

Address: No. 127 Old Pitt Town Road, Gables
Proposal: Educational Establishment
AUGUST 2020

REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

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REGIS EDUCATION, SPORTS & COMMUNITY PRECINCT

NO. 127 OLD PITT TOWN ROAD, GABLES

PROJECT INFORMATION

The Proposal: This Request for the Secretary’s Environmental Assessment Requirements (SEARs) is lodged with consent of the registered property owner. The proposal seeks approval for construction of a new educational facility to accommodate approximately 2,000 students, ancillary recreational facilities and a centre based child care facility for 80 children.

Site: Lot 70 Deposited Plan 1034652
No. 127 Old Pitt Town Road
GABLES NSW 2765

Architect:



Mayoh Architects
Level 1, No. 106 Alexander Street
CROWS NEST NSW 2065





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ATTACHMENTS

- I CONCEPT PLAN BY MAYOH ARCHITECTS
- II STAGING PLAN BY MAYOH ARCHITECTS

1 EXECUTIVE SUMMARY

In accordance with Part 4 of the Environmental Planning and Assessment Act 1979, this report is a request for the Secretary's Environmental Assessment Requirement (SEARs).

The SEARs request is made to guide the future development of the Regis Education, Sporting & Recreation Precinct (Regis Education Precinct) located in the Gables. This SEARS request relates to a new co-educational facility accommodating up to 2,000 students from Kindergarten to Year 12. The proposed Regis Education Precinct reflects the need for additional education infrastructure and alternative schooling options in this fast growing and soon to be populous location. The Regis Education Precinct will provide contemporary and flexible spaces and facilities for the use of the student population, and envisages the joint and shared use of school facilities with local government and the private sector as an innovative way to provide school infrastructure.

The project is a new educational establishment in accordance with Clause 15 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011. As the development is a new school, it is classified as state significant development (SSD) and SEARs are therefore sought to inform preparation of an Environmental Impact Statement (EIS).

The purpose of this scoping report is to provide information to support the request for SEARs. This report provides:

- An overview of the site and its context;
- A description of the proposed development and intended staging;
- An overview of the relevant planning framework and permissibility; and
- An overview of the likely environmental and planning impacts.

This request for SEARs scoping report should be read in conjunction with the attached Concept Plans (site plan and sections) and Staging Plans prepared by Mayoh Architects.

2 THE SITE & CONTEXT

The site is identified as Lot 70 DP 1034652, No. 127 Old Pitt Town Road, Gables. The site is irregular in shape, has an area of 10.31 hectares and has a frontage to Old Pitt Town Road of approximately 670 metres. Existing development is limited to a dwelling house located in the north-west corner of the site. The land has generally been cleared and consists mainly of grassed pasture. There is a small farm dam located in the north-east corner of the site. Surrounding land uses comprise rural-residential 'lifestyle' properties, with limited agriculture uses, but we note there are a number of equestrian related businesses nearby.

Old Pitt Town Road is a sub-arterial / enhanced collector road that forms the southern border of The Gables and provides access to Boundary Road to the west and Terry Road to the east. It carries a single lane of traffic in both directions. Windsor Road (approximately 2.6 kilometres south) serves as the main classified road of the locality and connects to Terry Road and Nelson Road, providing further connectivity to the site. The road network surrounding the site currently has limited public transport services. This is however reflective of the current low travel demands of the locality. There is a regular bus service that passes the site identified as the 746 Riverstone to Rouse Hill town centre service, with stops within walking distance of the site.

The subject site is located within the suburb of Gables, approximately 48 kilometres north-west from the Sydney Central Business District and lies within an area characterised predominantly by large lot rural- residential development and low intensity agricultural land uses. The Gables is the newest suburb in the LGA and is located between Box Hill and Maraylya was gazetted on 17 July 2020.

North West Priority Growth Area

The site abuts the North West Priority Growth Area identified by the State Government through its inclusion in State Environmental Planning Policy (Sydney Region Growth Centres) 2006. The development is adjacent the Box Hill Town Centre Precinct. The vision for this Precinct is identified by the Box Hill Growth Centre Precincts Development Control Plan as follows:

The planning for the Box Hill Growth Centre Precincts promotes the development of a vibrant residential and employment urban area that responds to the Precincts' natural environment, represented in its streams, landform, heritage, environmental characteristics and landscape setting.

The planning of the Precincts seeks to promote a community that is less dependent on private vehicle use thereby contributes to a reduced carbon footprint.

A balanced mix and distribution of recreation, employment and residential uses encourage public transport, walking and cycling. A safe and permeable street network promotes accessibility, connectivity and social interaction.

Direct connections to nearby regional transport hubs, including the Rouse Hill, Riverstone, Area 20 and Schofields Road Transit Boulevard ensure regional public transport accessibility.

Retail and commercial areas complement and support surrounding centres. The centrally located Box Hill Town Centre provides the retail, commercial and community services that promote a community hub. Three villages and two neighbourhood centres service all local residential and employment areas.

A business park, an enterprise corridor and a light industrial area provide a mix of local and regional employment opportunities that meet the regional demand for jobs.

The existing character of the local area is predominantly rural, but is designated for medium to high density 'greenfield' development. Recently completed urban release areas at The Ponds and nearby Kellyville have transformed these areas into desirous urban environments, consistent with the nominated objectives for the North West Growth Centre. The Department of Planning has planned for a

transition from rural holdings to low, medium and high density residential development, with commercial uses in the future Box Hill Town Centre, with supporting social and recreational infrastructure. The indicative layout plan (ILP) provides details of the proposed local road network within this neighbouring precinct (see **Figure 3**).

The proposed educational establishment and ancillary facilities will support residential growth and the need for education services in the immediate locality.

Central City District

The vision for Greater Sydney as a metropolis of three cities – the Western Parkland City, the Central River City and the Eastern Harbour City, is to create a 30 minute city and means residents in each District will have quicker and easier access to a wider range of jobs, housing types and activities. The vision is intended to improve each District's lifestyle and environmental assets. The site is located within the Central City District which forms part of the Central River City. The Central City District Plan informs local strategic planning statements and local environmental plans, the assessment of planning proposals, as well as community strategic plans and policies.

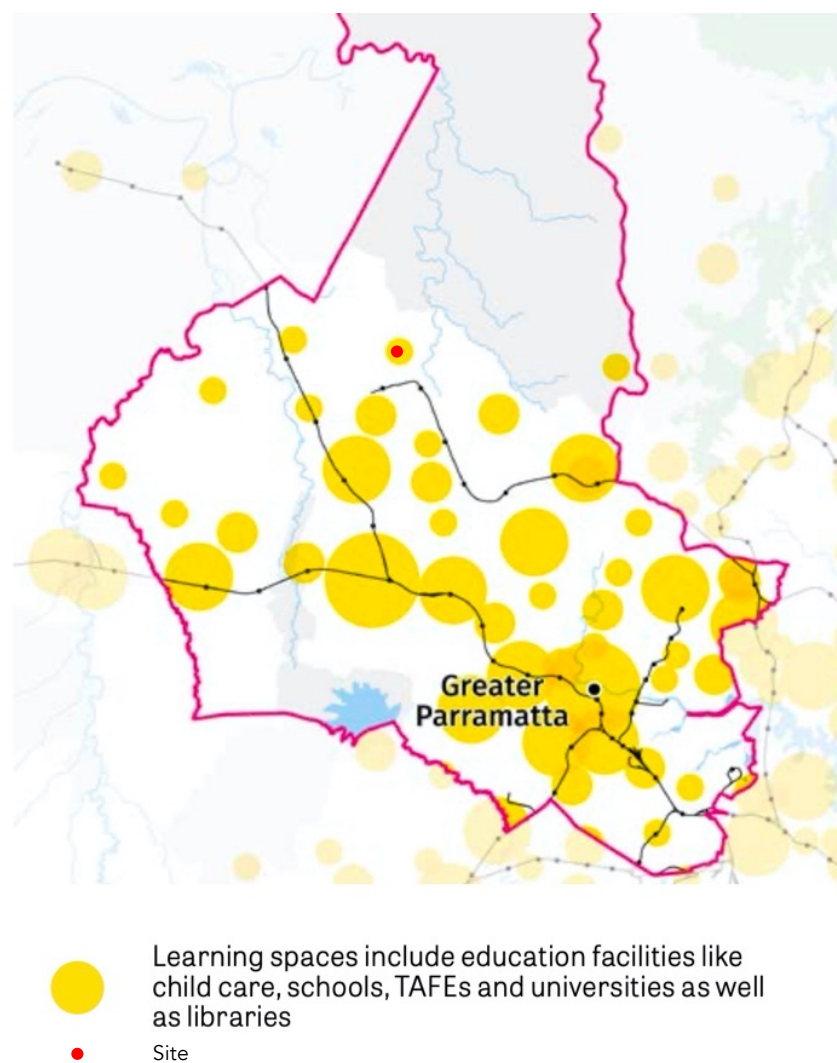


FIGURE 1

Central City District learning spaces.

The proposed educational establishment is located within the Central City District learning space (see **Figure 1**). The NSW Department of Education estimates an extra 89,360 students will need to be accommodated in both government and non-government schools in the Central City District by 2036.

Blacktown and Parramatta local government areas will each take up 32% of the District's increase in school-aged children, followed by The Hills (23%) and Cumberland (14%) local government areas. The district plan encourages collaboration, and the agglomeration of educational establishments within the district, to ensure there are adequate learning facilities including child care centres, schools, TAFEs, universities and libraries that can service the area. Planning for educational establishments, early education and child care facilities requires innovative approaches to the use of land and floor space, including co-location with compatible uses such as primary schools and office buildings, close to transport facilities.

The proposal will assist in delivery of planning priority N12 for the Central City District, which seeks to provide integrated land use and transport planning and a 30-minute city. The site for the proposed development is therefore consistent with the objectives of the Central City District Plan, as the proposal will provide key social infrastructure to a growing and developing area.

The NSW Department of Education's high-level School Assets Strategic Plan Summary 2017 coordinates planning for, and delivery of, both new and expanded schools. It encourages the joint and shared use of school facilities with local government and the private sector as an innovative way to provide school infrastructure. The proposed development will facilitate this by providing an educational establishment with a sporting complex and child care facility which will enable joint and shared uses of the facilities on site.

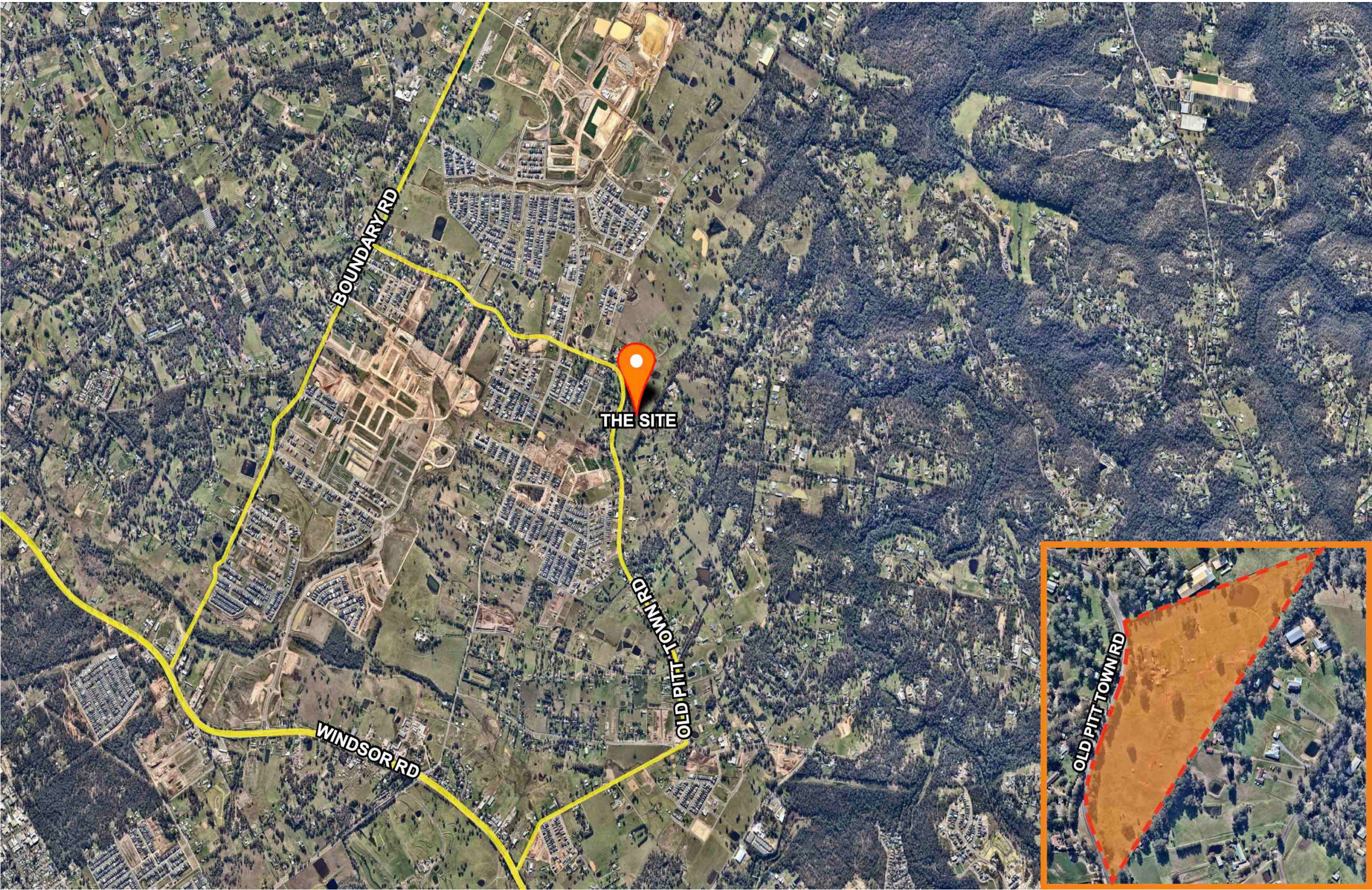


FIGURE 2

The site and its context (extract from Nearmap).

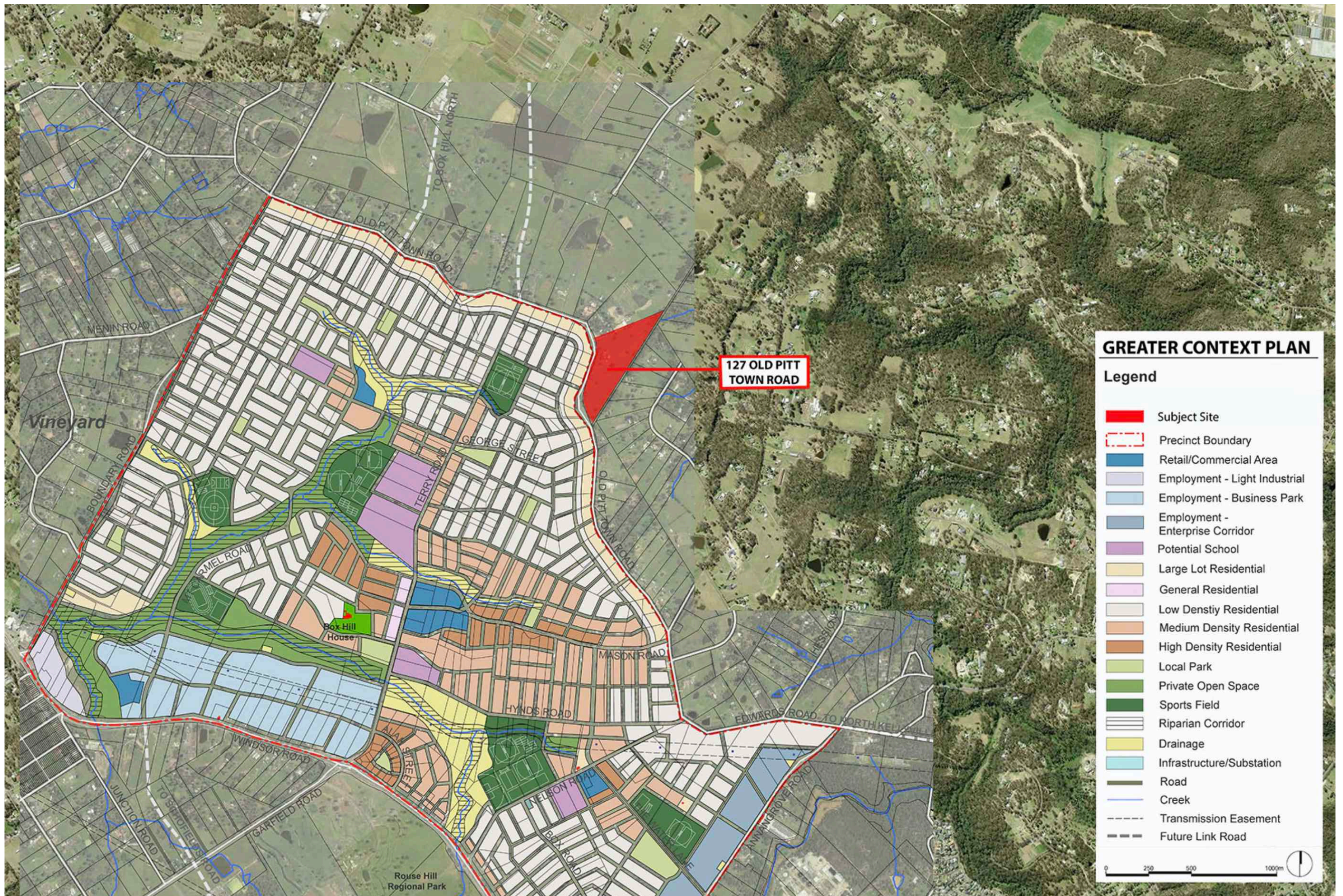


FIGURE 3

The site and its geographic relationship to the Box Hill Growth Centre Precinct.

3 THE PROPOSAL

The following objectives have been identified as forming a basis for the proposed development of a new educational facility in north west Sydney:

- Deliver new educational facilities to meet the significant demand that exists in the North West Growth Centres;
- Design the subject site to create a high-quality teaching and learning environment for both staff and students;
- Respond to the current and projected growth in the region through staged delivery of the school and associated amenities;
- Ensure minimal environmental impact; and
- Ensure development is compatible with surrounding development and the local context.

The site selection and conceptual design strive to meet these objectives. This scoping exercise will identify further opportunities and constraints of the site which will need to be considered in resolution of a final scheme for development of the site.

It is intended to lodge a concept development application pursuant to Division 4.4 of the Environmental Planning and Assessment Act 1979 (EPAA), which will set out a concept proposal for development of the site, including detailed proposals for the first stage of development. This process allows detail for subsequent stages of development to be considered and determined at a later date via the submission of a development application, or applications, for the later stages of development.

The consent authority, when considering the likely impact of the development the subject of a concept development application under Section 4.15 of the EPAA, need only consider the likely impact of the concept proposals (and any first stage of development included in the application) and does not need to consider the likely impact of the carrying out of development that may be the subject of subsequent development applications.

The first stage of the development, to be included in the concept development application, will include all junior, middle and senior school classroom and amenities buildings, all civil works (site shaping, stormwater drainage and road infrastructure), the tennis court amenities, outdoor pool and learn to swim facilities and the early learning centre. Subsequent stages of development will include such elements as the gym, main oval, netball courts, library & ITC hub, performing arts, visual arts and many other ancillary buildings and facilities.

The Regis Education Precinct is intended as a new co-educational facility that will ultimately accommodate the following elements:

Centre Based Childcare Centre

With a capacity of 80 children.

Junior School

The Junior School (Kindergarten – Year 4) will be designed for 500 students with requisite classrooms, WIP stores, shared collaborative learning spaces, seminar rooms as well as separate areas for amenities junior school administration and including a Junior Hall.

Middle School

The Middle School (Year 5 – Year 8) will be designed for 500 students with requisite classrooms, WIP stores, shared collaborative learning spaces, seminar rooms as well as separate areas for amenities and middle school administration.

Senior School

The Senior School (Year 9 - Year 12) will be designed for 1,000 students with requisite classrooms, WIP stores, shared collaborative learning spaces, seminar rooms as well as separate areas for amenities and senior school administration.

Other Education Buildings

In addition, the following buildings will be provided

- Library
- Wellness Centre and learning support
- ICT Hub
- Performing Arts specifically for drama, music and dance
- Hospitality building
- Visual Arts building
- STEM (science technology, engineering and mathematics) precinct

These facilities might also be utilised for out of school hours extra curricular activities and vocational training courses.

Recreational Facilities

All sporting facilities upon the site will be primarily used for recreational school activities as part the school curriculum. Secondly, these facilities will available for use by other schools and the community when not utilised by the Regis School.

The sporting facilities on site include the following:

- 1 x main oval
- 8 x outdoor tennis courts
- 1 x gymnasium with 4 indoor basketball courts, gymnastic studio, dance studio and amenities
- 1 x outdoor swim centre which includes: 1x Olympic swimming pool (6 lanes) and 1x learn to swim pool
- 8 x outdoor netball/basketball courts
- 1 x large playing field

These facilities have been located close to Old Pitt Town Road to allow visibility of these services and to support CPTED principles.

Other

In addition to the core school modules and ancillary recreation facilities, Regis is intending to provide the following facilities:

- Administration building which will be the signature building on campus with entry canopy;
- Staff building which is centrally located on campus to accommodate 258 teaching staff;
- Caretaker's cottage; and
- Car parking facilities.

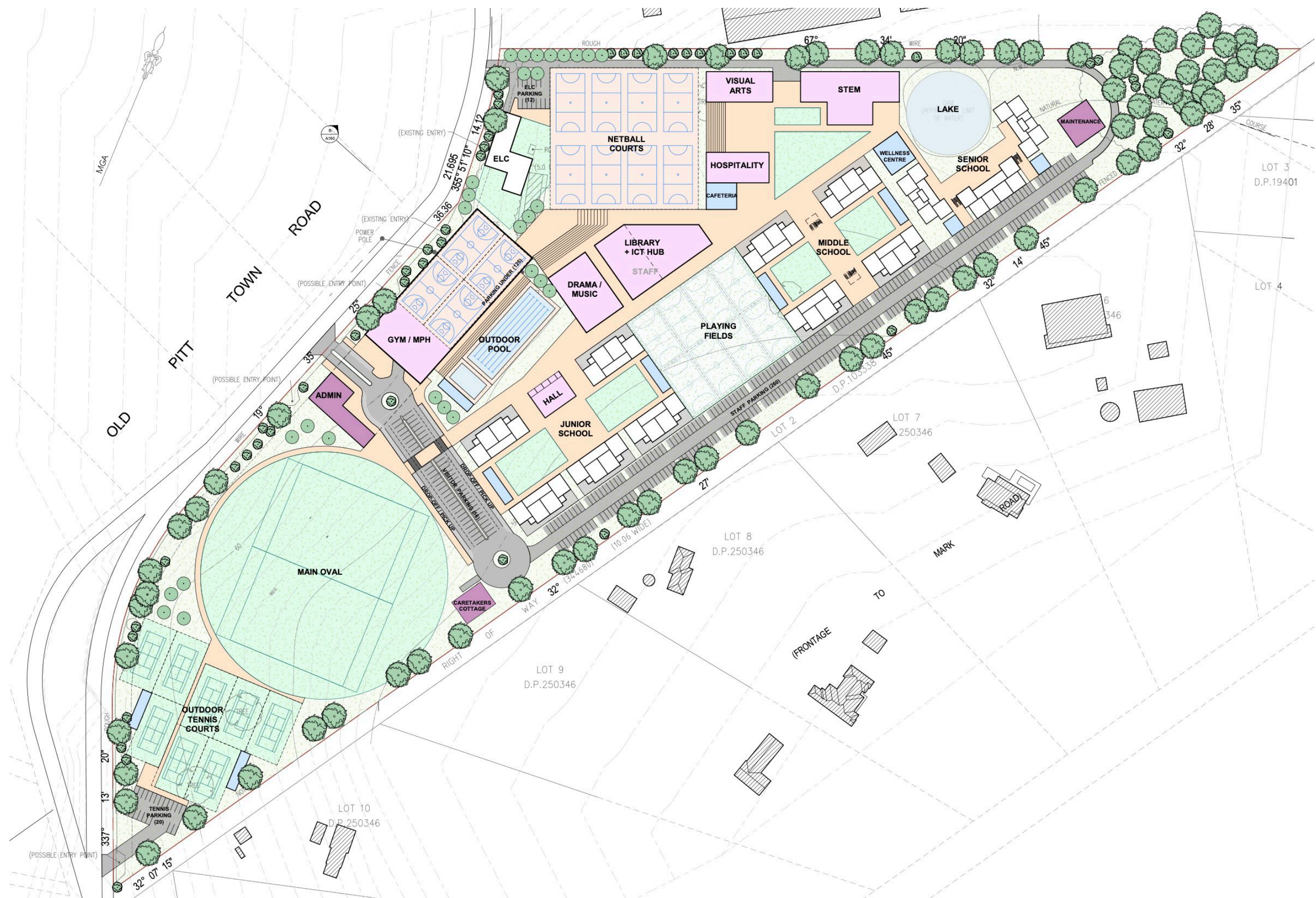


FIGURE 4

Concept Site Plan.

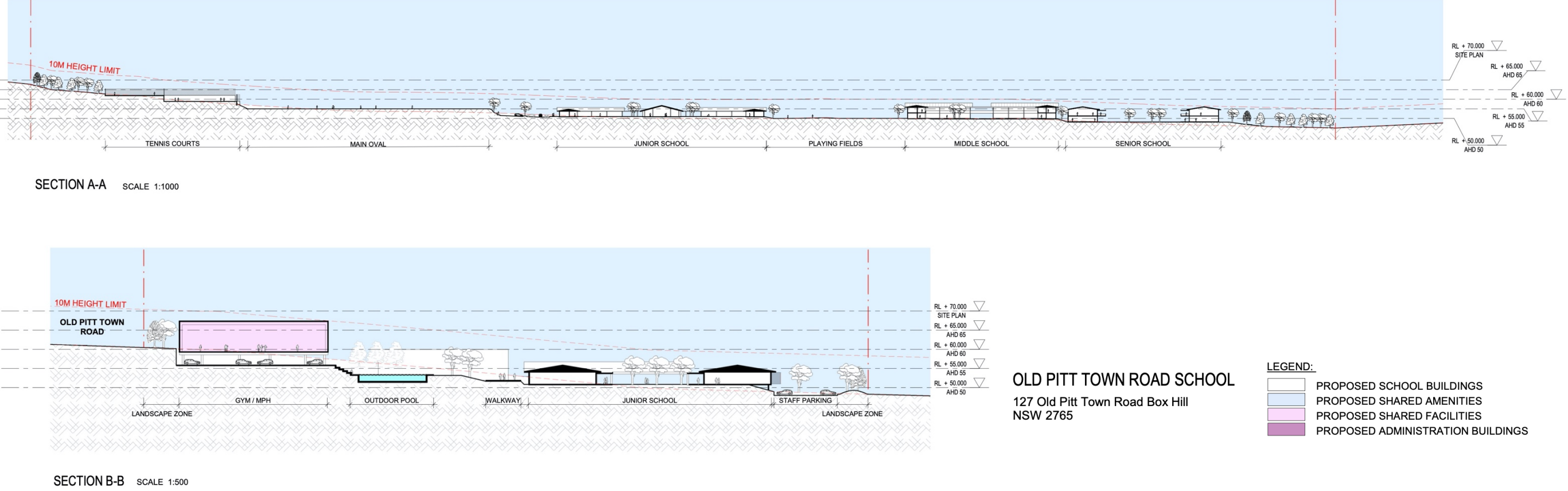


FIGURE 5
Extract long sections through the Concept Site Plan.

4 STATUTORY & STRATEGIC PLANNING FRAMEWORK

4.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The Environmental Planning and Assessment Act 1979 (EPAA) is the overarching governing document for all development in NSW. Pursuant to Section 4.36(2), the EPAA outlines that:

A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.

The proposed development is identified as State Significant Development in Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011.

Pursuant to Section 4.12(8) of the EPAA, a development application for State significant development is to be accompanied by an environmental impact statement (EIS) prepared by or on behalf of the applicant in the form prescribed by the regulations.

Scoping is the first phase in preparation of an EIS, and in turn guides the ultimate development of the site. When effectively carried out, scoping highlights the relevant matters and impacts to be considered in the EIS and the appropriate level of assessment. It results in SEARs that provide clear direction to the proponent on what needs to be assessed, how it should be assessed and to what level of detail. This increases the likelihood of an adequately prepared EIS focussed on relevant matters.

4.2 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

The Environmental Planning and Assessment Regulation 2000 (EPAR) prescribes requirements for preparation of Environmental Impact Statements in Schedule 2.

Pursuant to the Schedule, a written application must be made to obtain the Secretary's Environmental Assessment Requirements (SEARs) to inform preparation of the EIS. This scoping report forms the required request for SEARs.

4.3 BIODIVERSITY CONSERVATION ACT 2016 AND REGULATION 2017

The Biodiversity Conservation Act 2016 seeks to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

Part 7 of the Biodiversity Conservation Act sets out requirements for biodiversity assessments and approvals under the Planning Act (meaning the EPAA).

Pursuant to Section 7.2(1) of the Biodiversity Conservation Act, development or an activity is likely to significantly affect threatened species if:

- (a) *it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or*
- (b) *the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or*
- (c) *it is carried out in a declared area of outstanding biodiversity value.*

A Flora and Fauna Assessment Report was undertaken by envirotech consultants in support Development Application 443/2017/ZB for subdivision of the land to create 5 rural residential lots. This application was approved by the Hills Shire Council on 27 March 2018. The findings of this study identified that the endangered ecological community Cumberland Plain Woodland, while mapped as being on site, was noted to be in a highly degraded structure, and made up less than 0.1% of the site area.

A preliminary ecological assessment (desktop analysis) identifies that parts of the subject site are within a 'declared area of outstanding biodiversity value'. The ultimate concept for development of the site will seek to maintain vegetation mapped as being of high biodiversity value. It is therefore unlikely the proposed development would have a significant impact on any threatened species, populations or ecological communities that may occur, or are likely to occur within the subject site.

Pursuant to Section 7.9 of the Biodiversity Conservation Act, an application for development is to be accompanied by a biodiversity development assessment report 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. Based upon the above, an updated preliminary ecological assessment will be prepared to accompany the EIS to identify if the proposal will have a significant impact on biodiversity values.

4.4 STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

Pursuant to Schedule 1 Clause 15 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP), development for the purposes of a new school (regardless of the capital investment value) is declared state significant development. Clause 15 of SRD SEPP has been reproduced below:

- (1) *Development for the purpose of a new school (regardless of the capital investment value).*
- (2) *Development that has a capital investment value of more than \$20 million for the purpose of alterations or additions to an existing school.*
- (3) *Development for the purpose of a tertiary institution (within the meaning of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017), including associated research facilities, that has a capital investment value of more than \$30 million.*

The proposal is for a new school and therefore classified as state significant development.

4.5 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

Clause 7(1)(a) of State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) states that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. The Department of Planning publication "Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land" provides advice on the process of determination as to whether a site is contaminated. In this regard, Section 2.2 of the Guidelines states:

When carrying out planning functions under the EP & A Act, a planning authority must consider the possibility that a previous land use has caused contamination of the site as well as the potential risk to health or the environment from that contamination.

When an authority carries out a planning function, the history of the land use needs to be considered as an indicator of potential contamination. Where there is no reason to suspect contamination after acting substantially in accordance with these Guidelines, the proposal may be processed in the usual way.

The Guidelines continue at Section 3.2.1 by stating that:

The potential for contamination is often linked to past uses of land and a good early indicator of possible uses is land zoning. Contamination is more likely to have occurred if the land is currently, or was previously, zoned for industrial, agricultural or defence purposes.

A Phase 2 Contamination Assessment was prepared for the site in July 2016 for large lot residential subdivision by envirotech consultants. The results of the assessment determined the following:

Soil sample results were compared to the Health Investigation Levels (HILs) Guidelines and Ecological Screening Levels (ESLs) for standard residential allotments (NEPM 2013). Chemically the results meet the criteria of the Health Investigation Limits for all of the analysed contaminants across the site. Along with previous investigations it can be concluded that the site is deemed suitable for the proposed development from a contamination aspect.

No visible or olfactory signs of hydrocarbon staining within the soils was noted during the detailed site investigation. The inspection did not identify any odour within the onsite soils which would suggest contamination. Vegetation in general did not exhibit signs of stress.

All areas required for the contamination assessment for full suite analysis indicated chemical concentrations below the relevant health Investigation levels. These results indicate that those areas identified as having the potential for contamination were determined to be acceptable chemically. The results returning acceptable concentrations for the proposed land use within areas of concern which had been identified. It appears that the site from a chemical analysis is appropriate for the proposed land use.

Analysis of Site Specific Ecological Screening Levels, across the site recorded one (1) exceedance of the Ecological Screening Levels (ELs). Benzo (a) pyrene.

Soil at the site did not indicate an unacceptable risk to the future land use proposed, being conservative of a residential with minimal soil access land use scenario. EI concludes that soil at the site can be made suitable for the proposed commercial and residential use, following bulk excavation of the site.

The findings of the report will be updated to reflect the proposed development and will be examined further by the EIS.

4.6 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure) aims to facilitate the effective delivery of infrastructure across the state. Schedule 3 of SEPP Infrastructure outlines the types of traffic generating development that is referred to Roads and Maritime Services. The proposed development is not specifically identified within Schedule 3 and is therefore development for any other purpose and would require concurrence to RMS if the following thresholds are triggered:

- 200 or more motor vehicles per hour for sites with access to a road (generally)
- 50 or more motor vehicles for sites with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road)

If the proposed development has traffic volumes that exceed the identified thresholds, referral to RMS would be required.

4.7 STATE ENVIRONMENTAL PLANNING POLICY (EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES) 2017

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (SEPP Education) aims (amongst other things) to streamline the planning system for education and child care facilities. The aims of the SEPP are as follows:

- a) improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities, and
- b) simplifying and standardising planning approval pathways for educational establishments and early education and care facilities (including identifying certain development of minimal environmental impact as exempt development), and

- c) *establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivered and to minimise impacts on surrounding areas, and*
- d) *allowing for the efficient development, redevelopment or use of surplus government-owned land (including providing for consultation with communities regarding educational establishments in their local area), and*
- e) *providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and*
- f) *aligning the NSW planning framework with the National Quality Framework that regulates early education and care services, and*
- g) *ensuring that proponents of new developments or modified premises meet the applicable requirements of the National Quality Framework for early education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process, and*
- h) *encouraging proponents of new developments or modified premises and consent authorities to facilitate the joint and shared use of the facilities of educational establishments with the community through appropriate design.*

Part 4 of SEPP Education prescribes specific development controls for schools. The proposed educational establishment is permissible upon the site pursuant to SEPP Education as the site is zoned RU6 Transition which identified is a prescribed zone under Part 4 of the SEPP.

Part 4, Clause 35 of SEPP Education outlines the type of school development permitted with consent, the controls applicable to the development have been reproduced below as follows:

- (1) *Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.*
- ...
- (5) *A school (including any part of its site and any of its facilities) may be used, with development consent, for the physical, social, cultural or intellectual development or welfare of the community, whether or not it is a commercial use of the establishment.*
- (6) *Before determining a development application for development of a kind referred to in subclause (1), (3) or (5), the consent authority must take into consideration—*
 - a. *the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4, and*
 - b. *whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.*
- (7) *Subject to subclause (8), the requirement in subclause (6)(a) applies to the exclusion of any provision in another environmental planning instrument that requires, or that relates to a requirement for, excellence (or like standard) in design as a prerequisite to the granting of development consent for development of that kind.*
- (8) *A provision in another environmental planning instrument that requires a competitive design process to be held as a prerequisite to the granting of development consent does not apply to development to which subclause (6)(a) applies that has a capital investment value of less than \$50 million.*
- (9) *A provision of a development control plan that specifies a requirement, standard or control in relation to development of a kind referred to in subclause (1), (2), (3) or (5) is of no effect, regardless of when the development control plan was made.*
- ...

The proposed educational establishment is located in a prescribed zone, and includes ancillary facilities comprising a sporting complex and centre based child care facility with a capacity of 80 children. These facilities will be used for the physical, social, cultural development and welfare of the community.

Schedule 4 of the SEPP Education outlines the design quality principles that are to be considered in the design of a facility. The proposal will respond to the design quality principles as follows:

- Principle 1 – context, built form and landscape: The proposal will where possible retain existing established trees that wrap the peripheries of the site and the existing dam on site will be utilised as a billabong. The proposal also includes new built form and landscaping elements. The new built form will consider the relationship between proposed buildings and other developments planned for the Box Hill growth centre and existing transition zone. An Urban Design Report and Landscaping Concept Plan will accompany the EIS.

- Principle 2 – sustainable, efficient and durable: The proposal will adopt a range of ESD initiatives, and an ESD Report will accompany the EIS. The proposal will also provide positive social and economic benefits for the local community by ensuring that teaching facilities are meeting contemporary educational needs, and new residential communities are adequately serviced by infrastructure. The proposal will be developed with consideration for the Government Architect of New South Wales (GANSW) Environmental Design in Schools.
- Principle 3 – accessible and inclusive: The proposal is capable of complying with relevant provisions for accessibility, and an Accessibility Report will accompany the EIS.
- Principle 4 – health and safety: Crime Prevention Through Environmental Design (CPTED) measures will be incorporated into the design, operation and management of the site to ensure a high level of safety and security for students and staff. CPTED will be considered in the EIS.
- Principle 5 – amenity: The proposal will contain high quality facilities, spaces and equipment for use by students and staff. These will provide students with an enhanced learning environment.
- Principle 6 – whole of life, flexible and adaptive: The proposal involves construction of new classrooms and associated facilities, which will be designed to ensure flexibility and longevity.
- Principle 7 – aesthetics: When constructed the proposal will have high quality external finishes. The proposal is of an appropriate scale and form for the future Gables locality.

A further detailed assessment of the proposal against the Education SEPP will be undertaken within the EIS.

4.8 THE HILLS LOCAL ENVIRONMENTAL PLAN 2019

The Hills Local Environmental Plan 2019 was gazetted on 6 December 2019 and applies to all land within the Hills Shire local government area (LGA). The particular aims of the LEP are to:

- (a) to guide the orderly and sustainable development of The Hills, balancing its economic, environmental and social needs,
- (b) to provide strategic direction and urban and rural land use management for the benefit of the community,
- (c) to provide for the development of communities that are liveable, vibrant and safe and that have services and facilities that meet their needs,
- (d) to provide for balanced urban growth through efficient and safe transport infrastructure, a range of housing options, and a built environment that is compatible with the cultural and natural heritage of The Hills,
- (e) to preserve and protect the natural environment of The Hills and to identify environmentally significant land for the benefit of future generations,
- (f) to contribute to the development of a modern local economy through the identification and management of land to promote employment opportunities and tourism.

Land Use Zone

The site is zoned RU6 Transition. The objectives of the zone are:

- To protect and maintain land that provides a transition between rural and other land uses of varying intensities or environmental sensitivities.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage innovative and sustainable tourist development, sustainable agriculture and the provision of farm produce directly to the public.

The educational establishment is permitted upon the site pursuant to SEPP Education as the site is located within a prescribed zone, the sporting complex is ancillary to the educational establishment although recreation facilities (indoor) and recreation facilities (outdoor) are permissible with the RU6 zone with development consent. The centre based child facility is permissible within the RU6 zone with development consent and is ancillary and subservient to the proposed school.

Clause 4.3 – Building Height

Clause 4.3 of the LEP prescribes a maximum building height of 10 metres for the site. The concept plans illustrate the development complies with the maximum building height.

Clause 4.4 – Floor Space Ratio

Clause 4.4 of the LEP does not prescribe a floor space ratio (FSR) for the site.

Clause 5.10 – Heritage Conservation

Clause 5.10 of the LEP relates to heritage conservation. The site does not contain a heritage item, nor does it adjoin an item of heritage significance. The site is not located within a heritage conservation area. The site however adjoins an archaeological site, Item No. 3 identified as bypassed section of road. A heritage impact assessment would not be necessary to accompany the EIS unless ancillary roadworks were necessary to facilitate the proposed development, and these roadworks affected the archaeological site.

Clause 5.11 – Bush Fire Hazard Reduction

The Hills Bushfire Prone Land Map identifies the site as being Category 3 Medium Risk bushfire prone land. A Bushfire Hazard Assessment will be prepared to inform development of the site and will accompany the EIS.

4.9 THE HILLS DEVELOPMENT CONTROL PLAN 2012

Under Clause 11 of State Environmental Planning Policy (State and Regional Development) 2011, the application of Development Control Plans is excluded when assessing SSD projects. Notwithstanding this, the proposal will take into consideration relevant controls of The Hills Development Control Plan 2012 relating to setbacks and landscaping requirements for development within the RU6 Transition Zone.

4.10 DRAFT THE HILLS LOCAL ENVIRONMENTAL PLAN 2020

A planning proposal has been prepared to amend the Local Environmental Plan that applies to all land in The Hills Shire, with the exception of the North West Region Growth Centres (Box Hill and North Kellyville). The exhibition period commenced on Friday 10 July 2020 and invited submissions until 7 August 2020. The objective of the Draft The Hills Local Environmental Plan 2020 planning proposal is to update the planning framework and reset the basis for decisions surrounding land use planning. It seeks to give effect to Council's new Local Strategic Planning Statement: The Hills Future 2036 and the State Government's Central City District Plan.

The planning proposal recommends a number of amendments to The Hills Local Environmental Plan including:

- *Supporting the role and function of strategic centres by applying planning controls to support balanced growth, including limiting the proportion of serviced apartments on land zoned for commercial purposes.*
- *Encouraging a mix of complementary land uses in our rural areas to enhance the productive capacity of our rural land.*
- *Inclusion of a new objective in the RU6 Transition zone to protect and enhance rural character.*
- *Supporting vibrant, small scale neighbourhood centres by encouraging a mix of new and established uses including artisan food and drink industries.*
- *Making sure that land zoning maps are better matched to property boundaries, particularly in areas where land acquisition for infrastructure, such as road widening and stormwater management has occurred.*
- *Protecting and enhancing residential character through land zoning in some areas of Kellyville, Beaumont Hills and Rouse Hill, minimum lot size controls in West Pennant Hills, a new local character map for the Showground Station Precinct and limiting flexibility for zone boundaries to be varied in residential areas.*
- *Reinstating the underlying zoning in the deferred matters area of Showground Station Precinct until precinct planning for the Cattai Creek West area is complete.*
- *Introducing boundary retaining walls as development not requiring consent, subject to a set of criteria*

The subject site is located within the RU6 Transition zone, the amended objectives of the zone are as follows:

- *To protect and maintain land that provides a transition between rural and other land uses of varying intensities or environmental sensitivities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage innovative and sustainable tourist development, sustainable agriculture and the provision of farm produce directly to the public.*

- To ensure that development does not have a detrimental impact on the rural and scenic character of the land.

The proposed educational establishment is considered to be consistent with the objectives of the RU6 zone.

4.11 STRATEGIC PLANNING FRAMEWORK

The relevant strategic planning policies which apply to the proposed development include:

- NSW State Priorities;
- A Metropolis of Three Cities;
- Central City District Plan;
- NSW Long Term Transport Master Plan 2012;
- Sydney's Cycling Future 2013;
- Sydney's Walking Future 2013; and
- Healthy Urban Development Checklist, NSW Health.

The EIS will assess the proposal against these relevant strategic planning policies.

5 LIKELY MATTERS & IMPACTS

A screening analysis of the potential environmental issues applicable to the proposed development is presented below. This risk-based analysis has been used to further identify the key environmental issues requiring further assessment and assist the preparation of the SEARs for the proposed development. The analysis is based on preliminary environmental assessment of the subject site only. The EIS for the proposed development would fully address these items and other environmental issues relevant to the proposed development.

The following key planning impacts resulting from the proposal will be addressed within the EIS.

5.1 ARCHITECTURAL QUALITY AND URBAN DESIGN

An Urban Design Report will be prepared as part of the EIS. The assessment of the architectural quality and built form will focus on the height, scale, setbacks and building materials of any potential new development and the introduction of new open space and play areas.

The EIS will explain the design principles of the proposed development and how it addresses the surrounding locality. An external finishes and colours schedule will also be provided as part of the Architectural Plans.

5.2 ENVIRONMENTAL AMENITY

The spatial arrangement of the school buildings will consider opportunities to locate more intensive uses and activities away from future adjoining residential areas. The following impacts will be assessed:

- Solar access and overshadowing;
- Acoustic impacts; and
- Visual impact of school.

Shadow diagrams, perspectives and an Acoustic Assessment will be provided with the EIS. The proposed scale and siting of the development will minimise impacts on future neighbouring properties and public domain areas.

5.3 ECOLOGICAL SUSTAINABLE DEVELOPMENT (ESD)

The EIS will detail how ESD principles will be incorporated into the design and ongoing operation phases of the development. The EIS will also detail how measures will be implemented to minimise consumption of resources, water and energy.

5.4 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The application of Crime Prevention Through Environmental Design (CPTED) principles as developed in the USA in the early 1960s helps improve and maintain safe living and working environments. CPTED is considered in the literature as an environmental design science, but may also be considered as a risk management strategy, since there is likely to be risk and uncertainty created in terms of human behavioural outcomes resulting from, or being affected by, environmental and social conditions encountered in the community design process. CPTED is a crime prevention strategy that focuses on the design, planning and structure of cities and neighbourhoods. It aims to reduce opportunities for crime by employing design and place management principles that reduce the likelihood

of essential crime ingredients from intersecting in time and space. The EIS will outline how specific Crime Prevention Through Environmental Design (CPTED) principles (surveillance, access control, territorial re-enforcement and space/activity management) have been integrated into the design of the School to deter crime, manage space and create a safe environment.

5.5 FLORA AND FAUNA

A Flora and Fauna Assessment Report was undertaken by envirotech consultants for the site to support Development Application 443/2017/ZB which was approved by the Hills Shire Council on 27 March 2018 for subdivision creating five rural residential lots. The findings identified that the endangered ecological community Cumberland Plain Woodland while mapped as being on site was in a degraded structure, makes up less than 0.1% of the site. This report will be updated and the EIS will analyse and detail the findings of the updated report.

5.6 BUSHFIRE

The Hills Bushfire Prone Land Map identifies the site as being Category 3 Medium Risk bushfire prone land. A Bushfire Hazard Assessment will be prepared for the EIS.

5.7 ABORIGINAL HERITAGE

Clause 5.10 of the SEPP requires the consent authority to be satisfied that proposals do not significantly or adversely impact upon known European or Aboriginal items or places of heritage significance. An archaeological site classified as A3 – bypassed section of road is located within the road reserve in front of Nos. 162 – 170 Old Pitt Town Road. As this heritage site is located on the opposite side of Old Pitt Town Road no adverse heritage impacts are anticipated.

An AHIMS search has been conducted which has confirmed there are no known items of Aboriginal archaeology on the property.

5.8 CONTAMINATION AND GEOTECHNICAL

A Phase 2 Contamination Assessment was prepared for the site in July 2016 by envirotech consultants to support Development Application 443/2017/ZB. The results of the assessment determined the following:

Soil sample results were compared to the Health Investigation Levels (HILs) Guidelines and Ecological Screening Levels (ESLs) for standard residential allotments (NEPM 2013). Chemically the results meet the criteria of the Health Investigation Limits for all of the analysed contaminants across the site. Along with previous investigations it can be concluded that the site is deemed suitable for the proposed development from a contamination aspect.

No visible or olfactory signs of hydrocarbon staining within the soils was noted during the detailed site investigation. The inspection did not identify any odour within the onsite soils which would suggest contamination. Vegetation in general did not exhibit signs of stress.

All areas required for the contamination assessment for full suite analysis indicated chemical concentrations below the relevant health Investigation levels. These results indicate that those areas identified as having the potential for contamination were determined to be acceptable chemically. The results returning acceptable concentrations for the proposed land use within areas of concern which had been identified. It appears that the site from a chemical analysis is appropriate for the proposed land use.

Analysis of Site Specific Ecological Screening Levels, across the site recorded one (1) exceedance of the Ecological Screening Levels (EILs). Benzo (a) pyrene.

Soil at the site did not indicate an unacceptable risk to the future land use proposed, being conservative of a residential with minimal soil access land use scenario. EI concludes that soil at the site can be made suitable for the proposed commercial and residential use, following bulk excavation of the site.

The findings of this report will be updated to reflect the proposed development and will be examined further in the EIS.

5.9 TRANSPORT AND ACCESSIBILITY

A Transport and Accessibility Impact Assessment report will be provided as part of the EIS. The report will consider parking requirements, existing and expected traffic impacts and the design of proposed vehicular access points. As the school site is located within a transition zone, the design of the proposed vehicular access points and pick up and drop off arrangements for private vehicles and buses will be carefully considered.

The report will also outline a Sustainable Travel Plan for the proposed development. This will aim to encourage staff, students and parents to access the site by walking, cycling or public transport where possible.

5.10 NOISE AND VIBRATION

A Construction and Operational Noise Report will be provided as part of the EIS. The report will provide a detailed assessment of potential noise and vibration impacts caused by the construction and operation of the School, sporting facilities and child care centre and recommendations to mitigate these impacts.

5.11 STORMWATER MANAGEMENT AND FLOODING

A Stormwater Management Plan and Erosion and Sediment Control Plan will accompany the EIS detailing a comprehensive management process.

5.12 BUILDING CODE OF AUSTRALIA AND ACCESS

The proposed school will be designed in accordance with the requirements of the Building Code of Australia and will provide legible, safe and inclusive access for all. This will be addressed within a Building Code of Australia and Accessibility Report to be provided as part of the EIS.

5.13 WASTE

A Construction Waste Management Plan will be prepared to accompany the EIS. The Plan will detail all likely waste streams to be generated during construction and outline proposed measures to dispose of the waste offsite.

An Operational Waste Management Plan will also be submitted as part of the EIS and detail proposed waste servicing arrangements, loading zones and ongoing waste management practices to be employed at the site. All demolition, construction and operational waste will be reused or recycled where possible.

5.14 CONSTRUCTION MANAGEMENT

A Preliminary Construction and Environmental Management Plan will be prepared and provided as part of the EIS. The plan will detail:

- Timing of construction works to be undertaken;
- Construction hours of operation and programme;
- Materials handling strategy;
- Construction traffic, noise, soil erosion, dust control and stormwater management;
- Environmental management strategies during construction; and
- Waste management.

A Construction Traffic Management Plan will also be prepared to outline proposed traffic control plans and truck routes.

5.15 CIVIL ENGINEERING DETAIL

Civil engineering matters will be addressed in relevant Civil Engineering Plans.

5.16 SOCIAL AND ECONOMIC IMPACTS

The social and economic impacts resulting from the proposal will be detailed in the EIS. Anticipated social and economic impacts include:

- Significant new direct and indirect jobs will be created during both construction and operational phases;
- The school will cater for future population growth;
- The school will have sufficient areas for indoor and outdoor recreation to improve the health and wellbeing of future students; and
- The design will create a series of teaching spaces which are flexible and promote increased social interaction among students and teachers.

5.17 CONSULTATION

Preliminary consultation has been undertaken, including discussions with Department of Planning, Industry and Environment. Further consultation will be undertaken in preparing the EIS. It is anticipated that the following groups will have an interest in the proposal and will be consulted with:

- Department of Planning, Industry and Environment;
- Department of Education (DoE);
- NSW Government Architect (GANSW);
- The Hills Shire Council;
- Roads and Maritime Services (RMS);
- Transport for NSW (TfNSW);
- Utilities / service providers; and,
- Community stakeholders.

6 CONCLUSION

The proposed development is for a new educational establishment comprising 2,000 students. The development is defined as State Significant Development pursuant to Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011.

The key objective of the proposed development is to respond to growing demand for educational facilities in the North West Growth Area, and would be achieved through the delivery of a well-designed, high-quality teaching and learning environment. The layout and design of the proposed school will have to consider environmental constraints and potential impacts on surrounding land uses to ensure compatibility with the site's transitional context. The school will support the growth of the Box Hill and Gables communities and will provide essential infrastructure to meet demands of the area's growing population.

The proposed development will be carried out in an environmentally sustainable manner and shall implement suitable mitigation measures to ensure that the amenity and function of surrounding land uses are not significantly compromised.

All relevant impacts will be assessed in the EIS, as guided by the SEARs.



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