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26 July 2018

Ms Carolyn McNally  
Secretary  
NSW Department of Planning & Environment  
GPO Box 39  
**SYDNEY NSW 2001**

Dear Ms McNally,

**Re: Request for Secretary's Environmental Assessment Requirements (SEARs)  
Proposed New Educational Establishment (Imam Ali College)  
No. 9 Howard Road, Minto Heights**

This Request for Secretary's Environmental Assessment Requirements (SEARs) for proposed State Significant Development has been prepared on behalf of Imam Ali College in relation to a proposed new Primary School at No. 9 Howard Road, Minto Heights (Lot 1 DP 10092).

The proposed development is for the purpose of a new educational establishment and as such, is identified as State Significant Development (SSD) under Clause 15 of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* and Part 4, Division 4.7 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Although the SEPP no longer prescribes a minimum Capital Investment Value (CIV) for a new educational establishment to constitute State Significant Development, the proposed CIV for the proposed development is \$15.39 million.

In accordance with Clause 3 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*, on behalf of Imam Ali College, I request that the Department of Planning & Environment issue SEARs for the proposed State Significant Development. The SEARs will be used to assist with the preparation an Environmental Impact Statement (EIS) to accompany the SSD application.

As detailed in this correspondence, the key planning issues associated with the proposed development include:

- The site is significantly vegetated, contains no building structures and is not currently connected to a potable water supply, reticulated sewerage system, or electricity infrastructure.
- The site area (3.58 hectares) is less than the minimum 10 hectare site area prescribed under *Campbelltown Local Environmental Plan 2015* for educational establishments in the *E3 Environmental Management* zone.

- The site is mapped as a 'Core' Koala Habitat area by Campbelltown City Council.
- The site is identified as being Bush Fire Prone Land on the Campbelltown City Council LGA – Bush Fire Prone Land Map, with the entire site nominated as Vegetation Category 1. Howard Road and Florence Avenue are nominated as being part of the Vegetation Buffer (100m & 30m).
- The proposal will involve clearing / modification of native vegetation and has the potential to remove habitat for the local koala population and Cumberland Plain Land Snail, as well as impacting on Shale Sandstone Transition Forest.

### Part A - Background and Description of the Proposal

Imam Ali College is a not-for-profit organisation that was established in 2005 and currently operates two (2) primary schools – Imam Ali College at Beverley Hills and a more recently opened campus at Campbelltown.

The Imam Ali College vision is to provide a values-based education that follows the Australian Curriculum and teaches students about values such as equality, honesty, kindness, generosity and respect, in a supportive environment that promotes self-discipline, motivation and excellence in learning.

The College proposes to open a new school at Minto Heights that will accommodate up to 560 students between Kindergarten and Year 6, together with 35 staff. A staged student population growth is proposed over a six (6) year period, commencing with 135 Kindergarten and Year 1 in the first year. This would then progressively increase through the annual addition of Years 2, 3, 4, 5 and 6, until the full student population is reached six (6) years after the school opens, as set out in the Table below:

Year	K	1	2	3	4	5	6	Total
2019	70	65						135
2020	74	70	65					209
2021	77	75	70	68				290
2022	79	78	73	74	70			374
2023	80	78	76	76	76	75		461
2024	80	80	78	80	80	80	78	556
2025	80	80	80	80	80	80	80	560

The proposed new College will welcome students of all nationalities, religions and cultures.

Class sizes would be limited to a maximum of 20 students per class.

The proposed development includes the following:

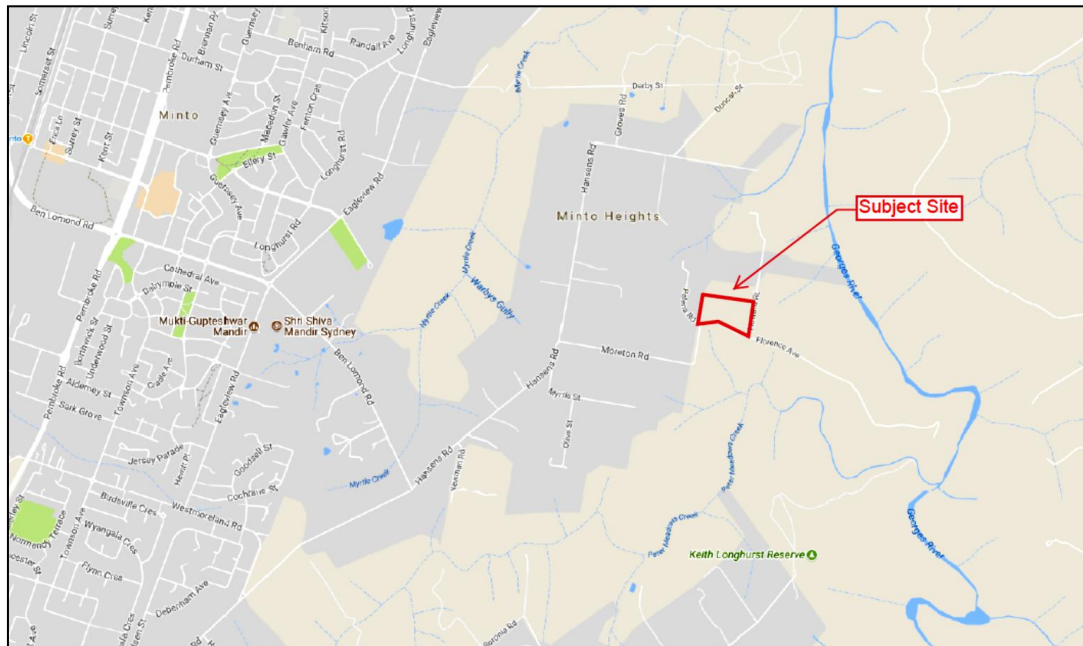
- Tree removal – the extent of which is yet to be determined. However, it is anticipated that a minimum of 25% of the existing tree canopy will be retained and a Bio-banking Agreement will be negotiated;
- Site preparation works including cut & fill;
- Construction of a three storey building containing the main Reception/Administration, Library, 28 Classrooms, Staff Room, School Hall, cafeteria and amenities;
- Construction of a walkway / boulevard and a feature water fountain;
- Construction of a basketball / multi-purpose sports court;
- Construction of a driveway, Bus Zone and on-site parking for approx. 73 cars.

## Part B - The Site

The site comprises a single allotment and is located on the north-east corner of the intersection of Howard Road and Florence Avenue at Minto Heights. The site is bounded by bushland to the south and west, and single storey dwellings on large land holding to the north and west. The dwelling to the north operates as the Wesley Disability Respite Centre. Further to the north and north-east there is the Vijayaloka Buddhist Retreat Centre and Minto Bush Camp, near the termination of Howard Road.

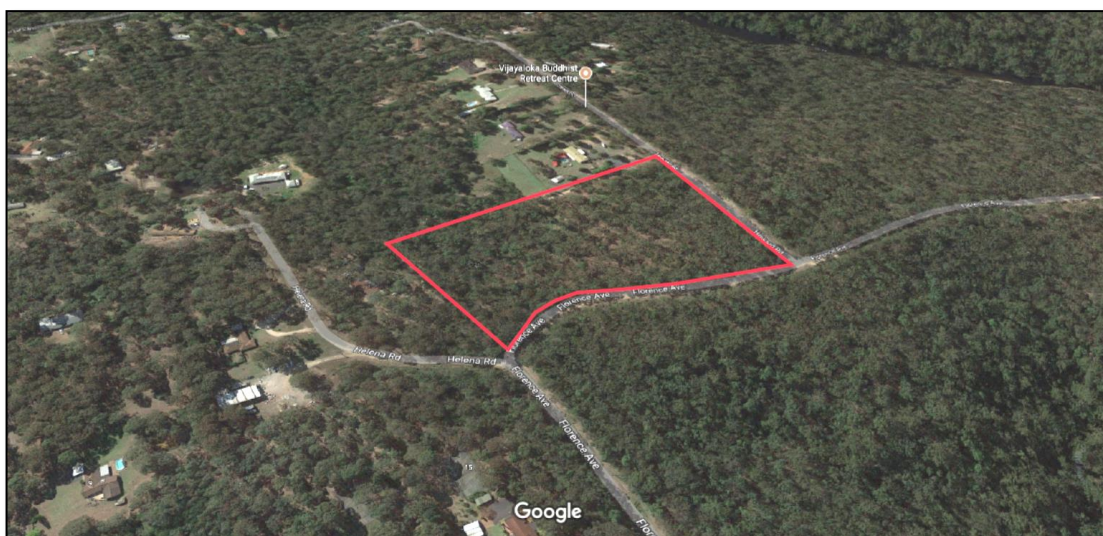
The site is irregular, having a frontage of 173.206m to Howard Road, a frontage of 268.094m to Florence Avenue, a western boundary of 148.2m and northern boundary of 251.46m. The site has a total area of 3.58 hectares. The location of the site is shown in **Figure 1** below.

**Figure 1: Location Plan**



Source: [www.nearmap.com.au](http://www.nearmap.com.au)

The site and surrounding area is shown in the image below:



**Image 1: View looking north-east towards the site (image courtesy of GoogleMaps).**



The site is heavily vegetated with dense woodland and there are no existing buildings. The site falls gradually in a westerly direction, with a fall in the vicinity of 4-5m.

An aerial view of the site and surrounding area is also provided in the **Figure 2** below:

**Figure 2: Aerial Photo of the Site and Surrounds**



The site is located in the Campbelltown local government area (LGA) in south-western Sydney. Minto Heights is located approximately 6km to the north-east of the Campbelltown City Centre and is a relatively undeveloped suburb predominantly comprising large lot rural-residential land uses.

### **Part 3 - Statutory Planning Context**

The following Environmental Planning Instruments and Development Control Plan are applicable to the proposed development:

- *Environment Protection and Biodiversity Conservation Act 1999*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Protection of Environmental Operations Act 1979*
- *Biodiversity Conservation Act 2016*
- *Rural Fires Act 1997*
- *State Environmental Planning Policy No 55 – Remediation of Land*
- *State Environmental Planning Policy No. 44 – Koala Habitat Protection*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*
- *Campbelltown Local Environmental Plan 2015*
- *Campbelltown (Sustainable City) Development Control Plan 2015*

### Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is Commonwealth legislation that provides a legal framework for the protection and management of nationally and internationally important flora, fauna, ecological communities and heritage places, defined under the EPBC Act as matters of national environmental significance.

Under the Act, a person must not take an action that has or will have, or is likely to have, a significant impact on a matter of national environmental significance without having first obtained an approval under the Act. The nine matters of national environmental significance to which the EPBC Act applies are:

- world heritage properties
- national heritage places
- wetlands of international importance (Ramsar wetlands)
- nationally threatened species and ecological communities
- migratory species
- Commonwealth marine areas
- The Great Barrier Reef Marine Park
- nuclear actions (including uranium mining)
- a water resource, in relation to coal seam gas development and large coal mining development

Preliminary Flora and Fauna advice has been sought from Abel Ecology, who has identified the site as having the potential to provide habitat for three (3) vulnerable species listed under the EPBC Act. These are the koala, the Giant Burrowing Frog and the Grey-headed Flying-fox. Based on the referral guidelines under the Act, referral to the Federal Minister for the Environment is considered necessary with respect to the potential impacts to koalas. However, as no limiting breeding habitat or foraging habitat is expected to be impacted for these species, the potential impact to the Giant Burrowing Frog and the Grey-headed Flying-fox is considered low.

There is also the potential for the site to provide habitat for the Regent Honey-eater, Swift parrot and Spotted tail Quoll, each listed as endangered under the Act. However, as above, no limiting breeding habitat or foraging habitat is expected to be impacted for these species, such that the expected impact is low.

The list of migratory species under the EPBC Act is a compilation of species listed under four international conventions: China-Australia Migratory Bird Agreement (CAMBA), Japan-Australia Migratory Bird Agreement (JAMBA), Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA) and the Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention). The site is considered to provide potential habitat for seven (7) listed migratory species:

- Fork-tailed Swift (*Apus pacificus*)
- White-throated Needletail (*Hirundapus caudactus*)
- Cattle Egret (*Ardea ibis*)
- Oriental Cuckoo (*Cuculus saturates*)
- Blackfaced Monarch (*Monarcha melanopsis*)
- Satin Flycatcher (*Myiagra cyanoleuca*)
- Rufous Fantail (*Rhipidura rufifrons*)

However, while individuals of these species may occur in the area, they are not considered to represent an ecologically significant proportion of the population and potential habitat on the site is not considered important for these migratory species. Therefore, in accordance with the Significant Impact Criteria (DEH 2006), no further assessment is considered necessary and referral to the Federal Minister for the Environment is not considered necessary.

A relatively intact stand of Shale Sandstone Transition Forest, listed under the EPBC Act as Critically Endangered, was identified at the western end of the site. However, this ecological community is proposed to be retained such that the proposed development of the site will not have a significant impact on this critically endangered community.

In accordance with Section 4.12(8), a development application for State significant development or designated 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. Accordingly, this request for SEARs precedes the required EIS.

#### Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the overarching governing document for all development in NSW. Section 4.36(2) of the EP&A Act states 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 constitutes State Significant Development under Schedule 1 of State *Environmental Planning Policy (State & Regional Development) 2011*, being *development for the purposes of a new school (regardless of Capital Investment Value)*.

#### Environmental Planning and Assessment Regulation 2000

Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) prescribes requirements for Environmental Impact Statements. Clause 3 of Schedule 2 stipulates that prior to an EIS being prepared, written application to obtain the Secretary's Environmental Assessment Requirements (SEARs) must be made. Accordingly, this correspondence constitutes the written request for SEARs.

#### Protection of the Environment Operations Act 1979

Schedule 1 of the *Protection of the Environment Operations Act 1979* (POEO Act) provides a list of Scheduled activities that require a licence before they may be undertaken or carried out. The POEO Act defines an 'activity' as being:

*an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal).*

The proposed educational establishment will not involve any activity that would require the issue of an Environmental Protection Licence.

#### Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (BC Act) 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 Act sets out requirements for biodiversity assessments and approvals under the EP&A Act.

Section 7.2(1) states that 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.*

The Preliminary Flora and Fauna advice provided by Abel Ecology indicates that the site is likely to provide habitat for the Cumberland Plain Land Snail (*Meridolum corneovirens*) listed as endangered and the Greater broad-nosed Bat (*Scoteanax rueppellii*) listed as vulnerable under Schedule 1 of the BC Act.

Abel Ecology considers that there is the potential that the proposed development may have an adverse impact on these populations / ecological communities. Therefore, a Species Impact Statement (SIS) will be required.

#### Rural Fires Act 1977

The land is identified as Bush Fire Prone Land on the Campbelltown City Council LGA – Bush Fire Prone Land Map, with the entire site nominated as Vegetation Category 1. Howard Road and Florence Avenue are nominated as being part of the Vegetation Buffer (100m & 30m).

Under the *Rural Fires Act 1997*, schools are nominated as a Special Fire Protection Purpose (SFPP). As such, a Bush Fire Safety Authority (BFSA) is required to be obtained from the Rural Fire Service under Section 100B of the Act.

As such, the application will be Integrated Development requiring referral under Section 4.46 of the EP&A Act 1979 and Section 100B of the *Rural Fires Act 1997*.

#### State Environmental Planning Policy No. 44 – Koala Habitat Protection

*State Environmental Planning Policy No. 44 – Koala Habitat Protection* came into force in February 1995 and aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline:

- (a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and
- (b) by encouraging the identification of areas of core koala habitat, and
- (c) by encouraging the inclusion of areas of core koala habitat in environment protection zones.

The site at No. 9 Howard Road has been identified as being core koala habitat for the purposes of the SEPP. As such, the guidelines associated with the development control of koala habitats will need to be considered in any future development application. Abel Ecology has been commissioned to undertake ecological investigations that will assist in addressing the requirements of the SEPP in the Environmental Impact Statement.

It is noted that a Plan of Management, prepared in accordance with the requirements of Part 3 of the SEPP will be required to be submitted as part of the development application package.

#### State Environmental Planning Policy No. 55 – Remediation of Land

The intent of *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55) is to provide a consistent approach to the remediation of land across the State by specifying certain matters that consent authorities must consider when determining development applications on land which is potentially contaminated.

Under the provisions of Clause 7 of SEPP 55 the consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. If the land is found to be contaminated, the Consent Authority must be satisfied that the land is suitable in its contaminated state or can and will be remediated in order for it to be suitable for the purpose for which the development is proposed.

The site has been unoccupied bushland for many years and there is no information available that suggests that the site may be potentially contaminated. On this basis, a preliminary soil investigation has not been commissioned at this stage and it is considered that the site is suitable for the proposed use without the need for remediation and/or validation.

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

Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) list types of development that are identified as being State Significant Development (SSD). Clause 15 of Schedule 1 states:

*15 Educational establishments*

- (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.*

Therefore, in accordance with Clause 15(1) of Schedule 1 the proposed development constitutes State Significant Development.

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

*State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (EE&CCF SEPP) aims to facilitate the effective delivery of educational establishments and early education and child care facilities across the State of NSW.

Part 4 of the EE&CCF SEPP relates to schools and identifies Prescribed Zones within which development for a school may be carried out by any person with development consent and Schedule 4 of the SEPP sets out a number of design quality principles that must be taken into consideration in the design of schools. However, the site is zoned E3 Environmental Management under Campbelltown Local Environmental Plan 2015 and this is not a Prescribed Zone for the purposes of Part 4 of the EE&CCF SEPP. As such, the majority of the SEPP provisions are not applicable to the proposed development.

Notwithstanding, Clause 42 of the EE&CCF SEPP relates to the application of development standards in environmental planning instruments for State significant development for the purpose of schools and 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.*

As described below, a minimum lot size of 10 hectares for educational establishments in the E3 Environmental Management zone is prescribed under *Campbelltown Local Environmental Plan 2015*.

The site has an area of only 3.58 hectares and is therefore well below the required minimum. However, Clause 42 of the SEPP acknowledges the ability for consent to be granted even though the proposed development contravenes this development standard.



### Campbelltown Local Environmental Plan 2015

Campbelltown Local Environmental Plan 2015 applies to the site. As shown in the LEP Zoning Map extract at Figure 1 below, the site is zoned *E3 Environmental Management* under the LEP and the proposed educational establishment is permissible with consent in the *E3 Environmental Management* zone.

**Figure 1: Extract from Campbelltown LEP 2015 Zoning Map (LZN\_012)**



The specific aims of the LEP in relation to the *E3 Environmental Management* zone are:

- *To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*
- *To provide for a limited range of development that does not have an adverse effect on those values.*
- *To enable development for purposes other than rural-residential only if that development is compatible and complementary, in terms of design, size and scale, with the character of land in the zone.*
- *To allow cellar door premises, restaurants and cafes only where they are directly associated with the agricultural use of the land.*
- *To protect, and maintain the environmental, ecological and visual amenity of, the Scenic Hills, the Wedderburn Plateau and environmentally sensitive lands in the vicinity of the Georges River from inappropriate development.*
- *To preserve the rural heritage landscape character of the Scenic Hills.*
- *To protect and enhance areas of scenic value and the visual amenity of prominent ridgelines.*
- *To protect bushland, wildlife corridors and natural habitat, including waterways and riparian lands.*
- *To ensure the preservation and maintenance of environmentally significant and environmentally sensitive land.*

Subject to the satisfactory resolution of the environmental constraints that affect the site (as described below), the proposed educational establishment is considered to be consistent with the objectives for the *E3 Environmental Management* zone as follows:

- *The development will provide a new primary school to serve the needs of the local area, while seeking to maintain, to an acceptable extent, the ecological significance and sensitivity of the site and habitat corridors.*

The LEP contains a number of other provisions that are relevant to the proposed development, as discussed below:

**Clause 4.1D** of the LEP relates to minimum lot sizes for certain land uses in certain environmental protection zones and prescribes a minimum lot size of 10 hectares for educational establishments in the *E3 Environmental Management* zone.

The site has an area of only 3.58 hectares and is therefore well below the required minimum. As such, any future SSD application will need to be accompanied by a Clause 4.6 Exceptions to Development Standards request seeking a variation to this development standard.

**Clause 4.3** of the LEP relates to the height of buildings and prescribes a maximum building height of 9m for the site, as indicated on the Height of Buildings Map that accompanies the LEP. The development has a proposed maximum height of less than 9m and therefore complies with the height of buildings development standard.

**Clause 4.4** of the LEP relates to floor space ratio and prescribes a maximum floor space ratio for certain land throughout the LGA. However, a floor space ratio is not prescribed for the site.

**Clause 4.6** of the LEP relates to exceptions to development standards and provides a mechanism for a degree of flexibility in the application of certain development standards to certain development, in order to achieve better development outcomes. As noted above, a Clause 4.6 Exceptions to Development Standards request seeking a variation to the minimum lot size development standard will need to accompany any future SSD application.

**Clause 5.9** of the LEP relates to the preservation of trees or vegetation and requires consent for the removal of any trees or vegetation to which a development control plan applies. A substantial number of existing trees on the site are proposed to be removed and are likely to be subject to the relevant provisions of the development control plan. Consent for the removal of these trees will be sought as part of any future development application.

#### Campbelltown (Sustainable City) Development Control Plan 2015

Campbelltown (Sustainable City) Development Control Plan 2015 contains detailed provisions and controls that supplement the provisions of the LEP. The DCP became effective on 11 March 2016 and subsequent amendments took effect on 27 July 2016 and 8 November 2016.

The parts of the DCP considered to be relevant to the proposed development are:

- Part 2 – Requirements Applying to all Types of Development
- Part 11 – Vegetation and Wildlife Management

Notwithstanding, Clause 11 of the SRD SEPP provides that:

*Development control plans (whether made before or after the commencement of this Policy) do not apply to:*

*(a) State significant development*

As such, the provisions of Campbelltown (Sustainable City) Development Control Plan 2015 are not applicable to the proposed development.

#### **Part 4 - Strategic Planning Context**

##### State Plan / NSW 2021

NSW 2021 is a 10 year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability, and strengthen our local environment and communities. It replaces the former NSW State Plan as the NSW Government's strategic business plan, setting priorities for action and guiding resource allocation.

Education and the need to improve education and learning outcomes for all students is nominated as one of the key goals of the plan and introduces the 'Innovative Education, Successful Students' initiative. The proposed new primary school is considered to be consistent with this goal.

##### A Metropolis of Three Cities – The Greater Sydney Region

A Metropolis of Three Cities – The Greater Sydney Region replaced A Plan for Growing Sydney (Metropolitan Strategy 2014) and provides a 40 year vision for the transformation of Greater Sydney into a metropolis of three cities that is underpinned by the five (5) District Plans.

The Greater Sydney Region Plan aims to rebalance growth and aligns land use, transport and infrastructure planning to reshape Greater Sydney as three unique but connected cities.

Investment in education infrastructure and the provision of well-designed school facilities is essential to support the growing population. Schools can act as a social connector and are vital to the building of successful local communities that meet the needs of the growing and changing population and maintain a high standard of living into the future.

The proposed new primary school is therefore considered to be consistent with the objectives of A Metropolis of Three Cities that seek to encourage the provision of contemporary, innovative and flexible school infrastructure for both the public and private sectors.

##### Western Sydney District Plan

The *Western City District Plan* is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. It is a guide for implementing the Greater Sydney Region Plan, *A Metropolis of Three Cities*, at a district level and is a bridge between regional and local planning.

Planning Priority W3 – Providing services and social infrastructure to meet people's changing needs recognizes that new schools will be required to accommodate the growing number of students across the District. The NSW Department of Education estimates that an additional 13,541 students will need to be accommodated in educational establishments by 2036. As such, the delivery of new and expanded schools across the District is critical.

The proposed new primary school is consistent with the achievement of this planning priority.

## Part 5 - Relevant Planning / Environmental Issues to Guide the SEARs

The Environmental Impact Statement that will be prepared for the proposed development will address the full range of relevant environmental planning issues. A number of issues have been discussed earlier in this correspondence. Notwithstanding, based on a preliminary environmental assessment, the likely issues to be addressed have been identified in the table below:

Planning / Environmental Issues	
Issue	Response
Bushfire Prone Land and Planning for Bushfire Protection	<p>The land is identified as Bush Fire Prone Land on the Campbelltown City Council LGA – Bush Fire Prone Land Map, with the entire site nominated as Vegetation Category 1. Howard Road and Florence Avenue are nominated as being part of the Vegetation Buffer (100m &amp; 30m).</p> <p>Under the <i>Rural Fires Act 1997</i>, schools are nominated as a Special Fire Protection Purpose (SFPP). As such, a Bush Fire Safety Authority (BFSA) is required to be obtained from the Rural Fire Service under Section 100B of the Act.</p> <p>As such, the application will be Integrated Development requiring referral under Section 4.46 of the EP&amp;A Act 1979 and Section 100B of the <i>Rural Fires Act 1997</i>.</p> <p>It is proposed that the school site will be designed to accommodate a 'Sheltering' facility in the event of a major fire event (i.e. Part of the school would be designed and constructed to offer a refuge for students, staff and surrounding residents that would protect them in the event of a bush fire.</p> <p>A Bush Fire Emergency Management and Evacuation Plan is being prepared to set out the arrangements and procedures that will form the Bush Fire Emergency Management and Evacuation Plan. Matters to be incorporated into the Plan include (but are not limited to):</p> <ul style="list-style-type: none"> <li>• Establishment of an Emergency Planning Committee and nomination of a Chief Warden among the staff;</li> <li>• Document emergency plans and procedures;</li> <li>• Identify roles and responsibilities;</li> </ul> <p>The Plan is designed to accommodate bush fire emergencies and is to refer to the requirements of <i>Australian Standards AS3745 Planning for emergencies in facilities 2010</i> and <i>AS4083 Planning for emergencies – Health care facilities 2010</i>.</p>
Contamination / Site suitability	<p>The site has been unoccupied bushland for many years and there is no information available that suggests that the site may be potentially contaminated. On this basis, a preliminary soil investigation has not been commissioned at this stage and it is considered that the site is suitable for the proposed use without the need for remediation and/or validation.</p>
Ecological and arboricultural impacts, including management of	<p>The proposal will involve clearing / modification of native vegetation and has the potential to remove habitat for the local koala population</p>

<p>native vegetation and wildlife habitat (threatened / endangered flora and fauna – koala habitat, vegetation communities);</p>	<p>and Cumberland Plain Land Snail, as well as impacting on Shale Sandstone Transition Forest.</p> <p>Abel Ecology has been commissioned to undertake ecological investigations that will assist in addressing the requirements of the SEPP in the Environmental Impact Statement.</p> <p>Preliminary Flora and Fauna advice has been sought from Abel Ecology, who has identified the site as having the potential to provide habitat for three (3) vulnerable species listed under the EPBC Act. These are the koala, the Giant Burrowing Frog and the Grey-headed Flying-fox. Based on the referral guidelines under the Act, referral to the Federal Minister for the Environment is considered necessary with respect to the potential impacts to koalas. However, as no limiting breeding habitat or foraging habitat is expected to be impacted for these species, the potential impact to the Giant Burrowing Frog and the Grey-headed Flying-fox is considered low.</p> <p>There is also the potential for the site to provide habitat for the Regent Honey-eater, Swift parrot and Spotted tail Quoll, each listed as endangered under the Act. However, as above, no limiting breeding habitat or foraging habitat is expected to be impacted for these species, such that the expected impact is low.</p> <p>The site is considered to provide potential habitat for seven (7) listed migratory species listed under four international conventions brought together under the EPBC Act (CAMBA, JAMBA, ROKAMBA and the Bonn Convention).</p> <p>The Preliminary Flora and Fauna advice provided by Abel Ecology indicates that the site is likely to provide habitat for the Cumberland Plain Land Snail (<i>Meridolum corneovirens</i>) listed as endangered and the Greater broad-nosed Bat (<i>Scoteanax rueppellii</i>) listed as vulnerable under Schedule 1 of the BC Act.</p> <p>Abel Ecology considers that there is the potential that the proposed development may have an adverse impact on these populations / ecological communities. Therefore, a Species Impact Statement (SIS) will be required.</p>
<p>Stormwater drainage management</p>	<p>Preliminary investigations have been carried out and ACOR Consultants Pty Ltd have been engaged to prepare a preliminary concept stormwater drainage design for the proposed development.</p> <p>The concept design will include on-site detention and use of a rain water tanks for irrigation and bush fire-fighting.</p> <p>Concept erosion and sedimentation controls have been prepared and will be implemented prior to any works commencing and will be maintained for the duration of construction works.</p>
<p>Utility infrastructure provision</p>	<p>The site is not serviced by any utility infrastructure.</p> <p>Preliminary consultation has been undertaken with Sydney Water, who has issued a Feasibility Letter outlining the requirements if a Section 73 Certificate were to be applied for. These requirements include:</p>



	<ul style="list-style-type: none"> <li>A water main extension off the 100mm DN main in Moreton Road is to be constructed to serve the development. Additionally, the 100mm DN main does not have the capacity to serve the future development and upsizing of this main will be required. Further detail will occur at the Section 73 application stage.</li> </ul> <p>Sydney Water have confirmed that sewer is beyond the area of supply. Notwithstanding, ACOR Consultants Pty Ltd have prepared a concept scheme for the on-site treatment of waste water and effluent utilising a series of three (3) Membrane Bioreactors (MBR that will provide a more superior treatment efficiency than convention activated sludge (CAS) treatment.</p> <p>Advantages of MBR versus CAS are:</p> <ul style="list-style-type: none"> <li>Higher efficiency in pollutants removal</li> <li>Smaller footprint</li> <li>Ease of use and flexibility</li> </ul> <p>Requirements for connection to electricity infrastructure are still being investigated.</p>
Waste and recycling management	Waste and recycling arrangements will be detailed in a Waste and Recycling Management Plan. This includes both construction and operational waste and recycling and will detail the procedures for waste minimisation and management, including the likely waste generation, method of on-site collection and storage and details of the intended method of recycling or disposal.
Aboriginal Heritage / Archaeology	<p>The site is identified on Council's Zones of Aboriginal Archaeological Sensitivity Map as being within Zone 4 – Plateau Surface.</p> <p>An AHIMS Web Search of the site with a 200m buffer was conducted on 27 July and revealed that no Aboriginal sites are recorded in or near the site.</p> <p>Notwithstanding, if required by the SEARs, an Aboriginal archaeological study will be undertaken to inform the Environmental Impact Statement.</p>
Landscaping / vegetation management	<p>It is anticipated that a minimum of 35% of the existing tree canopy will be retained and it is proposed that a Bio-banking Agreement will be negotiated.</p> <p>A Vegetation Management Plan is to be prepared to inform the Environmental Impact Statement.</p>
Acoustic Impacts	<p>Preliminary acoustic advice has been sought in relation to the potential impacts of the proposed use on adjoining and nearby properties. This includes consideration of potential noise sources such as a public address system, school bell/alarm, school and community activities, mechanical plant noise and car parking noise.</p> <p>The preliminary advice indicates that subject to the implementation of certain noise mitigation and school operational measures, the relevant operational criteria under the NSW Industrial Noise Policy can be met</p>

	<p>and the potential noise impacts on the surrounding land uses can be controlled.</p> <p>Acoustic impacts will be assessed in detail in the Environmental Impact Statement.</p>
Traffic, parking and access requirements	<p>A preliminary assessment of the on-site parking provision and layout and circulation for the concept scheme has been carried out and determined that:</p> <ul style="list-style-type: none"> <li>• The current traffic flows on Howard Rd and Florence Ave are considered to be low and appropriate for local roads, with free flowing traffic without any queuing or delay in peak traffic periods.</li> <li>• The external impact of the traffic generated by the proposal is considered to be satisfactory and will not result in an unacceptable peak hour traffic generation.</li> <li>• The potential increase in the number of vehicle movements in and about Howard Rd and Florence Ave and surrounding road network will remain well within the Environmental capacity of these streets, with no adverse impacts on the amenity of the area.</li> <li>• The level of on-site car parking provision is considered to be adequate for the proposed development. The on-site car parking layout and circulation is considered to be adequate in accordance with AS2890.1:2004 and AS2890.2:2002, where vehicles can enter and exit the site in a forward direction.</li> <li>• The proposed development will have no major impact on traffic or parking.</li> </ul> <p>Further traffic and parking analysis will be undertaken to inform the Environmental Impact Statement.</p>
Ecologically sustainable development principles	<p>The proposed development is being designed having regard to the principles of ecologically sustainable development and will incorporate a range of both active and passive measures that will assist in reducing energy and water use and reduce the emission of greenhouse gases.</p>

## Part 6 - Consultation

A formal Pre-DA Meeting was held with Campbelltown City Council in February 2018, where the full range of environmental constraints affecting the site were discussed. Since then, considerable work has been done in order to address these constraints and work towards a development scheme that can satisfy the zoning and minimum site area objectives prescribed under *Campbelltown Local Environmental Plan 2015*.

The scheme presented at the Pre-DA meeting was for a Primary school with a capacity for 750 students and incorporated additional facilities including a sports centre with indoor swimming pool and cafeteria, an outdoor sports playing field, a tennis court and a multi-purpose court, with the buildings spread across the entire site. However, in response to the issues raised by Council, particularly in relation to the need to retain habitat, requirements for bush fire protection and the need for sufficient site capacity for waste water and effluent treatment, the scheme has been redesigned and all buildings in the western portion of

the site have been eliminated. The student capacity has been reduced from 750 to 560 and the sports centre, swimming pool, tennis court and outdoor playing field are no longer proposed. A multi-purpose court is still proposed, but has been relocated to the centre of the site.

As described earlier, Sydney Water has been consulted in relation to the requirements associated with connecting the site to a potable water supply. In addition, investigations into options for dealing with the on-site treatment of waste water /effluent have resulted in the previously described MBR system being proposed, which will have significant environmental advantages over a CAS system that would require a large area of the site to be utilised for treated effluent dispersal.

In relation to requirements for bush fire protection, the option for the creation of a 'safe zone' within the school for both the school community, visitors and surrounding residents has been investigated and is being advanced through the preparation of a Bush Fire Emergency Management and Evacuation Plan that will inform the Environmental Impact Statement and accompany the SSD Application.


## **Part 7 - Conclusion**

On the basis that the proposed development falls within the parameters of Clause 15 of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* being *development for the purpose of a new school (regardless of the capital investment value)*, it is requested that the Department issue the SEARs for the proposed development to inform the preparation of the EIS to accompany a SSD Application.

I trust that the information provided in this submission is sufficient to enable the Secretary to issue the SEARs to guide the preparation of the Environmental Impact Statement (EIS). However, please do not hesitate to contact me if you require any additional information or have any queries in relation to any aspect of this proposal.

Yours faithfully,

**Andrew Robinson Planning Services Pty Ltd**



Andrew Robinson MPIA CPP  
Director