yellow, future stages in blue) (Source: Applicant's RtS)

## 2.3 Stage 1 works

### 2.3.1 Physical layout and design

The buildings proposed under Stage 1 are located at the northern and central parts of the site. The proposed site layout would also comprise extensive outdoor play areas, multiple sports courts, an entry piazza with a bell tower, outdoor learning and recreation areas, market gardens, a dedicated area of retained significant trees, pedestrian paths and outdoor facilities (**Figure 10**).



**Figure 10 |** Site Layout – Stage 1 (Source: Applicant's RtS)

## The Central Hub

The proposed Central Hub would accommodate the classrooms for years 1 – 12, administration and staff areas, specialist classes, the performing arts theatre and the café / canteen area. It would present as a contemporary building, two to four storeys in height. Building materials include a mix of fibre cement cladding in natural and grey tones, natural coloured Colourbond cladding, plywood timber cladding and grey / brown face brickwork. The key building components are provided below and identified in **Figures 11 – 15**:

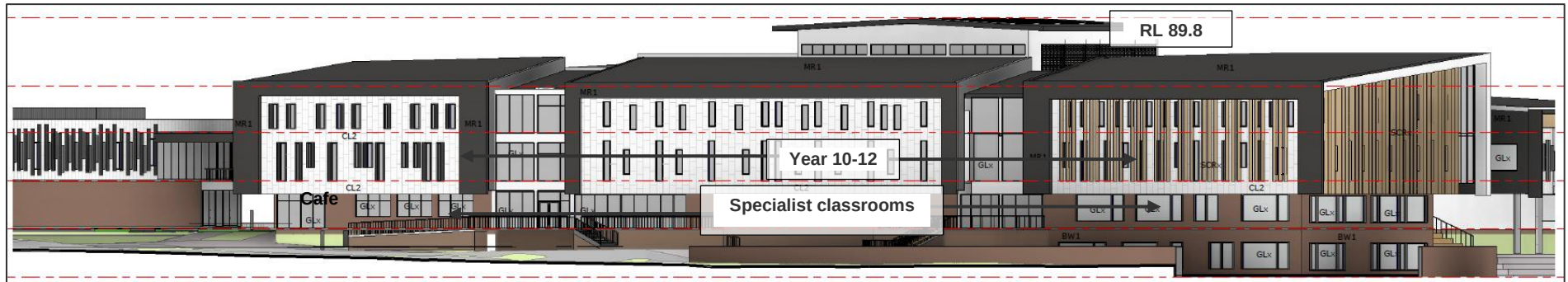
- a 'forum' area at the centre including a covered plaza with the primary school hall.
- two building components (two-storey) on the eastern side of the forum with classrooms and facilities for Years 1 – 6.
- a three-storey building component on the northern side of the forum including administration areas, staff facilities and resource and wellness hub (library, student services).
- a two-storey component to the south of the forum with classrooms and facilities for Years 7 – 9.
- three – four storey components on the western side of the forum including:
  - the lower level for a café / canteen / hospitality area, performing arts area with a 250-seat theatre, specialist areas for sciences, visual arts and hospitality spaces.
  - classrooms and facilities for Years 10 – 12 on the upper level.



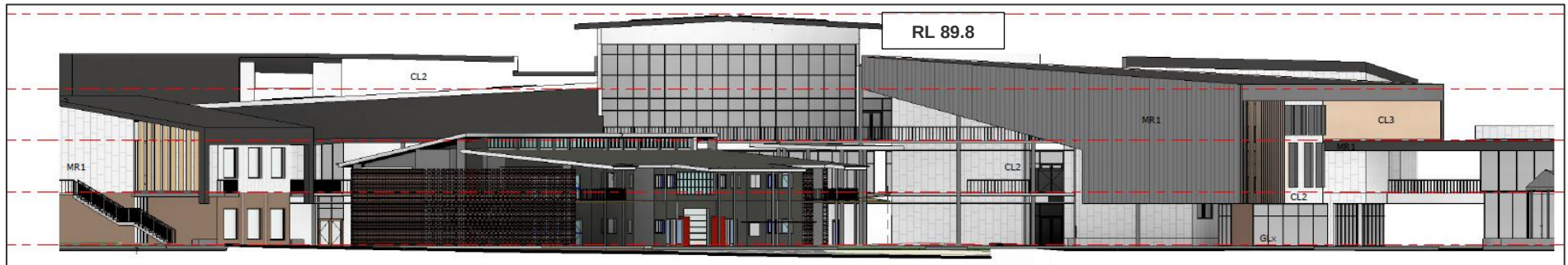
**Figure 11** | Entrance to the Central Hub as viewed from the piazza (Source: Applicant's SRtS)







**Figure 13** | West elevation of the Central Hub as viewed from the Fourth Avenue (Source: Applicant's SRtS)



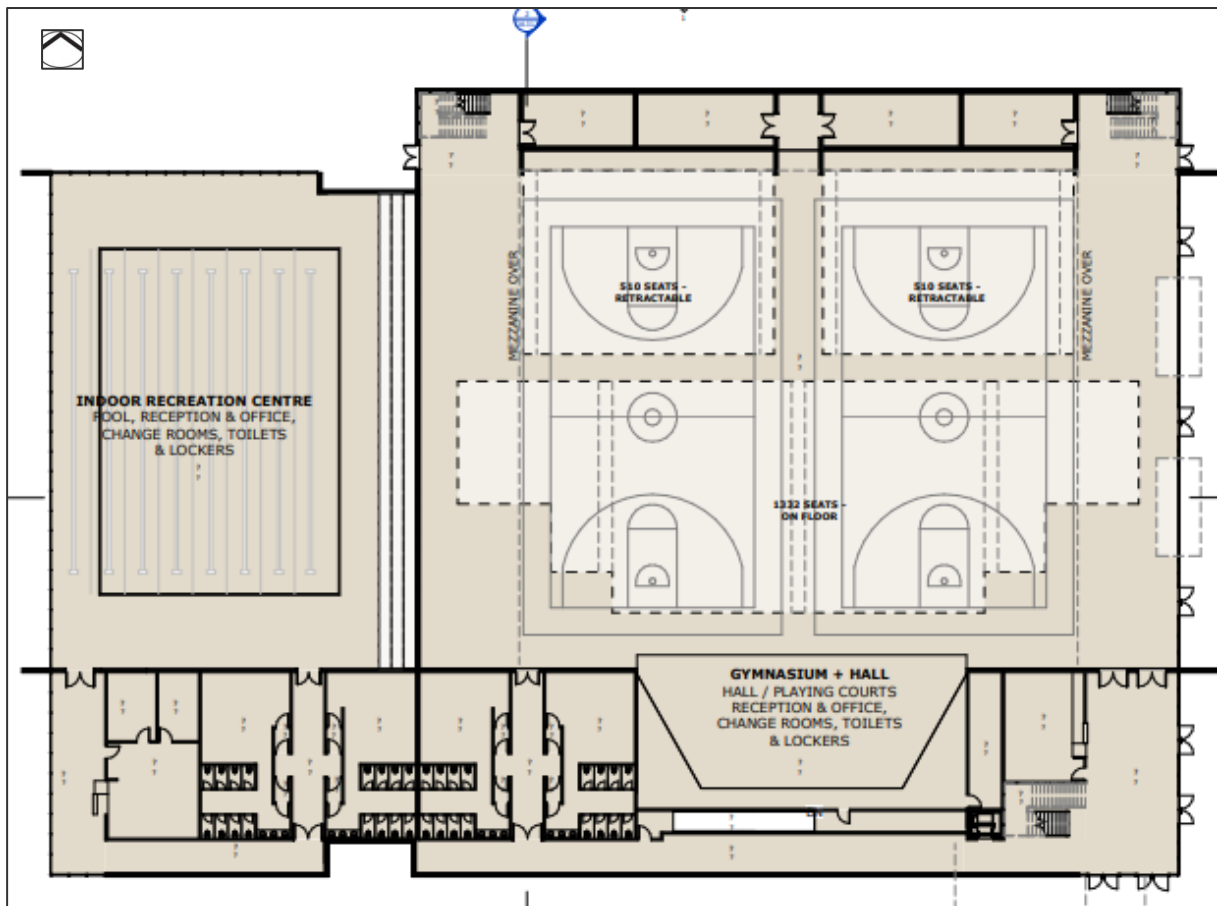
**Figure 14** | East elevation of the Central Hub as viewed internally (Source: Applicant's SRtS)



**Figure 15** | North elevation of the Central Hub as viewed from Eleventh Avenue (Source: Applicant's SRtS)

## Gymnasium / Indoor sports courts / pool (Indoor Recreation Centre)

The proposed indoor recreation centre building, at the north-western corner, would accommodate a gymnasium and hall, two indoor sports courts, seating / facilities and an indoor recreation centre with a 25m indoor swimming pool. It would present as a contemporary two-storey building at the corner of Fourth and Eleventh Avenue with extensive glazing on its facades. An unbroken solid wall of face brick cladding at the base and fibre cement cladding at the upper floor **Figures 16 – 19** is proposed for the remainder of the northern elevation fronting Eleventh Avenue.



**Figure 16** | Ground Floor Plan and layout of the indoor recreation centre (Source: Applicant's SRtS)



**Figure 17** | View of the indoor recreation centre (Source: Applicant's SRtS)





**Figure 18** | Eastern elevation of indoor recreation centre as viewed from the piazza (Source: Applicant's SRtS)



**Figure 19** | Main Entry as viewed from Eleventh Avenue (Source: Applicant's SRtS)

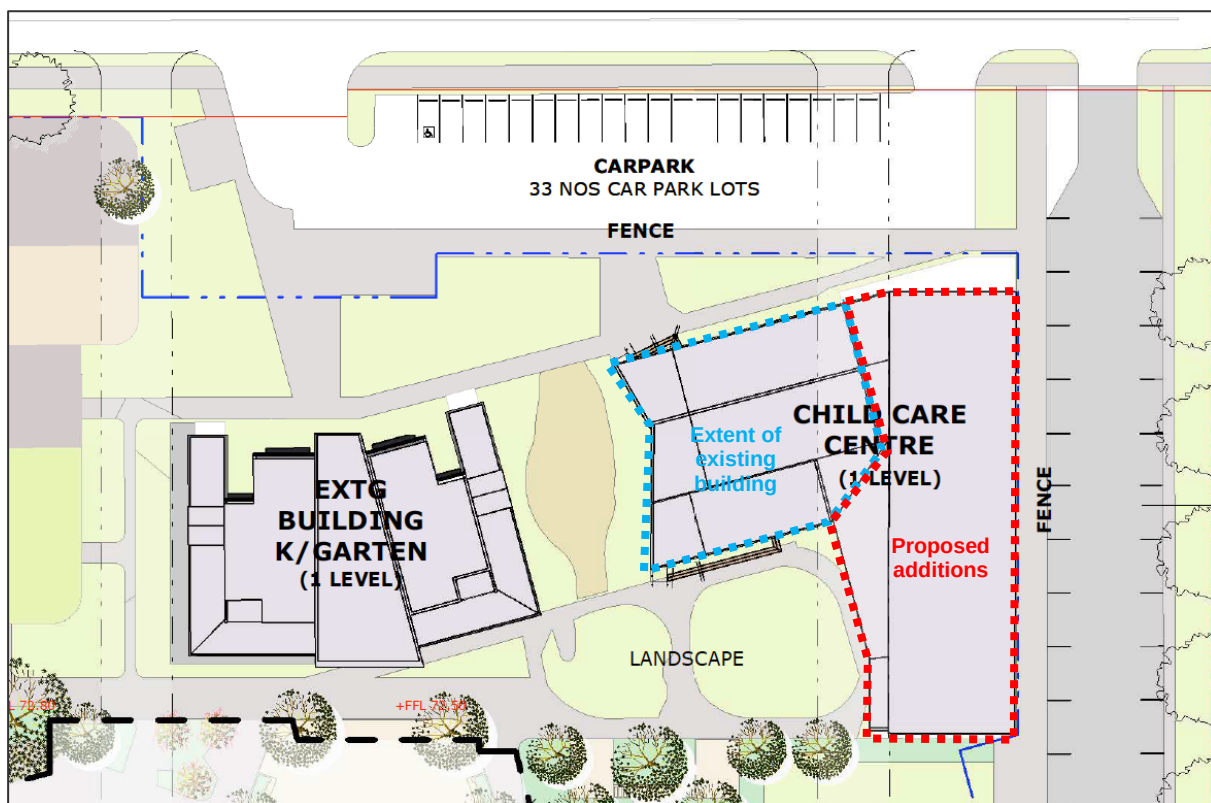
## Childcare Centre

The Stage 1 works include alterations and extension to an existing single school building for use as a purpose-built childcare centre for 125 children aged 0 – 6 years. The proposed materials of the single storey extension would predominantly be characterised by face brick and Colourbond cladding to match the existing building (**Figures 20 – 21**).



**Figure 20** | Northern view of proposed childcare centre from Eleventh Avenue (Source: Applicant's SRtS)





**Figure 21** | Extract from site plan indicating location of additions to existing building (Source: Applicant's RtS)

### 2.3.2 Uses and activities in Stage 1

The proposed uses within the school building include:

- classrooms for Kindergarten to Year 12 (K – 12) students and a primary school hall.
- specialty rooms including a performing arts centre and theatre, visual arts studio, hospitality kitchen and food and technological sciences.
- administration and training areas.
- resource and wellness hub including a library, student services and pastoral care.
- café / canteen accessible to students, parents and the public during school hours.
- OOSH for 110 children within the primary school hall.

The Applicant states the outdoor sports and recreation areas / performing arts centre would be shared for community use outside the school hours and on weekends up to 10pm for school related activities and also for community use subject to finalising management and security arrangements.

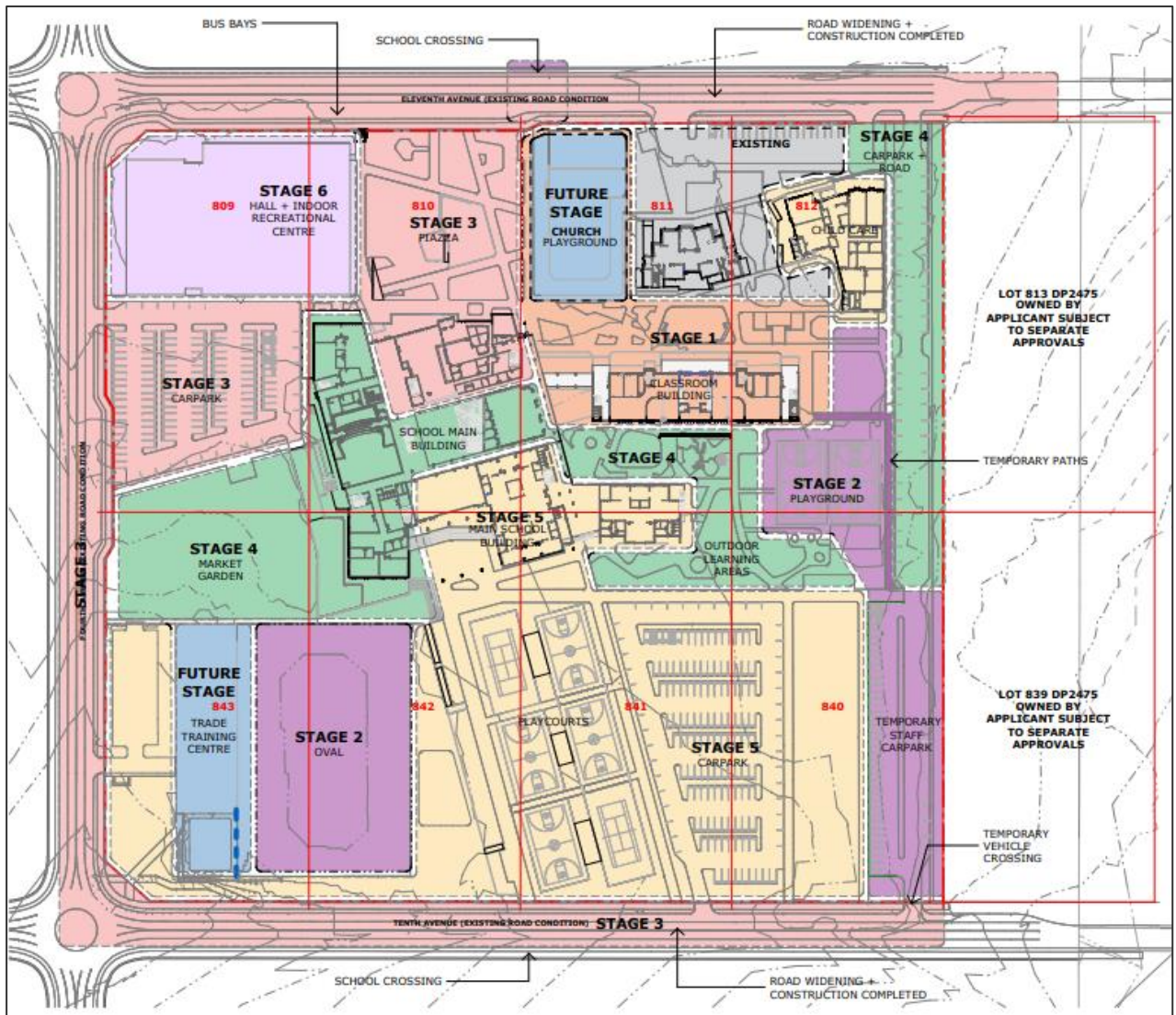
The indoor recreation centre would operate outside the core school hours, mainly in the evening (up to 10pm). The Applicant states that the use of the hall / sports courts may continue beyond 10pm (during night-time) both for school related activities and community use.

### 2.3.3 Construction Staging and Timing

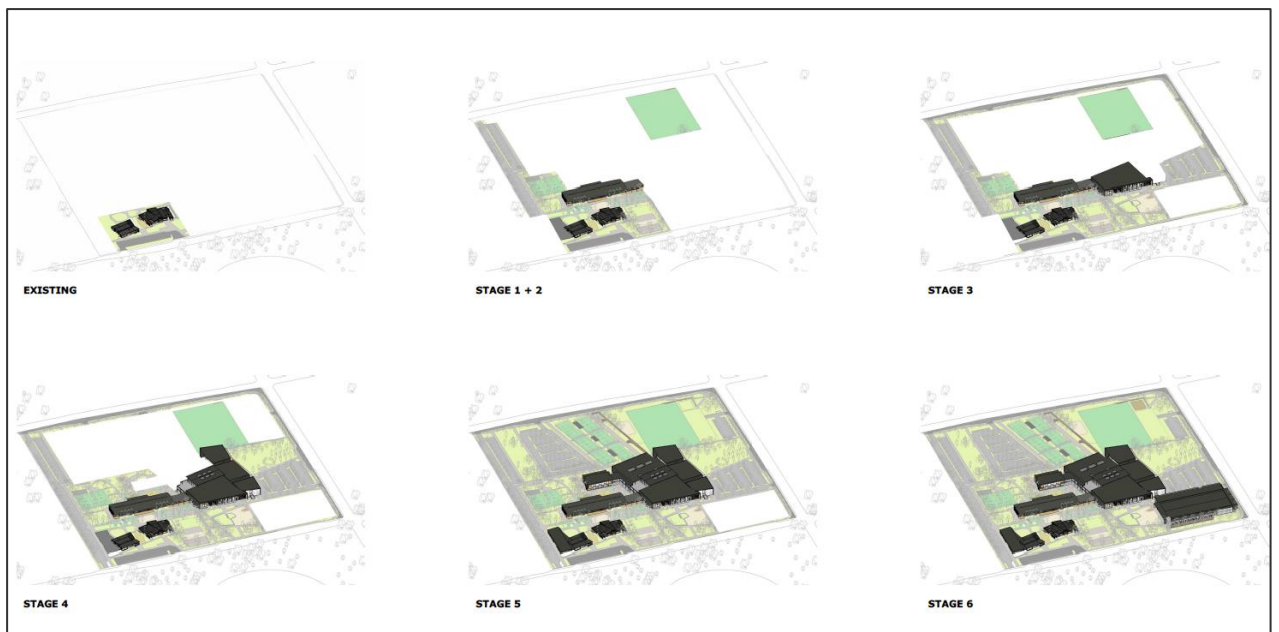
The Stage 1 works are proposed to be completed in six construction phases as provided in **Figure 22**. A staged increase in student and staff numbers are proposed at completion of each stage (**Table 2**).

**Table 2** | Construction phasing (referred to as a Stage in the table below) and student and staff numbers for Stage 1 (Source: Applicant's RtS)

| Project stage    | Proposed works                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Student population                                                                                                                                                                                      | Staff population | Timing    |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-----------|
| Stage 1          | Classroom building<br>Existing traffic management arrangements retained (give way and stop signs)<br>car parking for this stage will be provided in existing car park accessed from Eleventh Avenue.<br>(Refer drawing DA052)                                                                                                                                                                                                                                                                                                                                                               | 294<br>NB there are 248 existing students. The existing school DA approval is for up to 27 300 students therefore Stage 1 does not seek to increase the student population beyond the current approval. | 27               | 2020      |
| Stage 2          | increase in enrolments<br>oval<br>playground<br>temporary carpark for staff parking.<br>installation of school crossing on Eleventh Avenue.<br>existing traffic management arrangements retained (give way and stop signs).<br>(Refer drawing DA053)                                                                                                                                                                                                                                                                                                                                        | 659                                                                                                                                                                                                     | 60               | 2021-2022 |
| Stage 3*         | Required surrounding road infrastructure delivered, including:<br><ul style="list-style-type: none"> <li>road widening works to Tenth Avenue, Eleventh Avenue and Fourth Avenue, including bus bays.</li> <li>replace existing line marking / stop go signage at Fourth/Tenth and Fourth/Eleventh Avenue intersections with new roundabouts.</li> <li>Marked pedestrian crossings to be provided on Tenth Avenue and Eleventh Avenue (to replace school crossing on Eleventh Avenue)</li> </ul> staged construction of main school building<br>carparking<br>plaza<br>(refer drawing DA054) | 1088                                                                                                                                                                                                    | 100              | 2023-2024 |
| Stage 4          | Main school building progressed<br>Market garden<br>Outdoor learning areas<br>Carparking and internal access road<br>(refer drawing DA055)                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 1485                                                                                                                                                                                                    | 135              | 2025-2026 |
| Stage 5          | Completion of main school building<br>Childcare centre<br>Carparking<br>Play courts                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1635                                                                                                                                                                                                    | 150              | 2027      |
| Stage 6          | Hall and indoor recreation centre                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 2280                                                                                                                                                                                                    | 200              | 2028      |
| Concept Approval |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 2480                                                                                                                                                                                                    | 200              |           |



**Figure 22 |** Construction phases of Stage 1 (referred as “stages” in the figure) (Source: Applicant’s SRTs)



**Figure 23 |** Perspective view of the buildings in various construction phases (referred to as “stages” in the figure) (Source: Applicant’s RTs)





## 3. Strategic Context

### 3.1 Project Need and Justification

The Applicant advises that the proposal provides critical social infrastructure for the precinct and offers a high-quality learning environment and facilities to meet the demands of the growing community of Austral. It notes that the planned residential growth in the SWGA would create a demand for the development and provision of new social infrastructure to meet the needs of the new population.

The Indicative Layout Plan (ILP) for the Austral and Leppington North Precinct identifies seven additional schools in the locality to meet the demand within the precinct.

The redevelopment of St Anthony of Padua is necessary to meet the NSW Department of Education's need to provide suitable teaching spaces that meet increased demand in the area and future projected growth within the Liverpool LGA.

### 3.2 Strategic Context

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

- Greater Sydney Regional Plan, A Metropolis of three cities, as it proposes new and expanded school infrastructure to meet the growing needs of Sydney.
- Greater Sydney Commission's (GSC) Western City District Plan (District Plan), as it would provide significant additional educational facilities, contributing to social infrastructure to meet the educational needs of the growing community.
- NSW Future Transport Strategy 2056 as it would improve an existing educational facility in an accessible location with access to public and school transport services.
- State Infrastructure Strategy 2018 – 2038 Building the Momentum, as it proposes facilities to support the growth in demand for educational facilities and a design to accommodate facilities sharing with the community.

The development would also provide for a direct investment in the region of approximately \$153 million which would support up to 139 construction jobs and 200 operational jobs.



## 4. Statutory Context

### 4.1 State Significant Development

The proposal is SSD under section 4.36 (development declared SSD) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as the development has a capital investment value of more than \$20 million (\$153 million) and is for alternations and additions to an existing school, as defined under clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

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 13 March 2020, the Executive Director, Infrastructure Assessments, may determine the application as:

- the relevant Council has not made an objection.
- there are less than 50 public submissions in the nature of objection.
- a political disclosure statement has not been made.

### 4.2 Permissibility

The site is zoned 'R2 Low Density Residential' under the Growth Centres SEPP. 'Educational establishments', 'centre-based childcare facilities' and 'places of public worship' are all permissible with consent in the R2 Low Density Residential zone. In addition, development that is ordinarily incidental or ancillary to use of the site as an educational establishment is permissible with consent within the zone. The Department is satisfied the proposed café would be ancillary to the use of the site as an educational establishment. Therefore, the Minister or a delegate may determine the carrying out of the development.

### 4.3 Other approvals

Under Section 4.41 of the EP&A Act, a number of other approvals are integrated into the 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 proposal (e.g. approvals for any works under the *Roads Act 1993*).

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

## 4.4 Mandatory matters for consideration

### 4.4.1 Environmental Planning Instruments

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

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

### 4.4.2 Objects of the EP&A Act

The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent / approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects. Therefore, in making an assessment, the objects should be considered to the extent they are relevant. A response to the objects of the EP&A Act is provided at **Table 3**.

**Table 3** | 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       | <ul style="list-style-type: none"><li>• The proposal involves alterations and substantial expansion of an existing school with an associated church and childcare centre. The redevelopment of the site would provide for the current and future education needs of the community within a suburb that is undergoing change and rapid growth.</li><li>• The proposal would provide for employment opportunities and result in economic and wider social benefits for the locality.</li><li>• The development would conserve the State's natural and other resources.</li></ul> |
| (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment, | <ul style="list-style-type: none"><li>• The proposal includes measures to deliver Ecologically Sustainable Development (ESD) (see <b>Section 4.4.3</b>).</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                             |
| (c) to promote the orderly and economic use and development of land,                                                                                                                             | <ul style="list-style-type: none"><li>• The proposal is an orderly and economic use of the land as it provides</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                       |



|                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                     | for the upgrade and expansion of an existing school site to provide new fit-for purpose educational facilities without compromising the objectives or the proposed plan of the SWGA in the Growth Centre SEPP.                                                                                                                          |
| (d) to promote the delivery and maintenance of affordable housing,                                                                                                  | <ul style="list-style-type: none"> <li>• Not applicable.</li> </ul>                                                                                                                                                                                                                                                                     |
| (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats, | <ul style="list-style-type: none"> <li>• The proposal is located on Biodiversity Certified land. While the proposed development would require the removal of trees on the site, it would not result in significant impact on threatened flora and fauna located on the site (see <b>Section 4.4.7</b> and <b>Section 6</b>).</li> </ul> |
| (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),                                                  | <ul style="list-style-type: none"> <li>• The site does not have a heritage significance or value. The proposal would not impact on Aboriginal cultural heritage associated with the area (see <b>Section 6.3</b>).</li> </ul>                                                                                                           |
| (g) to promote good design and amenity of the built environment,                                                                                                    | <ul style="list-style-type: none"> <li>• The proposal has a modern functional design which would integrate with future built environment of the locality (see <b>Section 6</b>).</li> </ul>                                                                                                                                             |
| (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,                          | <ul style="list-style-type: none"> <li>• The proposal would promote good construction and maintenance of buildings, subject to recommended conditions of consent.</li> </ul>                                                                                                                                                            |
| (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,                 | <ul style="list-style-type: none"> <li>• The Department publicly exhibited the proposal which included consultation with Liverpool City Council and other public authorities and consideration of their responses (see <b>Sections 5</b> and <b>6</b>).</li> </ul>                                                                      |
| (j) to provide increased opportunity for community participation in environmental planning and assessment.                                                          | <ul style="list-style-type: none"> <li>• The Department publicly exhibited the proposal, which included notifying adjoining landowners, placing a notice in newspapers and displaying the proposal on the Department's website and at</li> </ul>                                                                                        |

Council during the exhibition period (see **Section 5**).

#### **4.4.3 Ecologically sustainable development**

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991* (POEO Act). Section 6(2) of the POEO 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:

- passive design measures such as thermal building fabric, incorporation of shade devices, high reflectivity cool roof material, landscaping to reduce urban heat island effects.
- energy efficiency measures including incorporation of photovoltaic panels, efficient lighting and air conditioning systems.
- water conservation measures including water efficient fixtures and fittings, and water sensitive urban design measures as part of the proposed landscaping.

The Applicant advises that the proposal would seek for to achieve the Green Building Council's Five-Star Green Star equivalent design. However, no formal rating would be pursued as part of this application.

The Department has considered the proposed development in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process via a thorough and rigorous assessment of the environmental impacts of the proposed development. The proposed development is consistent with ESD principles as described in Section 7.9 and Appendix M of the Applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

Overall, the proposal is consistent with ESD principles and the Department is satisfied the proposed sustainability initiatives would encourage ESD, in accordance with the objects of the EP&A Act. The Department has recommended a condition requiring the Applicant to demonstrate that ESD initiatives have been implemented in the final design plan and that a five-Star Green Star or equivalent certification be obtained.

#### **4.4.4 Environmental Planning and Assessment Regulation 2000**

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

#### 4.4.5 Planning Secretary's Environmental Assessment Requirements

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

#### 4.4.6 Section 4.15(1) matters for consideration

**Table 4** identifies the matters for consideration under section 4.15 of the EP&A Act that apply to SSD in accordance with section 4.40 of the EP&A Act. The table represents a summary for which additional information and consideration is provided for in **Section 6** (Assessment) and relevant appendices or other sections of this report and EIS, referenced in the table.

**Table 4** | Section 4.15(1) matters for consideration

| Section 4.15(1) Evaluation                                                                                                                                             | Consideration                                                                                                                                                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a)(i) any environmental planning instrument                                                                                                                           | Satisfactorily complies. The Department's consideration of the relevant EPIs is provided in <b>Appendix B</b> of this report.                                                                                                                                            |
| (a)(ii) any proposed instrument                                                                                                                                        | The Department's consideration of the relevant EPIs is provided in <b>Appendix B</b> of this report.                                                                                                                                                                     |
| (a)(iii) any development control plan (DCP)                                                                                                                            | Under clause 11 of the SRD SEPP, DCPs do not apply to SSD.                                                                                                                                                                                                               |
| (a)(iia) any planning agreement                                                                                                                                        | Not applicable.                                                                                                                                                                                                                                                          |
| (a)(iv) the regulations<br><i>Refer Division 8 of the EP&amp;A Regulation</i>                                                                                          | The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS. |
| (a)(v) any coastal zone management plan                                                                                                                                | Not applicable.                                                                                                                                                                                                                                                          |
| (b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality | Appropriately mitigated or conditioned – details are discussed in <b>Section 6</b> of this report.                                                                                                                                                                       |
| (c) the suitability of the site for the development                                                                                                                    | The site is suitable for the development as discussed in <b>Sections 4</b> and <b>6</b> of this report.                                                                                                                                                                  |

|                         |                                                                                                                                           |
|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| (d) any submissions     | Consideration has been given to the submissions received during the exhibition period. See <b>Sections 5</b> and <b>6</b> of this report. |
| (e) the public interest | Refer to <b>Section 6</b> of this report.                                                                                                 |

#### 4.4.7 Biodiversity Conservation Act 2016

The site is located on land which has been granted Biodiversity Certification in accordance with the Biodiversity Certificate Order dated 14 December 2007. Under section 8.4(4) of the *Biodiversity Conservation Act 2016* an assessment of the likely impact on biodiversity of development on Biodiversity Certified land is not required for the purposes of this assessment under Part 4 of the EP&A Act.





## 5. Engagement

### 5.1 Department's Engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application Thursday 22 November 2018 until Wednesday 19 December 2018 (28 days). The application was exhibited at the Department and on its website, at NSW Service Centres and at Liverpool City Council's (Council) office.

The Department placed a public exhibition notice in the Liverpool Champion and Liverpool leader on Wednesday 21 November 2018 and notified adjoining landholders and relevant public authorities in writing. Department representatives visited the site to provide an informed assessment of the development.

The Department has considered the comments raised in the public authority and public submissions during the assessment of the application (**Section 6**) and / or by way of recommended conditions in the instrument of consent at **Appendix C**.

The Department received a total of eight submissions, including seven from public authorities (including Council) and one public submission (comment). No objections were received. A summary of the issues raised in the submissions is provided below and copies of the submissions may be viewed at **Appendix A**.

### 5.2 Summary of Submissions

#### 5.2.1 Public authority submissions

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

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

#### Council

Council did not object to the proposal but requested the following information:

- an updated acoustic assessment that accurately considers the nearest affected receivers (including future receivers) in relation to road traffic, car park noise, outdoor play area noise and noise impacts of the childcare centre on the adjoining properties.
- a detailed soil investigation for the site including information in relation to asbestos management.
- an updated Remedial Action Plan (RAP) to reflect results of the soil investigation.
- evidence of appointment of a site auditor.

- updated traffic assessment with information on traffic generation, road widening, intersection upgrades, staging of road infrastructure works and safety and access arrangements, operational traffic management, pedestrian and cycle facilities.
- assessment of the impacts of the development on the proposed road layouts in the Growth Centre SEPP and the measures to ensure adequate access to the adjoining sites.
- assessment of impact of the proposed public use of the café on the local traffic network.
- a revised flood study for the site.
- a tangible commitment to sharing of facilities with the community.
- an enrolment management plan to improve equity of enrolments.

Additionally, Council also provided the following comments:

- the significant removal of trees in conjunction with the proposed black roof colour would result in urban heat island effects.
- The Applicant may offset a part of the payable developer contributions against the proposed works to widen Eleventh Avenue (which is included in the works schedule of Council's Section 7.11 Contributions Plans). However, no other road widening (including construction costs, land acquisition and dedication to Council) or construction of traffic signal intersections should be offset as these upgrades are required to mitigate the impacts of the development on the local road network.

Council recommended conditions in relation to noise management, contamination and environmental management, road works and road safety and stormwater design.

#### Transport for NSW (TfNSW)

TfNSW requested the following information:

- details of the proposed traffic signals and timing of delivery of the signals.
- details of proposed shared paths.
- details of traffic generation, school start and finish times and methodology of traffic calculations.
- details of public transport modes (existing and future), expected pedestrian and bicycle trips.

TfNSW also recommended conditions of consent requiring a traffic and parking management plan, Green Travel Plan (GTP) and a Road Safety Audit for surrounding streets (RSA).

#### Transport for NSW (Roads and Maritime Services) (TfNSW (RMS))

TfNSW (RMS) requested the following information:

- details to demonstrate whether the TfNSW (RMS) criteria have been met for the proposed installation of traffic signals at the two adjacent intersections, and whether alternative solutions have been considered.
- details of proposed pedestrian crossings and the need.
- traffic generation of the three different uses on the site including the basis for the traffic modelling, trip distribution and expected travel demands.

- 
- assessment of additional traffic at Bringelly and Cowpasture Roads due to the proposed development.
  - consideration of staff parking, pedestrian safety.

TfNSW (RMS) also recommended conditions of consent in relation to school zones, car park design, large vehicle movements and construction traffic management.

---

#### Sydney Water

---

Sydney Water provided the following comments:

- a number of water service-related infrastructure are to be upgraded to service the development.
- there are no Sydney Water sewer reticulations close to the site.
- the northern section of the site would drain to the future Austral Creek Carrier which is expected to be delivered in 2020. In the interim, the Applicant is required to manage sewerage in this section of the site and build a 150mm – 225mm diameter lead-in sewer from the site to this carrier
- a 150mm – 350mm diameter lead-in sewer is required to be built to connect the southern side of the site to an existing pumping station - SP1183.

---

#### NSW Rural Fire Service (RFS)

---

The RFS raised no concerns and recommended conditions in relation to bushfire safety, management of the site as an inner protection area, compliance with building construction standards, provision of a bushfire emergency plan, and internal road design, services provision and future landscaping to comply with Planning for Bush Fire Protection 2006.

---

#### NSW Environment Protection Authority (EPA)

---

The EPA provided no comments in relation to the project.

---

#### Environment, Energy and Science Group of the Department (EESG)

---

EESG provided the following comments:

- species selected for landscaping and revegetation should use a diversity of local native species.
  - flood maps and drainage plans for the proposal require updating,
  - green roofs, cool roofs and / or green walls are recommended to be incorporated into the proposal to offset urban heat island effects.
-

### 5.2.2 Public submissions

One public submission was received during the EIS exhibition. The submission did not object to the proposal but advised that it did not want any bus bays, pedestrian crossings, traffic calming or speed humps directly in front of their property.

The Department notes no such traffic infrastructure is proposed outside the relevant property as part of this application.

### 5.3 Response to Submissions

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

On 14 November 2019, the Applicant provided a Response to Submissions (RtS) (**Appendix A**) on the issues raised during the exhibition of the proposal. The RtS included amendments to the proposal, including:

- exclusion of a Lot (Lot 839, DP 2475) from the Concept Plan proposal.
- amendments to the proposed intersection upgrades on the surrounding roads, including deletion of proposed signalised intersections and replacement by roundabouts
- confirmation on timing of upgrades.
- amendments to road widening and road design of the adjoining roads.
- amendments to staging of the proposal and the delivery of the various phases within Stage 1.
- amendment to layout and orientation of two components of the Central Hub (Year 1- 4 and Year 5 – 6 on the eastern side).

Additional information was also provided, including an updated acoustic assessment, updated traffic assessment to be consistent with the revised plans and the amended design. The RtS also included an updated flooding assessment report.

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

**Table 6 |** Summary of public authority submissions to the RtS

#### Council

Council commented that the RtS was satisfactory having regard to flooding, noise and contamination. Council recommended conditions include:

- measures in relation to noise management on the site.
- preparation of a construction noise and vibration management plan.
- preparation of a construction environmental management plan.
- air quality management measures during construction.



- soil contamination and remediation measures (especially the backfilling of septic tanks).

#### TfNSW (RMS)

TfNSW (RMS) recommended conditions regarding:

- preparation of a construction traffic management plan.
- installation of school zones.
- compliance of car parking layout with the relevant standards.
- compliance of proposed intersection layouts with Council's requirements.

#### TfNSW

TfNSW raised no concerns subject to conditions regarding:

- an Operational Traffic and Parking Management Plan.
- A Green Travel Plan (GTP).

#### Sydney Water

Sydney Water advised that the Applicant has not responded to the comments from Sydney Water to the EIS. However, the comments can be included as conditions of consent that may be resolved as part of the section 73 certificate approval process.

#### EESG

The EESG group supported the amended flooding assessment for the site and recommended conditions regarding the replacement planting species on the site.

#### RFS

The RFS raised no concerns and recommended conditions in relation to Asset Protection Zones (APZ) and bushfire safety.

#### EPA

EPA advised that the proposal does not constitute a Scheduled Activity under Schedule 1 of the POEO Act and therefore would not require an Environment Protection Licence.

#### Endeavour Energy

Endeavour Energy recommended a condition requiring confirmation of satisfactory arrangements for the connection of electricity and the design requirements for the substation, prior to the release of the Construction Certificate.

## 5.4 Supplementary Response to Submissions

The Department raised concerns regarding the submitted RtS in relation to the noise assessment, student numbers, discrepancies in reports and contamination matters.

In response to the Department's concerns, the Applicant submitted supplementary RtS (SRtS) on 20 March and 25 March 2020. The SRtS included:

- minor design amendments in response to comments from Government Architect NSW.
- Increase in the building height for the Central hub building.
- response to Sydney Water's comments.
- amended acoustic report and a bushfire report addendum.
- clarification regarding car parking numbers and discrepancies in drawings.

### Addendum comments from Council

Council reviewed the Department's initial recommended conditions and provided additional comments on the proposal on 24 April 2020. The additional comments from Council included recommendations for the Applicant to:

- construct the full width of Eleventh, Fourth and Tenth Avenues.
- provide for a pedestrian / children's crossing on Eleventh Avenue to cater for the existing school.
- deliver all proposed roadworks in construction phase 2.
- obtain required approvals for roadworks from Council.

Council's comments included additional recommendations regarding the swimming pool, fit-out for the childcare centre, canteen, café as well as soil contamination.



## 6. Assessment

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

- built form and visual impacts.
- landscaping, tree removal and earthworks.
- traffic and transport.

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

### 6.1 Built form and urban design

#### 6.1.1 Building Height

##### Concept Proposal

The site is subject to a maximum building height control of 9m under the Growth Centres SEPP. Except for the childcare centre, all other new buildings on the site would exceed the permissible height of 9m. The extent of the variations of the proposed envelopes is summarised in **Table 7**.

**Table 7 |** Proposed building heights

| Proposed Building        | Maximum Height<br>(relative level<br>(RL)) | Maximum Building Height | Variation to the 9m building<br>height control |
|--------------------------|--------------------------------------------|-------------------------|------------------------------------------------|
| Central Hub              | RL 89.8                                    | 19.3m                   | 10.3m                                          |
| Indoor recreation centre | RL 84.00                                   | 10.75m                  | 1.75m                                          |
| Bell tower               | RL 93.00                                   | 20m                     | 11m                                            |
| Childcare                | RL 77.50                                   | 5.5m                    | No exceedance                                  |
| Future church            | RL 83.80                                   | 11.1m                   | 2.1m                                           |
| Future trade centre      | RL 79.8                                    | 12.5m                   | 3.5m                                           |

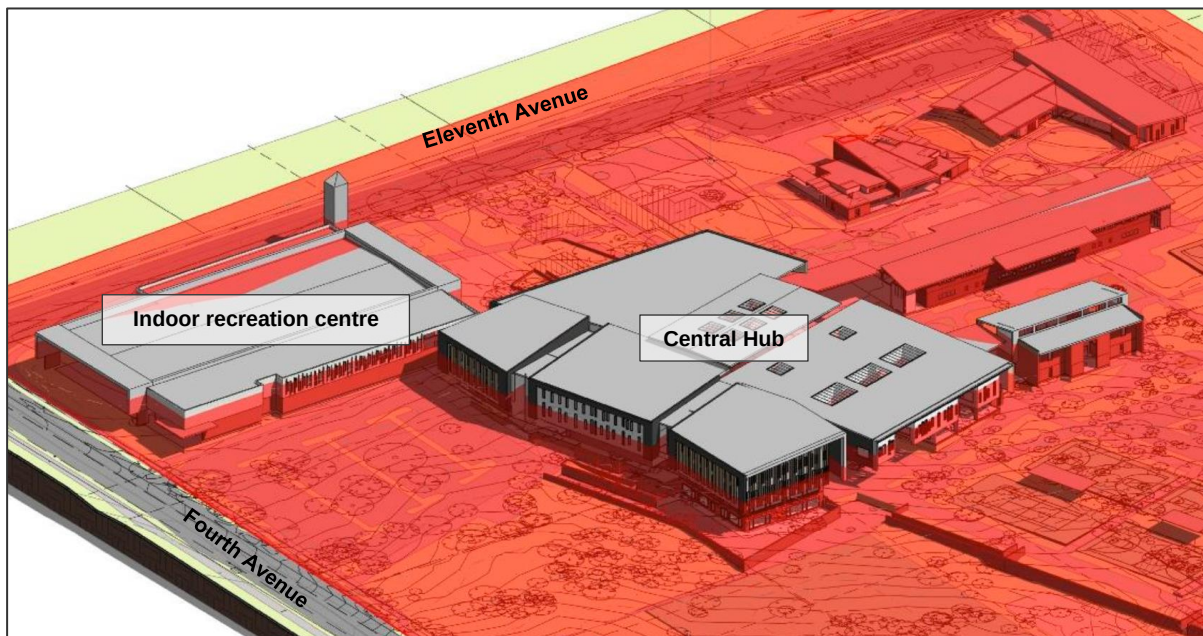
Pursuant to clause 42 of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP) consent can be granted for a school that is SSD despite contravening the applicable building development standard, subject to assessment of the merits of the proposal.

Government Architect NSW (GANSW) and Council reviewed the EIS and did not raise any concerns regarding building heights (both for the Concept Proposal and Stage 1 detailed works).

The Department's assessment of the proposed built form in Stage 1 of the development is discussed below. The proposed building heights of the church and the trade centre are well below that of the Central Hub or the bell tower. Future development applications would ensure that the design of the church and trade centre are compatible with the approved buildings on the site. Consequently, based on the assessment of the built form of Stage 1, the maximum building heights for the church and the trade centre are acceptable. An assessment of the proposed envelopes for the buildings in Stages 2 and 3 of the development are provided in **Sections 6.1.6** and **6.1.7**.

### Stage 1

**Figure 23** identifies the extent of the built form in Stage 1 that would exceed the maximum building height control.



**Figure 23** | Perspective image of proposed Stage 1 detailed proposal showing building massing that would exceed the 9m building height control (Source: Applicant's SRTs)

Notwithstanding clause 42 of the Education SEPP, the EIS includes a justification for the building height exceedance. The EIS indicates that the proposed built form represents a superior development outcome for the site compared to a development which strictly complies with the height standard, as it consolidates the built form vertically, providing opportunity for increased landscape treatments. The location of the buildings at the centre and north of the site ensure sufficient landscaped setbacks from the adjoining residential areas. It also notes that as viewed from the public domain, the non-complying Central Hub, which is sited towards the centre of the site, would not result in any adverse visual impacts, being screened by the proposed replacement trees and landscape buffers.

In considering the merits of the proposal and the building heights, the Department is guided by clause 4.6 of Appendix 8 of the Growth Centres SEPP, which allows for contravention of a development standard where compliance is unreasonable and unnecessary. The Department has also considered



the established principle in the case of *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 1009. In accordance with this decision, sufficient environmental planning grounds, unique to a site, must be demonstrated by the Applicant for a clause 4.6 variation request to be upheld.

The Department considers, with regard to the above, that compliance with the height control is unreasonable and unnecessary and there is sufficient planning justification for contravention of the standard as the:

- variation from the height control does not result in overshadowing impacts to adjoining land or open space areas.
- visual impacts of the proposal are minimised by locating taller building elements in the central part of the site where (due to the substantial setbacks and proposed intervening landscaping) they would have no direct visual relationship with the surrounding residential allotments.
- consolidation of the building mass at the centre of the site would result in an improved outcome compared to a development that complies with the height control but occupies a much larger footprint and less opportunity for landscaping.
- new buildings include generous floor to ceiling heights on the ground floor to cater for the functional requirements (services, natural ventilation, north light, the functions of the hall etc).
- requirement for equitable access between various sections of the individual buildings also precludes any potential stepping of the floor level and / or further reduction in the roof height.

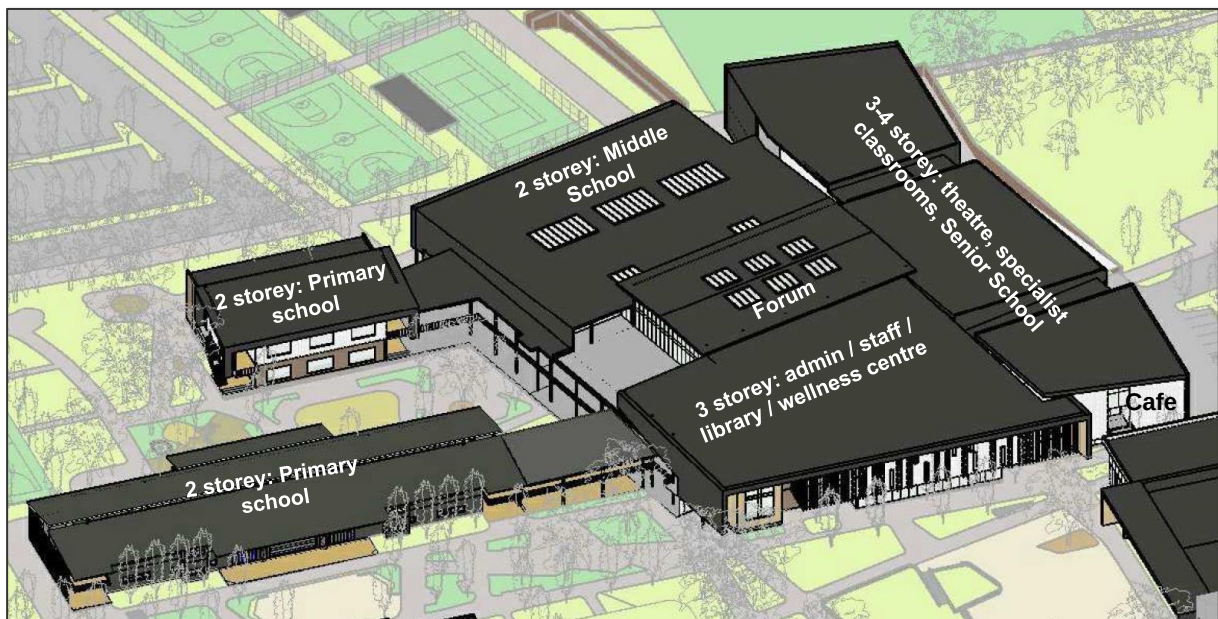
Having regard to the above reasons and the Applicant's justification, the Department is satisfied that the proposed buildings would comply the objective of clause 4.3 "Height of Buildings" in the Growth Centre SEPP, which intends to: minimise the visual impact of a development; maximise solar access and privacy of neighbours; and provide a scale and intensity of development through the control.

The contemporary built form with the external colours and finishes, is supported, as it would characterise the site as a distinct element on the streetscape. Based on the above assessment, the Department finds that the exceedances of the maximum building height control are acceptable. The assessment of the design and visual impact of each of the proposed buildings are discussed below.

### 6.1.2 Central Hub Building

The Central Hub is the largest building on the site comprising a variety of connected built forms, the 'learning neighbourhoods' (primary school, middle school and senior school), The building would accommodate learning areas for Years 1 to 12 as well as administration and staff areas. The learning neighbourhoods are designed to include collaborative spaces, quiet and individual spaces, group spaces, presentation spaces, specialist areas and outdoor learning areas. There are also specialist learning spaces and hubs (including library, wellness centre, a 250-seat performing arts theatre, primary school hall and café). A three-storey semi-enclosed 'central forum' space would connect the learning neighbourhoods and specialist spaces (**Figure 23**).

The Central Hub would have a contemporary institutional appearance with varied building elements, two - four storeys in height. Materials include fibre cement cladding in natural and grey tones, Colourbond cladding in natural, plywood timber cladding and face brickwork in grey / brown.

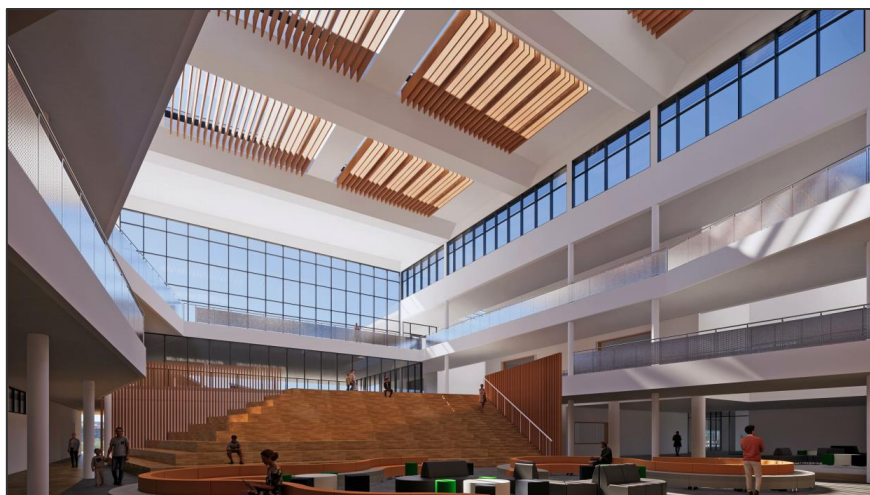


**Figure 23** | Perspective image of the Central Hub building (Source: Applicant's RtS)

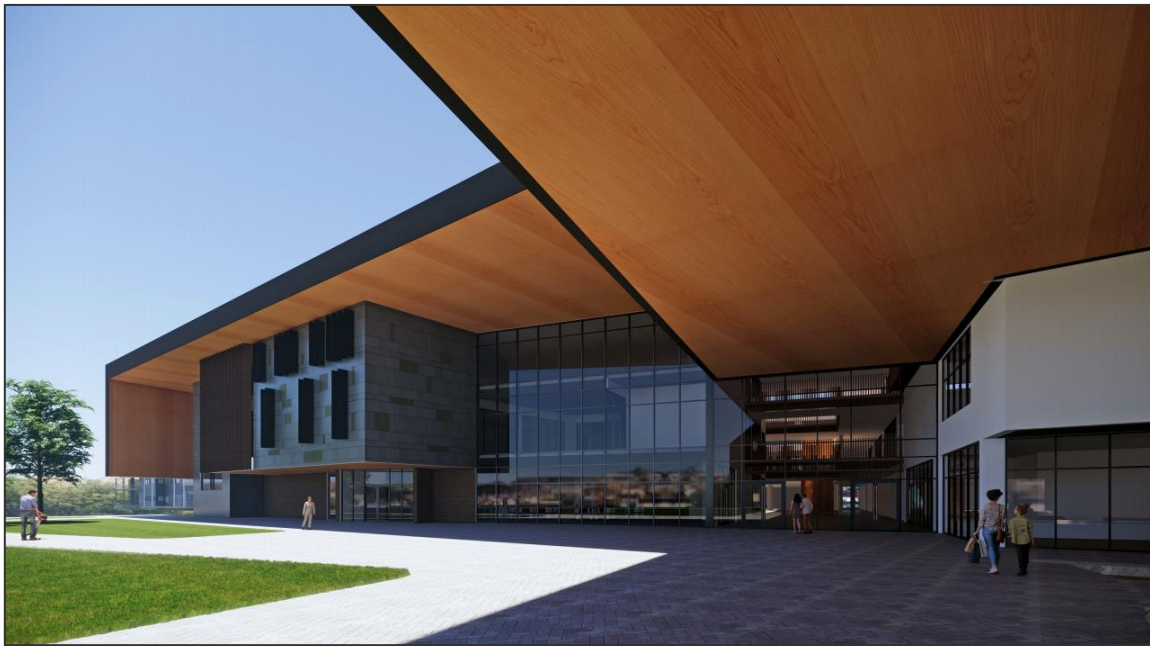
To the east, the two building components accommodating the primary school would step down to be two-storey in scale. This is consistent with the building height control for the locality and ensures an appropriate transition with the future low-density developments on the adjoining lots (**Figure 23**).

In its review of the design of the buildings, GANSW supported the location of the learning areas to the north and centre of the site. However, the GANSW requested further information on the volume and amenity of the space, materiality and façade articulation as well as its relationship with the natural and built environment of the surrounding areas.

In response, the Applicant's SRtS proposed further amendments to the building including redesigning the northern façade of the Central Hub. The redesigned façade included enhanced physical and visual connectivity, a roofed area to define the entrance as well as the north-south / east-west connections on the site. The SRtS included additional photomontages illustrating the volume of the central space (**Figure 24**) and the relationship of the entrance area to the surroundings (**Figure 25**). More information on façade articulation and materials was also provided.

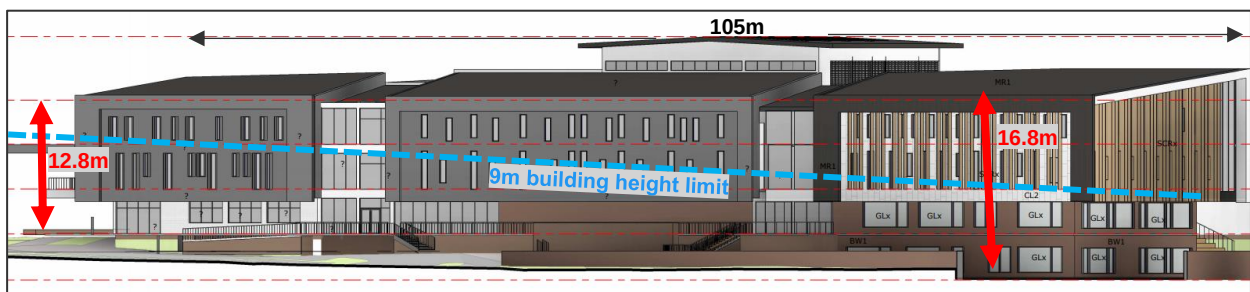


**Figure 24** | Covered central form within the Central Hub building (Source: Applicant's SRtS)

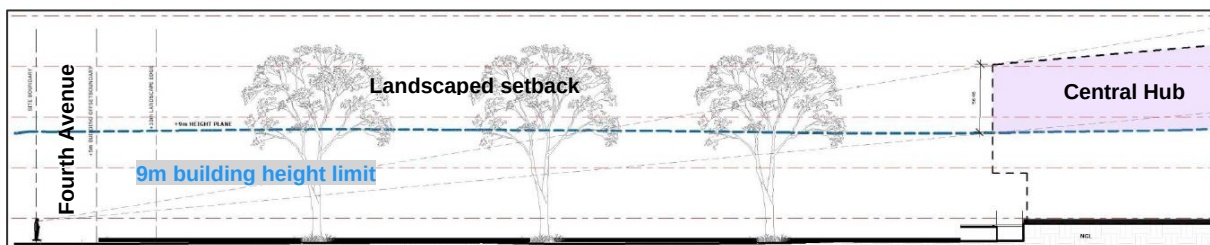


**Figure 25** | Roofed area connecting the Central Hub and indoor recreation centre (Source: Applicant's SRtS)

In its assessment, the Department notes that the western elevation of the building (viewed from Fourth Avenue) would be 105m long with a building height exceeding the stipulated 9m. To reduce the perceived visual bulk of this facade, a building setback of 75m – 90m is proposed from the western boundary, extensively landscaped with existing Cumberland Plan Woodland and proposed planting (up to 25m high). The western facade is also proposed to be articulated to appear as three buildings (Figure 26 and 27).



**Figure 26** | The Central Hub as viewed from Fourth Avenue (Source: Applicant's SRtS)

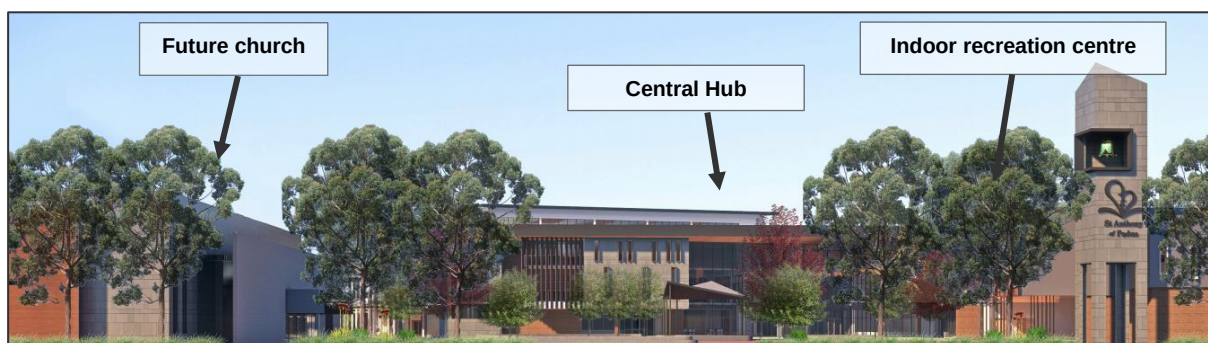


**Figure 27** | Section through the Central Hub Building and setback to Fourth Avenue (Source: Applicant's SRtS)

The Central Hub would be setback more than 120m from the Tenth Avenue (south), being intercepted by extensive landscaped areas and outdoor play areas.



When viewed from Eleventh Avenue (north), the building would appear to be a two - three storey structure with a setback of 60m from the street. The building would be located behind the piazza, the indoor recreation centre, the existing Kindergarten building and the future church (**Figure 28**).



**Figure 28** | Central Hub as viewed from Eleventh Avenue (Source: Applicant's SRtS)

The Department has assessed the design of the Central Hub and concludes that the building would provide for a high quality and flexible learning environment for the future students. The connected neighbourhoods allow for all-weather and safe movement through the main learning spaces for students and staff. The building layout has also been designed to maximise access to natural light and ventilation.

When viewed from the public domain of Fourth Avenue and Tenth Avenue, the building would blend with the contemporary design of the existing structures within the site. The Department considers the proposed external colours and finishes are appropriate in their context and would contribute positively to the character of the area. The landscaped setback and the façade articulation would satisfactorily reduce any residual visual impact of the building mass on the surrounding low-density neighbourhood.

**Figure 28** demonstrates that the scale and design of the Central Hub would satisfactorily complement the existing buildings on the site. The proposed high-quality façade finishes would provide visual interest and result in a positive urban design outcome for the site and locality.

### 6.1.3 The Indoor Recreation Centre

The indoor recreation centre would function as a school hall and gymnasium incorporating two play courts. It would accommodate an indoor 25m length pool with associated seating and facilities (**Figure 16**). The building is proposed to be sited at the corner of Fourth and Eleventh Avenues (north-west corner) and would be identified as a prominent element of the site in the future. The location of this building would also enable shared use of the facilities with the community without compromising the safety and security of the internal learning areas. Access to the indoor recreation centre is proposed from the eastern side fronting the piazza.

In response to comments from the Department and GANSW, the indoor recreation centre was redesigned as part of the SRtS. The building, as refined by the SRtS, would have a height of 10.75m with a contemporary façade, when viewed from the street frontages. The building would incorporate extensive glazed facades to increase passive surveillance and street frontage activation (**Figure 29**). The building would have an average setback of 5m (roof) – 10m (façade) from Fourth Avenue.



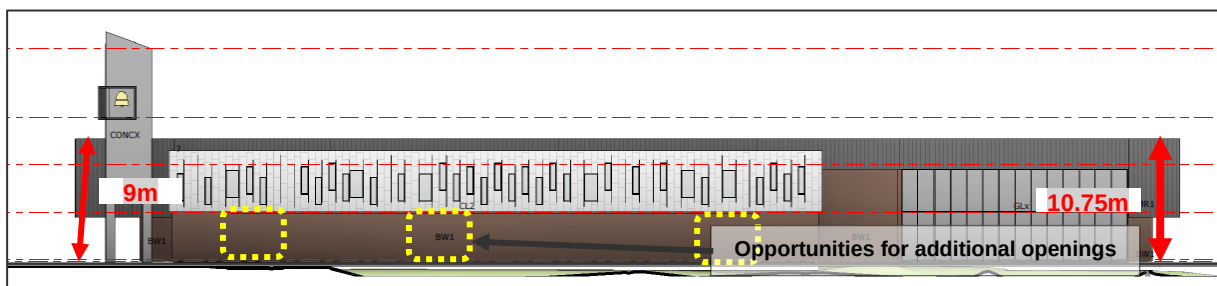


**Figure 29** | Indoor recreation centre as viewed from Fourth Avenue (Source: Applicant's SRTS)

The Department's assessment concludes that the building's presentation to Fourth Avenue would positively contribute to the character of the area and enable it to be identified as a distinguished streetscape element.

However, the Department notes that the setback of this building from the Fourth Avenue boundary would reduce if the width of this road reserve is increased in construction phase 3, as part of the roadworks proposed by the Applicant. The resultant setback of the building following the road widening works, is not clearly provided in the submitted plans. The Department considers that a setback less than 5m may not be sufficient to support the growth of 15m – 30m tall trees that are proposed along the street frontage (required width is 8m – 10m). The long-term growth and longevity of the setback landscaping is essential to screen the visual bulk and reduce the possibilities of light spillage from the hall during night-time. Considering the above, the Department has recommended a condition requiring the roofline to have a minimum setback 5m from the Fourth Avenue street frontage. This would result in a reasonable roof overhang while allowing for landscaping.

The indoor recreation centre would appear as a two-storey building from Eleventh Avenue with a façade height of 9m – 10.75m. The façade incorporates glazing at the western end with an unbroken solid face brick / fibre cement wall at the base of the eastern section. The upper floor of this façade incorporates patterned windows with timber screening (**Figure 30**). The setbacks to Eleventh Avenue vary between 4.75m (east) – 9m (west).



**Figure 30** | Northern elevation of the indoor recreation centre (Eleventh Avenue) (Source: Applicant's SRTS)

The Department considers that the bulk, scale and siting of the building is appropriate in the context of the surrounding buildings and allow for perimeter landscaping. The building generally presents a high-quality façade promoting good visual relationship between the site and the public domain.

However, the Department considers that the base of the façade fronting Eleventh Avenue should incorporate further openings / windows to mitigate the adverse visual impact of a solid wall on the public domain (as marked in **Figure 30**). Additional windows at the ground level would also improve passive surveillance opportunities. Consequently, the Department has recommended a condition requiring incorporation of a minimum of three windows on this façade to improve the appearance of the façade from the public domain at Eleventh Avenue.

The Department also concludes that subject to the implementation of the conditions regarding the roofline and additional openings to the façade, the height of the building (being 1.9m above the 9m building height limit) would not result in adverse visual impact on the surrounding locality.

#### 6.1.4 The Bell Tower

The proposed bell tower would be located fronting Eleventh Avenue and would be 20m high. It has been designed to complement the design of adjoining buildings and would be identified as the landmark for this site in the future (**Figure 28**). Given that this part of the site does not directly adjoin any residential areas, the location and design of the bell tower are assessed as satisfactory.

#### 6.1.5 Childcare centre

**Figures 20 and 21** identify the proposed single storey additions to the future childcare building, including face brick and Colourbond cladding, would match the existing building. The single storey building would be well setback from the street. The scale and design of the proposed addition would be consistent with the likely low-density character of the surrounding sites in the future.

The Education SEPP defines the CELC as a centre-based childcare facility. Clause 22 of Part 3 of the Education SEPP states that concurrence of a relevant Regulatory Authority is not required for a 'centre-based childcare facility' if: the floor area of the building or place complies with the relevant regulations regarding outdoor and indoor play areas. The Education SEPP states that the Regulatory Authority in New South Wales is the authority specified under the *Children (Education and Care Services) National Law (NSW)*.

The proposed childcare centre would have a capacity of 125 children (including 36 children under two years, 45 children between two and three and 44 children over three years), requiring a total of 406.25m<sup>2</sup> of unencumbered indoor play space and 875m<sup>2</sup> of unencumbered outdoor play space under the provisions of Education SEPP. The proposal satisfies these play space requirements, making provision for 663m<sup>2</sup> and 1900m<sup>2</sup>, respectively, and therefore separate concurrence of the Regulatory Authority is not required.

The Department notes that the internal layout of the childcare centre does not identify the functional areas or the indoor / outdoor play areas in detail. However, the Applicant's RtS is supported by a compliance table which specifies that all required functional areas have been provided within the centre (including the floor areas). The Department's assessment of the plans and the layout concludes

that there is sufficient space to accommodate the required internal and external play areas within the site visually integrated with the school design. Notwithstanding, given the lack of details in the plans the Department has recommended a condition requiring detailed plans, floor area and play areas calculations for the childcare centre to be certified by a suitably qualified expert prior to the issue of the construction certificate for the relevant stage of works and be submitted to the Planning Secretary for information. The compliance of the proposal with Department's childcare planning guidelines is provided in **Appendix B** and is assessed as satisfactory.

#### 6.1.6 Stage 2 works - Future Church

The envelope for the future church would be located on the eastern side of the main entry piazza. The building envelope would have a maximum height of 11.1m and a setback of approximately 6m from Eleventh Avenue, with building articulation zones on the north, east and western facades. The Applicant has advised that the detailed design would be subject to a future application for Stage 2 works. **Figure 31** provides an image of an indicative building design within the proposed maximum building envelope.



**Figure 31** | View of possible future church design as viewed from Eleventh Avenue (Source: Applicant's SRTS)

The Department considers the Church would be appropriately located on the site and, subject to future design, would not result in any unacceptable visual impacts. Although the building would exceed the permissible 9m height control, it would be compatible with the surrounding buildings within the site and have no direct visual relationship with the adjoining low-density residential areas. The Department has recommended conditions to ensure the building is designed to a high quality and to complement the surrounding buildings on the site, in the future.

#### 6.1.7 Stage 2 / 3 works - Future Trade Centre

The future trade centre building (Stage 2 / 3) is proposed to be a standalone structure, located at the south-west corner of the site, at a considerable distance from the other buildings on the northern section. The Concept Proposal seeks approval for a two-storey building envelope with a maximum height to RL 79.8, resulting in a height of up 12.5m above the existing ground level at the south-west corner. The proposed setbacks are approximately 28m from Fourth Avenue, and 34m from Tenth Avenue.

The Department considers the location of the building is appropriate, being a separate use, with the potential for training up to 200 students, a considerable proportion of these potentially being older than 18. However, the Department has concerns that a building height of up to 12.5m can potentially present as a four-storey building that would be well above the future developments on the opposite side of Fourth Avenue and Tenth Avenue. The Department therefore recommends a condition requiring the bulk of the building to be 10m in height with a two-storey appearance. The overall proposed RL of 79.8 may be retained to allow for flexibility in roof design. A 10m high building would still allow for significant flexibility in the future design, generous floor to ceiling heights, while being compatible with the surroundings. Subject to the implementation of the above condition and a high-quality façade design, the Department is satisfied the proposed envelope would not result in adverse visual or urban design outcomes.

## 6.2 Landscaping, tree removal, earthworks

### 6.2.1 Landscape Design Concept Proposal

The landscape masterplan associated with the Concept Proposal is provided in **Figures 32** and **33**.

The Concept Proposal incorporates extensive outdoor landscaped areas to suit a wide variety of purposes, including sports, recreation / learning and pedestrian routes. The layout of the site has been designed considering the Crime Prevention Through Environmental Design (CPTED) principles of surveillance, access control, territorial reinforcement and space-based activities. The application is supported by a CPTED report which includes mitigation measures to minimise potential crime risks on the future users.

During the EIS exhibition, GANSW recommended that a wholistic design was needed to enhance the north / south and east / west connections through the site.

In response, the Applicant's SRTS includes a redesigned landscape masterplan with enhanced connections at each direction through the redesigned Central Hub and additional tree plantings. The components of the landscape masterplan and visual integration of the landscaped areas with the buildings on the site is provided in **Figure 32**.

Majority of the works would be completed in Stage 1 of the proposal. **Figure 33** provides details of the landscaping in Stage 1 with the possible landscaping details surrounding the building envelopes for future stages of the development.



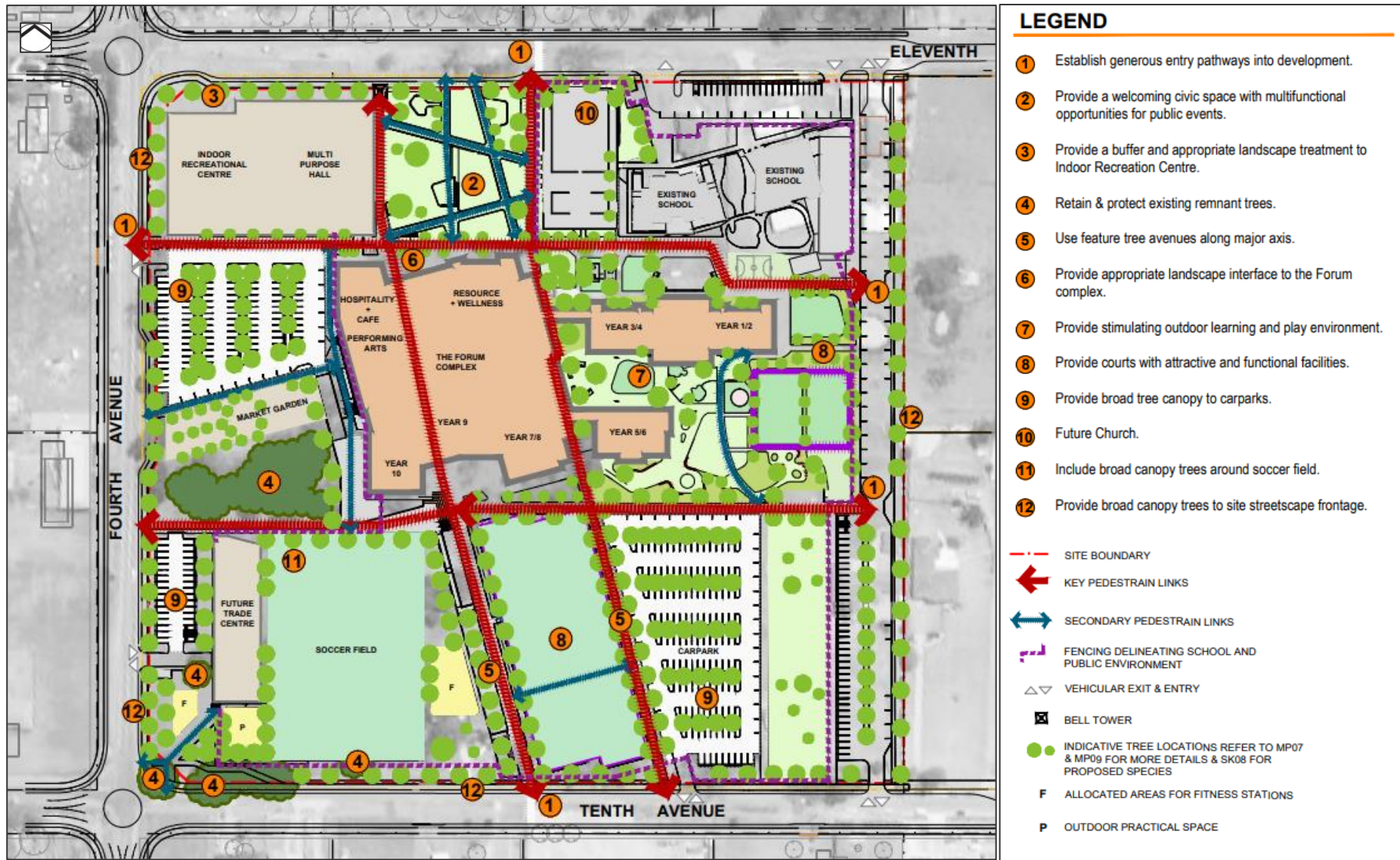
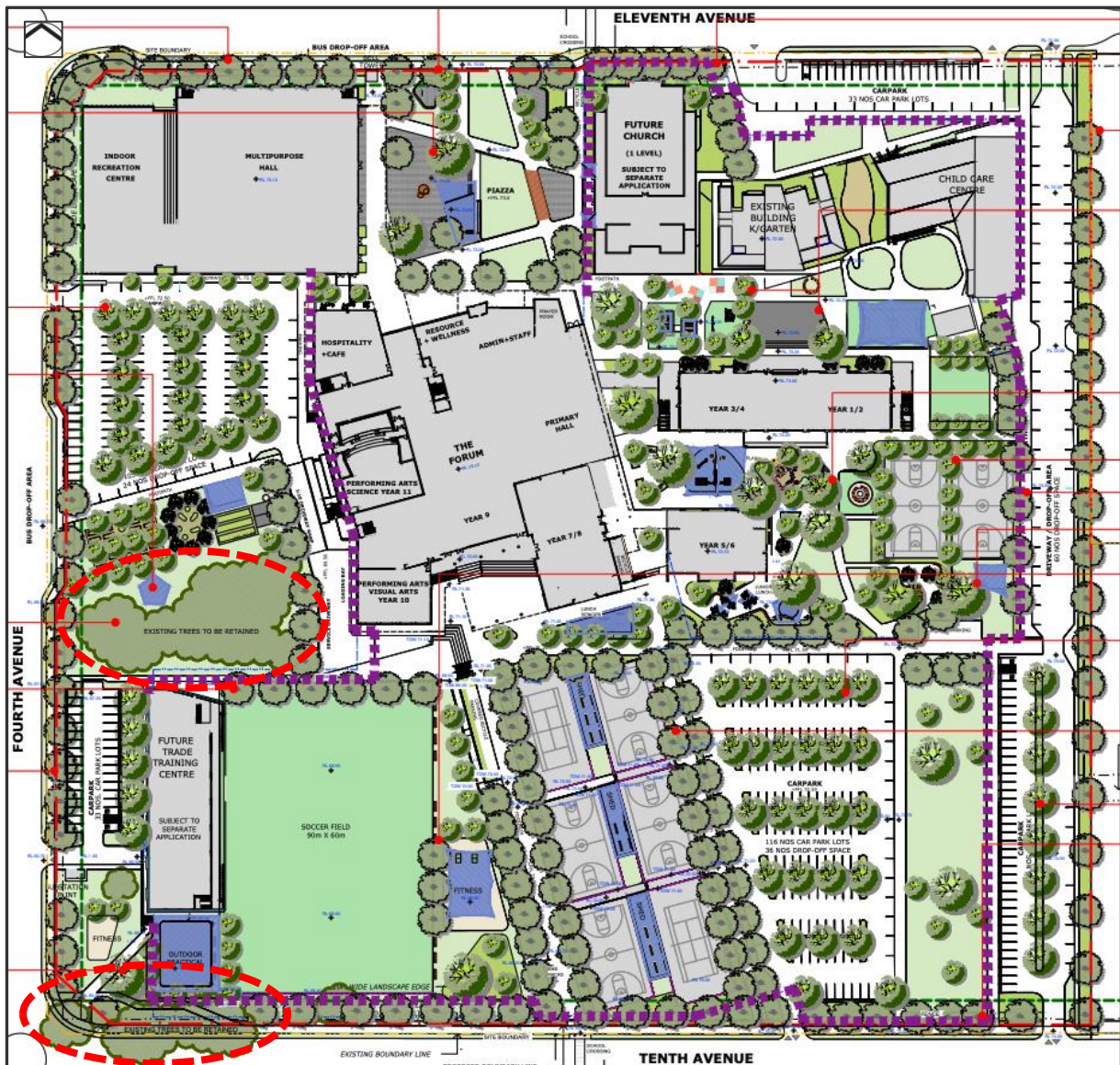


Figure 32 | Concept Landscape masterplan (Source: Applicant's SRTS)





**Figure 33 | Detailed Landscape Plan (Stage 1 / 2 / 3 combined) with areas of retained trees (circled red), covered areas (blue) and fence line (purple) (Source: Applicant's SRTS)**

The Department has assessed the revised landscape masterplan and considers that the proposed landscaping scheme provides a high level of amenity to the site with appropriately designed shaded areas and a suitable replacement tree canopy. The proposed tree canopy would ensure that the site presents a landscaped green edge with additional shaded areas in the carparks, the piazza and playing fields, a wide range of recreational spaces, flexible outdoor learning areas and visually enhanced landscaping of the piazza.

The impacts of tree removal, replacement planting and staging of landscape works in Stage 1 is discussed below.

## 6.2.2 Landscape design for Stage 1

During the EIS exhibition, GANSW reviewed and supported the landscape design approach for Stage 1, which articulates areas based on student needs, but suggested that visual impacts of perimeter fencing be reduced through peripheral landscaping.

In response, the SRtS included fencing details to demonstrate that fencing would be setback from the boundary to allow for screen planting, where possible. The SRtS advises that landscaping in Stage 1 would also occur in six stages shown in **Figure 34**.



**Figure 34** | Staging of landscaped works with retained trees (light green) and replaced trees (dark green)  
(Source: Applicant's SRtS)

As discussed in the previous section on Concept Proposal, the Department is satisfied that the proposed landscaping scheme on the site in Stage 1 would provide for age appropriate play areas, under cover pedestrian connections / learning areas, enhanced visual appearance for the piazza and entrance areas and substantially large playing fields. The assessment of the tree removal / replacement and impacts of associated staging of the landscaped work in Stage 1 is discussed below.



### 6.2.3 Tree removal, replacement plantings and provision of shade in Stage 1

The Applicant seeks approval to remove all existing vegetation from the site, other than a section of existing Cumberland Plain Woodland (CPW) trees on the western side of the site and some existing street trees at the south-west corner of the site (**Figure 33**). While the Applicant's EIS indicates this would require removal of 556 trees, the Arborist Report indicates at least 641 trees are required to be removed. The landscape staging plans (**Figure 34**) indicates that the trees would all be removed as part of the Stage 1 works. The Arborist Report advises that 469 trees proposed to be removed are of high retention value as trees across the site mostly comprise native CPW species. Proposed replacement planting includes approximately 325 canopy trees, in addition to shrubs and groundcovers.

During the EIS exhibition, Council raised concerns that the proposal includes significant removal of trees, which in conjunction with proposed black roofing would result in urban heat island effects. GANSW recommended that further justification should be provided for removal of the trees with low retention value as it would lead to overall loss of tree canopy on the site. GANSW also recommended that a landscape staging plan and shading diagrams should be provided to demonstrate how heat load on the site would be managed before replacement trees reach maturity. The Department notes that loss of tree canopy in one stage would result in no shading on site for a prolonged period of time when construction works would be undertaken concurrently with school operations. EESG commented that the proposed replacement planting should include additional native CPW species.

In response to the above concerns, the Applicant's RtS included revised landscape plans which demonstrate that approximately 35% of replacement trees would be CPW species. The Applicant revised the roof colour to a light grey to reduce urban heat island effects. Additional shaded areas (with roof or shade sails) were also incorporated into the proposal as identified in **Figure 34**, as part of the SRtS.

The Applicant also advised that while CPW species are proposed for large canopy perimeter trees, CPW trees were not considered appropriate for the site as they predominantly comprise flammable species, not suitable due to bushfire risk. Further these species have thorns, cause allergies and are short lived (such as Wattle).

EESG reviewed the RtS and advised that additional CPW should be included, including a selection of non-flammable species. EESG suggested that Wattles could be used for replacement planting, as suggested by recent research on plants (by EESG).

The Department has reviewed the submissions and the Applicant's response to these. The Department acknowledges that a development of this scale on the site would require removal of most of the trees and considers that the quantum of replacement planting has been maximised where possible. Given the operational needs of the school and the RFS requirements to maintain the entire site as an inner protection area, further inclusion of trees would not practically occur. The Department is satisfied that the quantity of new trees, in conjunction with the retained tree canopy and additional covered outdoor areas would provide good levels of shading and amenity within the site and make a positive contribution to the landscape character of the area.



The proposed staging of the landscaping works demonstrate that the removal of the tree canopy would be undertaken in stages to ensure that sufficient replacement planting occurs prior to removal of trees in a certain section of the site, during a particular construction phase.

However, the Department agrees with EESG that a greater proportion of tree planting should be CPW species. Based on the advice from EESG, the Department has recommended a condition requiring the submission of an updated landscape plan for Stage 1 including at least 50% indigenous species.

#### **6.2.4 Landscaping for future stages 2 and 3**

The Applicant's SRtS advises that temporary turf would be provided at the location of the future building envelopes for the trade centre and future church. No additional tree removal would be needed in the future stages. Some shaded areas would be provided adjoining these buildings and would be detailed as part of future Stage 2 / 3 development applications.

The Department is satisfied with the above information and considers that this matter can be assessed in detail under future development applications.

#### **6.2.5 Cut and fill**

##### **Stage 1**

The Department's assessment notes that the significant cut and fill would be needed to provide for a level playing field on the southern side (up to 2m fill) being part of Stage 1.

The Department's assessment regarding the above areas concludes that the location of the on-site detention tank along the southern boundary would suitably screen the elevated areas of the southern playing field and reduce any visual impact due to retaining walls supporting this playing field.

##### **Future Stage 2 / 3**

The future outdoor practical area associated with the trade centre is proposed to be elevated well above natural ground level (up to 3m) and may result in tall retaining walls with adverse impact on the streetscape.

Considering that detailed design of the trade centre and the outdoor practical area would be assessed under a future application, the Department has recommended a condition requiring the future design plans to demonstrate that the proposed fill and associated visual impact is reduced in this section of the site.

### **6.3 Traffic and Transport**

#### **6.3.1 Operational Traffic**

##### **Future traffic and transport scenario in the Austral-Leppington Precinct**

As discussed in **Section 1.2**, the site is located within the Austral – Leppington North precinct of the SWGA. The EIS is supported by a Traffic Impact Assessment Report (TIA) which notes that the precinct would ultimately provide for 17, 350 dwellings with associated commercial and employment centres, railway station, new schools, walking and cycling routes. The previous transport studies for

the Austral – Leppington North precinct include two-way peak hour traffic flows for 2036 (when the precinct is expected to be fully developed) on various roads including Edmondson Avenue and Fourth Avenues. The TIA has utilised these figures in estimating the base traffic volume in 2036.

Previous traffic studies and the Schedule 1 of Liverpool Growth Centre Precincts Development Control Plan 2013 (Liverpool DCP) have identified the transport requirements for the precinct including several road upgrades in the vicinity of the site to cater for the forecast base traffic volumes in 2036. The Liverpool Contributions Plan 2014 (Contributions Plan) includes the proposed upgrades in its works schedule to provide for a funding mechanism to undertake these works.

The Liverpool DCP indicates that in future Edmondson Avenue would act a transit boulevard (being a major road in Austral) and Fourth and Tenth Avenues would be collector roads. Eleventh Avenue would be retained as a local road. The relevant road upgrade works in the vicinity of the site include:

- traffic signals along Edmondson Avenue (including at Tenth Avenue) and Fourth Avenue.
- additional cycle lanes in both directions on Edmondson Avenue.
- two roundabouts at intersections of Fourth Avenue with Tenth (south) and Eleventh Avenue (north).

In addition to these works, other major works within the SWGA include upgrades to Camden Valley Way, Bringelly Road and potentially the South West Rail Link Extension.

### Concept Proposal operational traffic

The TIA estimates the traffic generation for the Concept Proposal, noting that majority of the school students within the site would be accommodated in Stage1 and that the future stages would only involve 200 additional students. The TIA includes a comparison of the base traffic volume and the design traffic volumes due to addition of the school in 2036, as identified in **Table 8**.

**Table 8 |** Forecast two-way peak hour traffic flows for the development when compared with the base traffic volumes in the Austral-Leppington North precinct

| Road             | Location                 | Weekday morning |                  | Weekday afternoon |                  |
|------------------|--------------------------|-----------------|------------------|-------------------|------------------|
|                  |                          | 2036 base       | Plus development | 2036 base         | Plus development |
| Edmondson Avenue | North of Eleventh Avenue | 1,610           | +350             | 1,920             | +350             |
|                  | North of Tenth Avenue    | 1,500           | +240             | 1,480             | +240             |
|                  | South of Tenth Avenue    | 1,340           | +520             | 1,660             | +520             |
| Fourth Avenue    | North of Eleventh Avenue | 770             | +260             | 870               | +260             |
|                  | North of Tenth Avenue    | 670             | +220             | 940               | +220             |
|                  | South of Tenth Avenue    | 610             | +370             | 620               | +370             |

**Table 8** indicates that when fully developed (estimated 2036), the proposed school and childcare centre would have a likely traffic generation rate of around 1500 vehicles per hour (two-way) during morning and afternoon school start and finish times. This would be a significant increase over the 200-

300 peak hour vehicle movements estimated to occur if the site was used for residential developments (in the base scenario for 2036).

To mitigate the impacts of the traffic generation due to the school, the Application proposed a number of traffic mitigation measures and upgrades to the surrounding road infrastructure in addition to those identified in the Liverpool DCP / Contributions Plan. The proposed measures to reduce traffic impacts would all be implemented in Stage 1 and are discussed below.

The Applicant advises that the future church in Stage 2 / 3 would generate traffic at different times to the school peak period and therefore not affect the capacity of the traffic network. The Department concurs with the Applicant's advice and considers that the traffic generation due to the church can be considered in detail under a future development application.

### **Stage 1 operational traffic**

The Stage 1 of the proposal would accommodate the bulk of the students (2280 students plus 125 place childcare centre) and would result in majority of the traffic generation. To cater for the additional traffic due to the school / childcare use (as discussed above), the TIA recommends delivery of a series of road works in stages, adjacent to the site including road widening and intersection upgrades in Stage 1 (discussed in **Section 6.3.2**).

During the EIS exhibition, TfNSW and TfNSW (RMS) requested additional information to clarify how traffic generation was calculated (traffic surveys, trip distribution and assumptions, including any staggering of school start and end times) and the difference between the potential traffic generation rates for the three different uses (school, church and trade centre) on the site. Council requested that the Applicant considers the broader impacts on Bringelly and Cowpasture Roads. TfNSW and Council also recommended a Traffic Management Plan be prepared which details measures to safely manage the high volume of traffic during drop-off / pick-up.

In response the Applicant provided supplementary traffic advice in the RtS. The RtS concluded that the proposed road upgrades in Stage 1, along with other upgrades delivered throughout the precinct, would ensure that the future school operations do not result in unacceptable impacts on the surrounding road network. All nearby intersections, including those adjacent to the school are expected to operate at good ('A') to satisfactory ('C') levels of service (LoS).

The RtS also emphasised that the school's catchment area would be similar to the precinct itself. The RtS indicated that traffic impacts on intersections along Camden Valley Way and Bringelly Road have already been considered in the precinct-based traffic studies. The proposed upgrades to these roads are currently being undertaken and would satisfactorily accommodate the additional traffic due to the

school in the future. The RtS concluded that the impacts of the school traffic at the intersections along the above regional roads would not be significant.

The RtS included a draft Traffic Management Plan detailing measure to manage safety and traffic volumes, and a draft Green Travel Plan (GTP) (discussed in **Section 6.3.5**) to encourage sustainable forms of transport and minimise traffic generation on surrounding roads.

TfNSW, TfNSW (RMS) and Council reviewed the additional information provided and did not raise any further concerns in relation to traffic generation on the surrounding roads or the wider precinct. Based on the comments from the public authorities, the Department concludes that the traffic generation assessment is satisfactory and that the upgraded surrounding road network can accommodate the additional traffic due to the school.

The Department notes that the trip generation methodology assumes staggered start and finish times for the school, with morning and afternoon drop-off / pick-up movements spread over the period of about an hour (SIDRA modelling results are based on vehicle trips / hour). However, the draft Traffic Management Plan only includes pick-ups staggered over a 30-minute period and no clear commitment on staggering of start and finish times. The Department has therefore recommended a condition requiring the Applicant to update the Traffic Management Plan to appropriately stagger drop-off / pick-ups to minimise any traffic congestion during peak periods to ensure that any residual impacts are mitigated. The Department is also satisfied that the implementation of the recommendations within the draft GTP would ensure a reduction in car usage in the future and reduce the overall traffic generation.

### **6.3.2 Road Upgrades: Road Widening and Intersection Treatments (Stage 1)**

To cater for the additional traffic in the locality generated by the proposed school use, the EIS included a series of roadworks as part of the Stage 1 works. The proposed roadworks included widening of the surrounding roads, upgrades to Edmondson / Eleventh Avenue intersection and signalisation of intersections of Fourth Avenue with Tenth and Eleventh Avenues.

During the EIS exhibition, Council, TfNSW (RMS) and TfNSW raised several concerns regarding the proposed road upgrades and roadworks. Council recommended that the above intersection upgrade was not needed as it would be delivered by Council as part of the precinct development (discussed in **Section 6.3.1**). TfNSW (RMS) did not support the proposed signalisation of the intersections.

In response, the Applicant's RtS amended the proposal and included the following roadworks and upgrades as part of the Stage 1 works, in consultation with Council and TfNSW (RMS) and identified in **Figure 35**:

- two roundabouts at intersections of Fourth Avenue with Tenth (south) and Eleventh Avenue (north) as part of construction phase 3. The Applicant's RtS advised that a bond or bank guarantee is proposed to be paid to Council prior to the operation of the facilities in construction phase 1, as security for the construction of roundabouts. The roundabouts would ultimately be

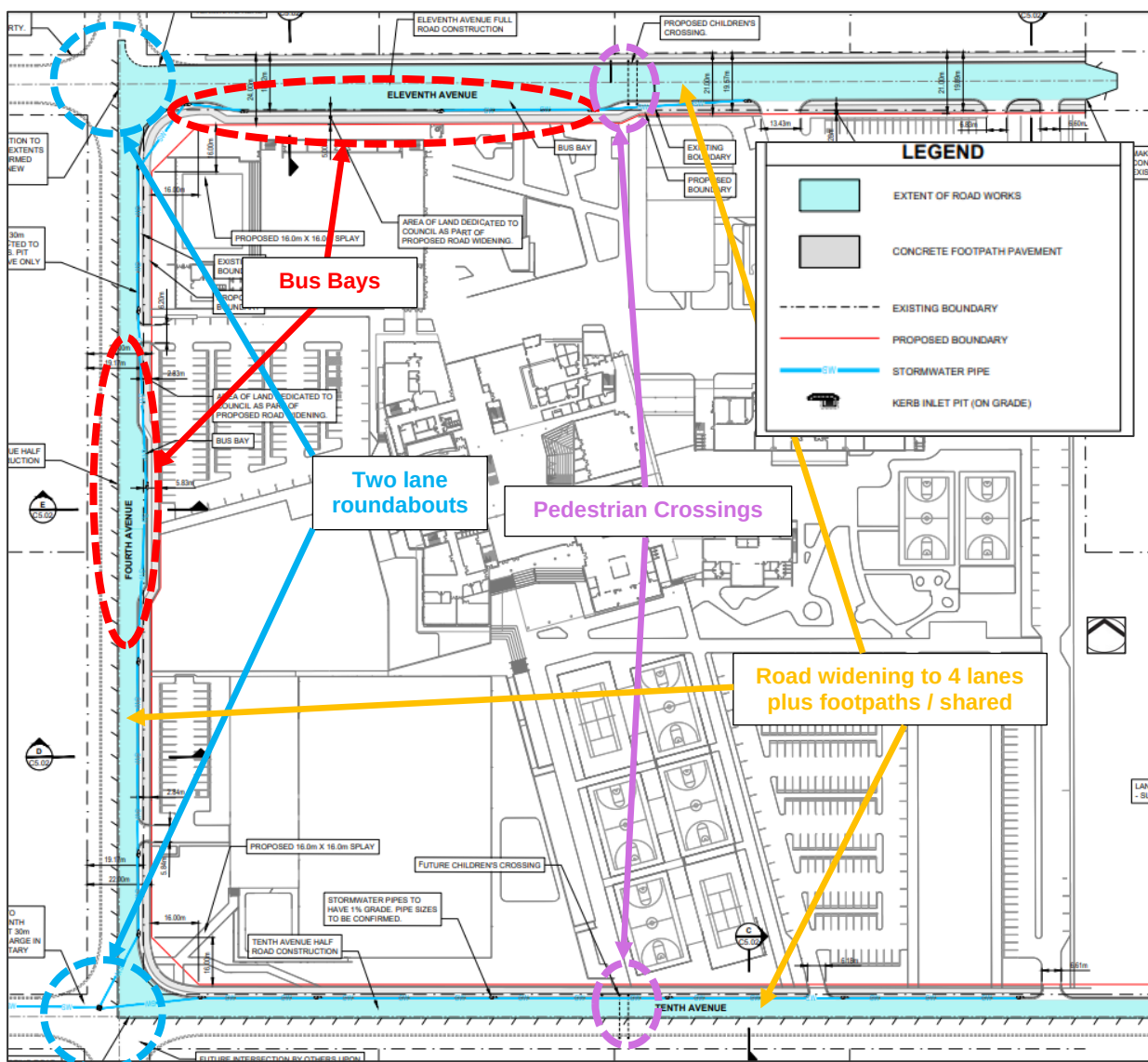


constructed either by the Applicant or Council (as negotiated). Preliminary civil plans have been provided demonstrating how roundabouts can be provided at these intersections.

- widening of Fourth (half width) Tenth (half width) and Eleventh (full width) Avenues along the site frontages to enable provision of four travel lanes, indented bus bays and turning bays. The site boundary would be adjusted in the future to allow for the proposed road widening.
- pedestrian / school crossings on Eleventh and Tenth Avenues.

The proposed road widening works would require the adjustment of boundaries on the northern, southern and western sides to accommodate the additional width of the roads within the site. The submitted civil works drawings included the detailed design of the four lane roads, Eleventh, Fourth and Tenth Avenues in conjunction with the two-lane roundabouts (**Figure 35**).

The Department notes that the delivery of the two roundabouts is consistent with the works identified in the Liverpool DCP and the Contributions Plan works schedule, required for the future development of the precinct.



**Figure 35 | Site plan indicating proposed roadworks (Source: Applicant's RtS)**

The proposed staging and delivery of the roadworks are:

- construction phase 1: no road upgrades are required as student numbers would remain below that already approved for the existing school on the site (approved for 300 students). Bonds / security deposit would be paid to Council.
- construction phase 2: one school crossing is proposed (discussed in **Section 6.3.3**). No upgrades are required in Stage 2, as student enrolments would be limited to a maximum of 659 and there would be no adverse impact to the operation of the local road network, including adjacent intersections.
- construction phase 3: all roadworks / intersection upgrades would be delivered prior to student numbers reaching 1088.

Following submission of the RtS, TfNSW (RMS), TfNSW did not raise any concerns in respect of the proposed road widening, road upgrades and the timing of delivery of the works, subject to recommended conditions. TfNSW (RMS) commented that further approvals would be required, in case of any future proposal to install traffic signals on the adjoining roads. The Department's assessment of the RtS noted inconsistent information regarding road widening works (plans noted half width construction of Fourth and Tenth Avenues, which was not indicated in the supplementary traffic advice).

Council did not provide any clear advice on the roadworks proposed as part of the RtS.

In response to the Department's concerns, the SRtS confirmed that the Applicant commits to building half the width and footpaths with bus bay indents along the site's frontage to Fourth and Tenth Avenues. The Applicant argued that this would lead to additional cost of works not needed as part of the development. Half width widening of Tenth Avenue and Fourth Avenue would result in the required four-lane road with footpath and bus bays.

The Department has reviewed Schedule 1 of Liverpool DCP which identifies Tenth Avenue / Fourth Avenue to be collector roads (20m wide reserve with four-lane carriageway), with residential developments on both sides. The proposed road width following the widening proposed as part of the school development is approximately 21.9m, consistent with the Liverpool DCP.

Based on the advice from the public authorities, the Department also concludes that the delivery of the two-lane roundabouts and four lane roads surrounding the site would ensure efficient operation of the school in the future and reduce impacts on the surrounding road network.

However, the Department has concerns that the half width construction may result in the lack of appropriate road infrastructure in the locality at construction phase 3, when 1088 students start using the site, generating the need for footpaths on both sides of Tenth Avenue and Fourth Avenue. There is no certainty that Council or other developers would build the remaining half of these roadways concurrently with / prior to construction phase 3 to ensure that four-lane roads are in place to cater for school traffic. To ensure that roads surrounding the site are of appropriate widths and standards to cater for the school traffic, the Department recommended that the Applicant undertake the

construction of full width of Fourth and Tenth Avenues unless an agreement is reached with Council prior to construction phase 3 which allows the Applicant to construction half width of these roads.

Council reviewed the Department's initial recommendations and advised that full width road construction should be undertaken for Eleventh, Fourth and Tenth Avenues. Council also recommended that the road upgrades be delivered prior to the commencement of operation of construction phase 2.

Noting that the proposed roads are owned and managed by Council, the Department agrees with Council's advice regarding the width of the road upgrades. Consequently, the Department recommends conditions that:

- the design plans for the road widening and intersection upgrades must be finalised and approved by Council prior to the commencement of construction phase 3.
- the upgrades to the road reserves for Fourth Avenue and Tenth Avenue (including the full width of the reserve, the four-lane carriageway and footpaths / shared paths on both sides) compliant with Council's standards, must be delivered (by the Applicant or others) prior to the completion of construction phase 3 or the student numbers reaching 1088, whichever happens earlier.
- the Applicant must construct the full width of Fourth Avenue and Tenth Avenue along the length of the site boundaries, as required by the above condition.
- the sections of the site utilised for road widening must be dedicated to Council at no cost following completion of the works and the boundaries adjusted prior to commencement of operation of construction phase 3.

The Department is supportive of the proposed timing of the road upgrades as they would be commensurate with the student numbers reaching 1088 which warrant additional road capacity to accommodate the resultant traffic, per the TIA. The Department notes Council's recommendations regarding the completion of these roadworks in construction phase 2. However, Council has not provided any reason to support the proposed amendment to the timings. Consequently, the Department does not agree to this recommendation from Council. The adjacent streets and intersections would operate at good levels of service during construction of Stages 1 and 2 without road widening or intersection upgrades. As such, some road upgrades (footpaths, kerb and gutter, partial road widening) have previously been provided on Eleventh Avenue adjacent to the site to cater for the existing school and are adequate to cater for construction phases 1 and 2 of the development.

### **6.3.3 Drop-off / pick-up spaces (Stage 1)**

The Stage 1 of the proposal includes the provision of 125 on-site student drop-off / pick-up spaces. The spaces are distributed throughout the site in car parks and along the internal driveway on the eastern boundary of the site. The Applicant's TIS notes this is equivalent to 1 space / 20 students, consistent with other schools that have been surveyed by the Applicant and sufficient to cater for the school at full capacity.

During the EIS exhibition, Council and TfNSW did not raise any specific concerns regarding the drop-off / pick-up measures but recommended that the Applicant prepare a Traffic Management Plan to address safe and efficient drop-off / pick-up arrangements.

In response, the RtS included a draft Traffic and Management Plan. The Applicant also committed to revising the plan progressively as the stages of development are completed.

Based on the information provided by the Applicant and the comments from the public authorities, the Department is satisfied that the number of student drop-off / pick-up spaces is sufficient. However, as discussed in **Section 6.3.1**, the Department notes inconsistencies regarding the Applicant's commitments to stagger the drop-off / pick-up times. The Department has recommended a condition requiring the submission of a detailed Operational Transport and Access Management Plan (OTAMP) to address the management measures, staggered drop-off / pick-up times to reduce queuing and traffic control measures at the drop-off / pick-up zone. The OTAMP would have to be updated at each construction phase addressing the impacts of the increased number of students on the site. The Department considers that subject to the implementation of the above condition, the proposed drop-off / pick-up provisions on the site is acceptable.

### **6.3.4 Bus Bays, Footpaths, Cycle Paths, Pedestrian Crossings (Stage 1)**

#### **Footpaths and shared paths**

The proposed civil works plans submitted with the RtS include provision for shared pedestrian and cycle paths along both sides of Tenth and Fourth Avenues, a 2.5m – 3.9m wide footpath along the southern side of Eleventh Avenue, as well as a pedestrian only footpath along the northern side of Eleventh Avenue. The footpaths meet the minimum requirements of the Liverpool DCP which identifies cycling routes along both sides of Tenth / Fourth Avenues in the form of 2.5m wide shared paths as well 1.5m wide footpaths on both sides of Eleventh Avenue. The Department is satisfied the footpaths, when constructed, would provide appropriate and safe movement for pedestrian and cyclists adjacent to the site.

#### **Pedestrian movements**

An interim school crossing is proposed on Eleventh Avenue as part of construction phase 2. The Applicant proposes two pedestrian crossings on Tenth and Eleventh Avenue at construction phase 3 (replacing the interim school crossing on Eleventh Avenue) subject to meeting the relevant TfNSW (RMS) requirements or warrants for installation of these crossings.

Council reviewed the EIS and advised that raised 'Wombat Crossing' facilities should be installed across all internal and external crossing points. If the warrants for the marked foot crossings are not met, details of interim crossing facilities should be provided to Council. During consultation prior to the submission of the RtS, Council advised that intersections around the school need additional pedestrian infrastructure. TfNSW (RMS) advised that new pedestrian crossings would need to meet relevant warrants assessment requirements.



Council also reviewed the Applicant's proposal and recommended that a children's crossing on Eleventh Avenue was required for the existing school. This crossing should be designed and installed by the Applicant, in consultation with Council prior to the next academic year.

The Department has reviewed the comments and recommendations from the public authorities, and specifically Council's comments on the requirement for a pedestrian crossing to cater for the existing school. The Department concludes that this is not within the scope of the current application and should have been resolved as part of the local development approval DA465/2016. Notwithstanding, the Department considers that the interim (temporary) pedestrian crossing proposed for construction phase 2, should be delivered by the Applicant prior to the operation of construction phase 1 to address any existing safety issues in relation to the operation of the school.

Based on the comments from the public authorities and noting that the warrants for a pedestrian crossing is dependent on the volume of traffic, student numbers as well as the rate of development around the site at any point in time, the Department has recommended the following conditions:

- an interim children's crossing be designed and installed by the Application prior to commencement of operation of construction phase 1, in consultation with Council.
- at each construction phase, following construction phase 1, an assessment of the warrants for raised pedestrian crossings and line marking (Wombat Crossing) be undertaken.
- where warrants are not met, interim crossing facilities be provided as agreed with Council.
- detailed plans for roadworks in construction phase 3 include appropriate provision for pedestrian crossings at the main school entry points with associated infrastructure for pedestrian movements at each of the new roundabout intersections.
- pedestrian crossing facilities at all internal and external crossing points be incorporated into the design as warranted.

Subject to the implementation of the above conditions, the Department considers the proposal would provide for appropriate safe pedestrian movements within and around the school.

### **Bus Bays and Lane Widths**

The proposed Stage 1 roadworks includes bus bays adjoining the site on Fourth and Eleventh Avenues, to delivered in construction phase 3 (**Figure 35**). The bus bays would accommodate up to 13 buses at one time, servicing between 18 - 20 buses with staggered arrivals and departures. The proposed number of buses is consistent with estimation in the TIA for the school at full capacity.

During the EIS exhibition, Council and TfNSW did not raise any concerns regarding the bus bays. Council recommended that detailed design of the bus bays, including a swept path analysis of the buses should be provided to Council for approval prior to delivery of the infrastructure. It also advised that roads accommodating bus routes should have a minimum width of 3.5m for kerbside lanes.

The road widening plans submitted with the Applicants RtS allow for the provision of 3.5m wide kerbside lanes. Based on this advice, the Department is satisfied the proposed bus bays would adequately service the public transport needs of the school. The final design of the bus bays, including

any necessary amendments to the location of the bays relative to the intersections would be subject to Council approval as part of the construction phase 3 road widening works.

### **6.3.5 Car parking and Site Access**

#### **Car parking Concept Proposal**

The proposal, as revised by the RtS includes 326 parking spaces in five carparks that are proposed to be constructed in Stage 1 (including the existing 33 car spaces). In addition, 125 drop-off / pick-up spaces would be provided on-site. These spaces would be available as car parking spaces outside of drop-off / pick-up times. The TIA advises that the proposed parking numbers on the site are based on travel mode surveys conducted for similar other private schools. The forecast travel mode for the school based on the surveyed travel modes indicates that about 60% of junior school and 40% of senior school students would use private vehicle as the main travel mode.

The proposed car parking provisions within Stage 1 would also be sufficient to cater for the future church and the trade centre on the site. It is anticipated that the church would be used outside school hours and therefore the on-site drop-off / pick-up spaces can be utilised for the church use, reducing any demand on the on-street parking surrounding the site.

#### **Car parking Stage 1 and GTP**

The Department reviewed the initial proposal and raised concerns that the proposed on-site parking exceeds the Liverpool DCP requirements (311 spaces required) for the Stage 1. Additional parking provisions may lead to potential traffic impacts on surrounding streets. TfNSW (RMS), TfNSW and Council have reviewed the RtS and raised any concerns regarding the level of parking provided. In response to the Department's concerns, the Applicant has advised that parking is provided based on pragmatic demand requirements, and the traffic assessment in the TIA demonstrates that the key intersections near the site would operate at good or satisfactory LoS including the school traffic.

Notwithstanding, the Applicant's RtS includes a draft GTP. The draft GTP targets a reduction in the staff private vehicle usage by about 25% (when compared to 100% staff using cars in the current scenario) and student vehicle usage by about 30% (compared to the surveyed figures).

The proposed alternate modes of travel include bicycle (for at least 5% each of students and staff), public transport and shuttle bus service (10% of staff and 25% of students) and staff carpooling (at least 10%). The draft GTP also recommends that the school actively discourages senior school students above the driving age, from driving to school.

The Department notes that the site plan for Stage 1 includes provisions for end-off-trip facilities for cyclists and reserved carpool bays within the site, consistent with the targets of the draft GTP.

The Department has reviewed the proposed parking provisions and the Applicant's justification regarding the additional parking on the site. The Department is satisfied that additional parking would not result in unacceptable traffic impacts on the surrounding road network and would reduce the possibilities of school staff / users parking on the nearby streets. The car parking provisions on the site

would also be sufficient to cater for the community uses that are proposed within the site in the evenings and the weekends.

The proposed construction staging plans demonstrate that appropriate car parking would be provided at each construction phase to cater for associated student, visitor and staff demand. The Department has recommended conditions to ensure that the car parking areas are designed in accordance with the relevant Australia Standards (AS2890).

The Department has also assessed the draft GTP and is satisfied that the proposed measures would result in encouraging sustainable travel modes in the future and reduce the car parking demand on the site. The Department has recommended that a detailed GTP be submitted prior to commencement of operation in construction phase 2 (when the student numbers increase) including timelines, targets and monitoring / periodic reviewing measures. This GTP should be updated prior to the operation of each of the subsequent construction phases in line with the increase of student and staff numbers.

### **Bicycle parking Concept Proposal**

The proposal includes 180 bicycle parking spaces for students, visitors and staff and end-of-trip facilities for staff, to be delivered as part of Stage 1. No additional bicycle parking is proposed in the future stages of the development. The Department's assessment of the adequacy of the bicycle parking proposed in Stage 1, is provided below.

### **Bicycle Parking Stage 1**

During the EIS exhibition, Council raised concerns that the bicycle parking numbers are lower than that envisaged in Liverpool DCP 2008, informed by the Liverpool Bike Plan (243 spaces needed).

In response, the Applicant's RtS advised that the Liverpool DCP 2008 does not apply to the site. Notwithstanding, there is adequate space to increase the number of bicycle parking spaces if required as the staged delivery of the school progresses.

Council raised no further concerns regarding the bicycle parking spaces. The Department agrees with the Applicant's justification regarding parking provisions and considers that 180 bicycle spaces are satisfactory for the site.

### **Vehicular Access - Concept proposal**

All vehicular access points to the site are proposed as part of Stage 1 and discussed below.

### **Vehicular Access – Stage 1**

The Stage 1 of the proposal includes seven vehicular access points from the surrounding streets. During the EIS exhibition, Council recommended that vehicular access to the site be restricted to left

in / left out only with a raised central median. Council also advised that location of the three access points off Eleventh Avenue in close proximity would result in vehicular conflicts.

In response, the Applicant's RtS included further intersection modelling of the access points. The modelling demonstrates that if the future access / egress points are designed to allow both left and right turn movements, they would achieve LoS 'A' and LoS 'B', without the need for a median.

The RtS also advised that out of the three vehicular access points on Eleventh Avenue, two are for the childcare centre with only 33 spaces. As peak activity in this carpark would generally occur outside of the school drop-off / pick-up times, the vehicular conflicts are unlikely to occur.

In its review of the RtS, Council did not raise any further concerns regarding site access.

The Department's assessment concludes that the proposed vehicular access points would operate efficiently without any further restriction. Restricting access would likely result in greater traffic movements in the vicinity of the site as vehicles would take longer routes to access the site. The Department also considers that due to the nature and timing of use of the childcare car park, vehicular conflicts are unlikely to occur. Considering the future use of the site, the Department has recommended a condition requiring appropriate pedestrian treatments in the detailed design at the access points in the future, as needed.

### **6.3.6 Inconsistencies with the Liverpool DCP Road Layouts (Concept Proposal)**

The proposal would require the amalgamation of several residential allotments and change of use to an educational establishment. As discussed in **Section 1.1** (Site description), the application initially involved the amalgamation of eight allotments (including Lot 839 to the south-east).

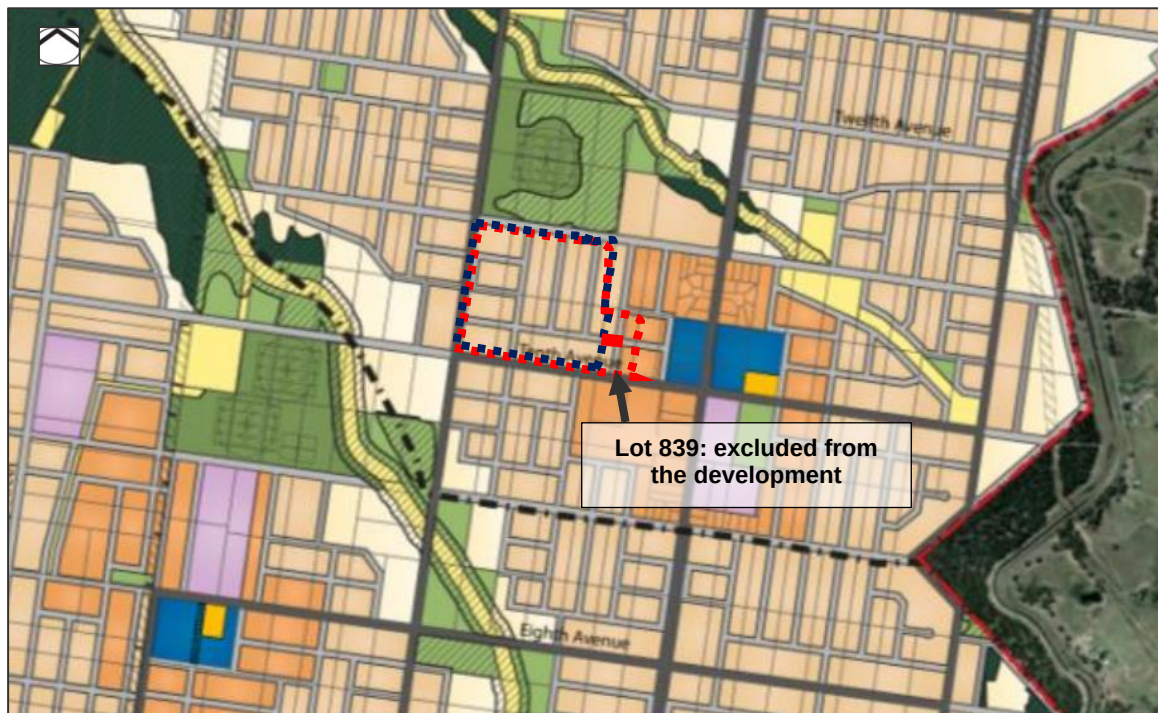
During the EIS exhibition, Council and the Department raised concerns about the impact of the proposed amalgamation of the allotments, on the internal road network for this precinct, as planned in the Liverpool DCP. The Department raised concerns that the location of the school may result in loss of connection between Fourth Avenue and the future mid-block collector roads (east-west) for this precinct. It may also impact on future mid-block north-south connections between Tenth Avenue and Eleventh Avenue. This would likely result in all residential traffic to the south and east of the school, to detour around the site to access Fourth Avenue and Eleventh Avenue. This may also landlock future allotments or reduce subdivision possibilities of adjoining residential allotments.

In response, the Applicant's RtS amended the site boundary to reduce the overall site area (by deleting Lot 839). The adjustment to the site boundary resulted in the retention of a future mid-block north-south connection between Tenth and Eleventh Avenues, to the east (passing through lot 839).

**Figure 36** provides an overlay of the original and amended site plan on the Austral Leppington North Indicative Layout Plan (ILP). The figure demonstrates the likely impact of the development on the planned mid-block collector roads. The amended site boundary (identified by blue dotted line) demonstrates that despite the proposed amalgamation of the allotments, the future residential allotments to the south, east and west of the site would have access to Eleventh, Tenth and Fourth Avenues via mid-block collector roads with minimal need for detours around the site. The delivery of



only a small section of an east-west collector road would be impacted by the development as amended (shaded in red in **Figure 36**).



**Figure 36** | Initial site boundary (shown in red dotted line) and amended site boundary (shown in blue dotted line) overlaid on the Austral Leppington North ILP (Source: Liverpool DCP)

Council reviewed the RtS and raised no concerns with regard to loss of mid-block connections.

The Department has assessed the impacts of the amended site boundary on the road layout of the Austral Leppington North ILP. The amended site boundaries would retain a number of planned mid-block collector roads within the precinct that would enable convenient vehicular access between the blocks for the future residents to the east, west and south of the site.

The Department also considers that there is adequate distance (approximately 32m) between the eastern boundary of the site and a future road to the east which would be able to accommodate standard sized residential allotments with sufficient width and frontage.

The Department notes that the delivery of a small section of a mid-block east west collector road would likely be impacted by this development. However, this road passed through Lot 839 (identified clearly in **Figure 7**). Lot 839 has alternate access to all of the main roads via other collector roads to the east, north and south. Consequently, the absence of a small section of this collector road would not significantly impact on the future road layout for the precinct.

Based on the above considerations, the Department is satisfied that the location of the site, as amended by the RtS, would not result in any significant adverse impacts on the future road layout of the Austral Leppington North precinct.

### 6.3.7 Construction Traffic (Stage 1)

The TIA advises that the construction works are likely to generate a maximum of 100 vehicles per hour (two-way) during peak activities on the site. This would be significantly less than the operational traffic for the school.

During the EIS exhibition, Council did not raise any concerns with regard to construction traffic impacts. TfNSW (RMS) recommended that a Construction Traffic Management Plan should be prepared prior to the commencement of construction works and be implemented at every phase. The Department has recommended conditions to this effect.

## 6.4 Other Issues

**Table 9** | Summary of other issues

| Issue            | Discussion                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Findings / Recommendations                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Acoustic Impacts | <ul style="list-style-type: none"><li>The EIS includes an Acoustic Assessment Report (AAR) for the proposed development. The AAR mainly addresses the components of the development to be delivered as part of Stage 1. The report was refined by the RtS and SRtS to address issues raised in the submissions.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                  | <b>Operational Noise Stage 1</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                  | <ul style="list-style-type: none"><li>Proposed hours of operation of the school have not been clearly defined, other than the childcare and OOSH uses which are proposed to operate from 7am to 6pm weekdays.</li><li>The Applicant is seeking a flexible approach and has acknowledged the performing arts centre, indoor recreation centre, outdoor playing fields and courts and associated carparks are likely to be used in the evenings and on weekends, with occasional use of the indoor recreation centre late at night for events and functions (such as speech night). These events would conclude by 10pm and on average there would be about one event per month finishing after 9pm.</li><li>The revised AAR demonstrates that, subject to mitigation measures, operational noise from the school and childcare centre, including night-time and evening use, would generally be consistent with noise guidelines and therefore would not result in unacceptable amenity impacts to surrounding properties on the surrounding sensitive receivers.</li><li>Required mitigation measures include:</li></ul> | <ul style="list-style-type: none"><li>The Department considers that the AAR demonstrates the school facilities could be used without unreasonable noise impacts (subject to design, insulation and acoustic barriers).</li><li>The modelled acoustic impacts for the outdoor areas represent a worst-case scenario and actual impacts are likely to be somewhat less, noting the modelled numbers include childcare centre and trade centre students who would not use the playing fields. Further the impacts relate to relatively short periods during the day and would be consistent with community expectations for the use.</li><li>However, as the site is within a residential area, to ensure noise is appropriately managed in line with community expectations, and to provide a level of certainty, the Department recommends that:<ul style="list-style-type: none"><li>the proposal incorporates the recommended mitigation measures for design and insulation.</li></ul></li></ul> |

- appropriate selection, design and use of public address and school bell system to minimise impacts.
- mechanical plant selected and attenuated to ensure established noise criteria are met
- sound insulation for the performing arts theatre and indoor recreational centre.
- a 1.8m high acoustic barrier constructed along the eastern boundary of the site.
- The AAR includes an acoustic modelling which identifies that if all 2480 students use the outdoor playing fields during lunch and recess breaks, some residential premises on the opposite side of Tenth Avenue would experience noise levels up to 50dBA, which is above the recommended noise criteria of 42dBA. Use of the playing fields by smaller groups, including evenings and weekends would not materially exceed noise criteria. The Applicant notes the modelling is based on a worst-case scenario in terms of student numbers and noise levels at nearby residential premises would not be intrusive or offensive.
- Council advised the acoustic assessment is appropriate and recommended conditions to ensure the recommendations of the acoustic assessment are reviewed and implemented.

#### **Operational noise future stages**

- A church and future trade centre would be accommodated on the site in the future Stage 2 / 3.
- The noise generation due to the future uses would also be assessed under a future development application.
- The Department notes that the church, would not directly adjoin any residential premise. The Applicant proposes to construct a solid fence along the eastern boundary which would reduce noise impacts from the use of the carpark / driveway by the church on the weekends.
- Notwithstanding, the above the Department is satisfied that the noise generation due to the proposed church / future trade centre uses, operational restrictions and mitigation measures can be considered under future development applications.
- The Department is satisfied that the proposed noise management and mitigation measures are

### Construction noise Stage 1

- The Interim Construction Noise Guideline (DECCW, 2009) (ICNG) outlines the process of establishing noise management levels to minimise construction noise impacts on sensitive receivers. In this case noise management levels for residential receptors should be limited to 52 dBA.
  - The AAR advises that during certain construction activities, the noise levels from the site would exceed the recommended 52dBA. To control noise impacts, the AAR recommends the following mitigation measures:
    - selection of equipment to minimise noise generation.
    - strategically locating plant and providing screening.
    - scheduling works to provide respite periods, to undertake noisiest work in least sensitive times.
    - consultation with neighbours and complaints management procedures
    - management of construction vehicles and work practices.
  - Proposed construction hours are consistent with ICNG recommended standard construction hours.
  - Neither the EPA or Council raised concerns with construction noise impacts of the proposal, although Council recommended the preparation of a Construction Noise and Vibration Management Plan that included consideration of impacts to students and teachers that may be affected.
- appropriate and would assist with reducing noise impacts.
  - The Department recommends that the Applicant prepare a detailed Construction Noise and Vibration Management Plan for each stage of construction including management strategies to noise impacts to sensitive receivers (including on-site receivers) in accordance with the ICNG and submit a copy to the Certifier prior to the commencement of any works on the site.

#### Developer contributions

- Developments in the locality are subject to developer contributions payable to Council in accordance with the Contributions Plan (to fund delivery of local roads and drainage works) as well as Special Infrastructure Contributions (SIC) payable to the State Government. However, in accordance with a Ministerial Direction dated 14 February 2011, schools are exempt from payment of SIC and therefore only developer contributions to Council apply to the development.
  - The proposal would result in significant development works in Stage 1 and therefore developer contributions to Council are required to be paid in Stage 1.
  - Instead of payment of developer contributions to Council, the EIS included a
- The Department agrees with Council that the road and intersection upgrades are required as a direct consequence of the development. Therefore, unless the works are already specifically identified and funded by the Contributions Plan, the Department considers the works must be delivered by the Applicant in addition to payment of developer contributions.
  - Given the Applicant does not propose to carry out any other public works beyond the road upgrades required to support the development, the Department does



Public Benefit Offer, which was intended to form the basis of a Voluntary Planning Agreement (VPA) with Council. The offer sought to offset the cost of all proposed road widening works and intersection upgrades against the developer contributions otherwise payable to Council under Liverpool Contributions Plan 2014.

- Council reviewed the EIS and advised that other than the cost of construction of half the width of Eleventh Avenue, all other proposed road widening works and intersection upgrades are outside the scope of the Contributions Plan and therefore could not be offset against developer contributions. Rather, as these upgrades are required to mitigate the impacts of the development, Council considered that they should be delivered by the Applicant as part of the approval, in addition to payment of developer contributions. The Council did not agree to the public benefit offer.

not consider there is any need or benefit to further pursue a VPA.

- In addition to conditions of consent requiring the staged delivery of all road infrastructure upgrades (as discussed in **Section 6.3**), the Department recommends a condition of consent requiring payment of contributions in accordance with the Contributions Plan, noting that in accordance with the Plan, an offset may be negotiated with Council for delivery of any works in kind identified in the Works Schedule of the plan.
- In this regard, the Department notes that in addition to partial road widening on Eleventh Avenue, the Works Schedule also identifies creation of roundabouts at the Fourth / Eleventh and Fourth / Tenth Avenue intersections which can be offset from the contributions levy. Therefore, these works may be offset as requested by Council, subject to Council's agreement.
- Council has reviewed the Department's recommendations with regard to contributions and negotiation of offsets and raised no concerns.

#### Contamination

- The EIS includes a contamination assessment for the site which found asbestos in the existing landfill at various locations throughout the site. The assessment concludes that the site can be made suitable for the proposed development, subject to recommendations, remediation and validation.
- A Remedial Action Plan (RAP) was submitted with the proposal proposing remediation works as part of Stage 1 of the development. The preferred remediation method of the RAP is excavation and off-site disposal of contaminated soil material. The RAP also recommends a hazardous building material survey be undertaken for structures on the site prior to demolition and further sampling be undertaken in part of the site to assess for the presence of asbestos.
- Council confirmed it supported excavation and off-site disposal.

- The Department is satisfied that the contamination assessment is adequate and subject to the proposed remediation measures, the site can be made suitable for the development.
- The Department considers that given the proposed sensitive use of the site as a school, it is appropriate that remediation works are overseen and certified by a site auditor.
- The Department has included conditions to ensure engagement of a site auditor, appropriate remediation, validation and asbestos management on the site.
- The Department is satisfied that subject to these conditions, the site would be made suitable for the proposed use.

|                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                    | <ul style="list-style-type: none"> <li>• Council also recommended that a site auditor be engaged, however the Applicant did not agree to this.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Flooding and Stormwater management | <ul style="list-style-type: none"> <li>• The site is affected by an overland flow path and the EIS was accompanied by a flood assessment. The assessment was revised in the RtS to address concerns raised by Council.</li> <li>• The revised assessment demonstrates that the school has been designed to ensure floor levels are above the probable maximum flood and that flood affectation for surrounding private properties would not be exacerbated by the proposed development.</li> <li>• Council concurred with the Applicant's flood assessment with the RtS. Council recommended some additional measures to mitigate flooding impacts including: <ul style="list-style-type: none"> <li>○ measures to eliminate increased flooding impacts on adjacent roadways.</li> <li>○ temporary onsite detention to limit post development flows.</li> <li>○ temporary on-site water quality treatment facility to improve the quality of stormwater runoff from the site.</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• The Department is satisfied that the proposal has been appropriately designed to minimise flood risk on the site and would not adversely affect flooding on adjoining private properties.</li> <li>• The Department also considers flooding impacts on adjacent roadways are not significant, with areas of increased impact offset by other areas of reduced impact. Further, impacts to roads would be addressed by appropriate road design and drainage as the roads are upgraded.</li> <li>• The Department has recommended the following conditions in relation to flooding: <ul style="list-style-type: none"> <li>○ design of a detailed operational stormwater management system incorporating requirements for water quality treatment and system capacity.</li> <li>○ preparation and implementation of an emergency management plan to ensure safe evacuation during a major event has been recommended.</li> </ul> </li> </ul> |
| Construction impacts and staging   | <ul style="list-style-type: none"> <li>• The Concept Proposal would be delivered in two to three stages of which Stage 1 includes the bulk of the building works. The Stage 1 would be delivered in six construction phases.</li> <li>• Stage 1 vegetation removal, remediation and landscaping work would also be carried out in stages to ensure only limited areas of cleared ground cover and vegetation exist on the site at any one time.</li> <li>• The Applicant has provided plans to demonstrate that occupied parts of the site can be separated from the areas subject to construction and remediation works.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                 | <ul style="list-style-type: none"> <li>• The Department is satisfied that staged demolition, remediation and construction can be appropriately managed on the site.</li> <li>• Conditions are recommended to require a detailed construction environmental management plan to manage construction impacts, as well as a staging plan to ensure appropriate management of construction impacts on the school during the staged construction.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Bushfire                           | <ul style="list-style-type: none"> <li>• The open space immediately to the north of the site comprises bushfire prone land and the EIS was accompanied by a bushfire assessment report.</li> <li>• The bushfire assessment concludes the proposal can comply with Planning for</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <ul style="list-style-type: none"> <li>• The Department has recommended conditions in line with NSW RFS requirements to ensure compliance with Planning for Bushfire Protection 2006. On this basis the Department is</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

|                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                 | <p>Bushfire Protection 2006, subject to provision of an Asset Protection Zone on the northern boundary of the site, appropriate building construction standards, access, servicing and emergency procedures.</p> <ul style="list-style-type: none"> <li>• NSW RFS recommended the implementation of standard conditions relating to building construction, management of the site as an inner protection area and compliance with Planning for Bush Fire Protection 2006.</li> <li>• The Applicant also provided confirmation that the proposed landscape design can meet the requirements of an Inner Protection Area.</li> </ul>                                                                                                                                                                                                                                                                                                                                  | <p>satisfied the proposal is acceptable regarding bushfire risk.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Social impact and community use | <ul style="list-style-type: none"> <li>• The proposal would result in the provision of a school and childcare centre, both of which would provide social infrastructure facilities within the growing locality.</li> <li>• The Applicant has also advised that the school facilities and playing fields have the potential to be used by the local community subject to management and security arrangements.</li> <li>• Council requested that a tangible commitment be made to sharing of school facilities with the community.</li> <li>• Council also suggested the proposal should include an Enrolment Management Plan to improve equity regarding socio-economic and cultural backgrounds of new enrolling students, and in regard to identifying a priority enrolment area.</li> <li>• The Applicant has committed to developing an Enrolment Management Plan but has not given any clear commitments to shared use of facilities at this stage.</li> </ul> | <ul style="list-style-type: none"> <li>• The Department considers that the school has been appropriately designed to enable sharing of facilities, noting the indoor recreation centre building would not be fenced and be directly accessible by the public from the street.</li> <li>• The Department has recommended a condition requiring the Applicant to develop a community sharing strategy prior to the occupation of the playing fields and / or the indoor recreation centre.</li> <li>• The Department has also included conditions regarding enrolment as recommended by Council.</li> <li>• Subject to the implementation of the above conditions, the proposal would have a significant positive social impact, delivering critical educational infrastructure and facilities accessible to the surrounding community.</li> </ul> |
| Aboriginal cultural heritage    | <ul style="list-style-type: none"> <li>• The site is mapped as including an area of moderate Aboriginal archaeological sensitivity in the Liverpool DCP. The Application was accompanied by an Aboriginal Cultural Heritage Assessment Report (ACHAR) which included field surveys and consultation with local Aboriginal community members. The assessment concluded that the site has low archaeological sensitivity and a low</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <ul style="list-style-type: none"> <li>• The Department considers that subject to continued progression of the landscape design elements in consultation with the local Aboriginal community, the proposal would positively contribute towards Aboriginal cultural heritage.</li> <li>• The Department is satisfied the proposal would not result in any adverse Aboriginal cultural heritage impacts, subject to</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                     |

likelihood for archaeological material to be present on the site.

- The assessment recommends development of an Aboriginal Cultural Heritage Management Plan including an unexpected finds protocol and ongoing consultation with the Aboriginal community.
- No concerns were raised by public authorities regarding Aboriginal cultural heritage management. GANSW recommended the incorporation of Aboriginal design elements (and associated consultation) into the school design.
- In response to GANSW, the Applicant proposes the incorporation of Aboriginal design elements and motifs in the landscaped settings and structures including the provision of a Yarning Circle, Totems, Bush Tucker Garden, sculpture and incorporation of motifs in the paving, landscape structures and fencing. The preliminary design has been developed in consultation with a local Aboriginal group and would continue to be progressed in consultation with the representative group.

conditions requiring the preparation and implementation of an Aboriginal Cultural Heritage Management Plan which incorporates the recommendations of the ACHAR and an unexpected finds protocol.

#### Public utility infrastructure

- The Growth Centres SEPP provides that the consent authority must not grant development consent for development on land unless it is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.
- Sydney Water confirmed that amplification of the existing drinking water mains would be needed to cater for the development.
- The site is currently not serviced by wastewater infrastructure, although service is expected to be provided to the northern part of the site during 2020. The Applicant would need to deliver this infrastructure through a section 73 certificate application.
- Endeavour Energy did not raise any specific concerns with the proposal but noted that infrastructure should be designed to comply with its requirements in relation to network design, bushfire, flooding and drainage, vegetation management, and public safety. Documents in relation to the above requirements are to be provided to the

- The Department is satisfied that appropriate public utility infrastructure is available or would be provided to the site as necessary.
- Recommended conditions are included to ensure delivery of infrastructure connections in accordance with service provider requirements.



relevant public authority prior to the issue of the Stage 1 construction certificates.

|                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Swimming pool / café | <ul style="list-style-type: none"> <li>• The proposal includes a swimming pool within the indoor recreation centre. The submitted documents do not include details of usage of this pool except for the layout of the pool shown in the plans.</li> <li>• The proposal also includes a café. The Applicant has confirmed that the café would be generally used in conjunction with the school use.</li> <li>• Council reviewed the proposal and recommended that the swimming pool must comply with the relevant public health requirements prior to commencement of operation.</li> <li>• Council has also recommended an additional condition in relation to the fitout of the café on the site.</li> </ul> | <ul style="list-style-type: none"> <li>• The Department has reviewed the proposed swimming pool layout and recommended conditions recommended by Council. The Department considers that additional use of the swimming pool by external users or extension to the operating hours of the swimming pool (outside the proposed hours in this application) would require additional approvals.</li> <li>• The Department notes that the use of the café would likely be in conjunction with the use of the school. However, the proposed café may be used in conjunction with the community uses within the site.</li> <li>• Considering this possibility, the Department has recommended a condition requiring the operating hours of the café to be within the operating hours of the school and community uses. The Department also recommends that the use of the café be detailed in an operational management plan for the school, to ensure that the proposed use does not result in adverse impacts on the future residential developments surrounding the site.</li> </ul> |
| Public interest      | <ul style="list-style-type: none"> <li>• The proposal delivers important social infrastructure for the growing local community, providing for over 2300 school places with contemporary teaching and learning facilities designed to improve educational outcomes.</li> <li>• The proposal addresses the directions and actions of the Greater Sydney Region Plan, the State Infrastructure Strategy and the Western City District Plan.</li> <li>• The proposal would have other positive economic and social impacts, including direct investment of approximately \$153 million and the creation of up to 139 construction jobs and 200 operational jobs.</li> </ul>                                       | <ul style="list-style-type: none"> <li>• The Department is satisfied that the proposal is in the public interest.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



## 7. *Evaluation*

The Department has reviewed the EIS, RtS and assessed the merits of the proposal, taking into consideration advice from the public authorities, including Council. Issues raised in public submissions have been considered and all environmental issues associated with the proposal have been thoroughly addressed. The Department concludes the impacts of the proposal are acceptable and can be appropriately mitigated through the implementation of the recommended conditions of consent. Consequently, the Department considers the development is in the public interest and should be approved subject to recommended conditions of consent.

The proposal is consistent with the objects of the EP&A Act, including facilitating ecologically sustainable development (ESD) and with the State's Strategic Planning Objectives, in particular the Greater Sydney Regional Plan – A Metropolis of Three Cities as it would provide education results through the provision of new and improved facilities to meet the growing needs of the population in the SWGA.

The proposal is also consistent with the vision outlined in the GSC's Western City District Plan as it would upgrade an existing educational facility with opportunities for primary and secondary enrolments (total of 2280 students and 200 staff), a childcare (125 places) and contribute to a social infrastructure that would meet the educational needs of the school community and opportunities to co-share facilities with the local community in the future.

The proposal is suitable for the site and the identified key issues in relation to built form and urban design, landscaping and traffic and transport have been satisfactorily addressed. The proposed built form has been designed to fit within the context of the future character of the area and would positively contribute to the architectural quality and activation of the surrounding public domain. The proposed landscaping works would complement the built form. Subject to the recommended conditions regarding the reduction of proposed fill, and provision local native species, the proposed landscaping would be satisfactory.

The appropriate delivery of proposed road infrastructure upgrades, including road widening, new roundabouts, bus bays and pedestrian crossings, and in conjunction with appropriate management of drop-off / pick-up vehicle movements would ensure that the local traffic network can accommodate the additional school traffic. The Department considers that the proposed school would not result in unacceptable traffic impacts on the locality.

On balance, the Department considers the proposal to be in the public interest as it would deliver contemporary educational facilities to improve educational outcomes, social infrastructure that can be utilised by other groups within the community, would generate up to 139 construction jobs , 200 operational jobs and direct investment in the region of approximately \$153 million.



## 8. Recommendation

It is recommended that the Executive Director, Infrastructure Assessments, as delegate of the Minister for Planning:

- **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 SSD-8865.
- **signs** the attached development consent and recommended conditions of consent (**Appendix C**).

Recommended by:

**Aditi Coomar**

Principal Planner

Social Infrastructure Assessments

Recommended by:

**Karen Harragon**

Director

Social and Infrastructure Assessments



## 9. Determination

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

29/4/2020

**David Gainsford**

Executive Director

Infrastructure Assessments



# Appendices

## Appendix A – List of Documents

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

1. Environmental Impact Statement  
<https://www.planningportal.nsw.gov.au/major-projects/project/10761>
2. Submissions  
<https://www.planningportal.nsw.gov.au/major-projects/project/10761>
3. Applicant's Response to Submissions  
<https://www.planningportal.nsw.gov.au/major-projects/project/10761>
4. Applicant's supplementary Response to Submissions  
<https://www.planningportal.nsw.gov.au/major-projects/project/10761>



## Appendix B – Statutory Considerations

### ENVIRONMENTAL PLANNING INSTRUMENTS (EPis)

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

- State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure 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)
- Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)
- Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)
- State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP)
- Liverpool Growth Centre Precincts Development Control Plan 2013 (Liverpool DCP).

### COMPLIANCE WITH CONTROLS

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

Table B1 | SRD SEPP compliance table

| Relevant Sections                                                                                                                                                                                                                                                                                                                                                                                                  | Consideration and Comments                                                                                                                                                                                | Complies |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| <b>3 Aims of Policy</b><br><br>The aims of this Policy are as follows:<br><br>(a) to identify development that is State significant development                                                                                                                                                                                                                                                                    | The proposed development is identified as SSD.                                                                                                                                                            | Yes      |
| <b>8 Declaration of State significant development: section 4.36</b><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 proposal is for the purpose of alterations and additions to an educational establishment with a capital investment value of more than \$20 million, under clause 15(2) of Schedule 1 of the SRD SEPP. | Yes      |

## State Environmental Planning Policy (Infrastructure) 2007

The ISEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

The proposal does not trigger consideration under the ISEPP. Notwithstanding, the Department has consulted and considered the comments from the relevant public authorities (see **Sections 5 and 6** of the report). The Department has included suitable conditions in the recommended conditions of consent (see **Appendix D**).

## State Environmental Planning Policy (Educational Establishments and Facilities) 2017 (Education SEPP)

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

Clause 42 of the Education SEPP states that development consent may be granted for development for the purpose of a school that is SSD even though the development would contravene a development standard imposed by this or any other EPI under which the consent is granted. The proposed new buildings contravene the 'height of building' development standard in the Growth Centre SEPP. The Department has considered the building height exceedance in detail in **Section 6.1.1** and is satisfied that the proposed building height for the site would not result in detrimental impacts on the built environment of the locality.

Clause 57 of the Education SEPP requires traffic generating development that involve addition of 50 or more students to be referred to the TfNSW (RMS). The proposal would result in 2480 students and was referred to TfNSW (RMS) in this regard. TfNSW (RMS) raised no concerns regarding traffic generation or performance of nearby intersections.

Clause 22 of Part 3 of the Education SEPP states that concurrence is not required for a 'centre-based childcare facility' if:

- a) *the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the Education and Care Services National Regulations, or*
- b) *the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations.*

The proposed childcare centre satisfies the numeric play space requirements for 125 children. Therefore, separate concurrence of the Regulatory Authority is not required (see **Section 6.1.5**). The consent authority is also required to consider the relevant provisions of the Department's Child Care

Planning Guideline prior to determining an application for a centre-based childcare centre.  
Consideration of the relevant planning provisions of the Guidelines is provided in **Table B2**.

**Table B2** | Consideration of the Child Care Planning Guideline

| Matter                           | Consideration/Comment                                                                                                                                                                                                                                                                                                                                                            |
|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Design quality principles</b> |                                                                                                                                                                                                                                                                                                                                                                                  |
| Context                          | The proposed childcare centre is located within the school to build on the cultural relationship between early learning and future primary and secondary education.                                                                                                                                                                                                              |
| Built form                       | <p>The childcare centre has been integrated into the design of the school to ensure the younger students form part of the broader school community.</p> <p>The childcare centre does not adversely contribute to the bulk and scale of the proposal and occupies a small area of the total school development.</p>                                                               |
| Adaptive learning spaces         | The design of the childcare centre provides a large, unobstructed indoor space with opportunities for adaptive learning. The design also incorporates an indoor / outdoor play area that offers an opportunity to create an exciting play space environment for younger children.                                                                                                |
| Sustainability                   | <p>The unencumbered internal space provides opportunities for cross ventilation.</p> <p>Outdoor play space areas would have access to satisfactory levels of natural daylight, while similarly providing areas for shade and weather protection.</p> <p>Additional sustainable measures are proposed to be incorporated into the overall design and operation of the school.</p> |
| Landscape                        | The landscape design for the proposed childcare centre has been integrated into the proposed layout of the facility to provide a diverse and functional environment.                                                                                                                                                                                                             |
| Amenity                          | <p>The centre has been designed to ensure suitable indoor and outdoor play spaces are provided that would have suitable access to daylight and natural ventilation.</p> <p>The siting of the centre in the north of the site behind the carpark would ensure that occupants are not exposed to adverse amenity or privacy impacts due to visitors and general public.</p>        |

|                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Safety                                                            | The layout of the proposed childcare centre incorporates a secure single-entry point adjacent to the childcare centre car park. The design incorporates secure fence lines around the outdoor play space areas to ensure safety is maintained.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Matters for consideration</b>                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Site selection and location                                       | <p>The proposed childcare centre forms part of the larger school development.</p> <p>The centre would be surrounded by future residential developments to the east and a park to the north. The use is appropriately sited and separated from the residential developments via an internal driveway and boundary fencing to ensure no adverse acoustic, privacy or amenity impacts arise at the land use interface. A separate childcare centre car parking is proposed enabling drop-off / pick-up for young children at the entrance to the centre, minimising any potential safety or traffic concerns.</p> <p>The location of the centre within the school would strengthen the relationship between the pre-school and school students.</p> <p>The site contamination, flooding and bushfire constraints of the site do not significantly impact on the location of the site and have been appropriately mitigated through site remediation, design of the development and conditions of consent.</p> |
| Local character, streetscape and the public domain interface      | <p>The proposed integration of the childcare centre with the school would ensure it remains compatible with the character of the locality.</p> <p>The centre has been designed to ensure it is not unreasonably exposed to the public domain and provides for a clear delineation between the boundaries of the school and centre.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Building orientation, envelope, building design and accessibility | The Applicant has demonstrated that the design and location of the childcare centre would not result in any adverse environmental or amenity impacts. The centre is proposed to be setback from the front boundary to provide sufficient building separation with the public domain.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Landscaping                                                       | The proposed childcare centre landscape design incorporates several passive and active landscape elements to help create a diverse and interesting learning environment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |



|                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|---------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Visual and acoustic privacy                 | <p>The childcare centre is located away from the public domain and offers its primary northern boundary to the internal play area to the building accommodating the Kindergarten classes.</p> <p>The predicted noise impacts associated with the operation of the centre are generally satisfactory and would not result in adverse amenity impacts, subject to recommended conditions of consent (see <b>Section 6.4</b>).</p> |
| Noise and air pollution                     | The location of the childcare centre is not near any noise or odour generating sources that would give rise to adverse emissions.                                                                                                                                                                                                                                                                                               |
| Hours of operation                          | The childcare centre is proposed to operate between 7am - 6pm Monday to Friday. The Department is satisfied that proposed operating hours would not result in any adverse amenity impacts on the future neighbouring residential properties.                                                                                                                                                                                    |
| Traffic, parking and pedestrian circulation | Dedicated parking spaces have been allocated for the childcare centre staff. The Applicant's assessment concludes the staff parking proposed would sufficiently cater for the demand generated and the future road network to be delivered would operate at a satisfactory LoS (see <b>Section 6.3</b> ).                                                                                                                       |
| <b>National Regulations</b>                 |                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Indoor space requirements                   | The proposed childcare centre would have a capacity of 125 children, requiring a total of 406.25m <sup>2</sup> of unencumbered indoor play space. The proposal satisfies these play space requirements, making provision for 663m <sup>2</sup> .                                                                                                                                                                                |
| Laundry and hygiene facilities              | <p>Laundry facilities are proposed to be provided on-site.</p> <p>Sufficient space is available for the provision of these facilities, although limited details are provided on the architectural plans. Accordingly, the Department recommends a condition of consent be imposed requiring detailed drawings to be certified compliant prior to the issue of the relevant construction certificate.</p>                        |
| Toilet and hygiene facilities               | <p>The Applicant confirms that the design of the childcare centre provides for adequate toilet and hygiene facilities appropriate to the developmental stage and age of children being cared for within the centre.</p> <p>Sufficient space is available for the provision of these facilities, although limited details are provided on the architectural plans. Accordingly, the</p>                                          |

|                                             |                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                             | Department recommends a condition of consent be imposed requiring detailed drawings to be certified compliant prior to the issue of a relevant construction certificate.                                                                                                                                                         |
| Ventilation and natural light               | Details submitted by the Applicant demonstrate that the outdoor and indoor play spaces would receive sufficient natural daylight and ventilation;                                                                                                                                                                                |
| Administrative space                        | The internal layout of the proposed administrative functions of the childcare centre has considered the interaction of staff, parents and children and visitors to ensure interactions are appropriately managed.                                                                                                                |
| Nappy change facilities                     | Sufficient space is available for the provision of these facilities, although limited details are provided on the architectural plans. Accordingly, the Department recommends a condition of consent be imposed requiring detailed drawings to be certified compliant prior to the issue of a relevant construction certificate. |
| Premises designed to facilitate supervision | The internal layout of the centre, including staff rooms and toilet facilities, have been designed to facilitate supervision between educators and children.                                                                                                                                                                     |
| Emergency and evacuation procedures         | The Department has recommended a condition of consent requiring details of emergency and evacuation procedures to be provided prior to the issue of a construction certificate and certified by a suitably qualified access consultant.                                                                                          |
| Outdoor space requirements                  | A minimum 875m <sup>2</sup> of unencumbered indoor space is required based on the proposed 125 spaces. The proposal provides a total of 1900m <sup>2</sup> of unencumbered space.                                                                                                                                                |
| Natural environmental                       | The landscape design for the childcare centre incorporates opportunities for outdoor play that engage with the natural environment and encourage inquiry and exploration.                                                                                                                                                        |
| Shade                                       | A covered area has been provided within the outdoor play space.                                                                                                                                                                                                                                                                  |
| Fencing                                     | The proposal would include provision of a metal palisade fence along the northern boundary with the car park. Additionally an acoustic fence is proposed along the eastern boundary.                                                                                                                                             |
| Soil assessment                             | The proposal is assessed as satisfactory with regard to soil contamination (see <b>Section 6.4</b> ).                                                                                                                                                                                                                            |

Clause 35(6)(a) requires that the design quality of a school should be evaluated in accordance with the design quality principles set out in Schedule 4. An assessment of the development against the design principles is provided in **Table B3**.

**Table B3** | Consideration of Design Quality Principles

| Design Principles                  | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Context, built form and landscape  | The design of the school, including the siting, spatial planning, orientation and materials selection has been considered to take advantage of and enhance the existing landscape conditions, minimise the impact on the surrounding neighborhood, work with the existing topography and maximise amenity for students.                                                                                                                                                                                                                                                                                      |
| Sustainable, efficient and durable | The proposal incorporates a range of ESD measures (see <b>Section 4</b> ) and is capable of achieving a 5-Star Green Star rating. Materials chosen are durable and require low maintenance. Additionally, a Green Travel Plan and bicycle parking have been provided to encourage sustainable travel modes.                                                                                                                                                                                                                                                                                                  |
| Accessible and inclusive           | <p>The buildings have been designed in accordance with applicable access standards including accessible travel paths and lifts for vertical circulation.</p> <p>Fencing and layout has been designed to enable the sharing of the facilities with the community without impacting on the security of the learning areas.</p>                                                                                                                                                                                                                                                                                 |
| Amenity                            | <p>The school provides a variety of flexible indoor and outdoor learning and recreation spaces to cater for a wide range of activities and learning possibilities. Buildings have been designed to maximise internal amenity, including access to light and ventilation while landscaping design provides interesting and pleasant outdoor spaces.</p> <p>Amenity to neighbours has been considered and the proposal would not result in any unacceptable shadowing or view loss impacts.</p> <p>Acoustic amenity can be achieved, subject to recommended conditions as discussed in <b>Section 6.4</b>.</p> |
| Health and Safety                  | The proposal has given consideration to CPTED principles including clear demarcation and separation of publicly accessible and school only areas, separate of pedestrian and vehicle areas, maximising clear sightlines within the campus, and external lighting for improved                                                                                                                                                                                                                                                                                                                                |

surveillance. The buildings also maximise access to natural light and ventilation to benefit the health and well-being of occupants.

|                                    |                                                                                                                                                                           |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Whole of life, flexible, adaptable | The proposed buildings are flexible and provide open plan and a variety of spaces that can be adapted to suit a wide range of uses and changing needs over the long term. |
| Aesthetics                         | The proposed buildings have been designed to complement each other and use natural tones to reflect the surrounding environment (see <b>Section 6.1</b> ).                |

### State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55)

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The EIS includes a contamination assessment for the site which found elevated levels of lead in one out of 60 test pits and asbestos in a number of locations throughout the site. The assessment concludes that the site can be made suitable for the proposed development, subject to a number of recommendations, remediation and validation. A Remedial Action Plan was also submitted with the proposal.

The Department is satisfied that subject to appropriate remediation and validation, the site can be made suitable for the proposed use and recommends conditions requiring engagement of a site auditor, remediation, validation and asbestos management on the site.

### State Environmental Planning Policy (Sydney Regional Growth Centres) 2006 (Growth Centre SEPP)

The Growth Centres SEPP seeks to facilitate the development of greenfield sites for urban growth including housing, employments, shops, health and education facilities, parks, bushlands and new or upgraded infrastructure. The Growth Centres SEPP is the relevant EPI for the site and contains applicable development standards in Appendix 8 of the SEPP that are addressed further in **Table B4**.

**Table B4** | Consideration of the Growth Centres SEPP (Appendix 8: Liverpool Growth Centres Precinct Plan)

| Relevant Sections                                                                                              | Consideration and Comments                                                                                            |
|----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| <b>Clause 1.2 Aims of the Precinct Plan</b>                                                                    |                                                                                                                       |
| The aims of the Precinct Plan are:                                                                             |                                                                                                                       |
| a) to make development controls that will ensure the creation of quality environments and good design outcomes | The proposal does not adversely affect any of the aims of the Precinct Plan. See discussion in <b>Section 6.3.6</b> . |
| b) to protect and enhance the environmentally sensitive natural areas cultural heritage                        |                                                                                                                       |
| c) to provide for recreational opportunities                                                                   |                                                                                                                       |



| Relevant Sections                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Consideration and Comments                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>d) to provide for multifunctional and innovative development that encourages employment and economic growth</li> <li>e) to promote housing choice and affordability</li> <li>f) to provide for sustainable development</li> <li>g) to promote pedestrian and vehicle connectivity.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>Zone R2 Low Density Residential</b></p> <p>The objectives of the zone are:</p> <ul style="list-style-type: none"> <li>• To provide for the housing needs of the community within a low-density residential environment.</li> <li>• To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>• To allow people to carry out a reasonable range of activities from their homes, where such activities are not likely to adversely affect the living environment of neighbours.</li> <li>• To support the well-being of the community by enabling educational, recreational, community, religious and other activities where compatible with the amenity of a low-density residential environment.</li> </ul> | <p>The proposal satisfies the objectives of the zone as it would:</p> <ul style="list-style-type: none"> <li>• provide a non-residential land use the provides an essential service to meet the day to day needs of the community;</li> <li>• provides educational facilities to support the wellbeing of the community.</li> <li>• provides recreational facilities that can be co-shared with the community.</li> </ul> |
| <p><b>Clause 4.3 Height of buildings</b></p> <p>The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p> <p>The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> <li>a) to establish the maximum height of buildings,</li> <li>b) minimise visual impact and protect the amenity of adjoining development and land in terms of solar access to buildings and open space,</li> <li>c) to facilitate higher density development in and around commercial centres and major transport routes.</li> </ul>                                                                                                                                                              | <p>The proposal exceeds the 9m height control applicable to the site. Clause 42 of the Education SEPP allows SSD school developments to contravene development standards that would otherwise apply. See detailed consideration in <b>Section 6.1</b>.</p>                                                                                                                                                                |
| <p><b>Clause 4.6 Exceptions to development standards</b></p> <p>The objectives of this clause are:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>Clause 42 of the Education SEPP allows or a development standard to be breached with no need for a clause 4.6</p>                                                                                                                                                                                                                                                                                                      |

| Relevant Sections                                                                                                                                                                                                                                                                                                                                                                        | Consideration and Comments                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|
| a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and<br>b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances                                                                                                                                                | variation request. Refer to detailed discussion in <b>Section 6.1</b> .                                                                     |
| <b>Clause 5.9 Preservation of trees and vegetation</b><br>The clause provides that development consent is required for the removal of trees                                                                                                                                                                                                                                              | In accordance with the clause, development consent is sought for the removal of trees on the site.                                          |
| <b>Clause 6.1 Public Utility Infrastructure</b><br>The clause provides that the consent authority must not grant development consent for development on land unless it is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required. | Refer to discussion in <b>Section 6.4</b> .                                                                                                 |
| <b>Clause 6.3 Existing Native Vegetation</b><br>The consent authority must not grant development consent for development on land to which this clause applies unless it is satisfied that the proposed development will not result in the clearing of any existing native vegetation.                                                                                                    | The clause applies to an area of land opposite the site on Eleventh Avenue.<br>The proposal does not affect native vegetation on that site. |

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

The Draft Remediation SEPP will retain the overarching objective of SEPP 55 promoting the remediation of contaminated land to reduce the risk of potential harm to human health or the environment.

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

The Department is satisfied that the proposal is consistent with the objectives of the Draft Remediation SEPP, subject to recommended conditions of consent.

### Liverpool Growth Centre Precincts Development Control Plan 2013 (Liverpool DCP)

In accordance with Clause 11 of the SRD SEPP, Development Control Plans do not apply to State significant development.

Notwithstanding, the objectives and controls of Liverpool DCP, and in particular the detailed controls for the Austral and Leppington North Precinct, have been considered in **Table B5** below.

**Table B5** | Consideration of the Liverpool DCP

| Liverpool DCP                      | Department Comment/Assessment                                                                                                                                                                                                                                                                                                                                                                                                      |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.2 Indicative Layout Plan         | Although the proposal includes a school in an area identified for residential development in the ILP, the proposed use is permissible within the zone and delivers important community infrastructure sought to be delivered by the ILP. Importantly, other than a minor inconsequential change to a road adjacent to the site (discussed in <b>Section 6.3</b> ) the proposal does not affect the general arrangement of the ILP. |
| 2.3.1 Flooding                     | The proposal does not result in any unacceptable flooding impacts. Refer to discussion in <b>Section 6.4</b> .                                                                                                                                                                                                                                                                                                                     |
| 2.3.2 Water Cycle Management       | A condition has been recommended requiring a detailed operational stormwater management system be designed to incorporate requirements for water quality treatment and appropriate system capacity.                                                                                                                                                                                                                                |
| 2.3.3 Salinity and Soil Management | The Application was accompanied by a Preliminary Salinity Assessment which found that soils on the site are non-saline. Standard conditions have also been recommended to ensure appropriate soil and water management during construction.                                                                                                                                                                                        |
| 2.3.4 Heritage                     | The application was accompanied by an ACHAR which identified that there is low likelihood for archaeological material to be present on the site. Subject to conditions, the Department is satisfied the proposal would not result in any adverse Aboriginal cultural heritage impacts. Refer to discussion in <b>Section 6.4</b> . The site is not identified as having any European cultural heritage significance.               |

|                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.3.5 Native vegetation and Ecology               | Although the proposal results in extensive removal of native vegetation from the site, extensive replanting is also proposed. Subject to conditions requiring tree removal and replacement to be staged and new plantings to be predominantly CPW species, the Department is satisfied the proposal would make a positive contribution to the ecological values, character and amenity of the precinct (see <b>Section 6.1</b> ).                                                                                                                             |
| 2.3.6 Bushfire Hazard Management                  | Bushfire risk was considered in the assessment of the proposal (see <b>Section 6.4</b> ). Conditions have been recommended in line with RFS requirements and to ensure compliance with Planning for Bushfire Protection.                                                                                                                                                                                                                                                                                                                                      |
| 2.3.7 Site Contamination                          | Refer to discussion in <b>Section 6.4</b> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 2.3.9 Noise                                       | Acoustic impacts are considered in <b>Section 6.3</b> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 2.4 Demolition                                    | Standard conditions have been recommended to appropriately manage impacts associated with demolition on the site.                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 2.5 Crime Prevention Through Environmental Design | The proposal has given consideration to CPTED principles including clear demarcation and separation of publicly accessible and school only areas, separate of pedestrian and vehicle areas, maximizing clear sightlines within the campus, and external lighting for improved surveillance. A condition has been recommended to improve natural surveillance from the indoor recreation centre to the public domain.                                                                                                                                          |
| 2.6 Earthworks                                    | The proposal has generally been designed to minimise cut and fill across the site as buildings generally step down in line with natural ground levels. Additional cut and fill is required to provide level playing fields and parking but conditions have been recommended to ensure the proposal would not result in adverse visual impacts to the surrounding streets (see <b>Section 6.2</b> ). Further, despite the cut and fill, the Applicant has demonstrated that the proposal would not result in any increase to flooding impacts in the locality. |
| 3.3.1 Street network layout and design            | Delivery of roads, design and impacts for the street network have been considered (see <b>Section 6.3</b> ). Subject to conditions, the proposal is considered acceptable with regard to road design and layout.                                                                                                                                                                                                                                                                                                                                              |
| 3.3.5 Pedestrian and Cycle Network                | As discussed in <b>Section 6.3</b> pedestrian and cycleway routes have been provided in accordance with the precinct schedule.                                                                                                                                                                                                                                                                                                                                                                                                                                |

3.4 Construction  
Environmental Management

Consistent with the Liverpool DCP, standards conditions have been recommended to require detailed construction environmental management plans prior to each stage of the development, appropriate erosion and sediment control and tree protection

---

4.4.1. Other Development  
in Residential Areas  
General  
Requirements

The proposal generally complies with the applicable controls in that:

- The application is accompanied by a site analysis.
- All frontages exceed 15m.
- The buildings include ESD initiatives and sustainability measures as detailed in **Section 4**.
- The site is not affected by salinity.
- Site access is appropriately located.
- Site coverage of buildings is well below 60% and landscaped areas are well above 20% of the site
- The proposal would fit comfortably within the surrounding residential environment having regard to the scale, heights, building materials and appearance as discussed in **Section 6.1**.
- The proposal would not result in unacceptable noise or traffic impacts as discussed in **Sections 6.3 and 6.4**.
- Adequate provision has been made for disabled access, parking, loading and deliveries.

The proposal does not comply with building height controls, but as discussed in **Section 6.1**, proposed building heights are considered acceptable.

---

4.4.3 Childcare Centres

The proposal is lodged and assessed against the provisions of the Education SEPP. See discussion above in **Appendix B**.

---

4.4.4 Educational  
Establishments and Places  
of Worship

The proposal generally complies with the applicable controls in that:

- The site is in close proximity to the neighbourhood centre and adjacent to an open space areas allowing for sharing of facilities and minimisation of impacts.
- The church and main school entrance is located on a collector road.
- The proposal has been appropriately designed to minimise impacts to surrounding residential development.
- The proposal would not result in unacceptable traffic or parking outcomes.
- The proposal would not result in unacceptable noise impacts.



## Appendix C – Recommended Instrument of Consent/Approval