



New Epping South Primary School (Concept and Stage 1)

State Significant Development

SSD-8873789

November 2021



Published by the NSW Department of Planning, Industry and Environment

dpie.nsw.gov.au

Title: New Epping South Primary School (Concept and Stage 1)

Cover image: Photomontage of Stage 1 built form as viewed from Chelmsford Avenue

© State of New South Wales through Department of Planning, Industry and Environment 2021. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Planning, Industry and Environment as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (November 2021) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning, Industry and Environment), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

Glossary

Abbreviation	Definition
ACHAR	Aboriginal Cultural Heritage Assessment Report
AIA	Arboricultural Impact Assessment
BDAR	Biodiversity Development Assessment Report
BGHF	Blue Gum High Forest
CIV	Capital Investment Value
COLA	Covered Outdoor Learning Area
Council	City of Parramatta
CTPMP	Construction Traffic and Pedestrian Management Plan
DAR	Design Analysis Report
Department	Department of Planning, Industry and Environment
DOPU	Drop-off / Pick-up
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
HDCP	Hornsby Development Control Plan 2013
LGA	Local Government Area
LoS	Level of Service
PCT	Plant Community Type
PLEP	Parramatta Local Environmental Plan 2011
Minister	Minister for Planning and Public Spaces
NIA	Noise Impact Assessment
NPI	Noise Policy for Industry

Planning Secretary	Secretary of the Department of Planning, Industry and Environment
RtS	Response to Submissions
SEARs	Planning Secretary's Environmental Assessment Requirements
SELU	Special Education Learning Unit
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SRtS	Supplementary Response to Submissions
SSD	State Significant Development
STP	School Transport Plan
TAFE NSW	Technical and Further Education NSW
TAIA	Transport and Accessibility Impact Assessment
TfNSW	Transport for NSW

Executive Summary

This report provides an assessment of a State significant development (SSD) application for the New Epping South Primary School (Concept and Stage 1) located at 86 Chelmsford Avenue, Epping. The application has been lodged by the NSW Department of Education (the Applicant), and the site is located within the City of Parramatta Local Government Area (LGA).

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

Assessment summary and conclusions

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

The key issues identified with the proposal include traffic, transport and parking, built form and urban design, and biodiversity, tree removal and landscaping. The Department is satisfied that these issues have been adequately addressed in the Applicant's Environmental Impact Statement (EIS), Response to Submissions (RtS) and Supplementary RtS (SRtS). Remaining issues can be addressed through conditions of consent.

The Department considers that while the proposal would change the use of the surrounding road network, both the roads and the wider network have the capacity to accommodate additional traffic generated by the proposal. The proposed drop-off/pick-up arrangements are acceptable, in consideration of the site's school walking catchment and the Applicant's drive to encourage active modes of travel and reduce car journeys to the school. Recommended conditions require the Applicant to review the efficiency of drop-off/pick-up operations and any associated impacts on surrounding streets. These conditions require issues be addressed prior to progression of future stages of the development.

The Department considers that the proposal has been sensitively designed to minimise impacts on biodiversity values, and incorporates landscaping and tree planting. The proposed new Stage 1 buildings and Stage 2 and 3 building envelopes would be of a scale and design that are acceptable in the context of surrounding development and would not cause unreasonable amenity impacts to neighbours.

The proposal

The proposal seeks approval of a Concept Proposal and Stage 1 works for a new kindergarten to year six primary school, comprising demolition works and the construction of new buildings to cater for up to 1,000 students. The Concept Proposal is for four building envelopes to provide for three-stages of development. Stage 1 includes the core school facilities and learning facilities for up to 600 students. Future applications for Stages 2 and 3 would provide for further learning facilities to take the capacity up to 800 and 1,000 students respectively.

The Concept Proposal has a capital investment value (CIV) of approximately \$55 million and is predicted to generate 263 future construction jobs and 59 future operational jobs. Stage 1 has a CIV of approximately \$43 million and would generate approximately 96 construction jobs and 38 operational jobs.

The site

The site is located at 86 Chelmsford Avenue, Epping, approximately 1.5 kilometres (km) west of Epping town centre and train station, and approximately 16km north-west of the Sydney CBD. The site has an area of approximately 2.07 hectares and is rectangular in shape with frontages to Grimes Lane, Chelmsford Avenue and Second Avenue.

The site was formerly a TAFE NSW campus and currently contains unused education related buildings.

Engagement

The application was publicly exhibited from 27 May until 23 June 2021 (28 days). The application was exhibited on the Department's website.

The key issues raised in the submissions included traffic, transport, proposed road works, loss of biodiversity, noise, built form/scale, urban design, consultation and site location.

The Department received a total of 38 submissions, comprising eight submissions from public authorities, 29 submissions from the public (including 19 objections, seven comments and three in support) and one objecting submission from a special interest group. One public objection included a petition with 78 signatures.

On 13 August 2021, the Applicant submitted a RtS which was exhibited, with notices sent to previous submitters and landowners/occupiers in the same area originally notified of the EIS. The exhibition period occurred for 14 days from 19 August to 1 September 2021. 22 submissions were received, comprising six submissions from public authorities, 15 supplementary submissions from the public (including nine objections, four comments and two support) and one supplementary submission in objection from a special interest group.

On 17 September 2021, the Applicant provided a SRtS which responded to the comments made in the submissions to the RtS. The SRtS was made publicly available on the Department's website. Two agency submissions were received in response.

Contents

1	Introduction	1
1.1	Site description	1
1.2	Surrounding development	3
2	Project.....	4
2.1	Description of development.....	4
2.2	Concept Proposal building envelopes	6
2.3	Stage 1 works and landscaping.....	8
2.4	Staging of works, student and staff increases	12
2.5	Uses, activities and hours of operation	12
3	Strategic context	13
4	Statutory Context.....	14
4.1	State significance	14
4.2	Permissibility.....	14
4.3	Other approvals	14
4.4	Mandatory matters for consideration.....	14
4.4.1	Environmental planning instruments.....	14
4.4.2	Objects of the EP&A Act	15
4.4.3	Ecologically sustainable development	16
4.4.4	Environmental Planning and Assessment Regulation 2000	17
4.4.5	Planning Secretary's Environmental Assessment Requirements.....	17
4.4.6	Section 4.15(1) matters for consideration	17
4.5	Biodiversity Conservation Act 2016.....	18
5	Engagement.....	19
5.1	Department's engagement	19
5.2	Summary of submissions	19
5.3	Public authority submissions	19
5.4	Public submissions	22
5.5	Response to Submissions (RtS).....	23
5.6	Public authority submissions	23
5.7	Public submissions	25
5.8	Supplementary Response to Submissions (SRtS).....	25
6	Assessment	27
6.1	Traffic, transport and parking.....	27
6.1.1	Existing conditions	27
6.1.2	Operational traffic – Concept Proposal and Stage 1 works	29

6.1.3	Drop-off / pick-up (DOPU) – Concept Proposal and Stage 1 works	34
6.1.4	Public and active transport – Concept Proposal and Stage 1 works	38
6.1.5	Operational parking.....	41
6.1.6	Construction traffic and parking	42
6.2	Built form and urban design.....	44
6.2.1	Concept Proposal – masterplan and design principles.....	44
6.2.2	Stage 1 works.....	44
6.2.3	Concept Proposal - Stage 2 and Stage 3 building envelopes	47
6.3	Biodiversity, tree removal and landscaping.....	48
6.3.1	Biodiversity – Concept and Stage 1 works	48
6.3.2	Tree removal – Concept Proposal and Stage 1 works	49
6.3.3	Landscaping.....	50
6.4	Other issues.....	51
7	Evaluation.....	63
8	Recommendation.....	64
9	Determination.....	65

Appendix A – List of referenced documents

Appendix B – Statutory Considerations

Appendix C – Community Views for Draft Notice of Decision

Appendix D – Recommended Instrument of Consent

1 Introduction

This report provides an assessment of a State significant development (SSD) application for the New Epping South Primary School (Concept and Stage 1), located at 86 Chelmsford Avenue, Epping.

The proposal seeks approval of a Concept Proposal and Stage 1 works for a new kindergarten to year six primary school, comprising demolition works and the construction of new buildings to cater for up to 1,000 students. The application has been lodged by NSW Department of Education (the Applicant) and the site is located within the City of Parramatta LGA.

1.1 Site description

The site is located at 86 Chelmsford Avenue, Epping, approximately 1.5 kilometres (km) west of Epping town centre and train station, and 16km north-west of the Sydney CBD. The site's location in the regional and local context is shown in **Figure 1** and **Figure 2**.



Figure 1 | Regional context map (Base source: Nearmap 2021)



Figure 2 | Local context map (Base source: Nearmap 2021)

The site is legally described as Lot 1 DP 582172, has an area of approximately 2.07 hectares (ha) and is rectangular in shape with frontages to three streets (**Figure 2**), including:

- Grimes Lane to the north-east with a length of approximately 60m
- Chelmsford Avenue to the north-east with a length of approximately 15m
- Second Avenue to the north-west with a length of approximately 7m.

The site is bounded by residential properties to the east, west and southern boundaries. The western edge of the site forms part of a riparian corridor that links to Mobbs Lane Reserve through the neighbouring site.

The site has a gradual fall of approximately 6.5m from the north-eastern corner to the south-western corner of the site.

The site is a former TAFE NSW campus and contains a range of unused education related buildings and horticultural infrastructure that was constructed and expanded at various stages since the 1960s.

The western portion of the site contains remnants of the previous educational horticultural infrastructure, a small dam and remains relatively undisturbed. The central and eastern sections of the site contain unused buildings and a large area of asphalt/concrete paving being former courtyards and a site car park.

Pedestrian and vehicle access is currently available from an existing driveway located in the north-eastern corner off the intersection of Grimes Lane, First Avenue and Chelmsford Avenue. Access is not currently available from Second Avenue. A Sydney Water main runs through the southern portion of the site in an east to west direction.

The site contains a variety of mature exotic and locally indigenous trees distributed among soft and hardstand spaces. The vegetation includes the remains of early twentieth century gardens and

species related to the critically endangered Blue Gum High Forest (BGHF). There are two identified native Plant Community Types (PCT) on the site:

- PCT 1237 Sydney Blue Gum (Blackbutt) - Smooth-barked Apple moist shrubby open forest on shale ridges of the Hornsby Plateau, Sydney Basin Bioregion
- PCT 1845 Smooth-barked Apple (Red Bloodwood) - Blackbutt tall open forest on shale sandstone transition soils in eastern Sydney.

The existing site conditions are shown in **Figure 3**.



Figure 3 | Aerial view of existing conditions of site (Base source: Nearmap 2021)

1.2 Surrounding development

1.1.1 Surrounding built form

As shown in **Figure 2** and **Figure 3**, the site is located in a residential area with single and two storey detached dwelling houses to the north, east and west of the site. A medium to high density residential development is located to the south of the site, with buildings up to six storeys in height. That residential development is known as *Epping Park* and was formerly the Channel 7 television studio site.

2 Project

2.1 Description of development

The key components and features of the proposal as detailed in the Environmental Impact Statement (EIS), and amended in the Response to Submissions (RtS) and Supplementary RtS (SRtS) are provided in **Table 1**.

Table 1 | Main components of the project

CONCEPT PROPOSAL	
Aspect	Description
Project summary and student capacity	Concept Proposal providing for building envelopes for school buildings and facilities providing for development of a new kindergarten to year six primary school, with associated car parking, infrastructure and landscape masterplan. The Concept Proposal caters for up to 1,000 students in three stages: • Stage 1 – two new building envelopes providing core school facilities and learning areas to cater for up to 600 students • Stage 2 – new building envelope providing for learning areas to provide increased total capacity for up to 800 students • Stage 3 – new building envelope with learning areas to provide increased total capacity for up to 1,000 students.
Concept Staging	• The Concept proposal establishes a long-term 10 year framework for the growth of the school with no details of future stages (beyond Stage 1) provided.
Site area	• 2.07ha.
Building envelope height	• Up to three storeys.
Max Envelope and Gross Floor Area (GFA)	• Stage 1 – 4,889 square metres (sqm). • Stage 2 – 860 sqm. • Stage 3 – 1,234sqm.
Car and bicycle parking	• Staged provision of on site parking: ○ 32 spaces as part of Stage 1 works ○ up to a total of 54 spaces provided in future stages. • Up to 60 bicycle racks to be provided as part of Stage 1 works.
Capital investment Value (CIV)	• \$55,685,475 • \$12,416,776 excluding Stage 1.
Jobs	• Total jobs over all construction and operational stages associated with the Concept Proposal: ○ 359 full time equivalent construction jobs

- 59 full time equivalent operational jobs.

STAGE 1 WORKS

Project Summary	• Demolition works and construction and operation of one new three storey building for students and staff, a new single storey building, provision of car parking areas, expansion and extension to Grimes Lane, drop-off/pick-up (DOPU) facilities, associated works including outdoor play spaces, and new hard and soft landscaping.
Demolition and site preparation	• Demolition of all existing structures, removal of hardstand areas and bulk earthworks. • Remediation of the site in accordance with the Remediation Action Plan.
Built form	• Construction including: ○ maximum three storey building comprising homebases, three special education learning unit (SELU) areas, administration/staff areas, canteen, library and amenities ○ single storey hall/out of school hours building with associated covered outdoor learning area (COLA).
Student capacity	• 600 students.
GFA	• 4,889 sqm.
Operation	• Primary school for kindergarten to year six. • Opportunity for use of the site and hall facilities by the community.
Access and parking	• Primary pedestrian access from Grimes Lane, near First Avenue. • Secondary Grimes Lane pedestrian access near the proposed hall/out of school hours building. • Vehicle access to staff car park from Second Avenue. • Vehicle access to SELU car park and service area from Chelmsford Avenue. • On site staff car park for 32 spaces. • Two special education learning unit DOPU spaces on site. • 60 bicycle racks.
Infrastructure upgrades	• Widening and extension of Grimes Lane to link the existing partial roadway to Second Avenue, to provide new one-way through-road flowing from east to west. • Provision of DOPU spaces along Grimes Lane. • Footpath and pedestrian crossing facility upgrades to surrounding local road network, including: ○ new footpath along Grimes Lane, First Avenue, Chelmsford Avenue and Dunlop Street ○ raised pedestrian crossings at either end of Grimes Lane ○ pedestrian refuge island on southern side of Chelmsford Avenue and Edenlee Street intersection

	○ raised pedestrian crossing on southern side Chelmsford Avenue and Midson Road intersection.
Utilities	• New on site electricity pad mount substation.
Tree removal and landscaping	• Removal of 66 trees (including one street tree) and retention/protection of remaining 108 trees on site. • Site landscaping including 141 trees and various groundcovers and grasses.
Hours of operation	• Proposed hours of school operation are: ○ school hours: 9am – 3pm, Monday to Friday ○ Out of School Hours (OOSH) care: 7am – 8.30am and 3pm – 6pm, Monday to Friday. ○ community use of facilities is not proposed before 8am or after 9:30pm. This is subject to further community and Council consultation once operation commences.
Signage	• School identification signage at the main pedestrian entry, comprising a two sided pylon sign measuring 2.8m (h) x 600mm (w) x 100mm (d).
Jobs	• 96 construction jobs and 38 operational jobs.
CIV	• \$43,268,699.

2.2 Concept Proposal building envelopes

The Concept Proposal (as amended by the RtS) seeks approval for four building envelopes. Two building envelopes form part of the Stage 1 works. The proposed building envelopes are located in the central and eastern sections of the site, surrounding a courtyard and formal games court. An informal outdoor play area would be located in the remaining western third of the site. The concept layout is shown in **Figure 4**.

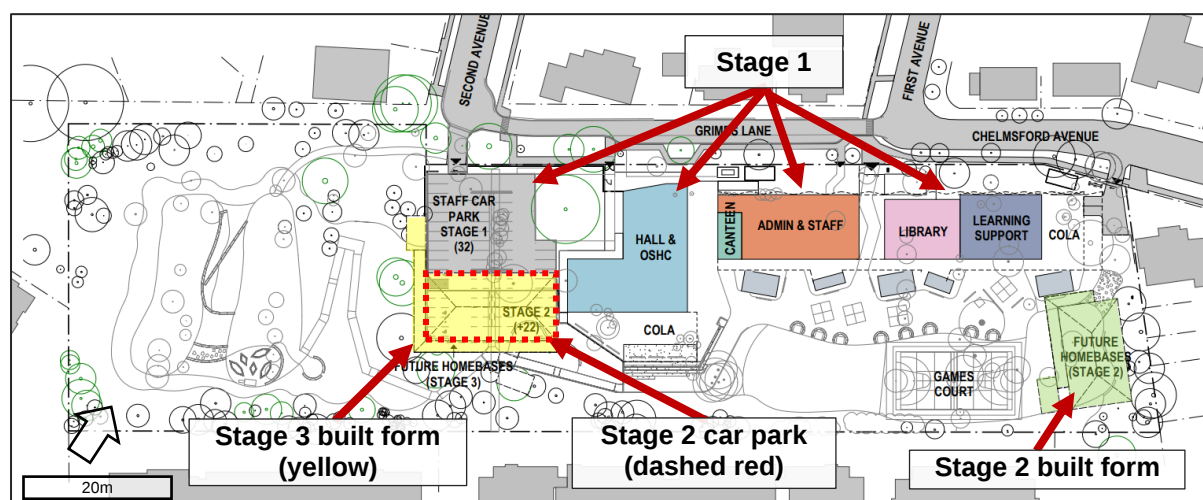


Figure 4 | Concept site layout (Source: Applicant's RtS 2021)

The four Concept building envelopes include (Figure 4 to Figure 9):

- Concept Stage 1 envelopes (25 teaching spaces and three SELU teaching spaces) – a single storey hall/OOSH with COLA and a three storey homebase building (max. RL 129.79 / 12.5m) providing 4,889 sqm of GFA
- Concept Stage 2 envelope (eight teaching spaces) – two storey building envelope (max. RL 126.21 / 8.96m) providing an additional 860 sqm of GFA
- Concept Stage 3 envelope (11 teaching spaces) - two storey building envelope (max. RL 127.81 / 12.56m) providing an additional 1,234 sqm of GFA.

Stages 2 and 3 form part of the Concept Proposal and are subject to further detailed planning applications.

The Stage 2 building envelope would be located in the south-eastern corner of the site and setback 6.2m from the eastern boundary and 6m to 7.8m from the southern boundary. The building envelope would allow for a maximum two-storey building. The additional parking spaces proposed in Stage 2 would form an extension of the existing car park accessed off Second Avenue.

The proposed Stage 2 layout is shown in **Figure 5**.

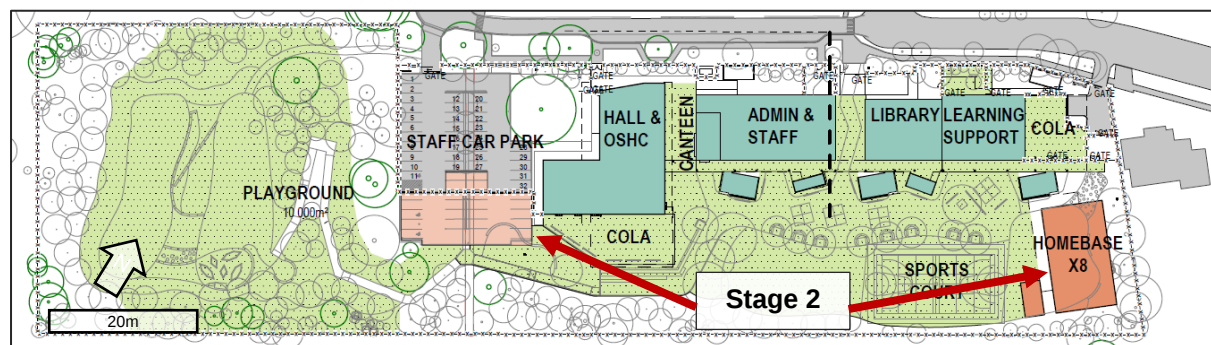


Figure 5 | Concept Stage 2 site layout (Source: Applicant's RtS 2021)

Figure 6 to Figure 7 show elevations of the Stage 2 building envelope.

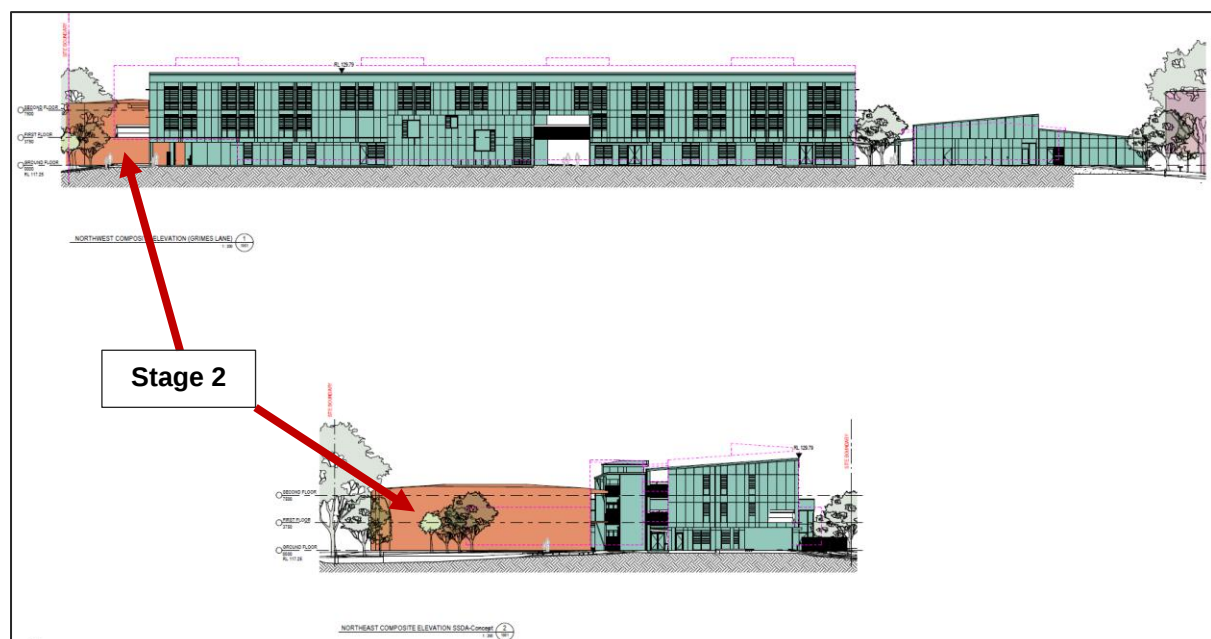


Figure 6 | Stage 2 north-east elevation (Source: Applicant's RtS 2021)

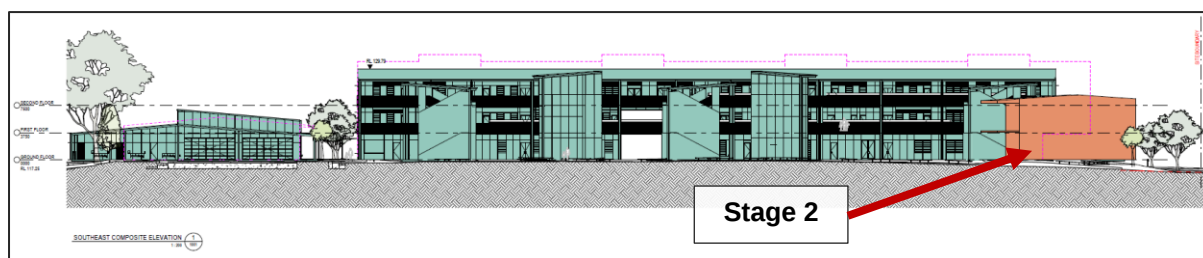


Figure 7 | Stage 2 south-east elevation (Source: Applicant's RtS 2021)

The Stage 3 building envelope would be located above the on site car park towards the central portion of the site. A support pylon for the proposed building would result in the loss of one car parking space. The proposed Stage 3 layout is shown in **Figure 8**.

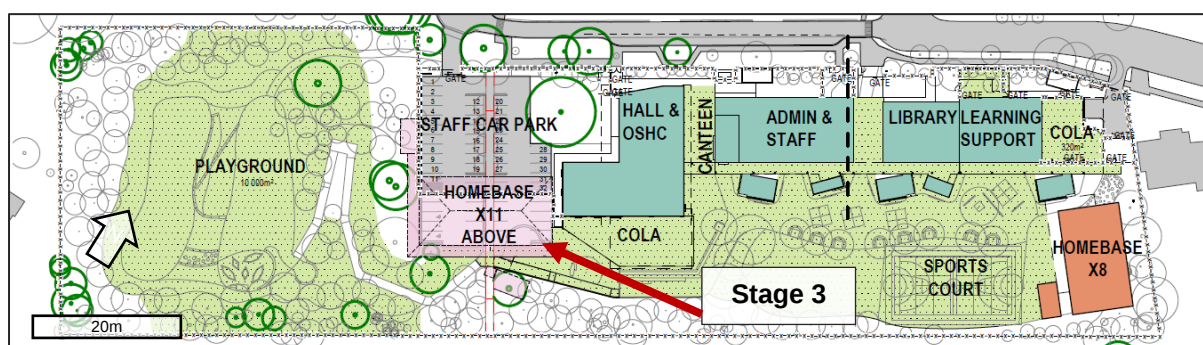


Figure 8 | Stage 3 site layout (Source: Applicant's RtS 2021)

Figure 9 shows an elevation of the Stage 3 building envelope.

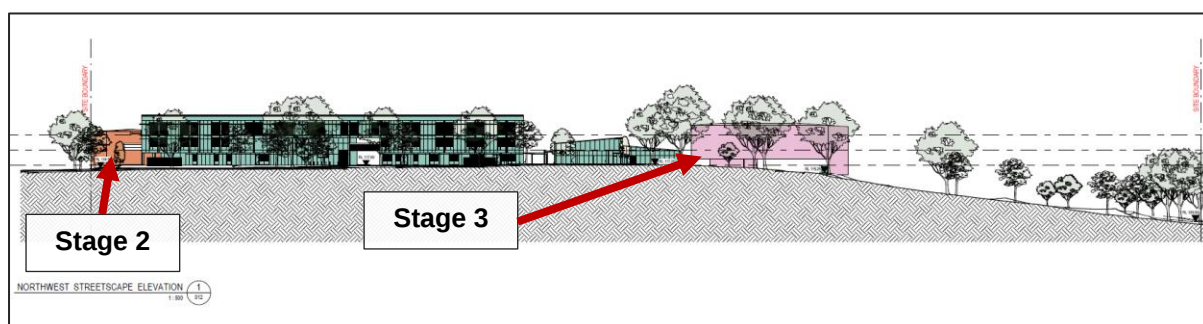


Figure 9 | Stage 3 north-west (Source: Applicant's RtS 2021)

Stage 2 and Stage 3 seek to maintain the majority of the open space/play area established as part of Stage 1. While a small area of Stage 1 open space would be lost to accommodate the Stage 2 building, the cantilevered built form of Stage 3 ensures that sufficient open space is provided for the maximum 1,000 student capacity.

2.3 Stage 1 works and landscaping

Stage 1 includes the demolition of all existing buildings on the site shown in red in **Figure 10**.



Figure 10 | Demolition plan (Source: Applicant's EIS 2021)

Stage 1 would provide:

- core school facilities and learning areas for 600 students along the Grimes Lane and Chelmsford Avenue frontage
- 32 space car park at the western end of the buildings with access off Second Avenue
- special education learning unit and service vehicle access from Chelmsford Avenue
- associated works including site-wide landscaping.

The proposed Stage 1 layout is shown in **Figure 11** and **Figure 12**.

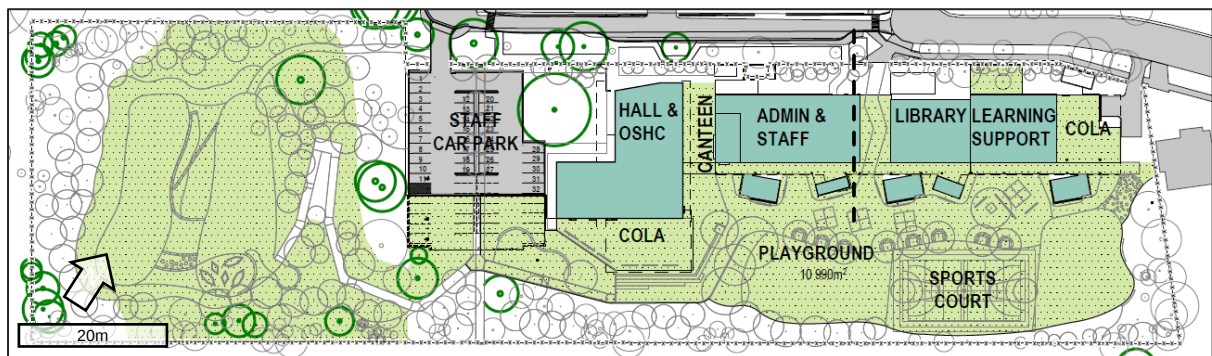


Figure 11 | Stage 1 site layout (Source: Applicant's RtS 2021)



Figure 12 | Stage 1 site layout and landscaping (Source: Applicant's RtS 2021)

Elevations and photomontages of the proposed Stage 1 buildings are shown in **Figure 13** to **Figure 20**.



Figure 13 | North-west (Grimes Lane) and north-east elevations of Stage 1 (Source: Applicant's RtS 2021)



Figure 14 | South-west and South-east elevations of Stage 1 (Source: Applicant's RtS 2021)

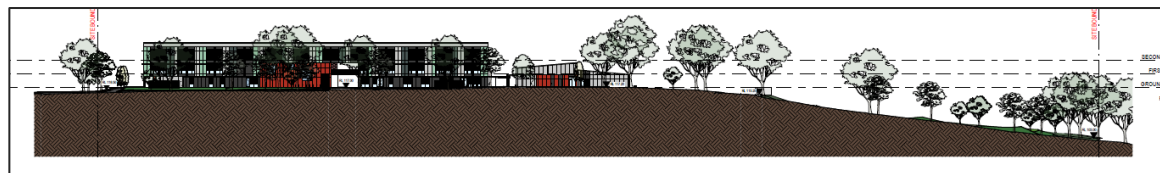


Figure 15 | North-west streetscape elevations of Stage 1 (Source: Applicant's RtS 2021)



Figure 16 | Stage 1 photomontage from Chelmsford Avenue (Source: Applicant's RtS 2021)



Figure 17 | Stage 1 photomontage from First Avenue (Source: Applicant's RtS 2021)



Figure 18 | Stage 1 photomontage from Grimes Lane (Source: Applicant's RtS 2021)



Figure 19 | Stage 1 photomontage of western section of the site (Source: Applicant's RtS 2021)



Figure 20 | Photomontage of western end of site (Source: Applicant's RtS 2021)

2.4 Staging of works, student and staff increases

The Concept Proposal seeks approval for the staged development of a new school for kindergarten to year six with a total capacity of 1,000 students and 59 operational staff. The detailed Stage 1 application seeks approval for 600 students and 38 operational staff.

The Concept Proposal would be undertaken in three stages. The works that form part of the Stage 1 application are expected to take 11 months and are scheduled for completion in late 2022. Timing for the delivery of Stage 2 and Stage 3 is subject to future catchment demand and planning processes. The expected delivery timeframe for Stage 2 and 3 is within 10 years of Stage 1 operation commencement.

2.5 Uses, activities and hours of operation

The hours of operation of the school including OOSH and expected community use for Stage 1 are set out in **Table 1**.

The Applicant advises the facilities proposed to be delivered as part of Stage 1 may be used by the community. The exact details of the potential community use would be subject to consultation with Council and the community. The Applicant has suggested that additional potential community use of facilities (beyond Stage 1) in future stages of the Concept Proposal would be considered as part of future applications.

3 Strategic context

A 21 per cent growth in student numbers in NSW is anticipated by 2031 compared to 2017. NSW schools will need to accommodate an extra 269,000 students, with 164,000 of these students being part of the public system. In response to the need for additional public education infrastructure, the NSW Department of Education is investing in the delivery of new schools and upgrade of existing schools.

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

- Greater Sydney Commission's *Greater Sydney Region Plan: A Metropolis of Three Cities*, as it proposes upgraded school facilities to meet the growing needs of Sydney
- Greater Sydney Commission's *Central District Plan*, as it would provide much needed school infrastructure and provide opportunities to co-share facilities with the local community
- Transport for NSW's *Future Transport Strategy 2056*, as it would provide an upgraded educational facility generating additional employment opportunities close to public transport accessible and provide improvements to pedestrian connectivity to the site
- Infrastructure NSW's *State Infrastructure Strategy 2018 – 2038 Building the Momentum* as it proposes:
 - facilities to support the growth in demand for primary student enrolments within the school catchment
 - a school design to accommodate infrastructure and facilities sharing with communities.

The Concept Proposal has an indicative concept capital investment value (CIV) of \$55,685,475 million and would provide the potential for future development applications to generate approximately 263 future construction jobs and 59 future operational jobs. The detailed Stage 1 works have a CIV of \$43,268,699 million and would generate around 96 construction jobs and 38 operational jobs.

4 Statutory Context

4.1 State significance

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

The Minister for Planning and Public Spaces (the Minister) is the consent authority under section 4.5 of the EP&A Act. In accordance with the Minister's delegation to determine SSD applications, signed on 26 April 2021, Executive Director, Infrastructure Assessments may determine this 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 identified as being located within the SP2 Educational Establishment Zone under the Parramatta Local Environmental Plan 2011 (PLEP). Education establishments are permissible with consent within the zone. Potential community use of the Stage 1 facilities would be ancillary to the educational establishment and would be permissible.

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 proposal, and included suitable conditions in the recommended conditions of consent (see **Appendix D**).

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 consider 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 proposal and that have been considered in the assessment of the proposal.

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 2**.

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

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	The site has previously been used for education purposes and is suitable for use as an educational establishment to serve the local catchment. The redevelopment would not unreasonably negatively impact the economic welfare of the community, or the natural environment.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal includes measures to deliver ecologically sustainable development (ESD) (Section 4.4.3).
(c) to promote the orderly and economic use and development of land,	The proposal is consistent with the sites historic use as an educational establishment and would improve educational facilities to support local demand.
(d) to promote the delivery and maintenance of affordable housing,	Not applicable.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposal involves new landscaping and planting to provide new habitat opportunities. Impacts of tree removal have been appropriately mitigated or are addressed through the recommended conditions of consent (Section 6.3).
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	An Aboriginal Cultural Heritage Assessment Report (ACHAR) was submitted with the EIS and further revised in the Response to Submissions (RtS) which identified the Aboriginal cultural heritage values of the site in consultation with Aboriginal communities and set out appropriate mitigation measures to protect these values (Section 6.4).
(g) to promote good design and amenity of the built environment,	The proposal would promote good design and amenity of the built environment (Section 6.2).

Objects of the EP&A Act	Consideration
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The proposal would promote proper construction and maintenance of buildings subject to recommended conditions of consent.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the proposal (Section 5), which included consultation with Council and other public authorities and consideration of their responses (Section 5 and 6).
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the proposal as outlined in Section 5 , including notifying adjoining landowners and displaying the proposal on the Department's website.

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*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

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

The development proposes ESD initiatives and sustainability measures, including:

- maximum use of natural light
- natural ventilation of circulation spaces
- high performance thermal glazing and external shading devices
- energy efficient heating, air conditioning, lighting and hot water systems
- water efficient fixtures and fittings
- native and water efficient species for landscaping
- installation of a 99 kilowatt photovoltaic system
- rainwater reuse through installation of rainwater tanks and on site detention basins
- measures to minimise waste during construction
- low impact building materials to reduce construction carbon footprint
- ongoing management and education of above measures.

The Department has considered the proposal in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process via a thorough assessment of the environmental impacts of the proposed development.

A 4-Star Green Star (Australian Best Practice) rating is being targeted by the Applicant which meets the suggested 4-Star Green Star rating in the Educational Facilities Standards and Guidelines (ESFG). To ensure that ESD is incorporated into the development, the Department has

recommended a condition that requires the Applicant to register for a minimum 4-star Green Star rating with the Green Building Council Australia, or an alternative certificate process as agreed by the Planning Secretary, prior to the commencement of construction.

Subject to this condition, the proposed development is consistent with ESD principles as described in Section 3 and Appendix 31 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.

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

Table 3 | Section 4.15(1) matters for consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of the relevant EPIs is provided in Appendix B .
(a)(ii) any proposed instrument	The Department's consideration of the relevant draft EPIs is provided in Appendix B .
(a)(iii) any development control plan (DCP)	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD. Despite this, consideration has been given to relevant DCPs.
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations Refer Division 8 of the EP&A Regulation	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.

Section 4.15(1) Evaluation	Consideration
(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	The impacts of the proposal have been appropriately mitigated or conditioned (Section 6).
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Section 3, 4 and 6 .
(d) any submissions	Consideration has been given to the submissions received during the exhibition period. See Section 5 and 6 .
(e) the public interest	Refer to Section 6 .

4.5 Biodiversity Conservation Act 2016

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

A BDAR was provided with the EIS, and revised BDAR submitted with the RtS. The impact of the proposal on biodiversity values has been assessed in the revised BDAR (see **Section 6.3**).

5 Engagement

5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 27 May until 23 June 2021 (28 days). The application was published on the Department's website.

The Department notified adjoining landholders and residents, as well as relevant state and local government authorities in writing.

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

5.2 Summary of submissions

The Department received a total of 38 submissions, comprising eight submissions from public authorities, 29 submissions from the public (including 19 objections, seven comments and three in support) and one submission in objection from a special interest group. One public objection included a signed petition from 78 members of the public. Copies of the submissions may be viewed at **Appendix A**.

5.3 Public authority submissions

A summary of the issues raised in the public authority submissions is provided at **Table 4** below.

Table 4 | Summary of public authority submissions

Council
Council provided comments:
- demographic data – future projections: - it is not clear whether the Applicant has been guided by demographic data and that the proposed development would adequately meet demand generated by population growth over the next 10 to 20 years. - potential shared community use: - social infrastructure such as new schools are a 'once in a generation' investment and should allow shared community use after hours to make full use of what is a community facility - shared use needs to be integrated in the design so that easy and legible community access and after-hours management of these shared facilities is programmed in the design. - pedestrian connections: - pedestrian access should be provided from the southern boundary accessed from Ferntree Place - additional pedestrian infrastructure is required to support walking across Dunlop Street, Edenlee Street and Midson Road which are within the 400m walking catchment

-
- raised crossings should be provided in accordance with Council's recently endorsed interim standards.
 - open space provision:
 - the EIS does not address how the proposed open space would be sufficient for students and does not address any potential 'shared use' arrangements with Council or how the lack of playing fields would be addressed.
 - coordination with Epping West Public School:
 - planning for delivery of both the Epping West Public School Upgrade and the new Epping South Public School is important to ensure delivery of optimum education facilities for the area.
 - road design:
 - no objection is held in principle to the proposed extension of Grimes Lane and any consent granted should incorporate conditions requiring:
 - all works within the road reserve are to be designed and constructed in accordance with Council's Standards
 - works to be inspected by Council's Civil Assets Team prior to the pouring of concrete or placement of asphalt.
 - car park design:
 - the plans do not provide sufficient detail to confirm that the design of the proposed car park complies with the Australian Standards. A detailed plan should be provided to confirm that the design is satisfactory
 - the car park does not include any provisions to turn around and may result in long reversing manoeuvres.
 - Grimes Lane:
 - the proposed layout appears acceptable
 - the proposed 'one-way' restriction would require approval through Council's Traffic Committee process.
 - drop-off/pick-up (DOPU):
 - additional information should be provided to demonstrate that the DOPU facility is adequate to cater for the proposed development.
 - bus access:
 - clarification should be provided on the location and use of a bus pick up/drop off area for school excursions and the like.
 - stormwater drainage:
 - further details are required of the proposed stormwater drainage, retention and quality system.
 - tree management and landscaping:
 - the BDAR has not considered the proposed impacts of the recommendations of the bush fire report on the remaining patch of Blue Gum High Forest (BGHF)
 - detailed landscape plans should be prepared that incorporate sufficient buffer landscaping to adjoining residential properties
 - staging plans for all works, including landscaping should be provided.
-

Transport for NSW (TfNSW)

TfNSW provided comments:

- a swept path analysis is required to determine the appropriateness of the surrounding road network to cater for buses
- conditions of consent are recommended to address requirements for the preparation of a School Transport Plan.

Environment Protection Authority (EPA)

EPA provided comments:

- noise and vibration:
 - construction hours should be in accordance with the Interim Construction Noise Guidelines
 - a Construction Noise and Vibration Management Plan should be prepared
 - noise from mechanical plant should be designed to emit no more than background noise of +5 decibels (dB)
- waste collection should occur during the day-time period only
- contamination:
 - site investigations were found to be adequate to characterise the site and did not identify the need for remediation of soil or groundwater contamination
 - some data gaps exist such as soil sampling below building footprints that were inaccessible and that these are proposed to be addressed through the remediation action plan
 - review of the remediation requirements would be required following completion of the data gap investigations
 - an amended remediation action plan may be required if additional contamination issues requiring management or remediation are identified. This would be reviewed as part of the site audit.

EPA recommended conditions regarding contamination, removal of asbestos and removal of waste on site.

Heritage NSW, Department of Premier and Cabinet (Heritage NSW)

Heritage NSW commented:

- test excavations did not conform to the methodology supplied to the Registered Aboriginal Parties and Heritage NSW
- no justification was provided for the location of test excavations and the locations chosen were not in accordance with established guidance
- a detailed salvage methodology should be provided along with details of artefact attribute recording
- an Aboriginal object (a grindstone) was removed from the site for analysis. Under requirement 18a Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010), an Aboriginal object should only be removed during test excavation if they are located on/in a test unit. Any other Aboriginal objects removed without consent from Heritage NSW would be in breach of the *National Parks and Wildlife Act 1974*.

Heritage NSW recommended conditions requiring:

- an application for a Care Agreement to be submitted to Heritage NSW for the Aboriginal object to be transferred into the care of the Local Aboriginal Land Council and/or other Registered Aboriginal Party until another long-term storage option can be secured.

- implementation of an unexpected heritage finds and human remains procedure.

Environment, Energy and Science Group, Department of Planning, Industry and Environment (EESG)

EESG made the following comments:

- inconsistencies in the BDAR need to be clarified
- detailed justification should be provided why further avoidance of impacts to BGHF was not possible. Immediately to the west of the larger patch of BGHF is a cleared area which is not within the development footprint. It is unclear why the car park and playground could not be reconfigured/reduced in size in order to impact this cleared area and so avoid all or more BGHF
- the BDAR states that impacts to BGHF were minimised following extensive discussion with consultants. The BDAR should document the alternative options that were considered unfeasible
- the relevant flood risk report for the proposal was reviewed and there are no further requirements in terms of flood risk management considerations.

Sydney Water

Sydney Water provided recommendations relating to water servicing, wastewater servicing and trade wastewater requirements.

Endeavour Energy

Endeavour Energy advised that it supported the proposed ground level pad mount. Endeavour Energy recommended that the substation should be located toward less sensitive users or parts of the building not regularly occupied to minimise any potential exposure to intrusive noise.

5.4 Public submissions

The public and special interest group submissions raised concerns relating to:

- detrimental traffic impacts as a result of the widening and extension of Grimes Lane to Second Avenue. At a minimum, Grimes Lane should not be used outside of school hours
- insufficient DOPU spaces proposed on Grimes Lane and that alternative options such as 90 degree angled parking could cater for expected demand
- poor location and insufficient on site car parking and service vehicle access.
- details for out of school hours and community use
- congestion that would occur within First, Second and Chelmsford Avenues which are not designed to handle the expected traffic volumes
- accuracy of the assessment of traffic noise impacts around the site and on surrounding streets
- noise and pollution impacts from vehicle traffic would detrimentally impact amenity
- lack of appropriate infrastructure for pedestrian safety and traffic management
- inappropriate built form given the scale of neighbouring residential properties
- excessive tree removal, loss of habitat for migratory animal species and insufficient rates of replanting
- construction noise and vehicle impacts

- no detailed analysis on population growth and need for the development
- failure to reasonably explore alternative sites to cater for the increased number of students
- poor and lack of community consultation by the Applicant.

Copies of the submissions may be viewed at **Appendix A**.

5.5 Response to Submissions (RtS)

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 13 August 2021, the Applicant provided a RtS (**Appendix A**) that included the following amendments to the proposal:

- revisions to the proposed built form including:
 - reduced height and length of the main Stage 1 building envelope and building and redesign of the hall/out of school hours building with covered outdoor learning area
 - reorientation of Stage 2 building envelope
 - relocation of Stage 3 building envelope to be above the southern section of the on site car park.
- revisions to the landscape design and trees identified for removal and retention
- updates to the colour and material palette to the Stage 1 buildings.

The RtS was exhibited for a period of 14 days from 19 August to 1 September 2021 on the Department's website. Notices were sent to previous submitters and landowners/occupiers in the same area notified for the EIS exhibition.

From the exhibition, a further 22 submissions were received, comprising six submissions from public authorities, 15 supplementary submissions from the public (including nine objections, four comments and two in support) and one supplementary submission in objection from a special interest group.

5.6 Public authority submissions

A summary of the issues raised in the public authority submissions is provided at **Table 5**.

Table 5 | Summary of public authority submissions to the RtS

Council

Council commented:

- potential shared community use:
 - the RtS states that shared use of the school facilities is not available at this stage, but would be explored once the school is operational
 - a condition is requested that requires the Applicant to consult with Council regarding shared use prior to the commencement of use
- open space, trees and landscaping:
 - the revised open space provision and layout is acceptable, provided it is not further decreased by increased student enrolments and demountable classrooms as seen in other schools within the City of Parramatta LGA

- the RtS failed to appropriately consider the impacts of the proposed bush fire protection measures on the BGHF which is not just limited to trees
- a landscape management plan should be prepared
- the Arboricultural Impact Assessment (AIA) and the tree protection plan should be updated to reflect the changes resulting in the amendments made to the proposal in the RtS.
- public domain:
 - tree planting and landscaping is essential on the north side of Grimes Lane, to avoid a poor visual and public domain outcome to the adjoining properties.
- car park design:
 - the redesigned car park and amount of spaces overall is satisfactory.
- pedestrian connections:
 - the Applicant's proposal for at-grade pedestrian crossings is not supported and is not in accordance with Council's recently endorsed interim guidelines.
- bus access:
 - the proposed parking restriction for the bus bay is reasonable in principle.

Council provided recommended conditions, including that all road works, street signs and line marking comply with Council requirements and be subject to approval by Council.

TfNSW

TfNSW provided recommended conditions requiring:

- a final School Transport Plan be prepared that addresses TfNSW's recommendations
- written authorisation be obtained from TfNSW to install school speed zones.

EPA

EPA advised that its previous comments and recommendations still apply and it has no further comments.

Heritage NSW

Heritage NSW advised that it is satisfied with the updated ACHAR and provided recommended conditions requiring:

- updates to the unexpected finds procedure
- Registered Aboriginal Parties be further consulted to identify the best long term management for recovered artefacts in preference to lodging artefacts with the Australian Museum.

Heritage NSW also noted that any Aboriginal cultural heritage inductions would benefit from the involvement of Aboriginal community representatives.

EESG

EESG commented:

- the revised BDAR adequately addresses previous comments and reflects the amended scope of the proposal.
- the AIA should be updated to reflect the revised development layout and demonstrate that trees impacted by the Stage 3 building envelope are able to be retained.

- suitable information and recommendations should be included in the AIA for the retention and protection of these trees, including root mapping to demonstrate that the safe and useful life of the trees can be maintained.

Endeavour Energy

Endeavour Energy advised that its previous comments and recommendations still apply and that it had no further comments.

5.7 Public submissions

The public and special interest group submissions reiterated objections made in response to the EIS, including in relation to traffic, parking, noise, site selection, tree loss, DOPU and lack of consultation. Additional concerns and comments included:

- inappropriate concentration of building bulk and height at the north-east corner of the site
- Stage 1 built form should be further setback from the northern frontage
- proximity of Stage 2 built envelope would cause detrimental impacts to the neighbouring property
- the building envelopes should be better redistributed across the site
- the Applicant's rejection of alternative options to extending Grimes Lane or providing angled DOPU spaces is very disappointing
- noise and pollution impacts from vehicle traffic would detrimentally impact amenity
- poor location and insufficient on site car parking and service vehicle access
- insufficient open space for students
- lack of appropriate infrastructure for safe pedestrian and vehicle movements
- inadequate environmental, connecting with country and Aboriginal heritage considerations
- perceived conflict of interests as supporting documentation has been provided by companies which are currently under investigation by the Independent Commission Against Corruption.

Copies of the submissions may be viewed at **Appendix A**.

5.8 Supplementary Response to Submissions (SRtS)

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

On 17 September 2021, the Applicant provided a SRtS (**Appendix A**). The SRtS did not involve any further amendments to the proposal as refined by the RtS.

The SRtS was provided to Council and EESG which provided comments.

Council confirmed that the Applicant's responses to comments on open space and engineering matters are satisfactory, subject to recommended conditions. On matters relating to pedestrian traffic and transport, Council made the following comments:

- as the Applicant is proposing to provide funding towards pedestrian crossing infrastructure, Council is willing to construct pedestrian crossing facilities at the Edenlee Street/Chelmsford

Avenue and Midson Road/Chelmsford Avenue intersections, but any facilities in Grimes Lane would need to be constructed by the Applicant. To ensure the facilities are constructed in time, the Applicant should give Council 18 months notice of the school opening date

- it is preferred that raised pedestrian crossings be installed at the two intersections. This would provide a better outcome in terms of safety for pedestrians walking to and from school as a raised pedestrian crossing would slow down traffic and give priority to pedestrians
- the next best arrangement would be to have a pedestrian refuge island at the Edenlee Street/Chelmsford Avenue intersection and a raised pedestrian crossing at the Midson Road/Chelmsford Avenue intersection as proposed within the SRtS
- at-grade pedestrian crossings at either of the intersections, would not be accepted as advised in Council's previous comments
- the proposed raised pedestrian crossing at Dunlop Street would now be funded by Council.

EESG reconfirmed that the amended BDAR adequately addressed impacts to biodiversity values on the site and that the revised AIA adequately addressed its previous comments. EESG recommended conditions relating to tree protection, tree removal and re-planting, provision of a planting plan and treatment of trees identified to have hollows or fissures.

6 Assessment

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

- traffic, transport and parking
- built form and urban design
- biodiversity, tree removal and landscaping.

These issues are discussed in the following sections. Other issues considered during the assessment are discussed at **Section 6.4**.

6.1 Traffic, transport and parking

A Transport and Accessibility Impact Assessment (TAIA) was submitted with the EIS. The TAIA was supported by a traffic response in the RtS to address TfNSW, Council and public submission comments relating to traffic generation, DOPU impacts, parking and use of Grimes Lane.

The TAIA assessed existing conditions around the site and transport impacts associated with the proposal including:

- existing traffic, parking conditions and school travel patterns
- traffic generation and distribution
- future intersection and road infrastructure upgrades
- forecast intersection and network performance
- pedestrian safety requirements
- assessment of car parking, widening and extension to Grimes Lane and the proposed DOPU zone
- service vehicle requirements
- construction access and traffic management
- traffic generation mitigation measures.

6.1.1 Existing conditions

The surrounding road network is shown in **Figure 21**. The site has frontage to three roads:

- Chelmsford Avenue – a two way local road which runs east west and intersects with First Avenue and Grimes Lane at the north-eastern corner of the site
- Grimes Lane – a one way access driveway which runs north south and currently provides access to three properties opposite the site and terminates in a cul-de-sac toward Second Avenue
- Second Avenue – a two way local road which runs parallel to and west of First Avenue. Second Avenue currently terminates in a cul-de-sac at the site frontage.

Midson Road east of the site acts as a collector road and runs in a north south alignment, providing a key direct route from West Ryde in the south to Cheltenham in the north. Mobbs Lane south of the site acts as a collector road and runs in an east west alignment, providing a direct route from Midson Road to the state classified Marsden Road in the west.

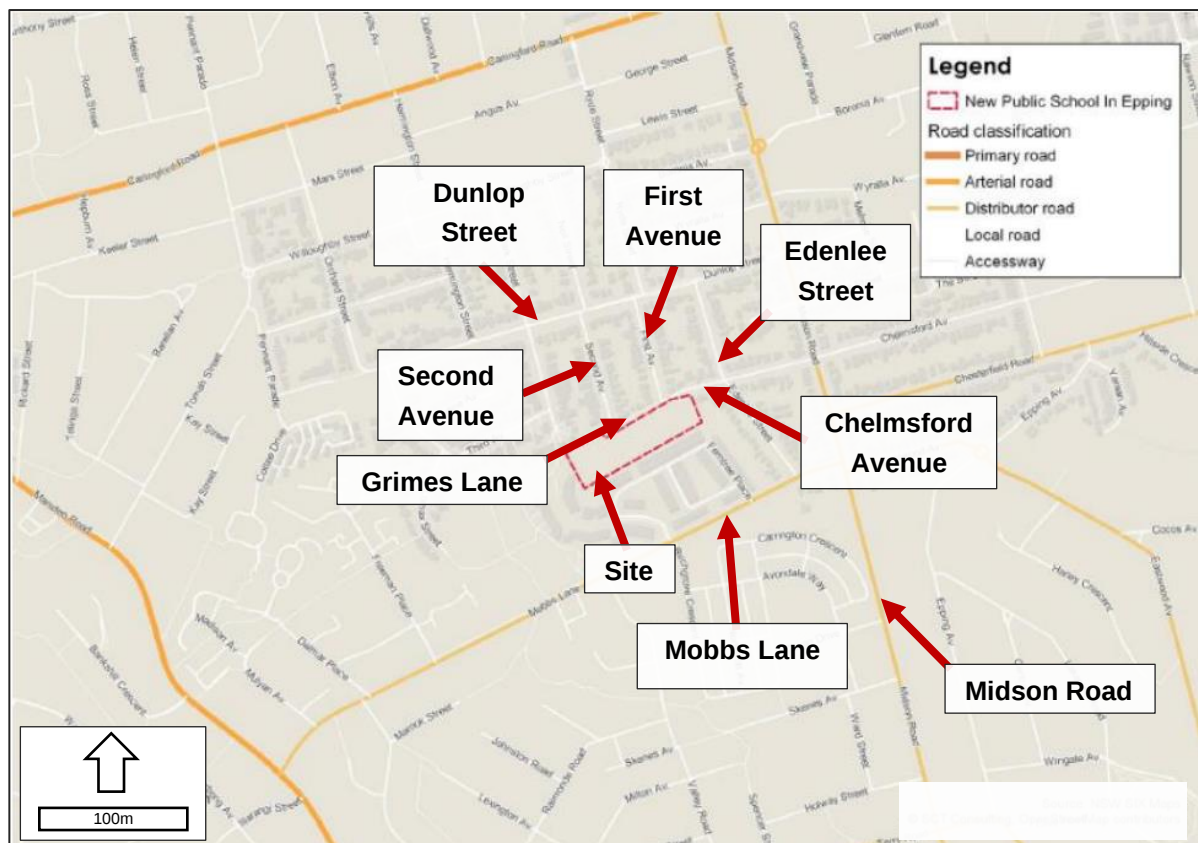


Figure 21 | Surrounding road network (Source: Applicant's EIS 2021)

Nearby public transport services include bus routes 521 and 541 that provide hourly services along Midson Road and Mobbs Lane. Both services link to Eastwood Station (approximately 1.5km south-east of the site) with Route 541 eventually providing access to Epping Station. Route 541 stops on Edenlee Street, within 150m of the site. The site is located approximately 1.5km south west of Epping Station, which connects to rail services on the T9 Northern Line and Sydney Metro Northwest.

Within the walking catchment there are footpaths along Chelmsford Avenue, First Avenue, Second Avenue, Mobbs Lane, Edenlee Street, Midson Road and Dunlop Street. However, not all streets have footpaths on both sides of the street and contain gaps along certain stretches. Pedestrian crossing facilities are limited with the exception of crossing islands on Mobbs Lane and Edenlee Street to the south-east that currently have traffic and pedestrian volumes that warrant crossings.

There are no formal/separated bicycle lanes near the site, as cycling routes are shared with the existing road network. According to NSW road rules, children under 16 years old are permitted to ride on a footpath. An adult rider supervising a bicyclist under 16 may also use a footpath.

Figure 22 depicts the key existing and access features that service the site.

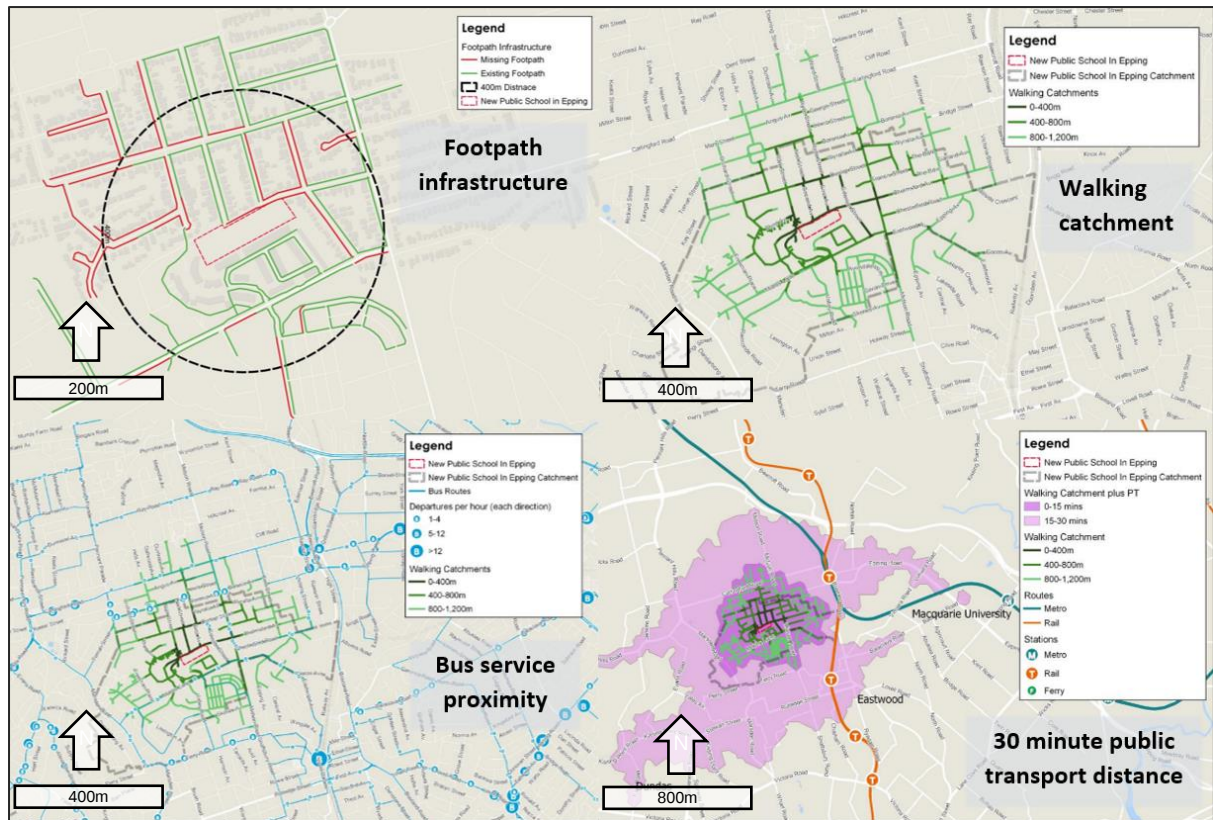


Figure 22 | Key existing access and transport features surrounding the site (Source: Applicant's EIS 2021)

6.1.2 Operational traffic – Concept Proposal and Stage 1 works

The Concept Proposal includes an ultimate capacity of 1000 students. Stage 1 would accommodate up to 600 students, Stage 2 up to 800 students, and Stage 3 up to 1000 students.

The proposal includes widening and extension of Grimes Lane to Second Avenue (**Figure 23**), forming a one-way road between First Avenue and Second Avenue. This provides access to the school and accommodates a DOPU zone (**Section 6.1.3**).

The TAIA assessed the existing performance of key intersections and future performance at opening of the Stage 1 school (2023 with 600 students) and the Concept Proposal in 10 years (2033 with the 1000 maximum capacity). Future modelling considered the changed road network with the extended Grimes Lane in place, background traffic growth resulting from population growth and additional traffic generated by the proposed development.

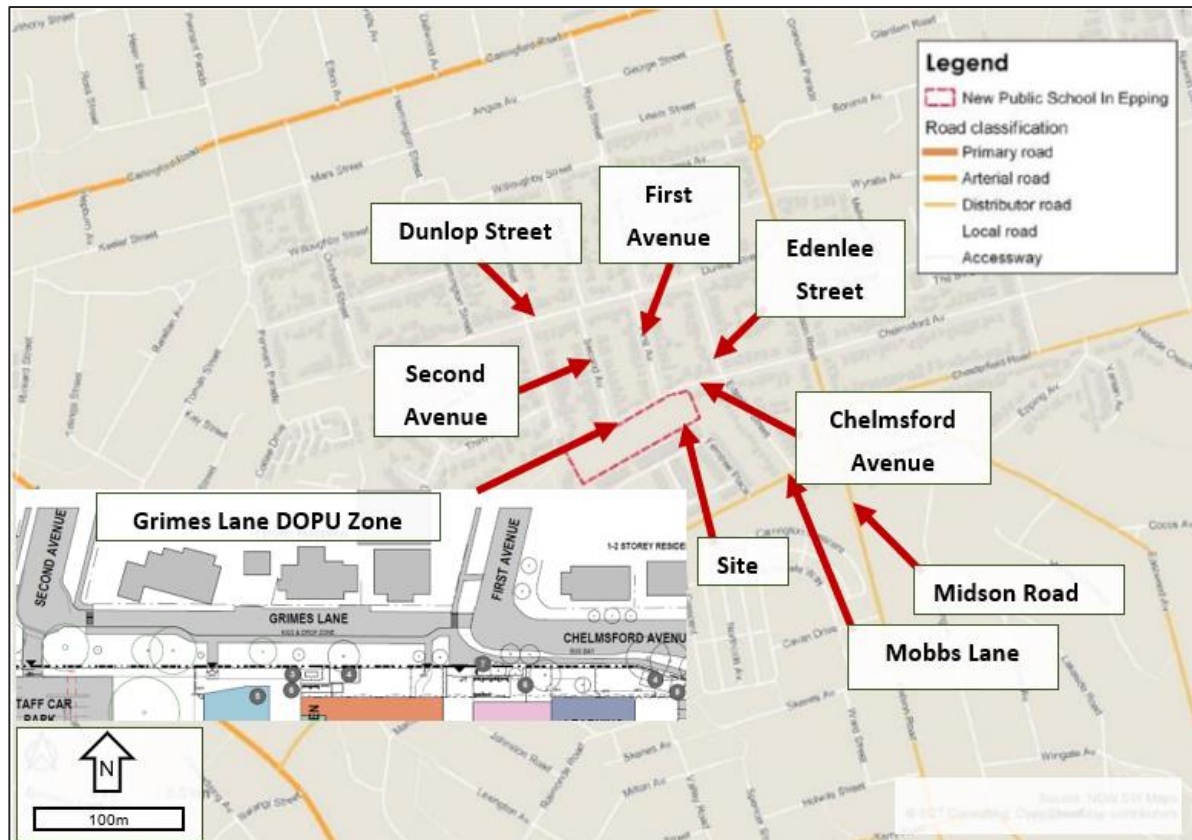


Figure 23 | Grimes Lane DOPU zone and extension to Second Avenue (Source: Applicant's EIS 2021)

The intersections analysed in the TAIA (**Figure 24**) included:

- Midson Road and Dunlop Street
- Midson Road and Chelmsford Avenue
- Midson Road, Eastwood Avenue and Mobbs Lane
- Chelmsford Avenue and Edenlee Street
- Dunlop Street and Edenlee Street
- Dunlop Street, Ryde Street and First
- First Avenue, Chelmsford Avenue and Grimes Lane
- Dunlop Street, Neil Street and Second Avenue
- Willoughby Street and Orchard Street.

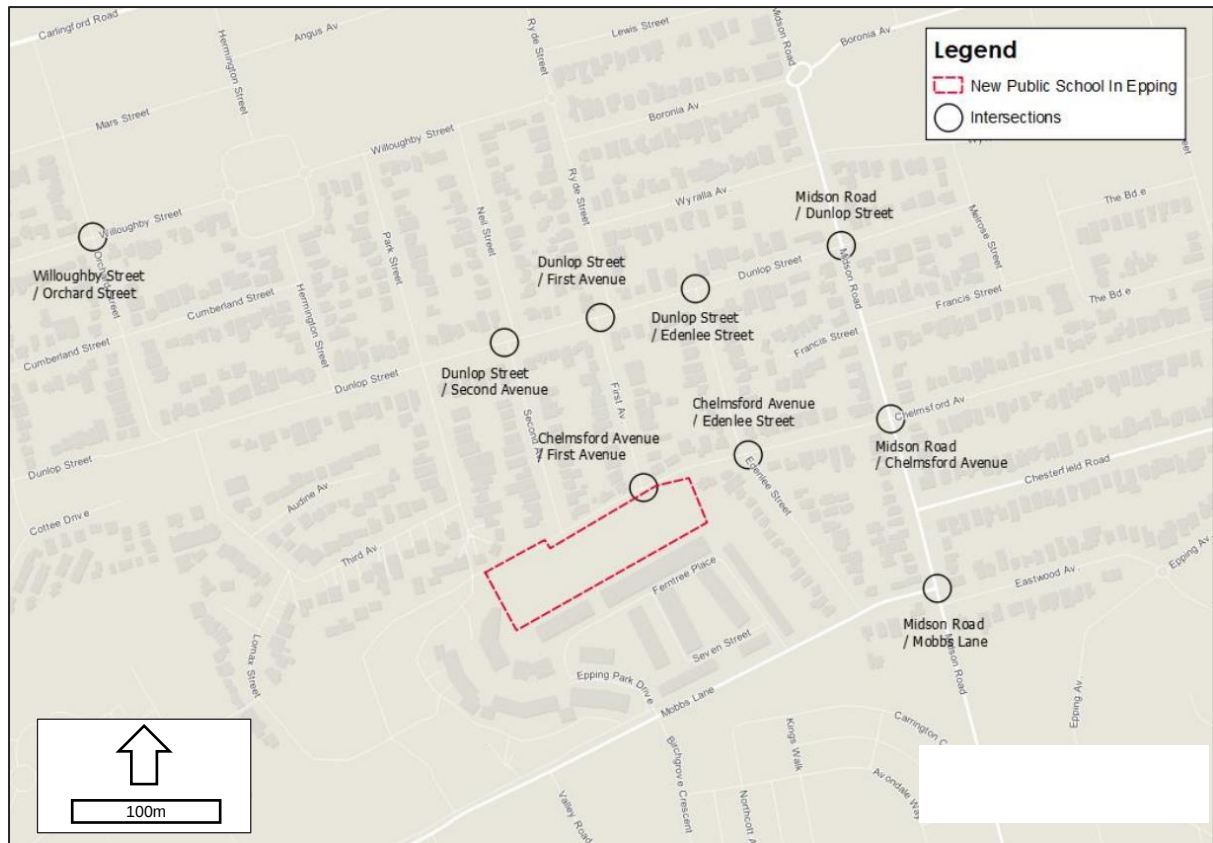


Figure 24 | Intersections modelled (Source: Applicant's EIS 2021)

To forecast expected vehicle trips generated by the proposal, the TAIA considered:

- surveys undertaken at Epping West Public School, due to its proximity to the site and the fact that the proposal would be capturing students in catchment areas currently serviced by Epping West Public School
- data from the *Roads and Maritime Services Trip Generation Surveys, Schools – Analysis Report* which examined trip generation rates in 22 schools in NSW
- existing trip generation survey data from similar public schools in NSW, including Grays Point Public School, Harrington Street Public School, Kurnell Public School and Woronora River Public School.

Based on this data, the TAIA adopted a trip generation rate of 0.55 trips per student in the AM peak and 0.4 vehicles per student in the PM peak. Noting the lower PM peak generation rate, the TAIA stated that this is typical of public schools and largely reflects movements being spread over a longer period than the morning peak. This is partially influenced by later pick-up due to student attendance at out of school hours activities. The TAIA noted that a minor number of movements associated with out of school hours activities and staff would occur during the network PM peak (5pm to 6pm).

The trip generation rate is based on vehicle occupancy rates of 1.7 students per vehicle and student mode share:

- car – 60%
- public transport – 5%
- walking – 30%
- cycling – 5%.

The TAIA noted that the site is within 1.5km of a rail and metro station. Changes to nearby school catchments to accommodate the new school would mean that many students would have shorter distances to travel, encouraging a mode shift to walking, cycling or public transport. In addition, the site is located near the centre of the proposed catchment area, which would result in more students walking or cycling.

Based on the adopted trip generation rates, the TAIA forecast overall expected trips to and from the site at opening (2023) and in ten years (2033) as shown in **Table 6**.

Table 6 | Forecast 2023 and 2033 trip generation

Measure	2023	2033
Student Population	600 students (Stage 1)	1,000 (Stage 3)
AM peak vehicle trips	330 trips	550 trips
PM peak vehicle trips	240 trips	400 trips

The TAIA found the assessed intersections currently operate at a Level of Service (LoS) of A, B or C, shown in **Figure 25**. Using the forecast trips generated by the proposal, the TAIA found that intersections continue to operate at LoS A, B and C at opening (2023) and in 10 years (2033), shown in **Figure 26**. This indicates that intersections currently, and continue to, operate within capacity.

Intersection	AM Peak			PM Peak		
	Delay	LoS	DoS	Delay	LoS	DoS
Midson Road / Dunlop Street	15.6s	B	0.35	14.5s	A	0.28
Midson Road / Chelmsford Avenue	25.4s	B	0.28	17.2s	B	0.22
Midson Road / Eastwood Avenue / Mobbs Lane	32.7s	C	0.95	29.0s	C	0.88
Chelmsford Avenue / Edenlee Street	8.1s	A	0.08	9.2s	A	0.05
Dunlop Street / Edenlee Street	5.0s	A	0.08	5.0s	A	0.07
Dunlop Street / Ryde Street	5.0s	A	0.09	4.9s	A	0.08
Dunlop Street / First Avenue	4.8s	A	0.05	4.8s	A	0.06
First Avenue / Chelmsford Avenue / Grimes Lane	4.6s	A	0.003	4.8s	A	0.004
Dunlop Street / Neil Street / Second Avenue	5.0s	A	0.05	4.9s	A	0.05
Willoughby Street / Orchard Street (separate from the network)	10.1s	A	0.10	9.8s	A	0.09

Figure 25 | Existing intersection performance (Source: Applicant's EIS 2021)

Intersection	2023						2033					
	AM Peak			PM Peak			AM Peak			PM Peak		
	Delay	LoS	DoS	Delay	LoS	DoS	Delay	LoS	DoS	Delay	LoS	DoS
Midson Road / Dunlop Street	16.5s	B	0.37	13.7s	A	0.30	17.6s	B	0.38	13.8s	A	0.31
Midson Road / Chelmsford Avenue	27.0s	B	0.29	18.2s	B	0.23	28.3s	B	0.31	19.0s	B	0.24
Midson Road / Eastwood Avenue / Mobbs Lane	33.9s	C	0.97	29.2s	C	0.90	34.9s	C	0.98	29.4s	C	0.90
Chelmsford Avenue / Edenlee Street	8.5s	A	0.11	8.2s	A	0.07	8.9s	A	0.13	8.4s	A	0.08
Dunlop Street / Edenlee Street	5.3s	A	0.13	5.2s	A	0.10	5.5s	A	0.16	5.4s	A	0.13
Dunlop Street / Ryde Street	5.3s	A	0.12	5.1s	A	0.10	5.5s	A	0.15	5.3s	A	0.12
Dunlop Street / First Avenue	5.1s	A	0.11	5.0s	A	0.08	5.3s	A	0.14	5.1s	A	0.11
First Avenue / Chelmsford Avenue / Grimes Lane	5.0s	A	0.05	5.0s	A	0.03	5.1s	A	0.08	5.0s	A	0.06
Dunlop Street / Neil Street / Second Avenue	5.2s	A	0.08	5.1s	A	0.06	5.4s	A	0.13	5.2s	A	0.09
Willoughby Street / Orchard Street (separate from the network)	10.9s	A	0.12	10.3s	A	0.09	11.6s	A	0.13	10.7s	A	0.10

Figure 26 | Stage 1 (2023) and final Concept intersection performance (Source: Applicant's EIS 2021)

Public submissions objected to expected traffic generation and congestion on the local road network, particularly given the low density residential streets of First Avenue and Second Avenue. Residents of Second Avenue raised objections that increased traffic would be detrimental to safety and amenity, noting existing road widths were insufficient to safely accommodate the traffic. In addition, the proposed traffic flow in one direction through Grimes Lane would place a significant burden on Second Avenue. Objections were also raised to Grimes Lane being available to non-school traffic, allowing a public through route to Second Avenue. Concern was raised about detrimental impacts that would occur, particularly out of school hours.

Council and TfNSW did not raise concerns in regard to operational traffic impacts. TfNSW recommended a Green Travel Plan be implemented and reviewed to promote further mode share shift towards active transport modes.

The Applicant responded to the submissions in the RtS and SRtS, noting that the one-way design of Grimes Lane was subject to extensive testing in consultation with Council and TfNSW. The design was identified as the best approach to:

- manage safety and efficiency of the road network
- avoid multiple conflict points that could be created if Grimes Lane was two-way
- maximise the number of parallel parking bays.

In relation to comments about the width of Second Avenue, the RtS and SRtS noted that even with the additional traffic generated by the proposed school, Second Avenue still operates within the maximum peak volume for the street design under the *RMS Guide to Traffic Generating Developments*. The implementation of a robust School Transport Plan (STP) that includes measures to encourage sustainable travel would also reduce traffic impacts.

The Department engaged JMT Consulting to undertake a peer review of the Applicant's TAIA, RtS, SRtS and matters raised in submissions. Based on surveys undertaken in the TAIA, the peer review noted that Second Avenue currently carries less than 20 vehicle movements per hour during peak periods. As a result of the proposal, the level of traffic movement is expected to increase by approximately 200 vehicle movements per hour in peak periods. The peer review noted that although the increase in traffic movements on Second Avenue would be substantial, forecast traffic movements remain below the 300 vehicles per hour maximum environmental capacity threshold as identified for a street of that design in the *RMS Guide to Traffic Generating Developments*.

The peer review identified that traffic flows along First Avenue would be lower in comparison to Second Avenue, which is appropriate as the First Avenue street environment is less conducive to significant levels of traffic movements. First Avenue is narrower at 8m (compared to Second Avenue at 10m), with parking provided on both sides of the kerb, making the passing of vehicles only possible at driveways where no parking is permitted. The peer review recommended that the parking demand and potential overflow from the DOPU zone should be minimised to maximise efficiency of First Avenue.

The Department provided the peer review to the Applicant. The Applicant stated the proposed school catchment was conducive to walking, and the STP would drive down demand for vehicle movements.

The Department considered the comments made in the submissions, the Applicant's RtS and SRtS, and the peer review, and is satisfied that the Applicant has demonstrated that the local road network can accommodate additional traffic generated by the proposal. The Department acknowledges that the proposal would significantly change the character and volume of traffic levels on surrounding streets. However, the Department also acknowledges that the expected levels of traffic are within the design capacity of the affected streets, impacts would be short in duration, and key intersections would still operate within capacity. On this basis, the Department considers the traffic impacts of the Concept Proposal and Stage 1 works are acceptable.

In regard to comments in the public submissions on Grimes Lane being open to traffic outside of school hours, and associated impacts to residents on Second Avenue, the Department considers that the connected grid-like structure of the local road network minimises the likelihood of Grimes Lane and Second Avenue being used as a shortcut or "rat run" to collector roads Midson Road or Mobbs Lane. In addition, Grimes Lane would be one-way, meaning that vehicles using Grimes Lane to access Second Avenue likely have Second Avenue as the destination.

The Department has recommended a condition that Stage 1 works include an annual review of the STP to consider traffic generation issues and identify actions required to address impacts in consultation with Council and TfNSW.

The Department has also recommended conditions that future detailed applications for Stage 2 and Stage 3 include a traffic impact assessment that considers the performance of the road network under Stage 1 operations (or Stage 2 in the case of Stage 3), and likely impacts resulting from the additional capacity in the future stage of development.

6.1.3 Drop-off / pick-up (DOPU) – Concept Proposal and Stage 1 works

As discussed in **Section 6.1.2**, the proposal includes widening and extending Grimes Lane from First Avenue to Second Avenue to accommodate a DOPU zone. This zone caters for all stages of the development and would be delivered in Stage 1.

Grimes Lane provides 55m of DOPU space on the southern side of Grimes Lane adjacent to the school entrance. Two additional on site DOPU spaces dedicated for SELU students are proposed in the north-eastern corner of the site with access from Chelmsford Avenue. The DOPU zone and SELU DOPU spaces are shown in **Figure 27**.

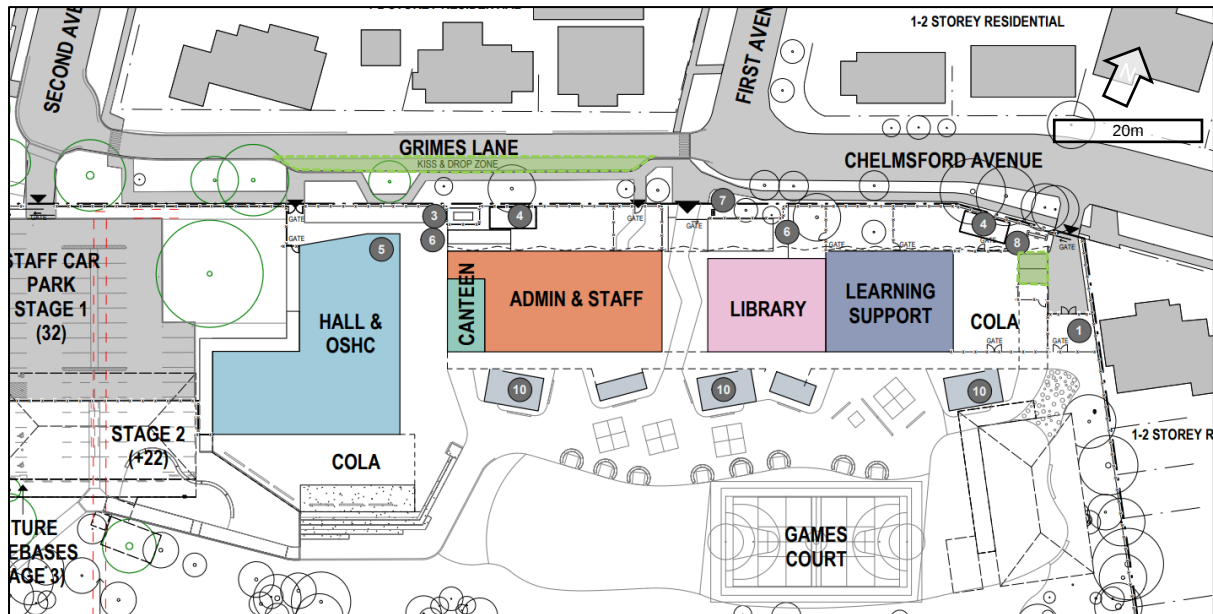


Figure 27 | DOPU zone (in green) (Source: Applicant's RtS 2021)

The TAIA used DOPU survey data from Epping West Public School to determine travel behaviour and expected DOPU demand for the proposal. Based on an expected two minute dwell time, the TAIA concluded that 20 spaces would be required to cater for the worst case scenario 550 trips expected in the AM peak in Stage 3. Noting that the proposal only provides 13 spaces, the TAIA acknowledged that the proposal would only cater for 65% of the potential DOPU demand. The TAIA argued demand for the DOPU would likely be lower as the Applicant intends to promote active modes of transport, as the site is in a walkable location with 85% of students living within 800m of the site. If demand does exceed supply in the DOPU zone, additional demand could be catered for on nearby streets as is the experience at existing schools.

The TAIA argued that while DOPU could be prevented on nearby streets through parking restrictions, restrictions would impact residents and would be unnecessary given that DOPU is limited to school peak periods and would have a moderate impact.

Public submissions raised objections to the limited Grimes Lane DOPU zone and reliance on surrounding streets to cater for overflow. Alternative solutions were suggested to facilitate more spaces, including angled parking, extending the DOPU zone on Grimes Lane or providing DOPU spaces on site. Some public submissions objected to the provision of any DOPU spaces, as it encourages parent/carers to drive students to the school and hampers efforts to encourage sustainable travel.

Following EIS exhibition, the Department queried the proposal's reliance on surrounding streets for DOPU and requested further consideration be given to measures to cater for additional DOPU demand on Grimes Lane or on the site.

Neither Council nor TfNSW raised concerns with the provision of the DOPU zone, subject to conditions relating to detailed design, sign posting and pedestrian crossing facilities. Council advised it did not support parking restrictions on nearby streets.

The RtS identified that demand may exceed supply by up to 100 cars during peak periods, if efforts to reduce demand below the above levels are not realised. The RtS included a parking survey which found that there is sufficient available parking spaces on nearby streets to accommodate the shortfall

of formal DOPU spaces. Using a combination of on street surveys and available historical data over a three year period, the TAIA identified average parking vacancy rates of 76% on First Avenue, 74% on Second Avenue, and 87% on Chelmsford Avenue.

Figure 28 shows the sections of nearby streets surveyed and identified that could accommodate additional informal DOPU.



Figure 28 | Formal and informal DOPU locations (Source: Applicant's RtS 2021)

To manage potential issues, such as queuing out of Grimes Lane or impacts to operational traffic from overflow DOPU on nearby streets, the RtS stated an operational transport management plan could be prepared before the completion of each stage of the development, to confirm requirements. In addition, as the proposal would not operate at full capacity at opening, refinements to management arrangements can be put in place to offset any impacts observed during initial stages of operation.

The Department's peer review also considered DOPU operations, and found that based on an average vehicle space length of 6m, there would only be space for nine cars in the Grimes Lane DOPU zone, rather than 13 as indicated by the Applicant. The peer review recommended DOPU movements be contained within the site, but as this has not been achieved, measures proposed to mitigate the impacts include:

- investigate potential to increase the extent of the DOPU zone on Grimes Lane by lengthening the zone to the west or providing angled (45 degree) parking
- prepare a detailed DOPU management plan which requires the Applicant to outline the management measures in place to ensure the DOPU zone operates in a safe and efficient manner
- consider the need to stagger DOPU times for students to reduce the extent of overflow parking onto surrounding streets.

In response to the peer review, the Applicant reiterated previous advice that widening and extending the Grimes Lane DOPU zone would have unacceptable impacts to significant trees and their root structures. In addition, the Applicant stated that alternative parking design options that require

reversing movements (such as 45 or 90 degree angled parking) would pose significant efficiency and safety concerns. Instead, the Applicant reiterated its intended use of a robust STP to reduce car trips and encourage sustainable travel modes. As part of the annual review, the Applicant proposed to investigate potential improvements including:

- line marking of parking spaces to better ensure full capacity and utilisation
- surveillance of driver's behaviour through involvement from Council and the police
- review of staggered drop-off and pick-up times for students.

The Applicant argued management of the STP in this manner would mean the DOPU zone would operate efficiently and the need to use informal spaces on surrounding streets would be minimised.

The Department acknowledges the comments and objections raised in public submissions regarding the proposed DOPU zone and the potential impacts to surrounding streets. The Department also acknowledges that the proposed DOPU zone would only cater for 55% of expected demand in Stage 3 considering the zone includes space for nine vehicles.

Having considered concerns raised in submissions, the information provided by the Applicant and the results of the peer review, the Department considers that proposed DOPU arrangements are acceptable on balance, as:

- the site is heavily constrained, and providing additional DOPU facilities on site would be detrimental on trees and the provision of sufficient learning and open space facilities to meet the needs of students
- the provision of additional DOPU spaces on Grimes Lane would significantly impact on trees, and the provision of 45 or 90 degree angled spaces would reduce the efficiency and safety of the DOPU zone
- there is significant demand for primary school enrolments in the Parramatta LGA and Epping
- use of the site as a primary school is appropriate given the site was previously used as an education establishment and is available for development in a densely developed urban area
- the Applicant seeks to make best use of the walkable location to promote more active and public modes of transport and reduce car journeys that reduce demand for the DOPU zone
- the staged nature of the development and requirement for detailed planning approval for Stages 2 and 3 offers the opportunity to review the operation of the DOPU in Stage 1 and consider further measures required to minimise impacts on surrounding streets.

The Department has recommended conditions for Stage 1 requiring the Applicant to prepare, implement, and review a STP which would ensure that active transport methods are continuously promoted and reliance on vehicle trips is reduced.

The Department has recommended conditions on the Concept Proposal that future detailed applications for Stage 2 and Stage 3 include a traffic impact assessment that considers the performance of the DOPU zone under Stage 1 operations (or Stage 2 in the case of Stage 3) and likely impacts resulting from the additional capacity proposed in the future stage of development.

Recommended conditions require surveys of the DOPU zone during both the morning and afternoon peak periods (over multiple days) to determine the operation of the area and its ability to accommodate student demands. The surveys must include:

- number of vehicles using the Grimes Lane DOPU

- school drop-off and pick-up periods
- the number of occupied and unoccupied parking spaces in the DOPU zone
- the extent of any vehicle queuing that may take place on Grimes Lane or surrounding streets during
- typical dwell time (length of stay) of vehicles
- proportion of students being dropped off on surrounding residential streets via interview surveys to be conducted by the school.

Where a shortfall in capacity of DOPU zone and related vehicle queuing and/or student drop-off/pick-up on surrounding residential streets is identified, a report must be prepared. The report must assess the likely increase in DOPU zone demand based on the increased student load associated with the subsequent stage of development and conclude whether the increased demand for the DOPU zone could be accommodated on Grimes Lane.

Where the report concludes that insufficient space is available on Grimes Lane to accommodate the additional demand, mitigation measures must be proposed to ensure that the increase in students would not adversely affect the safety or amenity of surrounding residential streets. Measures may include, but are not limited to:

- active on site management and staffing of the DOPU zone, to provide more efficient traffic management and facilitate a higher turnover of vehicles within the area
- staggered start and finish times to spread the DOPU demand over a longer time period
- provision of additional formalised DOPU zones.

Where mitigation measures are proposed, these must be implemented prior to the next applicable student population increase.

The Department has recommended a condition that requires the extension to Grimes Lane to be in accordance with Council standards. Further conditions require a Road Safety Audit (RSA) to be undertaken to identify any safety issues with the DOPU zone following construction, but prior to operation of Stage 1. Further reviews are then required within three months of the student population exceeding 600 students and again within three months of the student population exceeding 800 students. The RSA must be prepared by a suitably qualified consultant and include the local road network generally centred on Grimes Lane, First Avenue, Second Avenue, Chelmsford Avenue, Edenlee Street and intersecting roads.

Subject to the recommended conditions, the Department considers that operation and management of the DOPU zone could be undertaken in a manner that minimises impacts to surrounding streets. The requirements to undertake further assessments at school population trigger points would ensure that subsequent stages of the Concept Proposal cannot commence until arrangements are put in place to ensure the DOPU operates satisfactorily.

6.1.4 Public and active transport – Concept Proposal and Stage 1 works

6.1.4.1 Walking and cycling

The TAIA included a preliminary School Transport Plan (STP) to promote active transport use. The STP outlines initiatives and programs to promote walking, cycling and public transport as the most attractive travel modes to and from the school.

The TAIA identifies that there is limited formal cycling infrastructure surrounding the site, but students are allowed to cycle on footpaths under NSW road rules.

The Applicant has committed to funding the construction of new footpaths on the northern side of Chelmsford Avenue (between First Avenue and Edenlee Street) and the eastern side of First Avenue (between Chelmsford Avenue and Dunlop Street). The Applicant states that planned footpath upgrades and on site bicycle parking (60 spaces) would encourage cycling to the school.

Public submissions raised the lack of pedestrian connections to the site notably from the south, and requested an entry point be provided from open space at Ferntree Place.

Council also requested the Applicant investigate the potential for a pedestrian connection to the south. It identified a number of raised pedestrian crossing facilities would need to be provided at:

- either end of Grimes Lane
- at the intersection of Edenlee Street and Chelmsford Avenue (pedestrian crossing or refuge island)
- at the intersection of Midson Road and Chelmsford Avenue (pedestrian crossing or refuge island)
- at the intersection of Dunlop Street and First Avenue (pedestrian crossing or refuge island).

TfNSW provided recommended conditions requiring a final detailed STP be prepared and identified areas of the STP that could be improved to ensure greater success of mode share shifts.

The Applicant consulted the Strata Corporation of the Epping Park development to the south of the site, regarding the potential provision of a southern pedestrian access. The access was not supported by the Strata Corporation on security matters.

The Applicant also stated it consulted Council, and agreed that pedestrian crossing facilities would be constructed by the Applicant:

- at either end of Grimes Lane (A in **Figure 29**)
- a pedestrian refuge island on the southern side of the intersection of Chelmsford Avenue and Edenlee Street (B in **Figure 29**)
- a raised pedestrian crossing constructed on the southern side of the intersection of Chelmsford Avenue and Midson Road (C in **Figure 29**).



Figure 29 | Proposed pedestrian crossing upgrades (Base source: Nearmap 2021)

Council confirmed that it was satisfied with the above proposals, and a crossing facility at the intersection of Dunlop Street would be provided by Council.

The Department has recommended conditions for Stage 1 requiring the Applicant to prepare, implement and review a STP which would ensure that active transport methods are promoted and reliance on vehicle trips is reduced. Recommended conditions also require future detailed applications for Stages 2 and 3 to update the STP to outline measures to reduce vehicle use.

The Department is supportive of the planned pedestrian infrastructure upgrades and has recommended conditions requiring these to be constructed to the satisfaction of Council prior to operation of Stage 1.

Noting that there is no development standard/control for bicycle parking on site, the Department is supportive of the bicycle parking being provided in conjunction with other proposed measures to encourage sustainable transport modes.

6.1.4.2 Bus services

The Applicant states that it consulted with TfNSW regarding the provision of a dedicated school bus service during peak periods, additional bus services between the school and Epping station and improved frequencies on nearby public bus services.

The proposal includes the provision of a bus zone on Chelmsford Avenue that would accommodate one bus. The EIS originally proposed that buses would exit the area via First Avenue after stopping at the bus zone.

The Department's independent traffic peer review identified that the provision of one bus parking space on Chelmsford Avenue would be insufficient given the demand generated by students travelling to excursions and school sports. The peer review argued a minimum of three bus spaces would be required, approximately equivalent to one year group. As a result, additional space may be required on Chelmsford Avenue to the east of the proposed bus zone, requiring the removal of the on-street parking. The peer review also identified that Second Avenue, rather than First Avenue would be better suited as the route for bus movements.

TfNSW did not raise concerns with the capacity of the bus zone, or use of First Avenue as the primary route, but required confirmation via a swept path analysis that the buses would be able to safely turn from Chelmsford Avenue into First Avenue. The Applicant provided the swept path diagram in its RtS and TfNSW had no further comment.

First Avenue is narrow (8m kerb to kerb) with limited opportunities for passing if on-street parking is used on both sides, particularly large vehicles such as buses. The TAIA confirmed this by identifying that First Avenue doesn't allow for continuous two way traffic while a bus is travelling along the street.

Based on peer review advice, the Department requested the Applicant consider the use of Second Avenue as the bus exit route as it is a wider street (10m). This would simplify traffic movements by having bus and parent/carer DOPU enter by Chelmsford Avenue or First Avenue and exit via Second Avenue. The Applicant confirmed that buses could safely travel along Grimes Lane and Second Avenue to exit the area and noted that instances where more than one bus is required would likely occur outside of the AM and PM peak, so the Grimes Lane DOPU zone could be used for excursion or special event bus pick-up/drop-off.

The Department considers that the revised bus exit route and use of the DOPU zone during off-peak periods are acceptable, as it would ensure that buses are appropriately routed along the surrounding road network. The Department has recommended conditions that require the bus zone be designed and implemented to the satisfaction of Council prior to the commencement of Stage 1 operations.

The Department notes that overall bus service capacity would be a consideration in the annual STP review. Where shortfalls are identified, they would be rectified in consultation with bus providers.

6.1.5 Operational parking

The Concept Proposal includes an on site car park for staff that would be incrementally delivered as follows:

- Stage 1 – total of 32 spaces
- Stage 2 – total of 54 spaces
- Stage 3 – total of 53 spaces following the loss of one space to accommodate the Stage 3 built form.

Access to the car park would be provided from the southern end of Second Avenue. This access and the Stage 1 car park would be constructed as part of the Stage 1 works.

Public submissions raised concerns with insufficient parking being provided, noting on-street parking would be used by teachers and staff. Objections were also raised to the access being provided from Second Avenue rather than Grimes Lane.

No agency submissions raised concerns with the number of spaces proposed. Council sought confirmation that the car park design and spaces had been designed in accordance with Australian Standards.

The Applicant's RtS confirmed that the proposal complied with relevant Australian Standards, and having the access point from Grimes Lane would result in unacceptable biodiversity impacts and/or significantly impact the provision of learning and outdoor play spaces for students.

The Parramatta Development Control Plan 2011 applies to the site, but does not include specific car parking rates for educational establishments. While preparing the EIS, the Applicant confirmed with

Council that since the Hornsby Development Control Plan 2013 (HDCP) includes specific car parking rates for educational establishments, it should be used to determine the minimum car parking spaces required on site. The site is within 700m of the boundary to where the HDCP applies and shares similar characteristics to that area. Additionally, the HDCP applies to the nearby Epping West Public School to which the proposal is sharing a catchment area with. The HDCP requires one car space per full-time teacher and a minimum of 2-3% of spaces are accessible spaces. Based on expected staffing rates, the development would require 28 spaces at Stage 1 and a maximum of 38 spaces in Stage 3. The proposal exceeds these requirements and complies with the requirements for accessible parking with one space provided in Stage 1 and two accessible spaces as part of the future Stage 3 application.

The Department considered the comments made in the public submissions and the requirements of the HDCP. The Department notes that the proposal exceeds the minimum parking requirements and considers that this reduces demand for on-street parking. In addition, the Department considers the location of the car park access point off Second Avenue is appropriate, given it is separated from the DOPU zone, ensuring no loss of DOPU spaces and potential conflict in the DOPU zone is minimised.

The Department has recommended a condition that requires 32 car parking spaces to be constructed on site prior to the operation of Stage 1. Further conditions require detailed planning applications for Stage 2 and Stage 3, to include at least 53 spaces as proposed in the Concept Proposal.

6.1.6 Construction traffic and parking

6.1.6.1 Concept Proposal

Full details of the construction management arrangements for the Stage 2 and Stage 3 of the Concept Proposal were not provided, as these will be required to be set out in future detailed applications for those stages.

The Department is satisfied that satisfactory construction arrangements could be implemented to minimise impacts from construction traffic and parking. The Department has recommended a condition which requires assessment of construction traffic impacts and a preliminary Construction Traffic and Pedestrian Management Plan (CTPMP) be submitted with applications for Stage 2 and Stage 3.

6.1.6.2 Stage 1 works

The Stage 1 TAIA included a preliminary CTPMP which details construction vehicle movements, truck and crane unloading details, routes of travel, parking and access arrangements, pedestrian management provisions, and measures to address potential impacts.

The Applicant states that the proposal involves a design and construction process that combines the manufacture of building components, such as wall systems and facades, in a factory off site, with on site assembly. Delivery of these parts typically occurs on oversized vehicles, then lifted on site by a crane and assembled on site. This construction method generally reduces the overall construction period, and reduces traffic movements during construction, but requires significant traffic management or road closures when moving parts on site for assembly. Road closures require approval from the relevant roads authority.

For general construction works, the CTPMP estimates the proposal would generate a maximum of 20 truck movements per day. Trucks access the site via Mobbs Lane from the west and along Midson

Road from the north and south (**Figure 30**). The largest construction vehicle expected to access the site would be approximately 25m long.

The CTPMP states that footpaths on the immediate surrounding road network would be managed by controllers during construction periods as required. The CTPMP advises construction vehicles would operate outside of peak periods to minimise impacts on local roads.

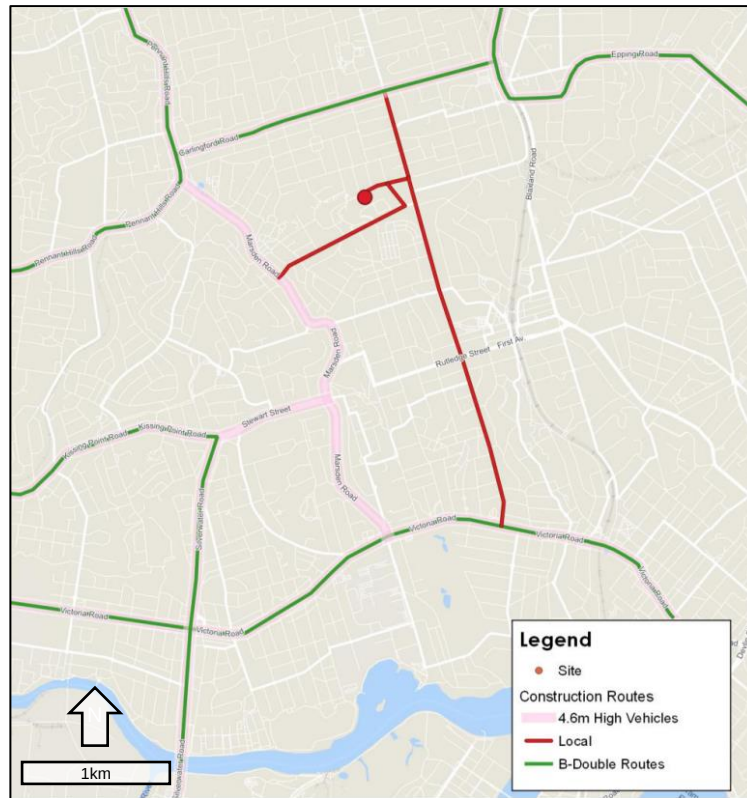


Figure 30 | Proposed construction vehicle routes (Base source: Applicant's EIS 2021)

Following exhibition of the EIS, the Department requested the Applicant address potential construction vehicle parking impacts on surrounding streets as:

- no details were provided regarding the potential to provide construction worker parking on site
- overflow construction worker parking is proposed along the surrounding street network
- no information was provided on the capacity of surrounding streets to accommodate construction worker parking and no measures were detailed to minimise construction worker parking demand.

In response, the Applicant's RtS stated that:

- some construction worker parking could be accommodated on site during Stage 1 works
- use of public transport and carpooling would be heavily encouraged
- unrestricted parking on surrounding streets would sufficiently cater for construction worker parking and would not significantly detract from existing supply.

The Department accepts the Applicant's assessment of construction traffic, and notes the surrounding road network can accommodate the expected heavy vehicle movements. Road closures would be subject to appropriate approvals and impacted residents would be consulted. The Department accepts that on site construction worker parking is limited given the site constraints, that the Applicant

would seek to minimise construction worker parking demand, and that impacts to on-street parking supply would be minimised.

Based on the above, the Department has recommended conditions requiring the preparation and implementation of a final CTPMP. A further condition requires the Applicant to prepare a construction worker transport strategy to manage and minimise impacts from construction worker parking. Subject to these conditions, the Department considers that construction traffic and parking impacts can be appropriately managed.

6.2 Built form and urban design

6.2.1 Concept Proposal – masterplan and design principles

The Concept Proposal sets out the broad layout of the site, location of building envelopes and overall design principles for the development.

The proposal was supported by a Design Analysis Report (DAR), updated in the RtS to reflect the amended design and respond to comments from the Government Architect NSW (GANSW) and in the public submissions. The updated DAR sets out the rationale behind the Concept Proposal and establishes guiding design principles that provide whole-of-site and building-specific guidance on connecting with country, bulk, scale, setbacks, views/overlooking, streetscape and façade presentation, and materials.

The Concept Proposal is guided by four design principles:

- street frontage – widening and extension of Grimes Lane to connect with Second Avenue increases the school's public connection. The built form and parking has been positioned to maximise the site's restricted street frontage
- variety of open spaces – to facilitate and encourage physical and recreational activities providing a games court to the south east away from the street frontage, and an expansive green space to the south and west of the built form
- tree protection – built form and associated services are designed and located to retain and protect highly significant trees on site
- green buffer – existing street trees are retained where possible through appropriate setbacks. Trees and generous setbacks provide visual privacy and buffers between different land uses.

The Department notes while the DAR is general in nature, it provides an appropriate starting point for consideration of the Stage 1 works (**Section 6.2.2**) and future design of the Stage 2 and Stage 3 buildings. Therefore, the Department has recommended conditions that require future applications for Stages 2 and 3 to include detailed elevations, design statements and evidence that the proposed built form is generally consistent with the DAR. The detailed design of the Stage 1 works is considered in **Section 6.2.2** and the proposed building envelopes for Stage 2 and Stage 3 are considered in **Section 6.2.3**.

6.2.2 Stage 1 works

The proposed Stage 1 buildings (Building A and B) would be situated in the north-eastern section of the site (**Figure 31**) and connected by a series of internal and external covered walkways.

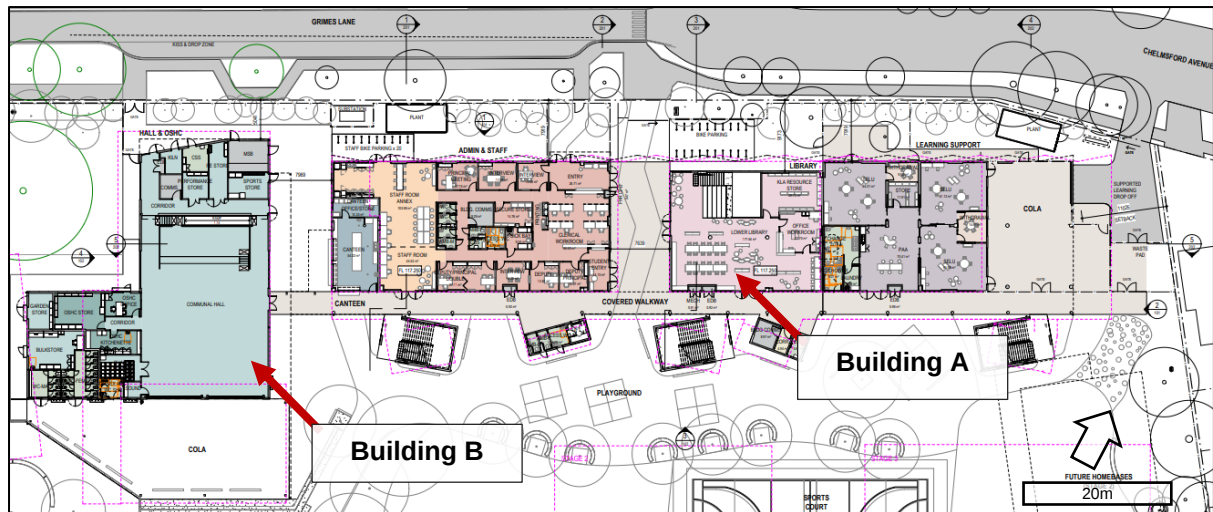


Figure 31 | Stage 1 Ground floor layout (Source: Applicant's RtS 2021)

The Applicant's RtS highlights that the proposed Stage 1 built form has been designed to follow the topography of the site, maximise natural light, ventilation, solar access and protection to the classroom hubs, and integrate landscaping. The approach seeks to achieve a sustainable built form whilst maximising occupant amenity. The Applicant advises that the proposed arrangement and use of the rectangular forms for the classroom hubs allow for future expandability/adaptability on the site.

Proposed materials are low maintenance and include concrete columns and formwork, perforated metal mesh, Colourbond roofing, and prefinished powder coated Compressed Fibre Cement on façade elements. Colours are predominately soft and natural tones to ensure that the proposed built form is recessive when viewed from site frontages while maintaining continuity with existing surrounding landscape features.

Public submissions raised concerns with the appropriateness of the proposed bulk and scale of the Stage 1 buildings, given the lower scale of residential properties surrounding the site. Council did not make any comment regarding the proposed design of the buildings.

Following exhibition of the EIS, the Department and GANSW queried how urban design and master planning appropriately addressed the comments made through the State Design Review Panel process and how it addressed the site's context, specifically that the:

- students have limited access to the open spaces at the western end of the site
- location of the car park divides the site
- massing and scale of the new three storey building fronting Grimes Lane with limited visual transition to the adjoining residential dwellings.

The Applicant's RtS identified how elements of the revised scheme responded to the State Design Review Panel process, and why certain design decisions were taken, in the context of comments and responding to site constraints. The RtS amended the Stage 1 design to provide additional setbacks and revise the façade (**Figure 31**). The overall height was reduced by approximately 2m and setbacks to the northern boundary were increased from 5-7m to 7-9m, and to the eastern boundary from 6m to 10m.



Figure 32 | Stage 1 photomontage from Chelmsford Avenue (Source: Applicant's RtS 2021)

Public submissions raised concerns that the revised design still results in bulk and scale impacts to neighbouring properties to north and east.

The Department has considered the comments made in the public submissions, information provided by the Applicant, and the advice of GANSW.

The Department notes that the proposed built form is to be located in the central to eastern sections of the site, which adjoin land generally containing single to two storey detached houses. However, land to the south of the site contains residential terrace style and apartment complexes up to six storeys.

The site is not subject to a building height or floor space ratio control under the PLEP and this would continue to be the case under the draft Parramatta Local Environmental Plan 2020. The site and surrounds are subject to building height controls that establish a transition in building heights, including:

- north – maximum 9m building height control
- east – maximum 11m building height control
- south – maximum 20m building height control.

Stage 1 would have a three storey maximum building height of 12.5m.

The Department considers that the proposed building heights are appropriate in the context of the site and surrounding built form as:

- setbacks are provided to neighbouring properties to reduce the overall bulk and scale impact
- existing and proposed planting would screen the built form from adjoining properties
- the proposed height would provide an acceptable transition between the single storey houses to the north to the six storey residential buildings to the south
- the proposed maximum 12.5m building height is not dissimilar to the maximum building heights applying to the surrounding land

- the proposal would not have detrimental amenity impacts of overshadowing or privacy to adjoining properties.

In addition, the Department considers that the proposed Stage 1 built form would not detrimentally impact the streetscape, particularly with increased setbacks provided in the revised design, partial screening from trees and variation in the façade form and materials.

The Department also considers the proposed works would not have detrimental impacts on privacy, overshadowing or view loss. Shadows generated by the Stage 1 buildings would fall within the site, and outward views would be obstructed by vegetated areas on site and setbacks to site boundaries.

Overall, the Department is satisfied that the proposed Stage 1 built form is appropriate.

6.2.3 Concept Proposal - Stage 2 and Stage 3 building envelopes

The Stage 2 and Stage 3 building envelopes would maintain the linear and rectangular built form as established by Stage 1. The building envelopes allow for buildings up to two storeys in height, which would not exceed the maximum height established by Stage 1 (12.5m).

Stage 2 and Stage 3 building envelopes were originally proposed to be situated behind the Stage 1 built form to the south (**Figure 33**). Council and public submissions raised concerns with locating these final stages on this section on the site and the consequential amenity impacts to properties to the south and the lack of open space provided on site once the school reaches maximum student capacity. The Department and GANSW also raised that future built form would restrict the open space provisions on site.

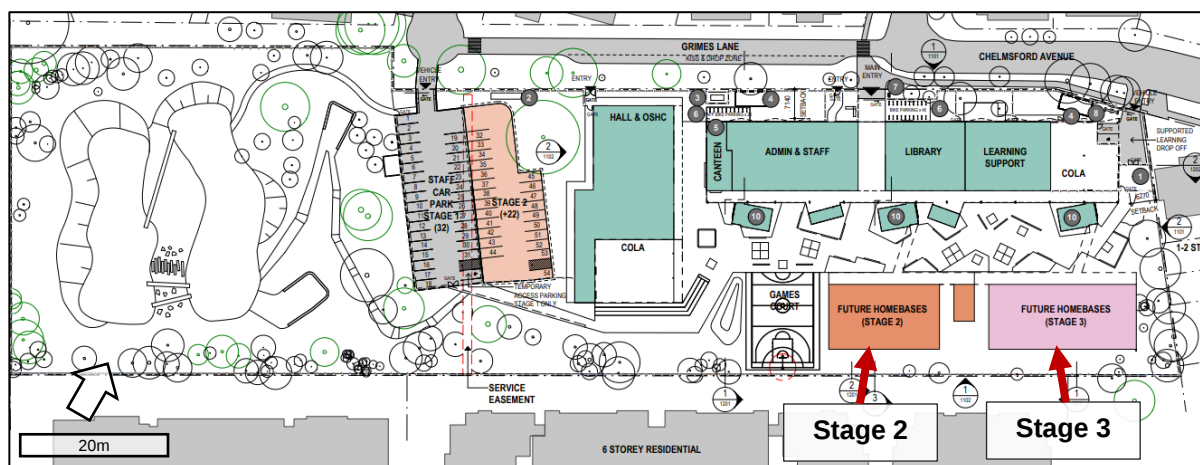


Figure 33 | Stage 2 and Stage 3 originally proposed building envelopes (Source: Applicant's EIS 2021)

The Applicant's RtS amended the location and configuration of the building envelopes for both stages, with Stage 2 moved to the south-east corner of the site and Stage 3 moved to the centre of the site, forming a structure over the southern portion of the on site car park (**Figure 34**). These changes achieve a better outcome for overshadowing and privacy impacts for properties along the southern boundary. They also maintain additional open space in Stage 3 due to the location of the Stage 3 building over the car park, and provide sufficient open space when the school reaches its capacity.

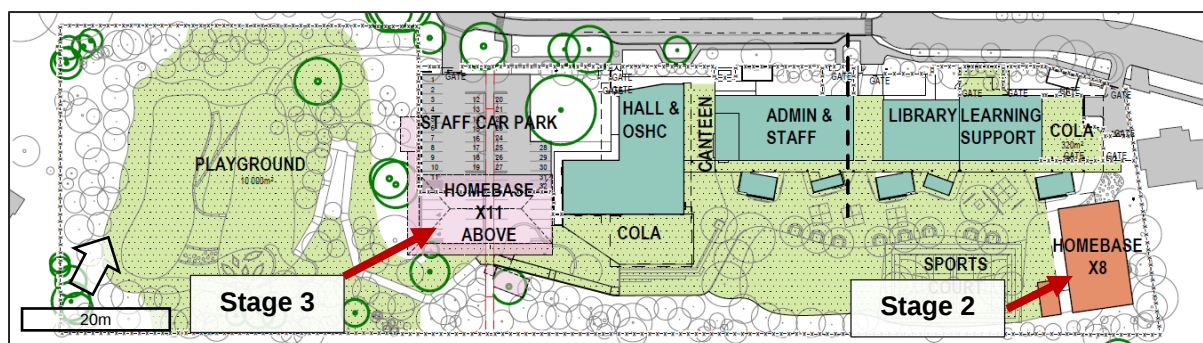


Figure 34 | Stage 2 and Stage 3 locations as currently proposed (Source: RtS 2021)

The Department considers that the changes to the building envelopes are an improvement on the original proposal as the changes reduce the length of buildings along the southern boundary and maximise open space for students. However, the Department recognises that the reorientation of the Stage 2 building envelope has the potential to modify amenity impacts on residential properties to the eastern and southern boundaries.

The RtS confirmed that any windows or openings facing the adjoining property would be acoustically and visually treated with double glazing, blinds and external screens/shutters to mitigate noise and privacy impacts. In addition, large mature trees along the boundaries of the south-east section of the site and on adjoining properties further obscure any potential views.

The Department is satisfied that potential views to adjoining properties would be indirect and/or obstructed by existing and proposed trees, proposed building treatments and setbacks provided to the edges of the site by the Stage 1 built form.

The RtS included shadow diagrams that demonstrated that any shadows generated by the revised building envelopes would comply with solar access controls by ensuring that more than two hours of solar access would be maintained for neighbouring open space and living areas.

To ensure that the detailed design of Stage 2 and Stage 3 is in keeping with the established built form and urban design character on site, the Department has recommended conditions for future detailed applications to include detailed elevations, design statements and evidence that the proposed built form is consistent with the DAR. The Department has also recommended conditions that future applications for Stage 2 and Stage 3 include an assessment of amenity impacts, including solar access, visual privacy, view loss and light spill.

Overall, the Department considers that the building envelopes are appropriate.

6.3 Biodiversity, tree removal and landscaping

6.3.1 Biodiversity – Concept and Stage 1 works

A Biodiversity Development Assessment Report (BDAR) assessing the impacts of the Concept Proposal and Stage 1 works was included with the EIS. This assessed the biodiversity values on the site and impacts of the proposal in accordance with the BC Act. All works associated with tree removal and landscaping are undertaken as part of Stage 1 works and therefore trigger the proposal's biodiversity impacts.

In response to Council, EESG and public comments on the exhibition of the EIS, the BDAR was amended to broaden the assessment scope of impacts on biodiversity values and correct

inaccuracies. It was also updated to reflect the amended design in the RtS and to ensure all impacts associated with the proposed bush fire vegetation management were considered.

The amended BDAR concluded that the proposed development is expected to result in impacts to two Plant Community Types (PCT):

- PCT 1237 – *Sydney Blue Gum - Blackbutt - Smooth-barked Apple moist shrubby open forest on shale ridges of the Hornsby Plateau, Sydney Basin Bioregion*. PCT 1237 forms part of *Blue Gum High Forest in the Sydney Basin Bioregion* which is listed as a critically endangered ecological community under the BC Act. The community is also listed as critically endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). However, the patch in the development site did not meet the EPBC Act definition of the community.
- PCT 1845 - *Smooth-barked Apple - Red Bloodwood - Blackbutt tall open forest on shale sandstone transition soils in eastern Sydney*. PCT 1845 within the development site consists of planted native vegetation with an exotic understorey which does not correspond to a native PCT. However, as planted native vegetation is required to be assigned to a best fit PCT, the best fit PCT for this community was determined to be PCT 1845, in a planted condition with an exotic understorey.

The BDAR found that the proposal would impact 0.10ha of PCT 1237 and 0.32ha of PCT 1845. However, given the small area affected, it concluded that no biodiversity offsets would be required.

The BDAR also included a habitat assessment for threatened flora and fauna species and their likelihood to occur in the development site, including for the Barking Owl which had been previously recorded in the site boundary. The assessment concluded there were no suitable hollow bearing trees on site and no offsets required.

EESG reviewed the amended BDAR, and stated it appropriately considered the impacts of the proposal. Council noted the impact of bush fire management on PCT 1237 needed to be addressed. The Applicant's SRtS confirmed and identified where the BDAR had considered bush fire management, which Council was satisfied with.

Public submissions raised concerns that the proposal would impact on local fauna using trees for nesting. The Applicant's SRtS confirmed that a project arborist and ecologist would be engaged to protect flora and fauna during works.

The Department considered the information provided by the Applicant and comments made in Council, EESG and public submissions. The Department considers that the amended BDAR undertook an appropriate assessment of the impacts on biodiversity values, and identified appropriate management and measures to mitigate impacts. The Department has recommended conditions of consent requiring implementation of the recommendations outlined in the amended BDAR.

6.3.2 Tree removal – Concept Proposal and Stage 1 works

The EIS included an Arboricultural Impact Assessment (AIA) which surveyed all trees on site. The AIA was updated in the RtS and SRtS to address comments made in the submissions, advice from Council and EESG, and address inaccuracies and reflect the revised design.

The updated AIA identified that 175 trees are potentially impacted by the proposal. Of the trees identified, 67 are identified for removal and 108 retained and protected (**Figure 35**). 141 trees are to be planted as part of the overall landscape scheme.

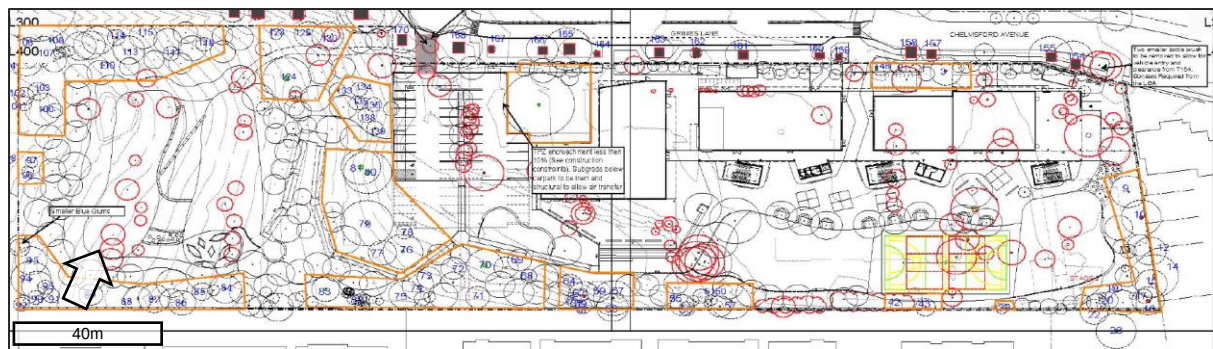


Figure 35 | Trees to be removed on site (red circles) (Source: RtS 2021)

Public submissions and EESG recommended tree replacement be undertaken at a ratio greater than a one to one.

In response, the Applicant noted the proposal provides planting at a ratio above one to one given that 141 trees are proposed to be planted to replace 74 trees. The Applicant advised additional planting above this would not comply with the requirement to manage vegetation on site in accordance with Planning for Bushfire Protection 2019. In addition, further planting would be detrimental to health of other trees due to the constrained nature of the site and competition between closely planted trees, which would also impact on the open space that could be provided on site.

The Department considers that reasonable efforts have been undertaken to minimise tree loss on the site and where losses have occurred that it is appropriately offset through proposed planting. The Department has recommended a condition of consent requiring preparation of a revised landscape plan that includes a greater preference to native/indigenous trees, shrubs and groundcover planting. The condition allows for the use of exotic species where the revised BDAR has identified such species were located on the site prior to the clearing works required to facilitate the proposal.

The Department has also recommended conditions relating to planting, tree retention and protection measures in the AIA. Subject to these conditions, the Department considers that the proposal would maintain the landscape character of the site and surrounding neighbourhood.

6.3.3 Landscaping

6.3.3.1 Concept Proposal

The Department notes that landscaping would be undertaken across the site as part of the Stage 1 works, and Stage 2 and Stage 3 do not include further landscape works as these stages only introduce additional built form or parking.

Where further landscaping works are required to introduce new features or reinstate landscaping after construction works, the Department has recommended conditions that landscape plans be provided with future applications for Stage 2 and Stage 3. This landscaping must be generally consistent with the landscape design principles established in Stage 1.

6.3.3.2 Stage 1 works

The built form landscaping elements focussed around proposed school buildings include:

- main entrance and COLA
- seating and study areas
- planting of 141 new trees amongst sections with timber and natural sandstone seating
- landscape spine to the western edge of the site in addition to soft open space and sports courts in the southern section of the site
- vegetable gardens
- use of tactile plants and surface materials.

Landscaping of the western section of the site away from the school buildings provides a more natural landscaped area.

The Department considers the landscape design provides varied landscaped areas adjacent to the proposed teaching and learning spaces, that can be used as protected outdoor play areas that incorporate soft and porous surfaces. The proposal seeks to retain as many trees as possible (where unaffected by the development) and incorporates the existing trees and proposed tree, shrub and ground cover planting into the student environment. Overall, it is considered that the proposed landscape scheme provides sufficient outdoor play facilities for students and ongoing management of the natural landscaped areas of the site.

6.4 Other issues

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

Table 7 | Department's assessment of other issues

Issue	Findings	Department's consideration and recommended conditions
Construction noise and vibration	<u>Concept Proposal</u> The Concept Proposal establishes a planning framework for the assessment of future applications and does not include detail of the design and construction of buildings. Future applications are required to assess construction impacts and propose mitigation measures where necessary. <u>Stage 1 works</u> The EIS included a Noise Impact Assessment (NIA) which assessed the potential construction noise and vibration impacts of the Stage 1 works. The assessment established construction noise management levels for the site as perceived at noise sensitive receivers in accordance with the Interim Construction Noise Guideline (DECCW 2009). The NIA found that the highest construction noise levels were predicted during bulk excavation, demolition and	<u>Concept Proposal</u> The Department has recommended conditions that require future detailed applications for Stage 2 and Stage 3 to assess construction impacts and propose mitigation measures where necessary. <u>Stage 1 works</u> The Department considers construction noise impacts can be adequately managed in accordance with the Interim Construction Noise Guideline, through the adoption of mitigation measures and adherence to the specified noise limits. To ensure that potential construction impacts are appropriately managed, the Department has recommended conditions of consent requiring:

	piling works. These would exceed Noise Management Levels at the closest noise sensitive receivers to the north and south of the site during the noisiest construction activities. However, the NIA identified that no noise sensitive receivers are considered to be within the highly affected noise category, and that exceedances identified are not unusual for construction works in a quiet residential context. To manage impacts to noise sensitive receivers, the NIA recommended best practice noise mitigation measures be implemented, including project and plant machinery specific measures. In regards to construction vibration impacts, the NIA found that due to the proposed construction methodology and the distance between works and nearest residences (minimum 50m), safe working distances would be achieved, and vibration levels at surrounding properties would be likely to be significantly lower than levels of ambient vibration. In its submission to the EIS, EPA recommended conditions to manage noise and vibration impacts during construction. Public submissions raised concerns with potential amenity impacts from construction noise and vibration to neighbouring properties. In response to submissions, the Applicant's RtS confirmed the management and mitigation measures identified in the NIA would be implemented to manage construction noise and vibration.	• construction hours are accordance with the standard construction hours • a Construction Noise and Vibration Management Plan is prepared that incorporates the recommendations of the NIA • intra-day respite periods from high noise generating construction activities be provided where necessary.
Operational Noise	The NIA assessed the potential operational impacts from the Concept Proposal and Stage 1 works on the nearest sensitive receivers, in accordance with the EPA's Noise Policy for Industry 2017 (NPI). The NIA considered operational noise, including from indoor and outdoor student activities, school bell, music from school events and vehicle traffic associated with the school.	The Department considered the information provided and commitments of the Applicant in the NIA, as well as the comments from the EPA and the public. While noise levels at one property on Grimes Lane would potentially be above recommended levels, the exceedance would be marginal and noise generated by school traffic would be short in duration.

The NIA generally concluded that noise levels from the operational use of the school meet applicable environmental noise criteria. The exception to this was a worst case scenario of an event in the hall with amplified music and the doors open. The NIA found that there would be an exceedance of 2dB above the environmental noise criteria in these instances. To manage the exceedance, the NIA recommended that doors be closed during events and that the speaker/PA system be suitably designed to minimise impacts.

Following exhibition of the EIS, the Department queried the NIA's categorisation of roads servicing the site as collector (sub-arterial) under the NSW Road Noise Policy. The Department also requested further detail of proposed street level mechanical plant pods and confirmation that background noise monitoring was undertaken in accordance with the NPI.

Public submissions also raised concerns with the methodology for the assessment of road noise, including that there was no assessment of traffic noise from 10pm to 7am resulting from the extension of Grimes Lane.

EPA recommended prescribed hours for waste removal, and mechanical plant be designed to emit noise no more than 5dB above background noise levels. EPA also recommended hours for community use of facilities be confirmed.

The Applicant's RtS confirmed the noise monitoring complied with the NPI and clarified the following:

- classification of the roads as collector (sub-arterial) is correct under the NSW Road Noise Policy during school DOPU times
- based on expected traffic volumes, the predicted daytime noise levels comply with the NSW Road Noise Policy except for one residential property on Grimes Lane
- the Grimes Lane property is constructed in very close proximity to the road (approximately 5m to vehicles) and the recommended limit is exceeded by 3dB

The Department is satisfied that Stage 1 would not result in unacceptable operational noise impacts. The Department has recommended conditions that require:

- a detailed assessment be undertaken of plant and equipment demonstrating compliance with the identified noise criteria
- the development be undertaken in accordance with the recommendations of the NIA and not exceed the identified noise criteria
- the Applicant conduct short term noise monitoring following commencement of operation
- an Out of Hours Event Management Plan be prepared for school events involving over 100 patrons
- noise and vibration assessments be prepared for future applications for Stage 2 and Stage 3.

	• as a 2dBA exceedance is considered negligible under the NPI, the residual impact of 1dB extra is marginal • the mechanical plant pods would be subject to detailed acoustic assessment prior to construction and barriers and acoustic louvres would ensure compliance with noise intrusiveness criteria • the school would not generate traffic on the road network from 10pm to 7am and therefore, an assessment of that period is not warranted. The Applicant's RtS confirmed details of community use of facilities would be confirmed in consultation with the community and Council once Stage 1 is operational. The NIA recommended that outside of school hours community use not take place prior to 7am or after 10pm, and noise emissions must comply with the operational noise criteria established by the NIA. This would include attendees leaving the site before 10pm.	
Community use	A discussed in Section 2, the Applicant advises the school facilities may be made available for use by the community. The exact details of proposed community activities would be subject to consultation with Council and the community. In its submission to the EIS, Council and public submissions strongly supported community use of the proposed school facilities.	The Department notes the comments made by Council and public submissions and supports the shared use of school facilities where impacts can be managed. Given the lack of detail on specific activities proposed, the Department considers it appropriate that community use of the site outside school hours be restricted to no more than 50 attendees and should not extend before 8am or beyond 9:30pm. Subject to these limits, the Department is satisfied that community use would not result in significant impacts beyond those considered in other sections of this report, including operational traffic, parking and operational noise.
Open space	Council raised concerns regarding the amount of open space provided to students in Stage 3 as it would be below the recommended provision of 10sqm per child. Public submissions also raised this issue and requested that all options be	The Department considers that the amount of open space proposed in relation to Stage 1 and evidence in relation to open space opportunities for future Stage 2 and Stage 3 are acceptable given the site constraints, and as it complies with

	explored to provide more open space than the minimum required. As detailed in Section 6.2.3, the Stage 3 building envelope was relocated to be sited above the on site car park. This avoided the loss of additional open space that would have occurred with the original Stage 3 building envelope. The revised location provided for in the RTS demonstrates that a minimum 10sqm per student would be provided at all stages of the development Council advised it was satisfied with the improved open space provision proposed in the RtS. Public submissions reiterated comments about insufficient playground and open space being provided on site. To further supplement on site provisions, the Applicant stated that use of local sports fields would be considered subject to Council consultation.	Department of Education guidelines.
Bush fire	The site is not located on bush fire prone mapped land. However, due to the remnant vegetation adjacent to the site forming part of Mobbs Lane reserve, a Bushfire Protection Assessment Report was included in the EIS. The assessment confirmed there is no bush fire prone vegetation within 140m of the proposed works, and the development is at low risk. The assessment recommended that vegetation proposed for retention on site should be managed as an Asset Protection Zone to Inner Protection Area (IPA) standards under Planning for Bushfire Protection 2019. The proposal was referred to the NSW Rural Fire Service, which did not provide any comment.	The Department has considered the bush fire assessment and is satisfied that any potential bush fire risk has been considered. The Department has recommended a condition that vegetation be managed as recommended in the bush fire assessment.
Site contamination	A Preliminary Site Investigation, Detailed Site Investigation, Remediation Action Plan, Acid Sulfate Soils and Salinity letter and a Sampling Analysis Quality Plan were included with the EIS. A Hazardous Building Materials Survey was also prepared to assess the risks associated with demolition work and any remaining	The Department is satisfied that site contamination issues have been appropriately addressed and can be managed by recommended conditions. On this basis, the Department is satisfied that the site can be made suitable for the proposed use.

in-situ hazardous materials that may be present on site.

The Acid Sulfate Soils and Salinity letter indicated that salinity and acid sulfate soils do not affect the site.

The Preliminary Site Investigation and Detailed Site Investigation advised that the site was used as agricultural land uses between 1900 and 1961. The site has subsequently been used as a horticultural educational establishment.

The Detailed Site Investigation advised:

- key potential sources of contamination investigated included contaminants associated with the site's former agricultural land use, former and current buildings, potential disturbed/levelled/filled ground, former adjoining uses including a television studio and brickworks, horticultural education land use and on site dangerous goods/chemical (flammable and oxidising agent) storage
- ash, burnt wood, brick, terracotta, fabric, plastic, metal, glass, ceramics and concrete was observed in one or more test locations and could be indicative of asbestos, polycyclic aromatic hydrocarbons and metal contamination
- fill was encountered in all test locations
- groundwater investigation suggested the general absence of gross contamination in groundwater and surface water at the site
- access for testing in areas of existing buildings was limited and additional testing would be required.

The Remediation Action Plan advised:

- remediation options include both on site containment and off site disposal, with the exception of asbestos which is recommended for removal and disposal to limit exposure during works to existing buildings
- remediation options would be sufficient to render the site suitable for the proposed Concept Proposal
- further investigations should be conducted where access has been limited due to existing building structures.

The Department has recommended conditions requiring:

- the Applicant to engage an NSW EPA-accredited Site Auditor
- further investigations be undertaken to confirm the extent of contamination
- an Interim Audit Advice be obtained to confirm that the Remediation Action Plan is appropriate and the site would be suitable for the use following remediation
- an unexpected finds procedure must be implemented throughout construction works
- any variations to the approved Remediation Action Plan be approved by the Site Auditor
- if work is to be completed in stages, satisfactory completion of each stage be confirmed by the issue of Interim Audit Advice/s
- a Site Audit Statement be obtained prior to operation.

	an EPA accredited Site Auditor has been engaged to undertake a Site Audit, including issuing a Site Audit Statement and Site Audit Report. In its response to the EIS, EPA provided recommended conditions to address contamination on site.	
Aboriginal heritage	The EIS included an Aboriginal Cultural Heritage Assessment Report (ACHAR) that considered the impact of the proposal on Aboriginal cultural heritage, including the site's potential to contain archaeological remains. The site is located on Darug country. The ACHAR notes that the precise location of language and clan boundaries is not known. However, the Darug are acknowledged as the traditional owners of the main east to west ridge of the Blue Mountains, the northern Blue Mountains and the Cumberland Plain. The neighbouring tribes were the Dharawal (or Thurawal) to the south and Wiradjuri in the west. The ACHAR further notes that Wallumede clan are associated with land on the north shore of the Parramatta River eastwards towards what is now North Sydney. However, the exact extent is not known. The Boromede clan are identified as the traditional owners of the land in the vicinity of Parramatta. Heritage NSW stated that there were deficiencies in the ACHAR relating to details and methodology for salvage, test excavations, pit locations and removal of Aboriginal objects. The RtS included an amended ACHAR addressing Heritage NSW's comments. The amended ACHAR noted that: - due to development, land modification and overgrown vegetation, ground surface visibility was nil to low. If Aboriginal archaeological artefacts and lithics were present on the ground surface, they could not be observed. As such, no Aboriginal objects were identified - portions of the site remain relatively undeveloped and "A" horizon soils were identified. The site has been	The Department reviewed the amended ACHAR and Heritage NSW comments, and considers that potential impacts on Aboriginal cultural heritage have been appropriately addressed. Given the potential to discover further artefacts, the Department recommends conditions requiring: - adherence to the recommendations in the amended ACHAR, including additional test excavations - implementation of an unexpected archaeological finds protocol - additional consultation with Registered Aboriginal Parties to identify the best long-term management for recovered artefacts, in preference to lodging artefacts with the Australian Museum. - where possible, any Aboriginal cultural heritage inductions should involve Aboriginal community representatives.

	designated a potential archaeological deposit • additional test excavations did not result in Aboriginal artefacts being recovered • a grinding stone was located during the test excavation on the surface of the ground to the north of the test trenches near a stockpile of soil • the grinding stone may have come from the stockpile or it could have been located on the crest of the hill and moved downslope through taphonomic processes. The origin of the stockpile (and artefact) is under investigation • given the rarity for such artefacts to remain on site, the grinding stone is exceptionally important. Further archaeological excavation would be required, prior to redevelopment, once asphalt has been removed. The ACHAR included recommendations to relating to consultation, salvage, artefact management, interpretation, review of proposal amendments, site inductions and unexpected finds protocols. Heritage NSW reviewed the amended ACHAR and was satisfied that previous comments had been addressed and the recommendations of the ACHAR are supported, subject to recommended conditions of consent.	
Social impacts	The EIS included a Social Impact Assessment (SIA) that addressed key demographic characteristics of the area including: • population characteristics • cultural diversity • disability • income • family and dwelling types • crime • education • employment. The SIA detailed stakeholder engagement associated with the proposal and noted impacts were raised relating to: • local and site amenity • transport access • heritage • social inclusion	The Department notes the comments made in the SIA and acknowledges the concerns raised by Council and public submissions. he Department is satisfied that the proposal would have a substantial community benefit through the provision of improved educational infrastructure on the site. The Department accepts the Applicant's advice in relation to its long term planning for educational infrastructure in the area and resultant changes to school catchments.

	• social infrastructure • health and safety • construction periods • traffic congestion • economy and environment. The SIA found that the proposal would likely result in: • short term negative impacts from construction activities • improvement to open space/play space for the school and local community • significant overall benefits through improved school capacity and facilities to cater for students. Council and public submissions raised concerns that the proposal does not consider the future demographic projections, and would not meet expected demand for school places. In response to the comments, the Applicant's RtS included catchment data and projection estimates and stated: • the required capacity at the site was considered in tandem with upgrades at Epping West Public School • by introducing a new school in Epping, all school catchments within the Epping area would be adjusted which would subsequently reduce the catchment area for the site • use of the school for community use would be considered following consultation.	
Stormwater and drainage	The EIS included a Stormwater Management Plan that states that stormwater drainage works would be implemented in accordance with Council's requirements. This included details on the proposed site detention system and rainwater tanks to retard off site flow and reuse water on site. In response to the EIS, Council generally supported the proposed stormwater and drainage systems, but required further details regarding the on site detention tank and proposed filtration/gross pollutant trap systems. The RtS responded to Council's requirements, and Council recommended a condition of consent to ensure the	The Department is satisfied that the Applicant has demonstrated that the site can accommodate required stormwater and drainage management systems. The Department has recommended conditions requiring: • future applications for Stage 2 and Stage 3 be accompanied by stormwater plans to confirm the infrastructure established in Stage 1 remains sufficient • the design and implementation of a stormwater management system for the site in Stage 1 in accordance with relevant standards and guidelines

	installed water quantity and water quality facilities are regularly maintained.	that on site detention basin and water sensitive urban design facilities are maintained, the creation of a Positive Covenant and Restriction on the use of land under section 88E of the <i>Conveyancing Act 1919</i>.
Flooding	A Flood Analysis Report was included in the EIS which found: - the site is not mapped as flood prone land, but the western portion of the site is affected by an overland flow path - independent flood modelling and investigations demonstrate that the site is flood affected in the Probable Maximum Flood storm event. It is presumed that the site is similarly flood affected in the 1% Annual Exceedance Probability storm event and it can be presumed the site is affected by the Low, Medium and High Flood Risk Precincts (in part) - no proposed buildings or building envelopes encroach on the flood affected area, being elevated approximately 14m above the existing dam on the western side of the site - proposed landscaping and earthworks (dam removal and terracing) would better distribute runoff and disperse the overland flow path across the rear boundary. The removal of the dam is anticipated to have a negligible impact on downstream flooding. The report concluded that: - Probable Maximum Flood impacts are limited to the existing dam and directly surrounding land - proposed removal of the existing dam would mitigate safety risk - the development would not change flood risk off site - climate change is unlikely to significantly worsen flooding as the site is only affected by overland flow generated by a minor upstream catchment - should concerns remain with regard to student access in the western part of the site, a detailed Flood Study and Flood Response Plan may be prepared for the site.	The Department has considered the information provided by the Applicant and the advice of Council and EESG. The Department is satisfied that the proposal has appropriately considered the flood hazard affecting the land and is not likely to result in any adverse flood impacts beyond the site. The Department has recommended conditions requiring: - future applications for Stage 2 and Stage 3 be accompanied by stormwater management plans detailing an assessment on any flood risk post Stage 1 operation. - the development to be undertaken in accordance with the recommendations of the Flood Analysis Report. - the preparation and implementation of a flood emergency management and evacuation plan.

	Council and EESG reviewed the proposal and confirmed that there were no outstanding flood risk management matters.	
Utilities	The EIS included an Infrastructure Delivery Plan to assess the existing capacity of utility services to service the site and the proposed works. Sydney Water provided advice regarding water servicing, wastewater servicing and trade wastewater requirements. Endeavour Energy confirmed the proposed ground level substation is acceptable and recommended conditions of consent relating to the connection of electricity and the design requirements for the substation.	The Department is satisfied that the required utilities would be available to the site. The Department has recommended conditions to ensure all utilities are available prior to Stage 1 operation and future applications for Stage 2 and Stage 3 must assess the capacity established in Stage 1 and provide evidence that they are sufficient to cater for subsequent stages or confirm upgrades are required.
Sediment, erosion and dust control	A Sediment and Erosion Control Plan was included with the EIS addressing Stage 1 construction impacts. Proposed measures would contain sediment within the site and prevent erosion into the public domain during construction works. The Concept Proposal establishes a planning framework for the assessment of future detailed applications and does not include the design and construction of buildings. In addition, future applications are required to assess sediment, erosion and dust impacts and propose mitigation measures where necessary.	The Department considers that appropriate measures have been proposed to prevent erosion and control dust as part of the Stage 1 works. The Department has recommended conditions requiring the preparation of a final Construction Environmental Management Plan prior to the commencement of Stage 1 construction works. The Department has recommended conditions requiring future applications for Stage 2 and Stage 3 to be accompanied by Sediment and Erosion Control Plans.
Waste and recycling	The EIS included a Waste Management Plan and Preliminary Construction Management Plan which detailed: - the proposed methods for identification, temporary retention and disposal of hazardous demolition waste - expected operational waste volumes and waste management measures to be adopted.	The Department has reviewed the information provided and is satisfied appropriate arrangements can be made to manage waste so that the proposal would not result in adverse impacts on the local environment, and to maximise opportunities to reuse and recycle materials.

		The Department has recommended conditions to ensure that: • appropriate waste handling and management arrangements are implemented during construction and operation of Stage 1 • future development applications for Stage 2 and Stage 3 must include a Waste Management Plan to address storage, collection, and management of waste and recycling within the development.
School signage	Stage 1 includes the installation of one new school identification sign at the main pedestrian entry to the site. The EIS assessed the proposed sign against the provisions of Schedule 1 of State Environmental Planning Policy 64 – Advertising Structures and Signage (SEPP 64). The sign would comprise a two sided pylon sign measuring 2.8m (h) x 600mm (w) x 100mm (d).	The Department undertook an assessment of the proposed signage against the provisions of Schedule 1 of SEPP 64 (Appendix B). The Department concluded that the signage satisfies SEPP 64 and is, therefore, acceptable.

7 Evaluation

The Department has reviewed the Applicant's EIS, RtS, SRtS and supplementary information and assessed the merits of the proposal, taking into consideration advice from public authorities including Council and comments in the public submissions. Consequently, the Department considers the development is in the public interest and should be approved, subject to conditions.

The key issues identified with the proposal include traffic, transport and parking, built form and urban design, and biodiversity, tree removal and landscaping. All environmental issues associated with the development have been addressed, and the Department concludes impacts of the development are acceptable and could be appropriately mitigated through conditions of consent.

The surrounding road network and local streets could accommodate construction and operational traffic and parking demands generated by the proposal. The proposed Concept and Stage 1 built form is appropriate in the context of the site, and would make a positive contribution to the neighbourhood. The Department has recommended conditions to manage the construction and operational impacts on the surrounding land uses and requires mitigation measures to be implemented.

The development is consistent with the objects of the *Environmental Planning and Assessment Act 1979* and with the State's strategic objectives to improve education results through the provision of a new education facility in an area that is undergoing population growth.

The development is in the public interest as it would provide benefits including:

- additional education facilities to cater for growth in the locality and the relevant school catchment
- provision of new educational facilities in an accessible area for the community
- the Concept Proposal has a indicative capital investment value (CIV) of \$55,685,475 million and is predicted to generate 263 future construction jobs and 59 future operational jobs
- Stage 1 has a CIV of \$43,268,699 million and would generate approximately 96 construction jobs and 38 operational jobs.

8 Recommendation

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

- **considers** the findings and recommendations of this report
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to grant approval to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of New Epping South Primary School (Concept and Stage 1) (SSD-8873789), subject to the conditions
- **signs** the attached development consent.

Prepared by:



Navdeep Shergill
Senior Planning Officer
School Infrastructure Assessments

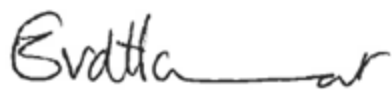
Recommended by:



Jason Maslen
Team Leader
School Infrastructure Assessments

9 Determination

The recommendation is **Adopted** by:

A handwritten signature in black ink, appearing to read 'Erica van den Honert', with a long horizontal stroke extending to the right.

Erica van den Honert

Executive Director

Infrastructure Assessments

Appendices

Appendix A – List of referenced documents

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

1. Environmental Impact Statement
<https://www.planningportal.nsw.gov.au/major-projects/project/39531>
2. Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/39531>
3. Applicant's Response to Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/39531>
4. Applicant's Supplementary Response to Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/39531>
5. Applicant's additional information to Supplementary Response to Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/39531>

Appendix B – Statutory Considerations

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of section 4.15(a)(i) of the *Environmental Planning and Assessment Act 1979* (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 and 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).
- State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64).
- Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP).
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour SREP).
- Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) (Draft Education SEPP).
- Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP).
- Parramatta Local Environmental Plan 2011 (PLEP).

COMPLIANCE WITH CONTROLS

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

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

An assessment of the development against the relevant considerations of the SRD SEPP is provided in **Table B1**.

Table B1 | SRD SEPP compliance table

Relevant Sections	Consideration and Comments	Complies
3 Aims of Policy The aims of this Policy are as follows: (a) to identify development that is State significant development	The proposed development is identified as SSD.	Yes
8 Declaration of State significant development: section 4.36	The proposed development is permissible with development consent.	Yes

Relevant Sections	Consideration and Comments	Complies
(1) Development is declared to be State significant development for the purposes of the Act if: a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and b) the development is specified in Schedule 1 or 2.	The proposal is development for the purpose of a new school, under clause 15(1) of Schedule 1 of the SRD SEPP.	

State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP 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.

Educational establishments are no longer covered under the traffic generating development provisions of the Infrastructure SEPP as they are considered under the Education SEPP. However, the application was referred to Transport for NSW (TfNSW) for review and comment.

The Department is satisfied that the proposed development meets the requirements of the Infrastructure SEPP.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The Sydney Harbour SREP provides planning principles for development within the Sydney Harbour catchment. The site is located within the Sydney Harbour Catchment area. The proposal is consistent with the relevant planning principles of the Sydney Harbour SREP and would not have any significant adverse impact on the Sydney Harbour catchment.

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

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

Clause 42 of the Education SEPP states that Development consent may be granted for development for the purpose of a school that is state significant development even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted.

Clause 57 of the Education SEPP requires traffic generating development that involves the addition of 50 or more students is to be referred to the Road and Maritime Services. The Application was referred to TfNSW (incorporating Road and Maritime Services) in accordance with this clause (**Section 5**).

Clause 35(6)(a) requires that the design quality of the development should be evaluated in accordance with the design quality principles set out in Schedule 4. An assessment of the development against the design principles is provided in **Table B2**.

Table B2 | Consideration of the design quality principles

Design Principles	Response
Principle 1 - Context, built form and landscape	The site planning provides good aspect for the learning areas and for maximising light to play areas. As revised by the Response to Submissions (RtS), the Stage 1 buildings and Stage 2 and Stage 3 built form have been designed to fit into the surrounding context. Existing and proposed landscaping, coupled with generous building setbacks, would soften the appearance of the buildings. The proposed new buildings would have acceptable impacts on the streetscape, or on adjoining residents (Section 6.2).
Principle 2 - Sustainable, efficient and durable	The proposal includes ecologically sustainable development measures (Section 4.4.3). The materials chosen are durable and require low maintenance. Bicycle parking is provided within the school site and the preliminary School Travel Plan encourages sustainable travel modes.
Principle 3 - Accessible and inclusive	The proposal has been designed to be accessible and inclusive, providing a lift and accessible paths of travel from the site boundaries up to and around the school buildings. The proposal incorporates wayfinding signage identifying key areas within the school assisting visitors to navigate the site. The accessible location of the school hall is proposed to be used for community activities after school and during the weekends. The community would also be permitted to use some parts of the new buildings and sports facilities subject to consultation with Council.
Principle 4 - Health and Safety	The design of the school buildings provides a safe and secure school environment. The proposal has considered Crime Prevention Through Environmental Design principles. The proposal identifies the pedestrian entrances into the school to allow the management of visitors to the site.
Principle 5 - Amenity	As revised by the RtS, the Concept Proposal provides a variety of internal and external learning places for both formal and informal educational opportunities. The design of the Stage 1 buildings and orientation of Stage 2 and Stage 3 building envelopes maximises natural light and ventilation to the indoor areas of the school, while the landscaping and covered outdoor areas provide ample shaded areas for students and staff use.

Design Principles	Response
Principle 6 - Whole of life, flexible, adaptable	The proposal allows for long term flexibility through the provision of flexible formal and informal learning areas to adapt to future learning requirements.
Principle 7 - Aesthetics	Subject to conditions, the proposal would achieve a high standard architectural design and would be compatible with the character of the area. The proposed new entrance to Chelmsford Avenue and Grimes Lane would provide a sense of arrival and unique character to the school.

State Environmental Planning Policy No. 55 - Remediation of Land

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. As detailed at **Section 6.4**, the Department is satisfied that the Applicant has adequately demonstrated that the site is suitable, subject to remediation, for the ongoing use as an educational establishment as required by SEPP 55.

The Department has recommended a condition relating to preparing an unexpected finds protocol to ensure measures are in place should any unanticipated contamination be found during construction works and for works to be undertaken in accordance with the Remediation Action Plan.

State Environmental Planning Policy No. 64 – Advertising and Signage

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

The proposal includes the installation of one new school identification sign at the main pedestrian entry to the school site. The sign would comprise a two sided pylon sign measuring 2800mm (h) x 600mm (w) x 100mm (d). The EIS included an assessment of the proposed sign against the provisions of Schedule 1 of SEPP 64. The Department's assessments of the proposed sign against Schedule 1 of SEPP 64 is provided in **Table B3**.

Table B3 | SEPP 64 compliance table

Assessment Criteria	Comments	Compliance
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed sign would be compatible with the character of the streetscape.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	No particular themes exist for outdoor advertising in the area.	

Assessment Criteria	Comments	Compliance
2 Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed sign would not detract from the visual amenity of the surrounding area. The sign is sympathetic to the streetscape and surrounds.	Yes
3 Views and vistas		
Does the proposal obscure or compromise important views?	The proposed sign would not impact on view, vistas, the skyline or viewing rights.	Yes
Does the proposal dominate the skyline and reduce the quality of vistas?		
Does the proposal respect the viewing rights of other advertisers?		
4 Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed sign is in proportion to the adjoining retaining wall and would complement the new main entrance.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed scale and design of the sign is appropriate for the streetscape and setting within which it is proposed.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The sign is simple in design and would not result in visual clutter.	N/A
Does the proposal screen unsightliness?	Not applicable.	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The sign would sit well below the height of proposed and adjoining buildings and trees.	Yes
Does the proposal require ongoing vegetation management?	No vegetation management is required.	Yes
5 Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the	The sign is of appropriate scale and proportion and is considered	Yes

Assessment Criteria	Comments	Compliance
site or building, or both, on which the proposed signage is to be located?	relatively understated in the context of the site.	
Does the proposal respect important features of the site or building, or both?	The sign is appropriately located at the site entrance and would not impact on any other important features of the site.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The purpose of the sign is to denote the main entrance of the school and the sign would achieve this purpose.	Yes

6 Associated devices and logos with advertisements and advertising structures

Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Safety devices are not necessary for the proposed design of the signage.	N/A
---	--	-----

7 Illumination

Would illumination result in unacceptable glare?	Illumination of the signage is not proposed.	N/A
Would illumination affect safety for pedestrians, vehicles or aircraft?		
Would illumination detract from the amenity of any residence or other form of accommodation?		
Can the intensity of the illumination be adjusted, if necessary?		
Is the illumination subject to a curfew?		

8 Safety

Would the proposal reduce safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The sign would be fixed to the retaining wall and would not reduce any sightlines for pedestrians or from vehicles.	Yes
Would the proposal reduce safety for any public road?		

Draft State Environmental Planning Policy (Remediation of Land)

The Draft Remediation SEPP would 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 require all remediation work carried out without development consent to be reviewed and certified by a certified contaminated land consultant. Remediation work is to be categorised based on the scale, risk and complexity of the work. Environmental management plans relating to post-remediation management of sites, including the ongoing operation, maintenance and management of on site remediation measures (such as a containment cell) are to be provided to Council.

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

Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) (Draft Education SEPP)

The Draft Education SEPP would retain the overarching objectives of the Education SEPP to facilitate the effective delivery of educational establishments and child care facilities across the state.

The provisions of the Draft Education SEPP aim to improve the operation, efficiency and usability of the Education SEPP and to streamline the planning pathway for schools, TAFEs and universities that seek to build new facilities and improve existing ones. The Explanation of Intended Effects proposes changes to the threshold triggers for SSD under the SRD SEPP, specifically for schools and tertiary institutions.

The Department is satisfied that the proposal is generally consistent with the objectives of the Draft Education SEPP and would continue to meet the requirements for SSD in accordance with the Explanation of Intended.

Draft State Environmental Planning Policy (Environment)

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

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

Parramatta Local Environmental Plan 2011 (PLEP)

The PLEP aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the City of Parramatta local government area. The PLEP also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

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

Table B4 | Consideration of the PLEP

PLEP	Department Comment/Assessment
Land Use Table – Zone SP2 Infrastructure (Educational Establishment)	Educational establishments are permissible with consent in the SP2 Infrastructure zone (Educational Establishment) zone. The proposal is considered to meet the objectives of the zone as it provides educational infrastructure to meet the needs of the community.
Clause 4.3 Height of Buildings	The site is not subject to a building height control. Despite this, the proposed building heights (Concept and Stage 1) are consistent with the objectives of building height development standard in that the site planning, bulk and scale is commensurate with the development of a school and facilities required to accommodate a growing school population on a constrained site in an urban context. The proposed bulk and scale of the buildings would not detract from the character of the streetscape or result in unreasonable amenity impacts on surrounding properties.
Clause 4.4 Floor Space Ration	The site is not subject to a floor space ratio control under the PLEP. Despite this, the proposal is consistent with the objectives of the development standard as site planning, bulk and scale is commensurate with the development of a school, and facilities required to accommodate a growing school population on a constrained site in an urban context. The proposed bulk and scale of the buildings would not detract from the character of the streetscape or result in unreasonable amenity impacts on surrounding properties.
Clause 5.10 Heritage conservation	The site is not identified as a heritage item, located in a heritage conservation area and does not adjoin any items of heritage significance.
Clause 6.1 Acid sulfate soils	The site is not mapped as containing acid sulfate soils.
Clause 6.2 Earthworks	The Department has assessed the proposal against the matters for consideration contained in clause 6.2. Subject to conditions, the proposed development would not detrimentally impact on: • drainage patterns or soil stability in the locality of the development • amenity and redevelopment opportunities of adjoining properties • existing significant trees that have been identified for retention on site. The Department has recommended conditions to address the management of soil, stormwater and unexpected finds during Stage 1 construction and that these matters are considered in future Stage 2 and Stage 3 applications.

PLEP	Department Comment/Assessment
Clause 6.3 Flood planning	The site is not mapped by Council as being subject to flooding. Regardless, the existing on site dam is being removed and an on site detention tank is proposed to control the volume of stormwater exiting the site, to minimise downstream impacts. Additionally, due to potential overland flood paths to the western edge of the site, the Department has recommended conditions requiring the implementation of a flood emergency management and mitigation measures.

Other policies

In accordance with clause 11 of the SRD SEPP, Development Control Plans do not apply to state significant development. However, the objectives of relevant controls under the Hornsby Development Control Plan 2013, where relevant, have been considered.

Appendix C – Community Views for Draft Notice of Decision

Table C1 | Consideration of community views

Issue	Consideration
Traffic, Transport and parking - Confirmation is required that the car park is designed to satisfy Australian Standards. - Car park and service access is poorly located and insufficient car parking is provided on site. - Insufficient drop-off/pick-up (DOPU) spaces proposed on Grimes Lane and alternative options such as angled parking could cater for expected demand. - Detrimental traffic impacts as a result of the widening and extension of Grimes Lane to Second Avenue. - Congestion that would occur within First, Second and Chelmsford Avenues which are not designed to handle the expected traffic volumes.	Assessment - In its RtS the Applicant confirmed that the car park has been designed in compliance with Australian Standards and provides space for vehicle movements and the location responds to the constrained and sloping nature of the site. - In its RtS and Supplementary Response to Submissions (SRtS), the Applicant stated that alternative parking arrangements that require reversing movements (such as angled parking) for DOPU would pose significant efficiency and safety concerns. - The Applicant reiterated its intended use of a robust School Transport Plan (STP) to encourage sustainable travel modes to reduce car trips and minimise the requirement for use of surrounding streets for DOPU. - The Applicant reiterated that the Grimes Lane design was the best option for ensuring traffic efficiency. In order to manage potential issues such as queuing out of Grimes Lane or impacts to operational traffic from overflow on nearby streets, an operational transport management plan would be prepared before the completion of each stage of the development, to confirm requirements. - The Department engaged a traffic consultant to undertake a peer review and provide advice on the proposal. The peer review noted that although the proposal would result in a substantial increase in traffic movements on Second Avenue, forecast traffic movements remain below the 300 vehicles per hour maximum environmental capacity threshold as identified for a street of that design in the <i>RMS Guide to Traffic Generating Developments</i>. - The Department acknowledges that the proposal would significantly change the character and volume of traffic levels on surrounding streets. The Department considers that the provision of DOPU spaces is acceptable on balance, as: - the site is heavily constrained, and providing additional DOPU facilities on site would be detrimental to trees and provision of sufficient learning and open space facilities. - the provision of angled spaces would reduce the efficiency and safety of the DOPU zone. - there is significant demand for primary school enrolments in the Parramatta LGA and Epping. - the Applicant seeks to promote more active and public modes of transport and reduce car journeys that would reduce demand for the DOPU zone. - the staged nature of the development and requirement for detailed planning approval for Stages 2 and 3 offers the opportunity to review the operation of the DOPU in Stage 1 and consider further measures required to minimise impacts on surrounding streets.

- Subject to conditions, the Department considers that the operation and management of the DOPU zone could be undertaken in a manner that minimises impacts to surrounding streets.
- The Department considers that the car parking is acceptable given the proposed number of spaces exceed what is required by relevant car parking rates.
- The Department considers active transport initiatives and planned active transport infrastructure upgrades surrounding the site would encourage staff and students to use alternative methods of transport to the site to alleviate traffic congestion and reduce demand for on site parking.
- The Department is satisfied the local road network could reasonably accommodate the additional traffic generated by the development and that the proposed mitigation measures would alleviate strain during peak periods.

Conditions

- Concept Proposal conditions of consent require:
 - review of the Grimes Lane DOPU Stage 1 operations and identification of actions to be taken to address any issues identified prior to any subsequent increase in student numbers.
 - completion of road safety audits and implementation of any recommendations to improve safety and reduce risk prior to any subsequent increase in student numbers.
 - future detailed applications include cumulative assessment of traffic and transport impacts, a STP and a Construction Traffic and Pedestrian Management Plan (CTPMP).
- Stage 1 conditions of consent require:
 - a final STP be prepared in consultation with City of Parramatta Council (Council) and Transport for NSW.
 - upgrades to Grimes Lane be undertaken in accordance with Council requirements.
 - preparation of a CTPMP prior to commencement of any works.
 - completion of a road safety audit and implementation of any recommendations to improve safety and reduce risk prior to commencement of Stage 1 operation.

Built Form and Urban Design

- The proposed built form is inappropriate given the scale of neighbouring residential properties to the north and east of the site.
- There is an inappropriate concentration of building bulk and height at the north-east corner of the site, building envelopes

Assessment

- The Applicant amended the Concept Proposal and Stage 1 design in the RtS by:
 - reducing the height and length of the Stage 1 built form.
 - increasing the front and eastern setbacks of Stage 1 Building A.
 - relocating the Stage 2 and 3 building envelopes to maintain amenity to neighbouring properties and provide sufficient open space on site.
 - updating the Design Analysis Report (DAR) with updated design principles, colours and materials to be established as part of Stage 1.
- The Department notes that no building height of floor space ratio development standards apply to the site. The

should be better distributed across the site.

- The Stage 1 built form should be further setback from the northern boundary.
- The proximity of Stage 2 built form would cause detrimental impacts to the neighbouring property.

Department considers that the proposed building envelopes and Stage 1 built form are acceptable as:

- setbacks are provided to neighbouring properties to reduce the overall bulk and scale impact.
- existing and proposed planting would screen the built form from adjoining properties.
- the proposed height would provide an acceptable transition between the single storey houses to the north to the six storey residential buildings to the south.
- the proposed maximum 12.5m building height is not dissimilar to the maximum building heights applying to the surrounding land.
- the locations of proposed building envelopes and Stage 1 built form respond to the topographical constraints on site.
- the proposal would not have detrimental amenity impacts of overshadowing or privacy to adjoining properties.

Conditions

- Concept Proposal conditions of consent require:
 - future detailed applications include detailed elevations, design statements and evidence that the proposed built form is consistent with the DAR.
 - any future landscaping works be consistent with Stage 1.
 - future applications include an assessment of amenity impacts, including solar access, visual privacy, view loss and light spill.
- Stage 1 conditions of consent require colours and materials to be incorporated as proposed in the DAR.

Pedestrian Infrastructure

- Raised pedestrian crossings must be provided on the surrounding road network.
- Lack of appropriate infrastructure for pedestrian safety and traffic management.

Assessment

- The Applicant consulted with Council to determine the suitable locations for pedestrian crossing infrastructure that would cater for the Concept Proposal and Stage 1. The RtS also committed to footpath upgrades on the surrounding road network.
- The Department supports the upgrades as they would provide greater safety and improve traffic management.

Conditions

- Concept Proposal conditions of consent require future detailed applications to include an updated STP that would assess whether additional footpath infrastructure is required.
- Stage 1 conditions of consent require the installation of the raised pedestrian crossings and footpaths to the satisfaction of Council.

Amenity

- Noise impacts from vehicle traffic would detrimentally impact amenity.
- The assessment of traffic noise impacts

Assessment

- The Applicant's Noise Impact Assessment (NIA) and RtS confirmed that the school operation and traffic noise would comply with project specific environmental noise criteria and not result in detrimental noise or amenity impacts.
- The NIA recommended measures to manage and mitigate construction and operational noise impacts.

- around the site and on surrounding streets is not accurate.
- The proposal would result in construction noise and vehicle impacts.
- The Applicant's RtS confirmed that the assessment of construction, operation and traffic noise was undertaken in accordance with relevant guidelines.
- The Department is satisfied that the proposed development would not have significant adverse construction, operational or traffic noise on the neighbouring properties subject to recommended conditions of consent.

Conditions

- Concept Proposal conditions of consent require future detailed applications be accompanied by noise and vibration assessments, providing a quantitative assessment of construction and operational noise.
- Stage 1 conditions of consent require:
 - construction be in accordance with the standard construction hours and intra-day respite periods from high noise generating construction activities be provided where necessary.
 - a Construction Noise and Vibration Management Plan be prepared that incorporates the recommendations of the NIA.
 - operational hours for the school and community use of school facilities be restricted to stipulated times.
 - implementation of the recommended mitigation and management measures in the NIA and short term noise monitoring following commencement of operation.
 - detailed assessment of mechanical plant and equipment.
 - preparation of an out of hours event management plan and restriction of community use outside of school hours to no more than 50 attendees and no earlier than 8am or later than 9:30pm.

Biodiversity and Tree Impacts

- The Biodiversity Development Assessment Report (BDAR) does not consider the impacts of bush fire management for vegetation on the site.
- The proposal requires excessive tree removal, loss of habitat for migratory animal species and insufficient rates of replanting.

Assessment

- The RtS included an amended BDAR assessing the Concept Proposal and Stage 1 works and confirming that impacts relating to bush fire management on site had been considered. The BDAR also confirmed that no detrimental impacts would occur to habitats for migratory species.
- The Applicant's SRtS included an updated Arboricultural Impact Assessment (AIA) which identified that out of 175 trees on site, 67 would need to be removed. The updated AIA included measures for tree retention and protection.
- The Applicant argues that the tree loss is unavoidable on account of the proposed works and that all efforts (including redesign) had been made to avoid tree loss.
- The Applicant confirmed that 141 trees are to be replanted to offset tree loss and that additional planting above this would not comply with managing bush fire risk and be detrimental to the health of other trees.
- The Department considers that reasonable efforts have been undertaken to minimise tree loss on the site and where losses have occurred that they are appropriately offset through proposed planting.

Conditions

- Concept Proposal conditions of consent require future detailed applications to include an AIA demonstrating that works would not be detrimental to the long term health of the existing trees retained on site.
- Stage 1 conditions of consent require:
 - implementation of management and mitigation measures outlined in the amended BDAR.
 - appropriate reuse of removed trees with hollows or fissures and if reuse is not practical, provide compensatory nest boxes.
 - preparation of a revised landscape plan that includes a greater preference to native/indigenous trees, shrubs and groundcover planting.
 - tree retention and protection be undertaken in accordance with the AIA.

Social Impacts and School Location

- Not clear if the proposal considers the future demographic projections or future growth of the population within the school's catchment.
- The proposal fails to reasonably demonstrate how alternative sites were considered to cater for the increased number of students.
- Planning for school enrolments should be done in tandem with planning for the upgrades to Epping West Public School.
- Shared and community use of facilities needs to be provided and integrated into the design. Consultation should occur with the community and Council prior to the commencement of school operation.

Assessment

- The Applicant's RtS and SRtS advised that:
 - the site had been selected due to its location within a school catchment that is currently underserved by existing schools.
 - the capacity of the school has been considered in tandem with Epping West Public School.
 - by introducing the proposal into the area, all school catchments within the locality would be adjusted and would subsequently reduce the catchment area for each school.
 - as the school is yet to be constructed and operational, shared and community use of facilities (such as the hall) would be subject to consultation with the community and Council once Stage 1 operation has commenced.
- The Department is satisfied that the proposal would have a substantial community benefit through the provision of improved educational infrastructure on the site.

Conditions

- Stage 1 conditions of consent include:
 - consultation with Council for community and shared use of facilities.
 - preparation of an out of hours event management plan for community use.

Open Space

- Insufficient open space is provided on site for a school of 1,000 students.

Assessment

- The Applicant's RtS included a revised built form and urban design scheme that provided for additional open space. The RtS demonstrated that upon Stage 3 commencement, 10 square metres per child would be provided in accordance with the Department of Education's requirements.
- Given the constrained nature of the site, the Department considers the Applicant has made meaningful efforts to

maximise open space and the amount of open space provided is acceptable.

Conditions

- Concept Proposal conditions of consent require future detailed applications be consistent with the landscape design and maintain open space provisions.
- Stage 1 conditions of consent require consultation with Council for the use of nearby local public open space/parks to supplement what is provided on site.

Stormwater and Drainage

- Further details are required about the stormwater drainage, retention and quality system.

Assessment

- The Applicant's RtS provided further information to demonstrate that the stormwater drainage, retention and quality system would be sufficient to cater for the proposal.
- The Department is satisfied that the proposal would not result in downstream or on site stormwater impacts.

Conditions

- Concept Proposal conditions of consent require future detailed applications to demonstrate that the stormwater drainage, detention and quality systems remain suitable.
- Stage 1 conditions of consent require the stormwater drainage, detention and quality systems be designed in accordance with conceptual design in the RtS and relevant standards.

Aboriginal Cultural Heritage

- Inadequate environmental, connecting with country and Aboriginal Cultural Heritage considerations.

Assessment

- The Applicant's updated RtS and SRtS demonstrated how connection with country and Aboriginal Cultural Heritage had been integrated into the DAR and the proposal.
- The RtS included an updated Aboriginal Cultural Heritage Assessment Report (ACHAR). Heritage NSW provided comments that this was satisfactory and its recommendations form conditions of consent.
- The RtS and SRtS demonstrated how and when consultation occurred with Aboriginal communities and how the built form and urban design was guided by these discussions.

Conditions

- Concept Proposal conditions of consent require future detailed applications to include detailed elevations, design statements and evidence that the proposed built form is consistent with the DAR.
- Stage 1 conditions of consent require construction to be undertaken in accordance with the ACHAR and implementation of an unexpected finds protocols.

Consultation

- Poor and lack of community consultation by the Applicant.

Assessment

- The Applicant advised that it consulted Council and the community (including carefully considering submissions) as part of preparing the RtS and SRtS in addition to earlier consultation undertaken in support of the Environmental Impact Statement (EIS).
- The Department exhibited the EIS and RtS in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and associated regulations.

Appendix D – Recommended Instrument of Consent