



Young High School Library and Joint-Use Community Facility

State Significant
Development
Assessment
(SSD 9671)



May 2020

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Cover photo

Photo of the Court House and development site to the right (source: DA Busters Pty Ltd).

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
BCA	Building Code of Australia
CIV	Capital Investment Value
Consent	Development Consent
Council	Hilltops Council
Department	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPL	Environment Protection License
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW
GTP	Green Travel Plan
HIS	Heritage Impact Statement
LEP	Local Environmental Plan
LGA	Local Government Area
Minister	Minister for Planning and Public Spaces
OEH	Office of Environment and Heritage
RSA	Road Safety Audit
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning, Industry and Environment
SEPP	State Environmental Planning Policy
SIA	Social Impact Assessment
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SSD	State Significant Development
SSI	State Significant Infrastructure
TfNSW	Transport for New South Wales
TIA	Traffic Impact Assessment



Executive Summary

This report provides an assessment of a State significant development (SSD) application lodged by the NSW Department of Education (the Applicant) to redevelop Young High School to construct a new joint-use library and community facility (new Library) at Campbell Street in the town of Young in the Hilltops local government area. The Department has considered the merits of the proposal in accordance with relevant matters under section 4.15(1), the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act), principles of ecologically sustainable development, and issues raised in submissions as well as the Applicant's response to these. The Department concludes the proposal is in the public interest and recommends the application be approved subject to conditions.

Hilltops Council (Council), although not the Applicant, is a partner in the proposal under a Memorandum of Understanding (MOU) and has been actively involved in the siting and design of the proposal, which would replace the existing community library in Young. The need for a new library was identified in Council's 2014 Young Cultural Infrastructure Master Plan and the proposal has been subject to extensive community consultation and engagement. The Applicant also identified the need for a new Library for the Young High School and the potential synergies in developing a joint-use library and community facility were important factors in the development of the proposal.

The proposed development has a Capital Investment Value (CIV) of approximately \$21 million and would generate up to 90 construction jobs and 20 operational jobs. The proposal is SSD under clause 15 of Schedule 1 to the State Environmental Planning Policy (State and Regional Development) 2011, as it is for the purpose of alterations or additions to an existing school with a CIV of over \$20 million. Therefore, the Minister for Planning and Public Spaces is the consent authority.

The Environmental Impact Statement (EIS) was exhibited between 13 November 2019 and 10 December 2019 (28 days). The Department of Planning, Industry and Environment (the Department) received 13 submissions during the exhibition, including four submissions from public authorities, one from an interest group and eight submissions from the public including five objections to the development.

The matters raised in the submissions included heritage impact, drop-off zones, landscape design, built form, noise management, accessibility, lack of consultation and the relocation of the Young Library.

The Applicant's Response to Submissions (RtS), submitted on 28 February 2020, included further information and responses to the key issues raised in the submissions. The RtS included plans showing the existing site and those buildings to be demolished, an amended Design Report, an amended Tree Removal and Protection Plan, an amended Social Impact Assessment, an amended Heritage Impact Statement, and the results of geotechnical investigations. An additional four submissions were received in response to the Applicant's RtS.

The Department identified traffic, transport and accessibility, social impacts and heritage impacts as the key assessment issues.

The Department considers the surrounding street network has capacity to accommodate the additional traffic and on-street parking needs associated with the new Library. However, the Department has recommended the existing road safety issues with the surrounding street network identified in the Applicant's Road Safety Audit (RSA) be considered further by Council and Transport for NSW (Roads and Maritime Services) (TfNSW).

The Department has considered the social impacts associated with the relocation of the library from the town centre and the provision of contemporary and improved learning and cultural facilities for the School and the community. On balance, the Department considers the development would provide a net positive social impact to the community and the School by providing contemporary and improved learning and cultural facilities for the school and the community.

The site contains and is surrounded by heritage items of local and potentially State heritage significance, including the former Court House and the site of the Lambing Flat Anti-Chinese Riots. The Department generally considers the siting and design of the development is sympathetic to these heritage items, however, agrees with the Heritage Council that an Interpretation Strategy and Plan is necessary to ensure the significance of the Lambing Flat Anti-Chinese Riots is considered further on the site. The Department also agrees with the Heritage Council that some of the design elements of the new Library and landscaping design could be refined to be more sympathetic to the Court House and has recommended a condition of consent to ensure this occurs prior to the commencement of construction.

The Department is satisfied that the impacts of the development have been addressed in the EIS and RtS and can be adequately managed through the recommended conditions of consent.

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1. Introduction

This report provides an assessment of a State significant development (SSD) application lodged under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the partial redevelopment of Young High School (the School) and Carrington Park and the construction of a new joint-use library and community facility (new Library) (SSD 9671).

The NSW Department of Education (the Applicant) proposes the construction of the new Library, refurbishment of the existing library, landscaping and ancillary works.

1.1 Site Description

The site, which includes the School, is located on Campbell Street, Young within the Hilltops Local Government Area (LGA) and has an area of approximately 4.7 hectares. The site is located approximately 500 m south of the Young town centre (see **Figure 1**). The site contains several lots, legally referred to as:

- Lot 1 DP799901
- Lot 3 Sec 48 DP759144
- Lot 1 DP48015
- Lot 2547, 2548 and 2549 DP821629
- Part 1 Sec 49 DP759144
- Lot 701 DP1021359 (Carrington Park)
- Lot 1 DP901476 (Carrington Park).

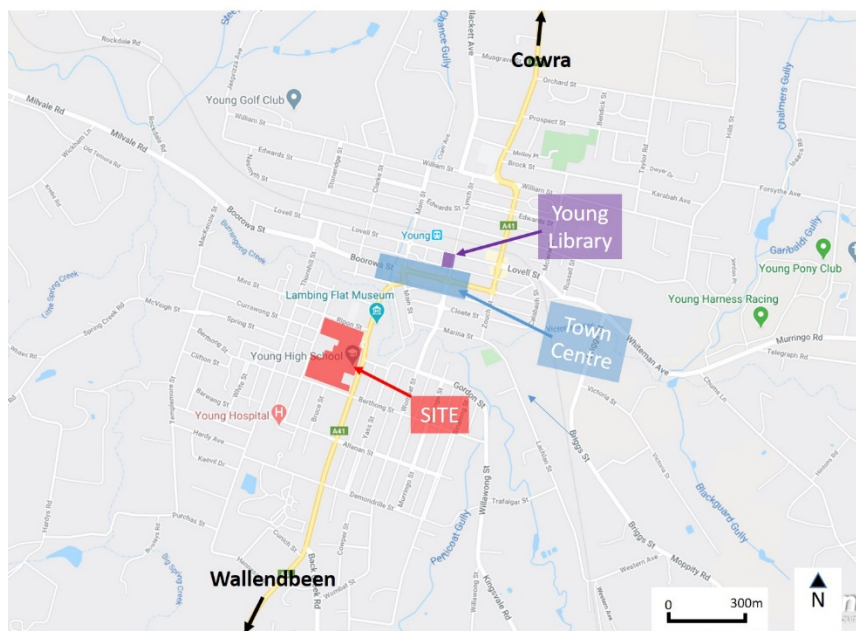


Figure 1 | Regional/local context map (Base source: Nearmap 2020)



Figure 2 | Site context (Base source: Nearmap 2020)

The site includes the southern part of Carrington Park, located to the north of the School which is Crown Land. The site is bounded by Ripon Street to the north, Berthong Street to the south, Caple Street to the west and Campbell Street/Olympic Highway to the east.

The School occupies a large portion of the site and contains several buildings which provide for 41 teaching spaces on-site including 40 permanent and 1 demountable, a staff population of 70 and a total student population of 560 (see **Figure 2**).

Pedestrian and vehicular access to the School is currently provided from Campbell Street. A drop-off zone for the School is also provided adjacent to Campbell Street. The School's bus zone is located adjacent to the southern extent of the site in Berthong Street.

The topography of the site is a gradual slope of 13m from the centre of the School to the north-western corner of Carrington Park.

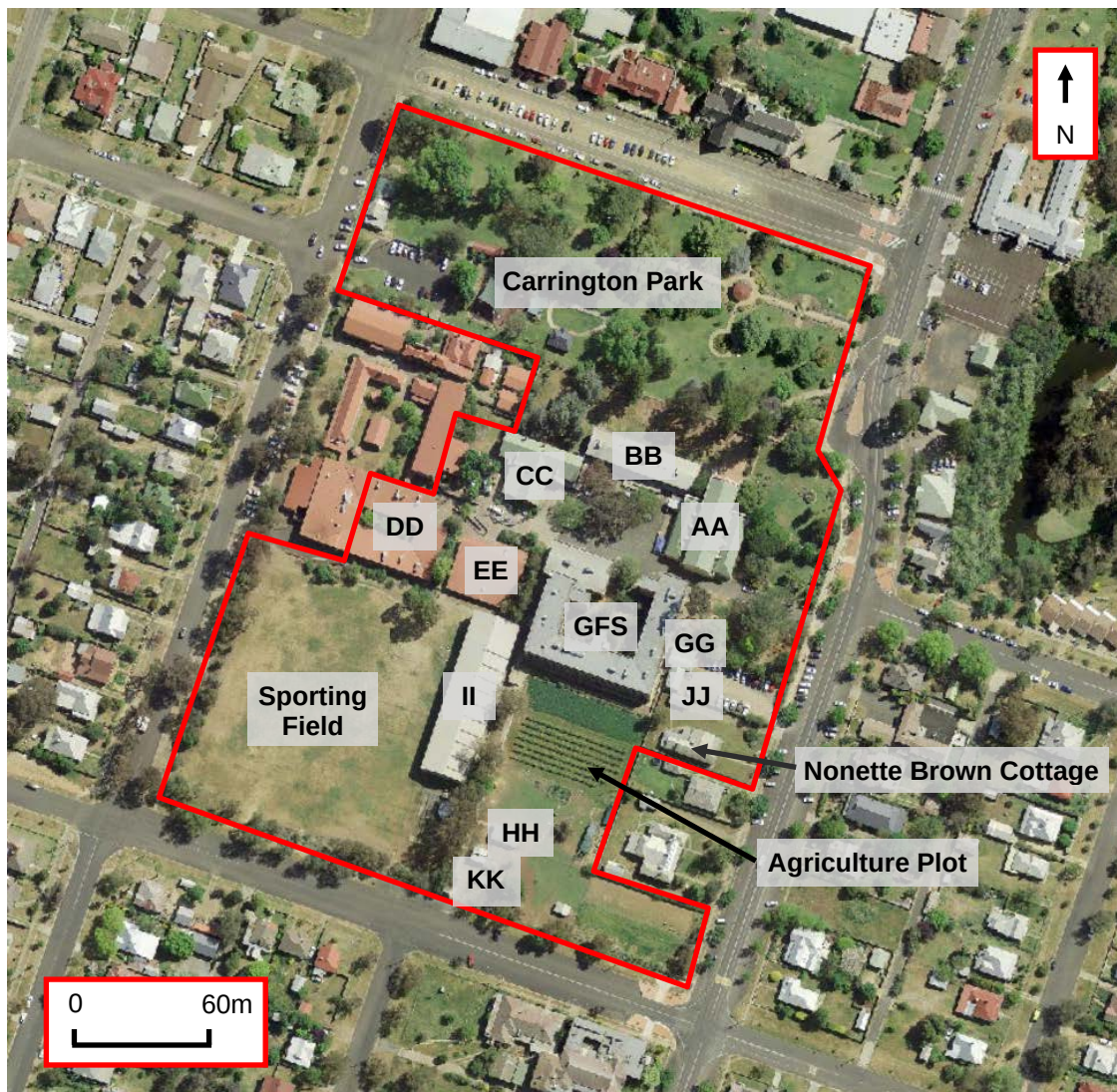


Figure 3 | Existing building and grounds identification (Source: Sixmaps 2020)

The site includes three locally listed heritage items registered in the Young Local Environmental Plan 2010 (YLEP) (see **Figure 4**):

- Carrington Park and Band Rotunda (I79)
- Assembly Hall (former Court House) (I136) — known as Block AA
- Technical College (former Gaol) (I118) — elements of this item are largely within the neighbouring NSW TAFE campus, but the listed site encompasses the west part of the School.

The School and Young TAFE Campus are both listed on the Department of Education's Section 170 Heritage and Conservation Register.

The site is also subject of a nomination for listing on the State Heritage Register, being processed by Heritage NSW. Heritage NSW advises that 'the Heritage Council of NSW has assessed this nomination and resolved that the Carrington Park Precinct is potentially of State heritage significance due to its association with the Lambing Flat Anti-Chinese Riots.'



Figure 4 | Extract of YLEP Heritage Item map (Source: Applicant's EIS 2019)



Figure 5 | View from Carrington Park to former Court House (Source: DA Busters Pty Ltd)

1.2 Surrounding Development

The site is located within an established town area which contains a mixture of educational establishments, residential uses, and parks. Immediately adjacent to the site to the west is the TAFE

NSW campus. To the north of the site on the other side of Carrington Park and Ripon Street are a number of heritage listed buildings including Hennessey Catholic College and St Marys Catholic Church. The Lambing Flat Museum is located across Campbell Street and to the north-east of the site. Immediately to the east and south of the site are predominantly single storey dwellings. Further to the south and around 400m from the site on Allanan Street is the Young Hospital and Young Public School. Olympic Highway to the east is a State highway which connects the site and locality to the Young town centre.

1.3 Early Works Development Application

On 19 September 2019, development consent was granted by Hilltops Council (Council) for site preparation and enabling works at the site to facilitate the development, including:

- demolition of the arts block (Building BB on **Figure 3**)
- relocation of the existing well-being demountable to the staff carpark and temporary closure of the carpark
- placement of four additional demountable buildings
- minor internal alteration to Block AA (former Court House) for a new music room
- installation of a new transformer and upgrades to the site's fire, electricity and hydraulic services
- removal of 15 trees and planting of 30 replacement trees and other landscaping works
- construction of a new permanent canteen, amenities and waste storage building.



2. Project

The key components and features of the development, as set out in the Environmental Impact Statement (EIS) and refined in the Response to Submissions (RtS) are provided in **Table 1** and shown in **Figures 6 to 15**.

Table 1 | Main Components of the Development

Aspect	Description
Project Summary	Demolition, tree removal and alterations and additions to the School and Carrington Park to accommodate a new three-storey joint-use community and school library facility (new Library), landscaping, reconfiguration of existing parking, signage and infrastructure works.
Site preparation	• Demolition works include the existing curbs and driveways in Carrington Park community car park, Block BB slab and foundations. • Partial demolition of the School's northern boundary fence. • Minor demolition of Block EE (existing school library) internally and façade. • Removal of 23 trees.
Built form	• Alterations and additions to Block EE (existing school library) to create a new staff hub and student amenities. • Construction of the part two-storey and part three-storey new Library building.
Site area	• 4.7 hectares.
Uses	Educational establishment and joint-use community facility.
Gross floor area	• New Library - 2,763 m² - o Community use - 1,050 m² - o School use – 1,713 m².
Student numbers	• No change.
Car parking	• Expansion of the Carrington Park carpark by 14 additional parking spaces (32 parking spaces total). • Staff carpark (24 parking spaces) would be reinstated.
Bicycle parking	• 14 bicycle parking spaces.
Public domain and landscaping	• Landscaping works, including planting of various shrubs, ground covers and concrete pattern finishes.

	Construction of the Currawong Walk to the north of the new Library and connections to Carrington Park.
Hours of operation	- Operational hours of the School are proposed to remain as is from 8:30am to 3:30pm and extra-curricular activities until 5pm Monday to Friday. - Community facility and library would operate Monday to Friday 8:30am to 9:00pm, and Saturday and Sunday 9:00am to 5:00pm.
Jobs	90 construction jobs. 20 operational jobs.
CIV	\$21 million.

2.1 Physical Layout and Design

The proposed built form of the new Library would comprise of a part two-storey and part three-storey building with a maximum height of 12.98 m. The building would be contemporary in design with a grey façade incorporating a range of finishes, stepped façade heights and recessed entries.

The existing school library (Block EE) would be refurbished to accommodate a new staff hub and student amenities containing a staff lounge, study zone, large staff meeting room, Deputy Principal and Career's advisor hubs, senior student hub and student amenities/change rooms.

The proposed built form of the development is detailed in **Figure 6** to **Figure 15**.

The new Library (to be named Block NN) would replace the existing Young Library which has a floor area of around 450 m² and is located at 31 Lynch Street, Young (see **Figure 1**). The new Library would have a total gross floor area (GFA) of 2,763 m² with the community use component occupying 1,050 m² and the School-only component occupying the remainder of the building (see **Figure 10** and **Figure 11**). The new Library would provide several elements and uses which are identified in **Figures 13 to 15**, including:

- joint-use library
- multimedia rooms
- Wiradjuri learning and cultural centre
- visual arts studios
- canteen/café
- well-being hub
- tertiary study spaces, community meeting rooms and exhibition space
- staff amenities and administrative space.

The community entrance to the building would be from the Currawong Walk located at the northern extent of the new Library building on the lower ground floor. The school-only entrance to the new Library would be from the upper ground floor at the building's southern extent. Car parking for the new library would be provided at the Carrington Park carpark (located around 60m from the new Library entrance), which would be expanded with the provision of 14 additional spaces, with general on-street

car parking available along local streets surrounding Carrington Park. Pedestrian access to the new Library would be provided through new footpaths constructed in Carrington Park, Currawong Walk and the surrounding footpath network. The development also includes landscaping works surrounding the new Library including tiered amphitheatre seating around the community entrance and a new northern access to the School grounds from Carrington Park (see **Figure 6**).

Figure 6 | Proposed site layout (Source: Applicant's EIS 2019)

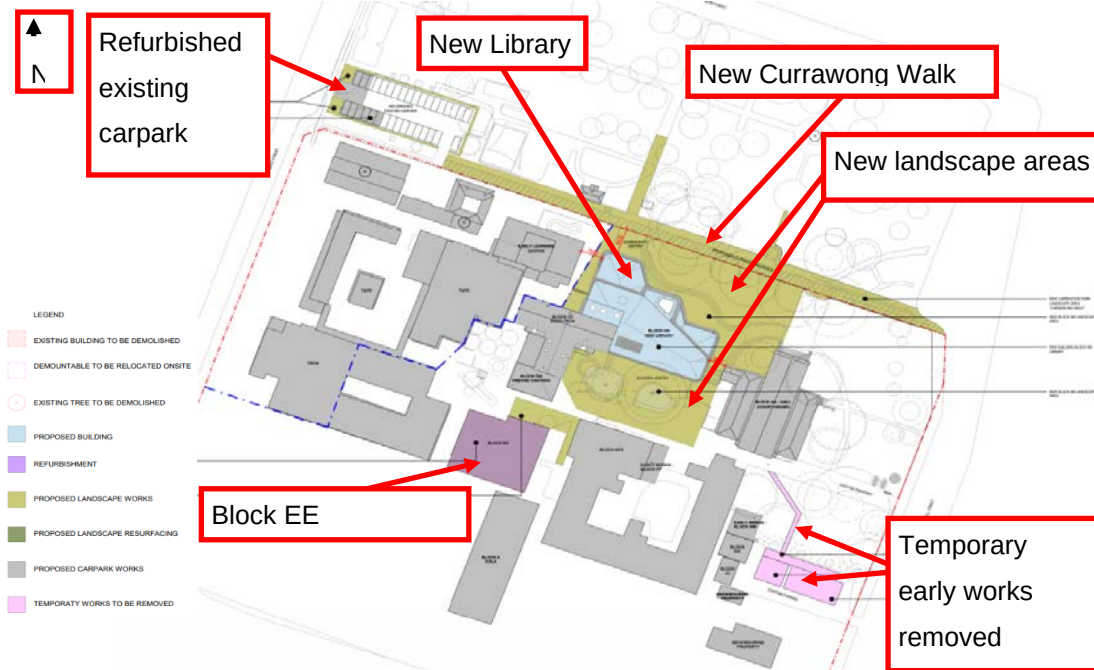


Figure 7 | Block EE layout (Source: Applicant's EIS 2019)

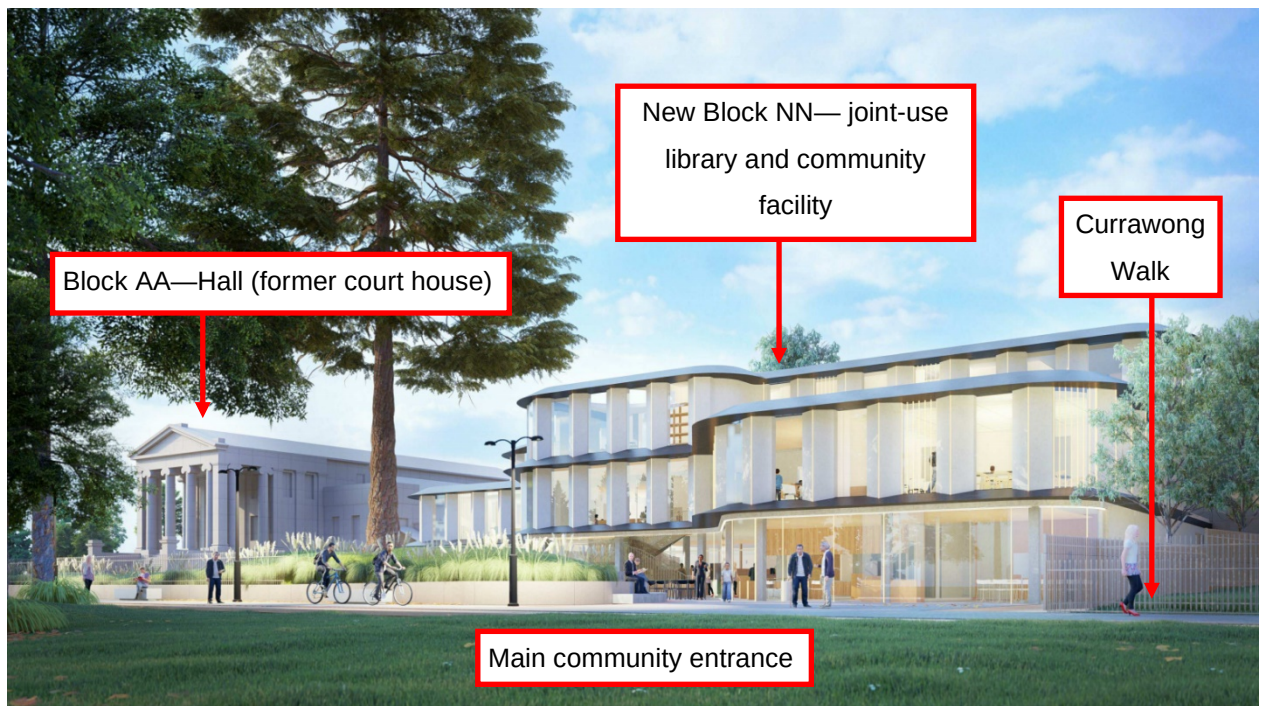


Figure 8 | Perspective of the main community entrance (Source: Applicant's EIS 2019)



Figure 9 | Perspective of the main School entrance (Source: Applicant's EIS 2019)

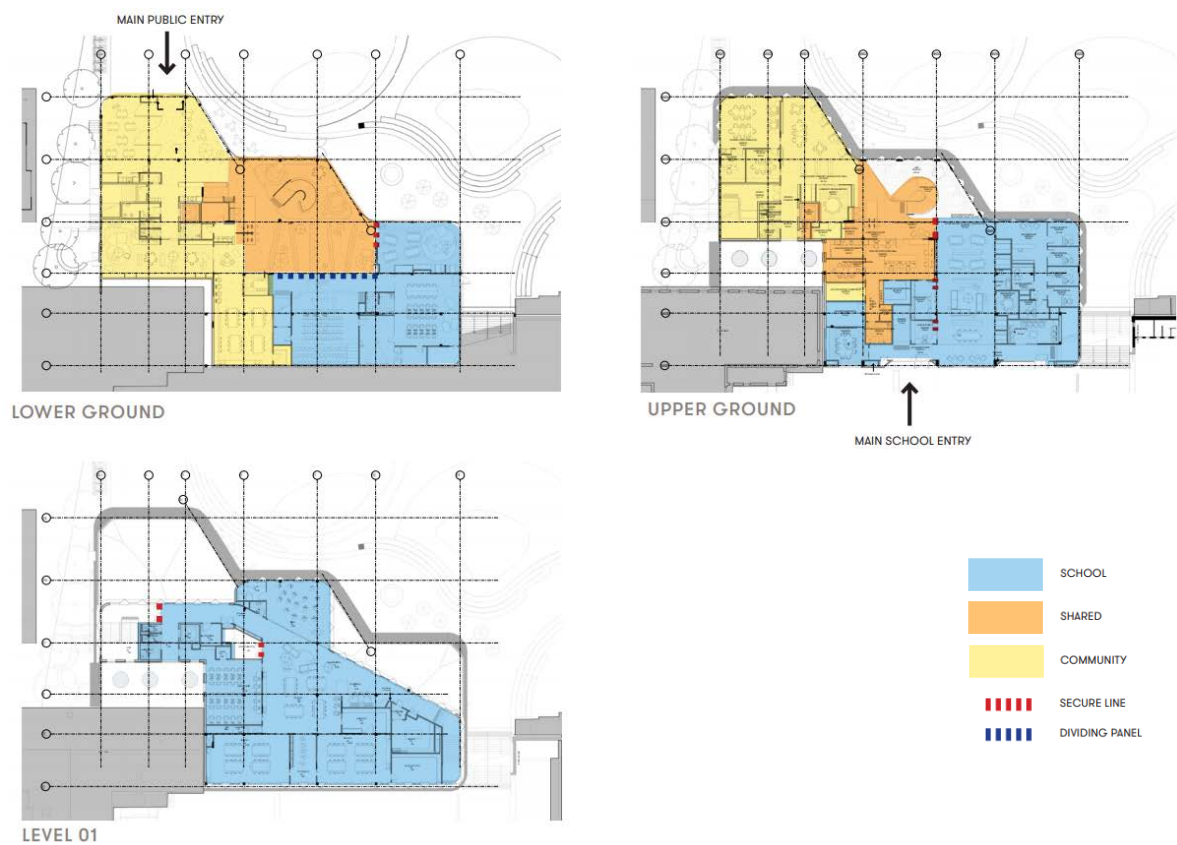


Figure 10 | Security demarcation - during school hours (Source: Applicant's EIS 2019)

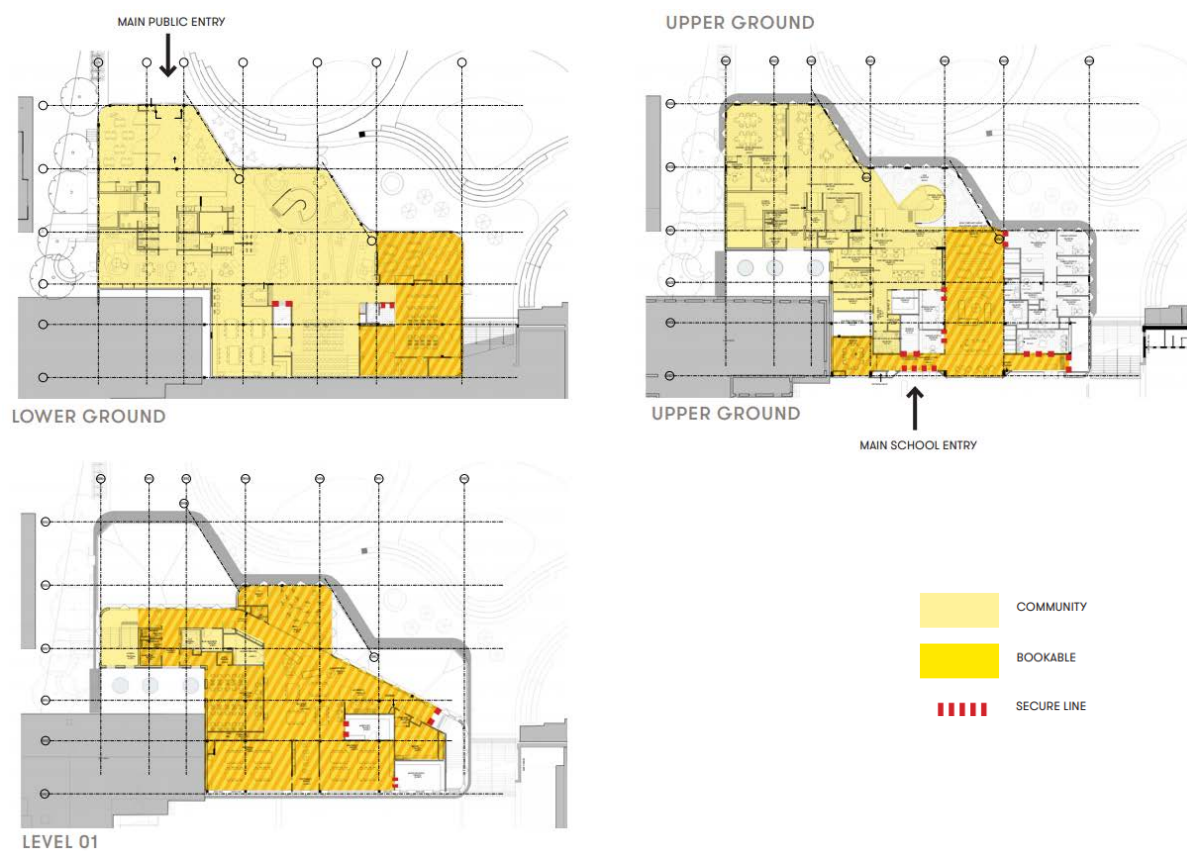


Figure 11 | Security demarcation - outside of school hours (Source: Applicant's EIS 2019)

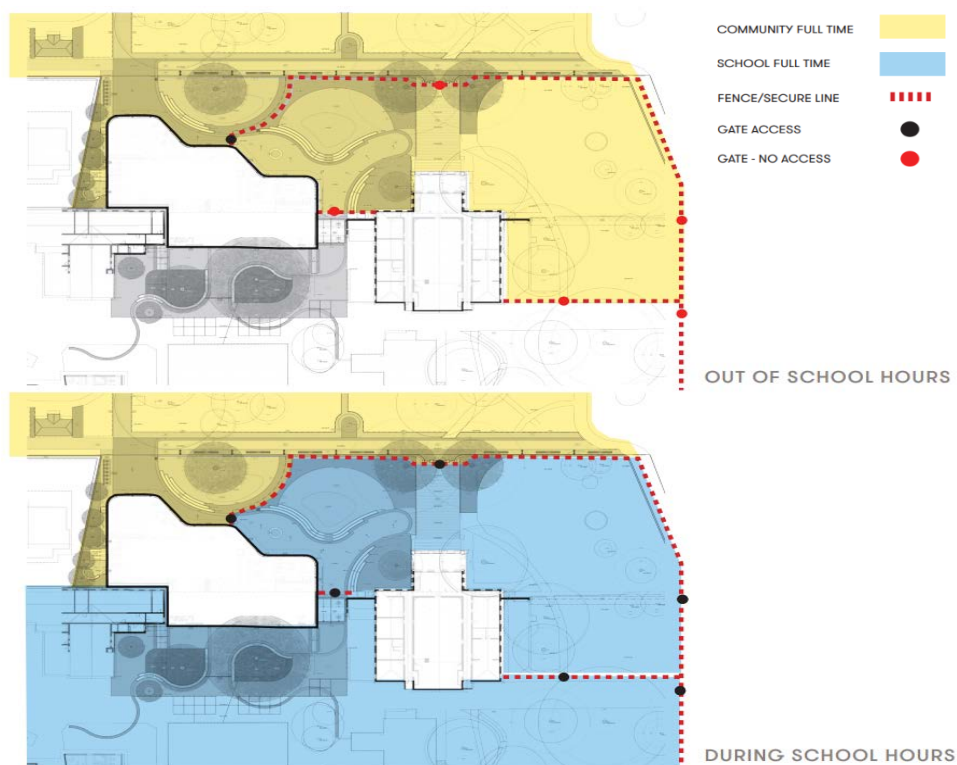


Figure 12 | Landscape security line demarcation (Source: Applicant's EIS 2019)

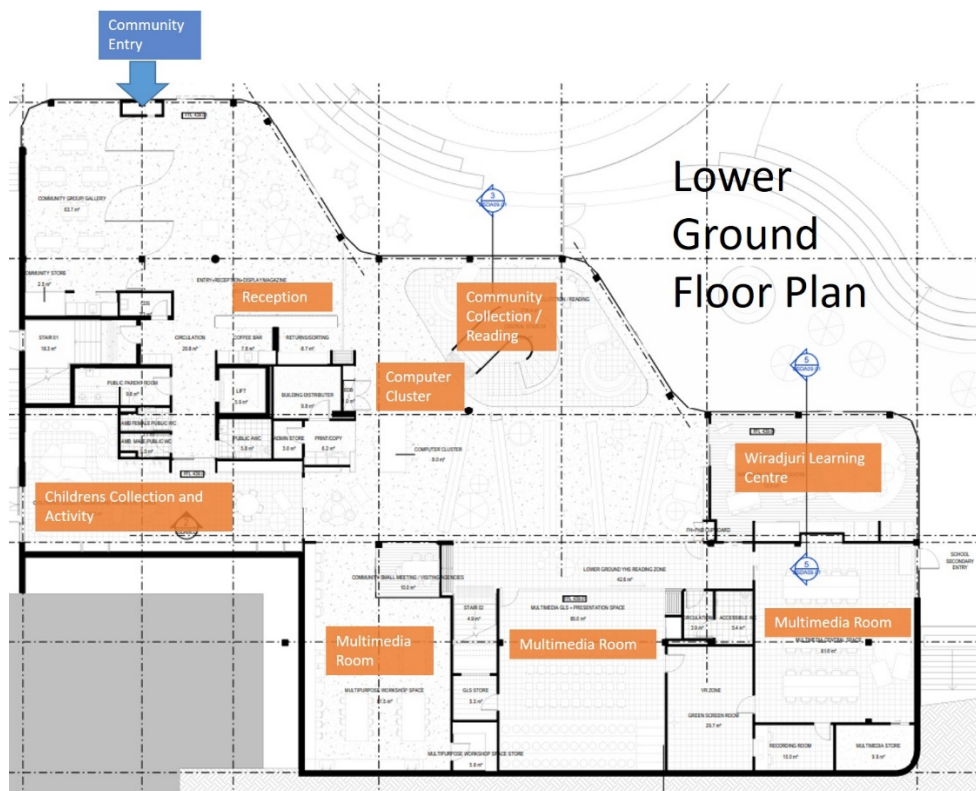


Figure 13 | New Library lower ground floor plan (Source: Applicant's EIS 2019)

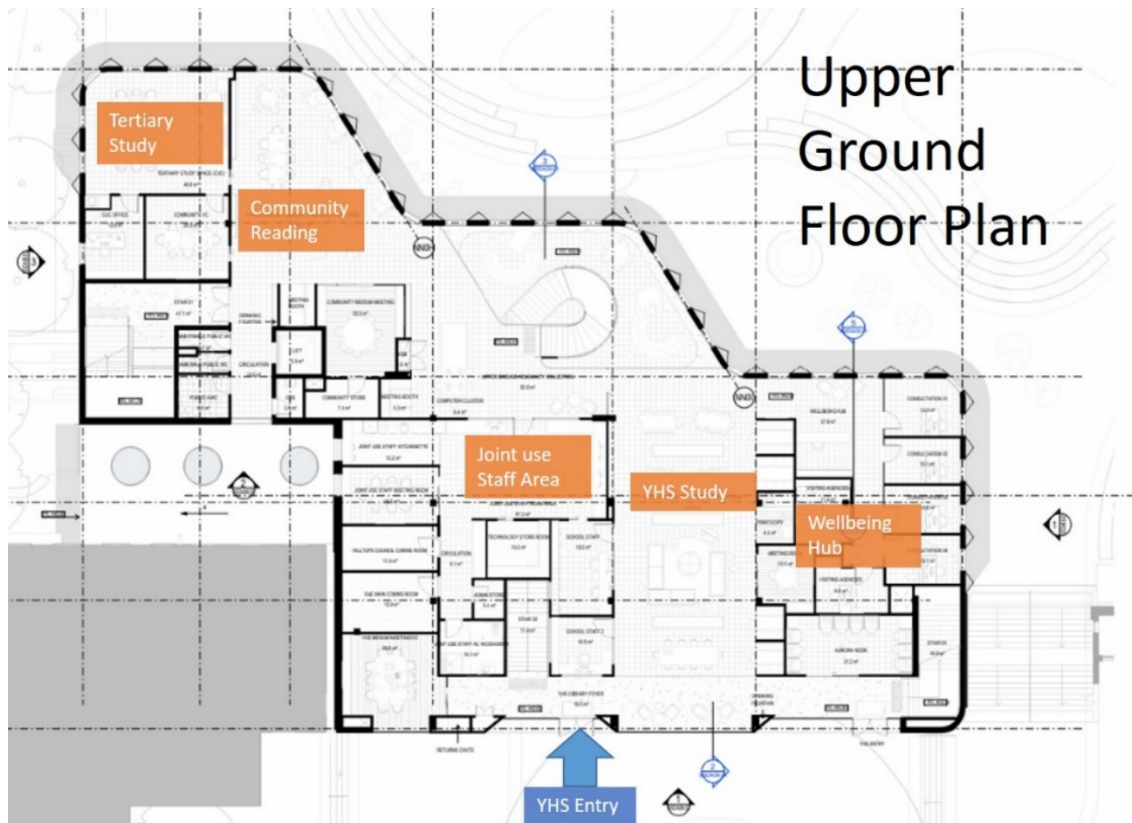


Figure 14 | New Library upper ground floor plan (Source: Applicant's EIS 2019)



Figure 15 | New Library level 1 floor plan (Source: Applicant's EIS 2019)

2.2 Construction Works and Timing

Construction of the development is anticipated to take around 19 months. The staging of construction involves:

- site setup (14 days)
- site works, utilities and bulk earthworks (10 weeks)
- building works and internal fit-out (8 months)
- landscaping, carpark, reinstatement and other external works (2 months)
- refurbishment of Block EE (3 months).

It is proposed that construction is to occur during the following hours:

- Monday to Friday – 7am to 6pm
- Saturdays – 8am to 1pm.

Construction works are not presently proposed to be carried out on Sundays or public holidays. However, the *Environmental Planning and Assessment (COVID-19 Development – Construction Work Days) Order 2020* issued by the Minister of Planning and Public Spaces would permit works to be carried out during normal weekday construction hours on weekends and public holidays.



3. Strategic Context

The Applicant states that the redevelopment of the School is necessary to meet the NSW Education Facility Standards and Guidelines (EEFSG) as there is an under-allocation of spaces provided for specialist criteria including multimedia and art. The proposal would provide for contemporary joint use learning, cultural and well-being spaces within the new Library, and forms part of the NSW Government's investment of \$6.7 billion over the next four years to deliver new schools and upgrade existing schools to meet increased need for additional public education infrastructure.

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

- it is consistent with Premier's Priorities to improve education results through the provision of new and improved teaching and education facilities
- it is consistent with South East and Tablelands Regional Plan 2036, as it would contribute to Young as a strategic centre with a high-quality community and school education facility
- it is consistent with the NSW Future Transport Strategy 2056, as it would provide a redeveloped educational facility, with a new education and community facility near the civic core of Young
- it is consistent with State Infrastructure Strategy 2018 – 2038, as it provides direct investment to address increased enrollment demands, would provide access to modern digitally-enabled learning environments for all students and would enable facilities to be co-shared with the local community
- it would provide direct investment in the region of approximately \$21 million, which would support up to 90 construction jobs and 20 new operational jobs.



4. Statutory Context

4.1 State Significant Development

The proposal is SSD under section 4.36 (development declared SSD) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it is development with a CIV in excess of \$20 million for the purpose of alterations or additions to an existing school under clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

The Minister for Planning and Public Spaces (the Minister) is the consent authority under section 4.5 of the EP&A Act. In accordance with the then Minister for Planning and Public Spaces delegation to determine SSD applications, signed on 09 March 2020, the Executive Director, Infrastructure Assessments may determine this application as:

- the relevant Council has not made an objection
- there are less than 25 public submissions in the nature of objection
- a political disclosure statement has not been made.

4.2 Permissibility

The site is zoned R1 General Residential and RE1 Public Recreation under the Young Local Environmental Plan (YLEP) 2010. An educational establishment and a community facility are permissible with consent under both these zones. Therefore, the Minister or a delegate may determine the carrying out of the development.

4.3 Other Approvals

Under section 4.41 of the EP&A Act, other approvals are integrated into the SSD approval process, and consequently are not required to be separately obtained for the proposal.

Under section 4.42 of the EP&A Act, further approvals are required, but must be substantially consistent with any development consent for the proposal (e.g. approvals for any works under *the Roads Act 1993*).

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

4.4 Mandatory Matters for Consideration

4.4.1 Environmental Planning Instruments

Under section 4.15 of the EP&A Act, the consent authority is required to take into consideration any environmental planning instrument (EPI) that is of relevance to the development the subject of the development application. Therefore, the assessment report must include a copy of, or reference to,

the provisions of any EPIs that substantially govern the project and that have been considered in the assessment of the development.

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

4.4.2 Objects of the EP&A Act

The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent/approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects. Therefore, in making an assessment, the objects should be considered to the extent they are relevant. A response to the objects of the EP&A Act is provided at **Table 2**.

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

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources,	The proposal involves the partial redevelopment of an existing school that would provide for the current and future needs of the community. The development would not negatively impact on the economic welfare of the community, nor the natural environment.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal includes measures to deliver Ecologically Sustainable Development (ESD). See Section 4.4 .
(c) to promote the orderly and economic use and development of land,	The proposal is an orderly and economic use of the land as the proposal provides for the partial redevelopment of an existing school site which would provide new, fit-for-purpose educational facilities and a joint use community library.
(d) to promote the delivery and maintenance of affordable housing,	Not Applicable.

(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposal would protect the environment, as detailed in Section 6 .
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposal would promote the sustainable management of built and cultural heritage, as detailed in Section 6. The Heritage Impact Statement (HIS) submitted with the proposal, and supplemented in the Applicant's RtS, outlines that several options were considered in the design of the development. Consideration of heritage impacts is provided in Section 6.
(g) to promote good design and amenity of the built environment,	The building has a contemporary functional design which would integrate with the surrounding environment as detailed in Section 6 .
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The proposal would promote proper construction and maintenance of buildings subject to the recommended conditions.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the proposal (Section 5.1), which included consultation with Council and other public authorities and consideration of their responses (Sections 5.1 to 5.5).
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the proposal as outlined in Section 5.1 , which included notifying adjoining landowners, placing a notice in newspapers and displaying the proposal on the Department's website and at Council during the exhibition period.

4.4.3 Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

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

The development proposes ESD initiatives and sustainability measures, including:

- use of best practice materials including steel, timber and permanent framework
- use of control strategies and effective system selection to assist in reducing operational energy use
- water conservation measures, including use of efficient fittings and fixtures and rainwater harvesting
- use of air-cooled heat rejection systems
- plants on site would be native or low irrigation.

The Department has considered the development in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process via a thorough and rigorous assessment of the environmental impacts of the development. The development is consistent with ESD principles as described in Section 5.7 and Appendix H of the Applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation).

The Department has considered the project in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process by a thorough assessment of the environmental impacts of the project. Overall, the development is consistent with ESD principles and the Department is satisfied the proposed sustainability initiatives would encourage ESD, in accordance with the objects of the EP&A Act.

4.4.4 Environmental Planning and Assessment Regulation 2000

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

4.4.5 Planning Secretary's Environmental Assessment Requirements

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

4.4.6 Section 4.15(1) Matters for Consideration

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

Table 3 | Section 4.15(1) Matters for Consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of the relevant EPIs is provided in Appendix B of this report.
(a)(ii) any proposed instrument	Satisfactorily complies. The Department's consideration of the draft EPIs is provided in Appendix B of this report.
(a)(iii) any development control plan (DCP)	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD. Notwithstanding, consideration has been given to relevant DCPs at Appendix B .
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations <i>Refer Division 8 of the EP&A Regulation</i>	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	The impacts of the development have been appropriately mitigated or conditioned – refer to Section 6 of this report.
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Sections 4 and 6 of this report.
(d) any submissions	Consideration has been given to the submissions received during the exhibition period. See Sections 5 and 6 of this report.
(e) the public interest	Refer to Section 6 of this report.

4.4.7 Biodiversity Conservation Act 2016

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

The proposed works are not likely to have a significant impact on biodiversity values. The Energy, Environment and Science Group determined on 13 November 2019 and the Department determined on 20 November 2019 that the development is not required to be accompanied by a BDAR.

5. Engagement

5.1 Department's Engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application for a period of 28 days from 13 November 2019 until 10 December 2019. The application was exhibited at the Department and on its website, at the Service NSW Centre and at Council's office.

The Department placed a public exhibition notice in the Young Witness on 12 November 2019 and notified adjoining landholders and relevant State and local government authorities in writing. Department representatives visited the site to provide an informed assessment of the development.

Following the exhibition of the application, the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions. The Department has considered the comments raised in the public authority and public submissions during the assessment of the application (see **Section 6**) and/or by way of recommended conditions in the instrument of consent at **Appendix C**.

5.2 Summary of Submissions

The Department received a total of 13 submissions, comprising four submissions from public authorities, one from an interest group and eight submissions from the public, five of which objected to the development. Copies of the submissions may be viewed at **Appendix A**.

5.3 Public Authority Submissions

A summary of the issues raised in the public authority submissions is provided at **Table 4** below and copies of the submissions may be viewed at **Appendix A**. Council did not provide a submission.

Table 4 | Summary of public authority submissions to the EIS exhibition

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

TfNSW provided the following comments and recommendations, including:

- the proposed option for a designated delivery zone on Campbell Street within an existing drop-off zone is not supported. The alternative option from the Carrington Park carpark should be implemented.
- pedestrian and cyclist infrastructure should be maintained and unaffected during all construction activities.
- end of trip facilities should be provided.

Heritage Council of NSW (Heritage Council)

Heritage Council provided the following comments and recommendations:

- the site is currently not listed on the State Heritage Register but has been nominated and is currently being processed by the Heritage Council.
- the intangible significance of the site relates to the remnant landscape and topography of the School and Carrington Park.
- if approved, a condition managing the design review process outlined in the Historical Archeological Assessment should be required.
- the development does not sufficiently respond to SEARs heritage requirements.
- the final design of the new Library should include a selection of materials and colours to complement the former Court House.
- they support reinstating the Currawong Walk.
- a revised landscape design should be provided which considers the historic symmetrical design of the former Court House.
- the Lambing Flat Anti-Chinese Riots was not adequately considered in the HIS or the design of the development.

Environment Protection Authority (EPA)

EPA provided the following comments and recommendations:

- the predicted construction noise levels are modelled to exceed noise management levels (NMLs) in some nearby sensitive receivers. The Applicant must implement noise control measures on site and establish a consultation/notification strategy with sensitive receivers.
- if work is to be undertaken outside recommended construction hours, a noise impact assessment should be undertaken to quantify the noise impacts and mitigation measures.
- hazardous materials should be classified and disposed in accordance with the Waste Classification Guidelines.
- stormwater on site should be reused rather than discharged into Campbell Street then Burrangong Creek Catchment.

Environment, Energy and Science Group of DPIE (EESG)

EESG provided the following comments and recommendations:

- recommendations included in the Applicant's Aboriginal Cultural Heritage Assessment Report (ACHAR) should be conditioned if the development is approved.
- an Aboriginal Heritage Management Plan should also be required as a condition of consent if the development is approved.

5.4 Public Submissions

The key concerns raised in the public submissions is provided at **Table 5**.

Table 5 | Summary of the public submissions to the development

Issue	Proportion of submissions
Relocation of Young Library	67%
Impact on heritage items	56%
Accessibility	56%
Removal of trees	44%
Lack of community consultation	44%
Impact on Carrington Park	33%
Built form	22%
Reinstatement of Currawong Walk	11%
Landscape strategy	11%

Community submissions objecting to the proposal raised particular concerns with the selection of the site, accessibility of the proposed location, and preference for retaining the library in the existing location, impacts to Carrington Park, tree removal, and the significance of the Court House, and adequacy of community consultation on Council's planning for the community library.

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

5.5 Young Community and Residents Association (YCARA)

The YCARA, a public interest group, provided a detailed submission which is also available at **Appendix A** raising the following concerns:

- inadequate community consultation was undertaken
- the GML Heritage Impact Assessment was inadequate
- lack of investigation of the suspected tunnel between the old Gaol and the Court House
- the precinct should have an increased level of significance afforded to it
- potential social impacts associated with relocating the Library from the town centre.

5.6 Response to Submissions

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

On 28 February 2020, the Applicant provided an RtS (see **Appendix A**) on the issues raised during the exhibition of the development. The RtS included further information and responses to the key issues raised in the submissions. The RtS also included plans showing the existing site and those buildings to be demolished and signage details, an amended Design Report, an amended Tree

Removal and Protection Plan, an amended Social Impact Assessment (SIA), an amended Heritage Impact Statement (HIS) and the results of Ground Penetrating Radar investigations.

The RtS was made available on the Department's website and referred to relevant public authorities. An additional three submissions were received from public authorities and an additional submission from the YCARA was received.

Table 6 I Summary of public authority submissions to the RtS

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

TfNSW was satisfied the concerns previously raised regarding the option to use the existing drop-off zone in Campbell Street for a drop-off and pick up spot for the new Library had been addressed.

Heritage Council

Heritage Council provided the following comments and recommendations, including:

- the site is within the curtilage of a now active State Heritage Register (SHR) nomination, the *Lambing Flat Anti-Chinese Riot and Associated Banner*. The Heritage Council, at its meeting of 3 March 2020 gave notice of its intention to list the site on the SHR. The site is currently under consideration for listing.
- the nominated SHR curtilage includes Carrington Park and much of the northern portion of the School campus.

The Heritage Council raised the following concerns with the development:

- Lambing Flat Anti-Chinese Riots
 - despite some amendments to the HIS, issues previously identified have not been satisfactorily addressed including confrontation and engagement with the difficult heritage of the riot, recognition of the State significance of this place and consideration of the intangible connections to this place.
 - the Heritage Council recommended that both an Interpretation Strategy and Interpretation Plan be developed in close consultation with them.
- demonstration that the new Library building is sympathetic with the former Court House
 - the design decisions and guidelines for the new Library do not address the compatibility and relationship with the former Court House.
 - the Heritage Council recommended design refinement and review is necessary in consultation with them.
- former Court House forecourt landscape design
 - the landscape design is inconsistent with managing the values of the former Court House as it is not symmetrical.
 - the Heritage Council recommended design refinement and review of the landscape strategy in consultation with them.
- suspected prisoner transfer tunnels

-
- the ground penetrating radar investigation was inconclusive.
 - the Heritage Council recommended ground truthing the investigation and if found, the protection of the tunnels should be prioritised.

Environment Protection Authority (EPA)

EPA was satisfied their previous concerns regarding air, noise and waste had been satisfied in the RtS, however raised the following residual concerns:

- there was no mention of containing and reusing water before it leaves the site through sediment fences.
- the EPA recommends the Applicant consider the containment of any water impacted by sediment on site and finding reuse opportunities where possible.

YCARA comments on RTS

The YCARA provided further evidence of the existence of the tunnels in the form of personal accounts from existing or former residents and newspaper clippings referring to the passage from the former Gaol to the Court House. YCARA suggested in their supplementary submission that the tunnels should be excavated and developed as a place of high heritage significance and that the development should be re-designed to avoid the suspected location of the tunnels.



6. Assessment

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

- traffic, transport and accessibility
- social impact
- heritage impact.

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

6.1 Traffic, Transport and Accessibility

The development has the potential to impact the capacity, safety and efficiency of the surrounding road network through increased traffic movements. The Application was supported by a Traffic Impact Assessment (TIA) prepared by Peter Meredith Consulting which provided an assessment of the development's potential traffic, transport and accessibility impacts. The TIA also contained a Road Safety Audit (RSA), Preliminary Green Travel Plan (GTP) and Preliminary Construction Traffic Management Plan (CTMP) also prepared by Peter Meredith Consulting.

The site is located within the School campus and a portion of Carrington Park which has frontage to and vehicular and pedestrian access from Campbell Street (which becomes the Olympic Highway further to the north). Campbell Street is a Classified Road under the management of TfNSW with 60 degree angle parking and footpaths on each side of the road. The School also relies on an established drop-off zone located in the Campbell Street road reserve. Surrounding the site are local roads:

- Caple Street to the west which provides access to the Carrington Park carpark
- Ripon Street to the north which provides access to the site through Carrington Park
- Berthong Street to the south of the site contains the School's bus zone and an alternative pedestrian access to the site.

The surrounding road network contains both restricted and unrestricted on-street parking.

The development includes the following traffic, parking, and pedestrian related improvements (see **Figure 16**):

- re-construction and expansion of the Carrington Park carpark to provide 32 parking spaces (incorporating 14 new spaces) including two accessible spaces and a drop-off and pick up area

- construction of the Currawong Walk to connect the Carrington Park carpark to the drop-off zone in Campbell Street
- signage and marking for a dedicated space for a community bus, library deliveries and for disabled drop-off and pick up in the Carrington Park car park
- additional parking restrictions in the surrounding road network.

The Applicant's TIA also recommended a proposed pedestrian crossing in Ripon Street linking to the proposed Currawong Walk.



Figure 16 | Surrounding road network and traffic controls (Base source: Nearmaps)

The TIA provided a quantitative analysis of the potential traffic and pedestrian impacts of the development, including a SIDRA analysis of the performance of certain key intersections and RSA. The TIA concluded that the additional traffic generated by the development would not be expected to compromise the safety and function of the road network in terms of intersection performance, road capacity, pedestrian movements and car parking.

The Department's assessment of the traffic and pedestrian movement impacts of the development has been separated into four main issues: construction traffic, operational traffic, parking and pedestrian movement and accessibility.

6.1.1 Construction Traffic

Construction traffic was not quantitatively assessed as part of the TIA; however, a preliminary CTMP was prepared by Peter Meredith Consulting. The CTMP suggested the construction traffic is expected to be less than operational traffic based on the predicted number of construction workers and the expected delivery trucks per day required (a maximum of 70). The Carrington Park carpark would be

closed during the construction period and used solely for construction workers and materials delivery. Users of the TAFE Campus often utilise the carpark during the day and would need to find alternative arrangements including the existing TAFE carpark off Caple Street and the on-street parking within Caple Street. The TIA included a parking analysis (discussed later), which identified a surplus of on-street parking spaces in Caple Street during peak and average periods. On this basis, the Department is satisfied that sufficient alternative parking would be available for staff and students the TAFE.

The Department is satisfied that traffic impacts during construction would be minimal and the surrounding street network has capacity to handle the increase in movements. To ensure that construction traffic is adequately managed onsite, the Department has recommended conditions which require the preparation of a CTMP in consultation with Council and TfNSW, and a Construction Worker Transportation Strategy that provides for sufficient parking facilities or other travel arrangements for construction workers to minimise demand for parking in nearby public and residential streets or public parking facilities.

6.1.2 Operational Traffic

The TIA utilised existing traffic count data provided by Council for the surrounding road network. All surrounding roads had relatively low traffic volumes during the AM and PM peak periods which correspond to the drop-off and pick-up times for the schools in the locality. The traffic volumes on the surrounding roads during peak periods ranged from 22 vph to 217 vph. Based on traffic counts, a SIDRA analysis of the key intersections was carried out, including Campbell Street and Ripon Street, Campbell Street and Dundas Street and Caple Street and Currawong Street. The SIDRA analysis concluded that all intersections were presently operating at a Level of Service (LoS) A with very minimal delays.

The development would not increase the number of students or teachers at the School, however, as the new Library would also be used by the public, the potential traffic impact of these users on the road network needs to be considered. The TIA utilised the traffic generation rates of the existing library and scaled them up based on the additional floor area of the community use component of the development (as compared to the floor area of the existing library) to predict an additional 41 vehicles per hour (vph) and 401 vehicles per day (vpd) accessing the Carrington Park carpark and surrounding on-street parking. Even with the projected increase in public access to the site, all intersections retained an LoS A during the AM and PM peak periods.

TfNSW generally supported the development but raised concerns with the proposed option of utilising the existing drop-off zone in Campbell Street. To address this, TfNSW recommended the Applicant provide a designated public pick-up and drop-off area in the upgraded Carrington Park carpark. In response, the Applicant agreed and amended the design of the Carrington Park carpark in its RtS to include a drop-off and pick-up area for the new Library.

The Department does not consider the development would have a detrimental impact on the capacity or efficiency of the surrounding road network. Due to the low volumes of traffic expected, the capacity of the road network, and the provision of the public pick-up and drop-off area, the Department is

satisfied that road network performance would not be substantially affected. On this basis, the Department considers that an Operational Traffic Management Plan is not deemed necessary.

6.1.3 Parking

The TIA included a Parking Utilisation Survey (the survey) and an assessment of the parking demands of the development during operation. The survey was carried out over a period of two days (8 August 2018 and 16 August 2018) and counted the occupation of on-street parking spaces in the surrounding street network and the Carrington Park carpark at various times throughout the day.

The results of the parking survey showed that the surrounding road network has spare on-street parking capacity. The survey identified that during peak periods the Carrington Park carpark was around 71% occupied and had an average occupancy rate of around 59%. On-street parking on surrounding streets were shown to have varying rates of occupancy during peak periods and throughout the day. Caple Street, the nearest road to the entrance of the Carrington Park carpark, had occupancy rates below 50% during both peak periods and averaged across the day. Ripon Street was shown to have higher on-street parking occupancy rates, but still maintained a rate below 75%.

The TIA provided an analysis of the parking demand of the development, based on assumptions for the use of the Library derived from rates used for other regional libraries. The TIA noted the School component of the development would not increase the number of students or teachers and would not cause an increased demand for parking. However, community use of the new Library would cause an increase in parking demand. As neither the *Guide to Traffic Generating Developments* (RTA 2002) nor the Young DCP 2010 contains a parking rate for libraries, the TIA used parking rates from similar library developments in Queanbeyan, Armidale and Narellan to suggest that a reasonable parking rate would be 1 space per 40 m². Using this rate, the TIA suggested the community component of the development, being 1,050 m², would require 27 parking spaces.

The proposal would provide additional spaces in the upgraded Carrington Park carpark, and include the reconfiguration and extension of the carpark to include 32 parking spaces including two accessible parking spaces and one loading / service delivery space.

Public submissions cited parking as an issue with the development, however TfNSW did not raise any issues with parking.

The Department notes concerns raised in the public submissions and understands that access to adequate parking near the new Library is an important consideration. The TIA assumes that the demand for parking associated with the community use of the new Library would be accommodated in the extended Carrington Park carpark. However, the parking survey noted that 13 of 18 parking spaces were presently occupied in the carpark during peak times, and the Department is concerned that existing users of the carpark were not adequately considered in the parking analysis. However, the Department also notes the surrounding street network has enough capacity to cater for the existing users of the carpark should priority to the new Library patrons be given through signage or time limiting parking spaces in the Carrington Park carpark. The Department concludes that sufficient

on-street and off-street parking in the immediate locality is available for the patrons of the new Library as well as existing users of Carrington Park and the TAFE campus provided accessibility is prioritised.

6.1.4 Pedestrian Movement and Accessibility

An established footpath network surrounds the site including pedestrian crossings in Dundas Street and Olympic Highway and several threshold crossings which provide pedestrian access from the town centre and the surrounding residential areas. The development would add an additional use within the site and locality which requires pedestrian access. As the development would be accessed by the public, alternative access arrangements to those available to the School must be considered. The Applicant has proposed to construct the Currawong Walk to provide pedestrian (including mobility scooters) and bicycles east to west access to the library from the drop-off zone and footpath in Campbell Street and the Carrington Park Carpark. The Applicant's TIA also recommended constructing an additional pedestrian crossing in Ripon Street to provide further pedestrian connectivity from the town centre to Carrington Park and the development (see **Figure 17**).

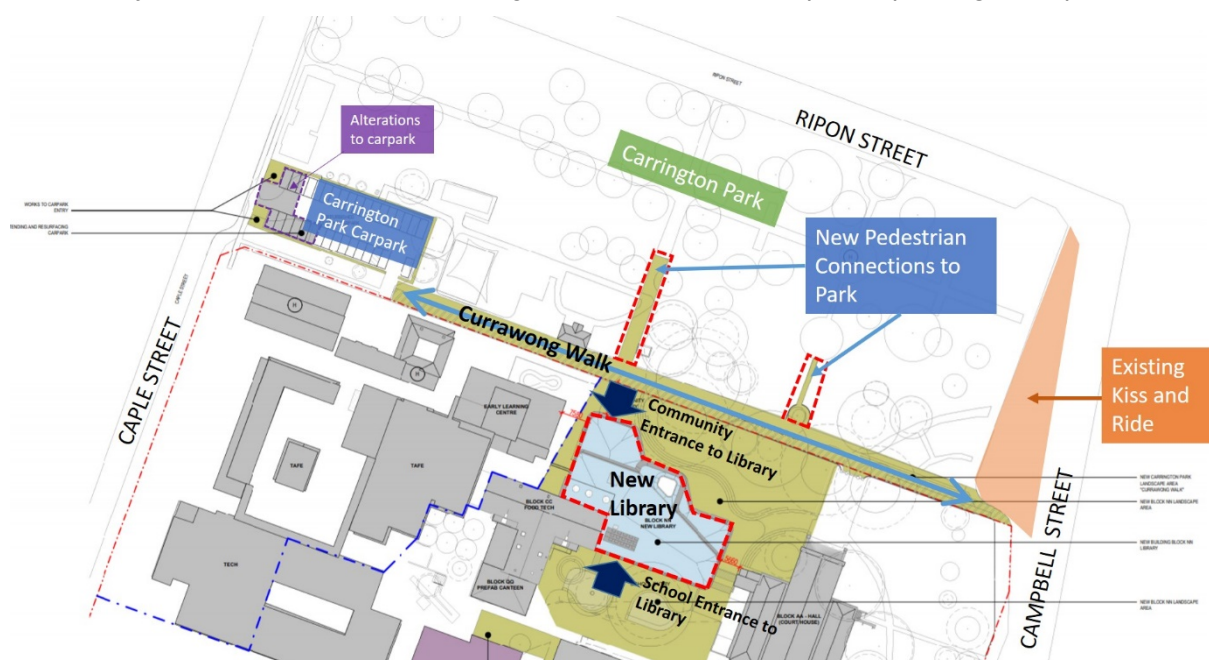


Figure 17 | Pedestrian connectivity within the site (Base source: Applicant's EIS)

Concern about the ease of pedestrian access and accessibility to the new facility, particularly for older patrons of the community library, was one of the main issues raised in the public submissions.

The TIA included a RSA to identify road safety issues associated with the surrounding street network. The audit considered several road safety elements, including horizontal and vertical alignments of footpaths and roads, sight distances, roadside hazards, parking, parent drop-off and pick-up and impact on pedestrians and cyclists. The auditors were comprised of employees of Peter Meredith Consulting and a Council engineer. The RSA took a risk assessment approach to assessing the road safety elements of the surrounding street network and identified the following issues:

- pedestrians crossing Campbell Street at the main gate of the School across double lines without an established pedestrian crossing,

- pedestrians crossing Berthong Street and Ripon Street to access the School instead of using pedestrian or threshold crossings
- double parking of parents during drop-off and pick-up time and U-turns across double lines on Campbell Street and Berthong Street.

The RSA recommended the installation of a safer crossing facility in Campbell Street near the gates of the School, and provided several options to be considered, including a children's crossing with supervision and flags. In response to the RSA, the Applicant suggested the recommendations be referred to the Hilltops Council for consideration in consultation with TfNSW.

As part of the RtS, the Applicant suggested most students crossing Campbell Street were not from the Young High School, but from Young Public School located further to the south. The RtS also suggested that additional kerb blister treatments were installed in 2010 to reduce the width of pavement for students to cross.

The TIA also included a preliminary Green Travel Plan (GTP) which described the existing pedestrian, cycle and public and community transport network in the locality and provided an action plan to enhance sustainable transport outcomes for the development. The GTP notes the site has good connection to an established pedestrian network, but there are no shared paths or dedicated bicycle paths in Young. The GTP also notes there is no public transport or "town bus" service in Young but the Young/Boorowa Community Transport Service provides a range of transport services to the community.

The GTP provided an action plan with recommendations and timelines for implementation, including:

- forming a working party overseen by the Joint-Governance Committee who will manage the joint-use facility with the active involvement of the school and community. The working party would consist of school staff, library staff, library user group representatives and members of the community and be tasked with facilitating transport outcomes– within 12 months
- provide connections to existing walking and cycling infrastructure – prior to use of the new Library
- provide safe and convenient access to community transport as part of the development – prior the use of the new Library
- advocate for a public transport service to connect with the new Library – within 12 months.

As part of the RTS, the Applicant reiterated that access to the site would be provided by a community bus for pensioners and the disabled and that Council has committed to reviewing the demand for a public transport facility once the library opens.

The Department considers there are some existing safety issues with the existing road network that could be exacerbated due to the impact of the development. These road safety issues should be addressed by both responsible road authorities (TfNSW for Campbell Street and Council for the balance of the local road network) to ensure the increase in pedestrian traffic caused by the development does not increase safety risks. The Department has recommended conditions of consent

requiring the Applicant to prepare a final list of mitigation measures in consultation with Council and TfNSW, and prepare a detailed report which would also provide realistic implementation timeframes to be reviewed by the Local Traffic Advisory Committee, prior to occupation of the development. The Department has recommended that, in preparing the list, the Applicant would need to consider the Ripon Street threshold crossing recommended by the TIA, in consultation with TfNSW and Council.

The Department understands that pedestrian accessibility to the new Library is a key issue for the community. The new Library will be located around 800m from the existing library and around 500m from the town centre. This distance would be considered relatively close for an urban setting, but less so in regional towns with high vehicle user rates, higher summer temperatures and less reliance on walking and cycling as modes of transportation. The Department considers the action plan in the GTP provides reasonable recommendations which should be considered by the Applicant and Council to increase the ease of access to the site for all forms of transportation. In particular, a town public transport service linking the town centre and other services to the new Library should be investigated. The Department has recommended the preparation of a final GTP by the working party in consultation with the Applicant and Council to ensure accessibility to the site is prioritised prior to operation.

6.2 Social Impact

The construction of a new purpose built joint-use library and the subsequent relocation of the existing library to the School campus could have both positive and negative social impacts. Many of the public submissions raised concerns regarding the social impact of relocating the library away from the town centre. To better understand these potential impacts, the Applicant prepared a Social Impact Assessment (SIA) which was amended as part of the RtS in response to the issues raised in the public submissions.

The SIA was informed by community and stakeholder consultation including a Project Reference Group and local committee, stakeholder meetings and community information sessions. Based on the community consultation and International Association for Impact Assessment's (IAIA) International Principles for Social Impact Assessment guideline (2003), the SIA identified the following social impacts as being key to the development:

- access to and use of community facilities
- access to education opportunities
- social impacts of construction
- local amenity impacts.

6.2.1 Access to and Use of Community Facilities

The SIA identified several positive social impacts associated with the development in terms of providing a new Library including increased opportunities for students and staff of the School, opportunities for the public to access to new and improved facilities for a range of learning and creative activities, and the replacement of an ageing and under-sized library.

Like several public submissions, the SIA identified the potential negative social impact of relocating the library from the town centre, close to daily living needs and services. The existing Young Library

(see **Figure 18**) is located on Lynch Street just off Boorowa Street, Young's main street. The location of the existing library is accessible for pedestrians and ample parking close by. However, the SIA noted that the relocation of the library would be in line with Council's Young Cultural Infrastructure Masterplan (2014).

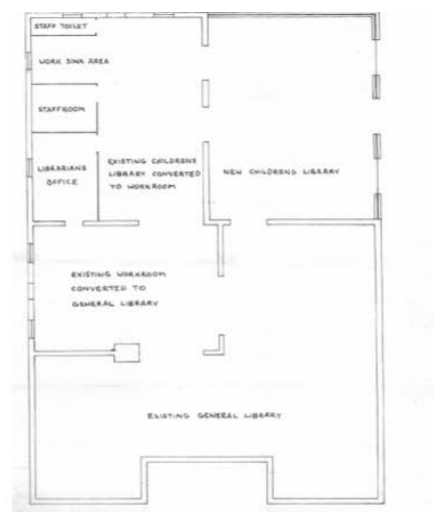


Figure 18 | Existing Library and floor plan (Source: Applicant's EIS 2019)

Another potential negative social impact the SIA identified is the management of public access to the joint-use facility when the School is in operation. The safety and security of the students is paramount, and the development must ensure this is adequately considered through design and territorial reinforcement.

To minimise these potential social impacts, the Applicant has proposed the following:

- ensuring adequate parking is provided
- committing to investigating enhanced connections to the Young town centre via public and active transport, with a working party consisting of school staff, library staff, library user group representatives and members of the community to be formed to facilitate transport outcomes
- considering establishing a drop-off zone in the Carrington Park carpark to allow users of the library to be dropped off
- Council should explore opportunities to repurpose the existing Young Library as a dedicated creative and cultural facility
- develop a Plan of Management in collaboration with the School and Hilltops Council to identify strategies to ensure the joint-use arrangements are effective including identifying safety and security measures to enhance community access and use of the site outside school hours
- delineation of public access, school access only and joint use areas through fencing, landscaping, separate washrooms and separate circulation stairs.

6.2.2 Access to Educational Opportunities

The SIA suggested the improved provision of educational opportunities is a priority in the Hilltops LGA for both local and State government and providing fit for purpose school facilities could counter the low school retention rates.

In terms of access to improved educational opportunities, the SIA suggested the development would have positive social impacts, including:

- providing improved access to lifelong learning opportunities
- the delivery of a new student well-being hub. Improving student well-being is a key driver identified in the School's strategic plan
- future focused learning spaces which are adaptable and multi-functional
- Improving student engagement and learning outcomes
- the delivery of the proposed Wiradjuri Learning Centre to educate the School and community about the area's Aboriginal heritage
- retention of staff through higher quality facilities.

The SIA also identified the potential negative social impact of managing the interactions between students and the broader community and suggested that this impact would be mitigated through the delineation of spaces and the implementation of the Plan of Management discussed above.

6.2.3 Social Impacts of Construction

The SIA identified that potential negative impacts would be felt during construction of the development. Construction works would likely cause some amenity impacts for the locality including noise and air quality (dust) which are discussed later. The SIA suggested these impacts can be mitigated through construction management practices and effective community consultation.

The SIA also identified that the demolition of buildings and establishment of the construction compound would lead to the decanting of students. Although unavoidable, the SIA suggested change management protocols would be established to ensure appropriate temporary learning environments are provided.

6.2.4 Local Amenity Impacts

The operation of the development is likely to result in both positive and negative impacts on the local amenity in the area through its interaction with Carrington Park and altering place identity. The SIA suggested the development has the potential to activate the broader area as a community and cultural precinct. The SIA also identified improved place identity, neighbourhood character and connection to the streetscape as positive social impacts of the development.

The SIA further identified the required partial redevelopment of Carrington Park to provide the Currawong Walk to ensure accessibility could have a negative social impact through loss of open space. Also, the SIA suggested the development would increase parking demand in the locality and cause some additional traffic on the local road networks which is a potential negative social impact.

The SIA reiterates that the recommendations contained in the TIA provided in the EIS would be implemented to mitigate traffic impacts and the Carrington Park Carpark would be extended to provide more parking. The SIA also suggested design of the development is based on extensive community consultation to mitigate any impacts on Carrington Park and ensure place identity is improved.

6.2.5 Consideration

The Department notes the design of the development has been informed by extensive community consultation and although Council is not Applicant, it is a funding partner and has had extensive involvement in site selection and development design. The public have been consulted through several avenues, the proposal has been the subject of consideration at open Council meetings and the decision to partner with the Applicant was made by Councillors, incorporated in a Heads of Agreement, and reflected in Council's overarching Integrated Planning and Reporting under the *Local Government Act 1993*. Having said this, the Department understands the development has been an emotive and polarising issue for some in the community. Several of the public submissions raised legitimate concerns with the relocation of the library from its present location in the town centre and the corresponding impacts on accessibility, sense of place and community identity. Ensuring the design of the development reacts to these concerns as best as possible, while balancing the School and community need for modern learning and cultural spaces, is paramount.

The Department considers the development provides a joint-use multifunctional learning environment which would benefit the School and the community. Although the location of the development does not provide as close a connection to existing services and commercial uses as the existing library, the Department agrees with the Applicant that it could act as a catalyst to create a cultural and learning precinct and increase the use of Carrington Park and other existing cultural facilities in the area including the Lambing Flat Museum. The new Library would also be substantially larger than the existing Young Library and offer contemporary learning and cultural spaces for the community.

Accessibility of the library to the community was also identified as an issue in many public submissions. The expansion of the Carrington Park carpark, the inclusion of a pick-up and drop-off spot for accessibility purposes and the construction of the Currawong Walk would improve access to the site. However, a minimum walk of 60m is required to reach the doors of the library from the carpark. Alternative means of providing access to the site for people with disabilities and people without access to a vehicle is necessary as a public transport or 'town bus' service is not provided in Young. The Department has recommended a condition requiring the preparation of a final Green Travel Plan in consultation with Council to investigate alternative means of access for residents to the new Library.

The Department concludes that on balance the development would have a net positive impact on the community and the School. The Department considers the communities needs for contemporary learning, cultural and community facilities outweighs the potential negative social impacts of moving the library from the town centre.

6.3 Heritage Impact

The development is located both adjacent to and near locally-listed heritage items, with associated works in the Carrington Park Precinct, which has been identified as potentially of State heritage significance and is subject of a State Heritage Register nomination. The potential impact the development could have on these items was an important consideration for the Applicant, most notably impacts to the former Court House (referred to as Building AA). To enable a comprehensive understanding of the potential heritage impacts of the development, the Applicant provided a detailed Heritage Impact Statement (HIS) in the EIS, amended as part of the RtS. The HIS addressed the provisions of clause 5.10 of the Young Local Environmental Plan 2010 (YLEP) and was prepared in consideration of the NSW Heritage Manual and The Burra Charter. The report addresses the significance ranking of each building including those buildings subject to works as part of this application, noting:

- Building AA (item I136 – former Court House) and the associated forecourt to the north and east have a high degree of significance
- Building BB being the 'Arts' block was constructed in 1963 has little significance and both it and the demountable building in the forecourt are considered intrusive. It is understood that Hilltops Council granted consent to DA 2019/00082 that enabled demolition of this structure in September 2019
- Buildings CC (domestic science block), JJ (Nonette Brown cottage) and the house at 15-17 Campbell Street have being identified as having moderate significance
- all other buildings within the School grounds have been described as having little heritage significance.

The HIS stressed the highly significant elements of the former Court House should be retained and conserved, along with the fencing to the north and east, original gardens and paths. The works to be undertaken on the former Court House were considered to be 'minor modifications'. Noting that the affected rooms, ancillary to the main former court room, have been modified and altered over time, the HIS acknowledged that minor demolition would be essential to accommodate a fit for purpose music room in an area presently used for storage.

The HIS suggested the new Library is unlikely to adversely impact the former Court House. The HIS also stressed the bulk, scale and height of the new Library are commensurate with the former Court House. The demolition of the former arts building (Block BB) and removal of the demountable well-being building approved as part of the enabling works, along with the proposed graduated setbacks of the new Library would open up views to the former Court House (see **Figure 19**).

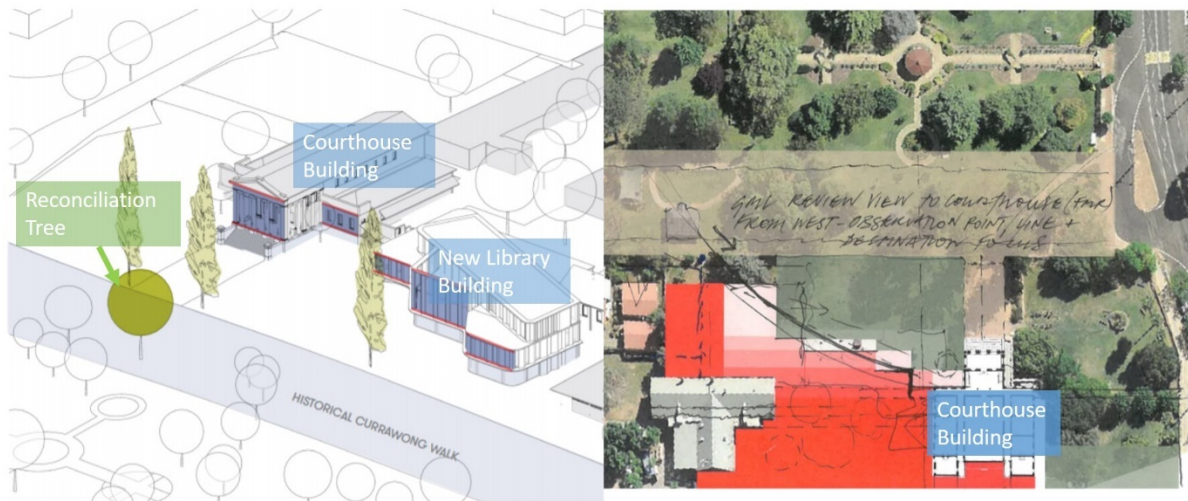


Figure 19 | Views to and from the former Court House (Source: Applicant's EIS)

The EIS states that the '*external materials and finishes have been selected to provide a durable and high quality design outcome*' suggesting that the use of fibre-cement sheeting, aluminium fins, glazing in the new Library are compatible with the former Court House and Carrington Park. The HIS suggests the new Library, while being an impressive structure, is still generally subservient to the grandness of the former Court House.

In terms of tree removal and landscaping, the HIS refers to the Aboricultural Impact Assessment (AIS) prepared by Wade Ryan Contracting and states that trees to be removed have not been identified as being significant in the Conservation Management Strategy for the site. The identified Reconciliation Tree in the ACHAR would be retained and protected as part of the development.

Some of the public submissions raised concerns with Applicant's assessment and the potential impact of the development on the heritage items, including:

- a lack of consultation with the local museum and historical society
- potential inaccuracies throughout the HIS including not properly identifying the precinct and structures within Carrington Park
- not giving adequate weight to the historical significance of the Lambing Flat Anti-Chinese Riots
- inadequate assessment of the reported prisoner tunnels.

As part of the Applicant's RtS, the HIS was amended to provide:

- a more detailed statement of significance in respect to the Lambing Flat Anti-Chinese Riots
- an updated design report to address the compatibility of the new building and the former Court House
- confirmation that the proponent would adopt the recommendations contained in the revised HIS and Historical Archaeological Assessment (HAA)
- ground penetrating radar results which showed no evidence of prisoner tunnels.

Heritage Council was critical of the amended HIS, including:

- failure to fully consider the intangible connections the site has with overt examples of racism associated with the anti-Chinese riots at Lambing Flat in 1861
- lack of detailed design drawings to address the compatibility and relationship between the former Court House and new Library
- issues with the non-symmetrical landscaped design for the forecourt of the Court House
- lack of a comprehensive archaeological investigation of the site, including the location of suspected prisoner transfer tunnels.

However, the Heritage Council provided recommended conditions should the application be approved:

- the preparation of an interpretation strategy and plan for the site in consultation with them
- design refinement of the new Library to ensure it is sympathetic to the heritage significance of the former Court House
- design refinement of the landscape strategy to ensure its symmetrical with the former Court House
- ground truthing the ground penetrating radar results.

The Applicant carried out further consultation with the Heritage Council to better understand their concerns. Following this consultation, the Applicant agreed to the Heritage Council's proposed conditions of consent including considering design refinements to the new Library and the landscape strategy.

The Department acknowledges the high historical significance of the site. The subject site contains and is located within a number of heritage items listed in Schedule 5 of YLEP as having local heritage significance, however the intangible connection with historic events (including the Lambing Flat Anti-Chinese Riots) greatly elevates the importance of the precinct and could warrant the site being considered for State Heritage Register (SHR) listing as noted by the Heritage Council. Several submissions, including from the Heritage Council, were critical of aspects of the development and perceived deficiencies in the HIS.

The Department does agree with the recommendations of the Heritage Council that the preparation of an Interpretation Strategy and Plan is warranted to ensure the significance of the site and the intangible connections to it are considered further.

The Department does not consider that the new Library would have a significant detrimental impact on the former Court House or on the landscape setting of Carrington Park. While the new building is an impressive contemporary structure, the Applicant has strived to provide a design which is sensitive to and responds to the former Court House. The Department considers the built form of the new Library including its sympathetic height, stepped façade treatments and use of vertical design elements would improve the site's relationship with the former Court House, as compared with the School buildings previously sited in the location. However, the Department agrees with the Heritage Council that design refinement in terms of choice of materials and external design elements of the new Library could

improve the building's integration with the former Court House. As such, the Department has recommended a condition that the external design of the new Library be refined in consultation with the Heritage Council.

The Department also considers the landscaping in terms of tree protection and linking Carrington Park and the forecourt of the new Library to the Court House is generally satisfactory. While the intent of the landscape design clearly provides the connection to the new Library and Aboriginal cultural heritage, it creates a juxtaposition with the classic formal lines of the Court House which ideally should be refined. The Department therefore agrees with the Heritage Council and has recommended the refinement of the landscaping design as a condition of consent.

The Department is sympathetic to YCARA concerns with the development's potential impact on the suspected prisoner transfer tunnels under the site. The lack of evidence of the tunnels during the Applicant's ground penetrating radar investigations is noted, however, the evidence provided by YCARA does suggest the existence of the tunnels at a point in history. Based on the evidence provided by YCARA, Heritage NSW recommended that should the tunnels be found during excavation or construction, the project should be redesigned to avoid any further impacts. The Department considers Heritage NSW's request would appropriately address some of the concerns of the YCARA and other public submissions. The Department has therefore required an Unexpected Finds Protocol as a recommended condition of consent, and a requirement to stop work and consult with the Heritage Council in the event that tunnels are identified during construction of the proposal.

6.4 Other Issues

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

Table 7 | Summary of other issues raised

Issue	Findings	Recommended Condition
Built Form	- The development has been designed in close consultation with Council and was the result of extensive consultation with the community and key stakeholders. - The NSW State Design Review Panel (SDRP) reviewed draft architectural plans for the new Library and were generally satisfied with the proposed design, but had the following comments and minor design amendments: - additional north-south linkages in Carrington Park to Ripon Street should be provided - enhanced vertical connections between school reading spaces and the art floor above should be considered	- An assessment of the potential heritage impacts of the development is provided in Section 6.3. - The Department has considered the concerns raised by submitters regarding the contemporary built form of the development and its impact on the visual amenity of the locality including the heritage significance of the site and surrounds (Section 6.3). - The Department considers the built form of the development to be in keeping with the bulk, scale and height of surrounding

	- o voids to promote vertical connection between floors should be provided. • The Applicant's design consultants, Hayball, revised the design of the new Library in consideration of the SRDP's comments and prepared a detailed Design Analysis Report and Design Verification Statement in consultation with Hilltops Council. • The development comprises the construction of a new part two-storey and part three-storey building. The maximum height of the building at 12.98m was chosen to respond to the adjacent former Court House. • The Design Analysis Report and Design Verification Statement suggested the design of the development considers both European and Aboriginal Heritage and looks to bring the two narratives together. In particular: - o the horizontal lines of the building reference the stratification of land formation and the collection of key Aboriginal gathering sites around the building area are linked through song-lines - o the buildings mass steps back to improve the historic sight-lines to the former Court House and vertical façade elements are sympathetic to the columns integral to the design of the former Court House. • Some public submissions raised concerns with the built form and design of the development which were mainly concerned with the potential impact on the heritage significance of the site (Section 6.3). The Heritage Council also raised concerns regarding potential impact on the heritage items on the site and in the locality.	development including the former Court House and other School buildings. • The Department considers the contemporary design of the new Library interacts well with the School's buildings, Carrington Park and the former Court House and would add visual interest to the site and its surrounds. • However, some refinement to the design including external materials selection of the new Library is warranted as described in Section 6.3 of this report. • The Department notes the proposed external materials of the new Library are of a non-combustible material in accordance with the National Construction Code (NCC). • Notwithstanding, a condition of consent has been recommended to require the Certifying Authority to be satisfied that the proposed external materials comply with the NCC prior to the issue of a Construction Certificate.
Landscaping	• The EIS included a Landscape Design Strategy (LDS) prepared in consultation with Council. The LDS was developed on the following principles: - o create a legible and accessible site - o learning through landscape	• The Department notes the LDS was prepared in consultation with Council. • The Department considers the implementation of the LDS would improve the appearance of the site and the connection of the school grounds to Carrington Park.

	- o create a sense of community - o create a sustainable and adaptive landscape. • Proposed landscaping works are primarily located to the north of the new Library fronting and connecting to Carrington Park and consist of: - o curved pathways leading from Carrington Park to the community entrance to the new Library - o retention of significant trees - o use of timber decks and concrete finishes within the school courtyard - o use of compacted decomposed granite for the Currawong Walk. • The LDS was also developed with consideration of the demarcation between community and school uses (see Figure 10, Figure 11 and Figure 12). • Fencing and gates have been incorporated into the LDS to restrict access to the School from the public during school hours and allow access to a portion of the site used by the school during the day to the community after school hours. • Some public submissions raised concerns with the proposed landscaping design and the alternations to Carrington Park. • The Heritage Council, as discussed in Section 6.3 raised concerns regarding the lack of symmetrical connections to the former Court House.	• The Department agrees with the Heritage Council that more symmetrical pathway connections from Currawong Walk to Carrington Park would improve the overall design and would be more sympathetic to the heritage values of the former Court House. • The Department has recommended the refinement of the LDS in consultation with the Heritage Council as a condition of consent.
Noise	• The development has the potential to emit noise during construction and less so during operation which could impact on the amenity of the locality. • The EIS included a Noise and Vibration Assessment (NVA) prepared by Marshal Day which assessed the potential construction and operational noise and vibration impacts on the nearest sensitive receivers which included: - o Carrington Park adjacent to the site to the north	• The Department notes most receivers are not expected to be impacted during an average construction scenario. However, under a worst-case scenario, all surrounding receivers could potentially be impacted. • To ensure the worst-case scenario modelled in the NVA is avoided, the Department has recommended conditions requiring the preparation of and implementation of a detailed CNMP that includes:

- o Army Cadet Lodge and Lambing Flat Museum to the north-east of the site
- o residential houses at 15-17 Caple Street to the north-west of the site
- o Hennessy Catholic College and St Mary's Catholic Church to the north.

Operational Noise

- The NVA concluded that the operation of the library would not be expected to have a noise impact due to its distance from sensitive receivers and the low noise potential of the use.
- However, the NVA did recommend that any additional PA System or school bells should be located and calibrated to ensure noise impacts are mitigated.

Construction Noise

- The Interim Construction Noise Guideline (ICNG) outlines methods for establishing noise management levels (NMLs) to minimise construction noise impacts on sensitive receivers.
- The NVA modelled noise levels at sensitive receivers based on a worst-case scenario in which all equipment was operating simultaneously at the boundary of the site closest to the sensitive receiver. An average scenario was also modelled with noise sources located at the centre of the site and only some of the equipment operating simultaneously.
- The NVA noted that under the worst-case scenario, construction works were expected to exceed the NMLs (i.e. RBL + 10 dBA) at most of the sensitive receivers and under an average scenario only Carrington Park and TAFE NSW would experience exceedances.
- To minimise the likelihood of noise impacting sensitive receivers, the NVA recommended a detailed Construction Noise and Vibration Management Plan (CNVMP) be prepared prior to works commencing.

- o scheduling of noisy construction activities outside of school hours or during school holidays
- o the requirement that all construction activities comply with best practice vibration management criteria to ensure no adverse impact to surrounding buildings and structures
- o installation and monitoring of unattended noise monitoring at sensitive receivers, including alert triggers to stop works when sensitive receivers become 'highly noise affected' (i.e. when noise levels exceed 75 dBA)
- o the requirements to comply with the ICNG construction noise management levels where feasible and reasonable.

- The NVA included a draft CNVMP which proposed several mitigation measures including:
 - o use of noise barriers
 - o avoid the use of reversing alarms
 - o scheduling noisy demolition and construction and using respite periods
 - o staging of construction activities
 - o community consultation and implementation of appropriate measures to manage noise complaints.
- No concerns regarding noise were raised by the public.
- The EPA noted the predicted exceedances of the NMLs and requested the Applicant implement noise control measures on site and establish a consultation/notification strategy with sensitive receivers.

Aboriginal Cultural Heritage

- The EIS included an Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared by GML.
- Prior to commencing the ACHAR, there were no Aboriginal sites registered on the Aboriginal Heritage Information Management System (AHIMS) in Young.
- However, investigations carried out with Representative Aboriginal Parties (RAPs) identified that the site contains one artefact site of moderate significance and a significant Reconciliation Tree. The artefact site is located partially within the footprint of the new Library and the Reconciliation Tree is located outside the footprint.
- Consultation with the Aboriginal Community resulted in a request to register the Reconciliation Tree in AHIMS and preserve it. As avoidance of the artifact site is not possible, a salvage excavation program will be carried out prior to works commencing in this area.
- The proposed salvage excavation program would include updating the Aboriginal research design to reflect the specific works in consultation with RAPs.
- The ACHAR represents a substantial body of work carried out in close consultation with the Aboriginal Community. The findings of the ACHAR are noted by the Department and strict conditions of consent to ensure the recommendations of the ACHAR are adhered to have been recommended, including:
 - o the preparation and implementation of an Aboriginal Cultural Heritage Management Plan prior to works commencing
 - o the completion of a salvage excavation program in close consultation with RAPs and the Aboriginal Community prior to works commencing near the Artefact Site
 - o protection of the Reconciliation Tree during construction and registration on AHIMS.

	• The ACHAR also recommended the preparation of an Aboriginal unexpected finds protocol. • No concerns regarding Aboriginal Heritage were raised by the public. • EESG requested that the recommendations of the ACHAR be included as conditions of consent and the Applicant be required to prepare an Aboriginal Heritage Management Plan prior to works commencing.	
Stormwater	• The development would add additional impervious surfaces to the site which would require stormwater management. • The EIS included a Stormwater Management Report (SMR) including a stormwater design prepared by Northrop in accordance with Hilltops Council's Development Engineering Standards which incorporates: - o an underground onsite detention tank - o rainwater harvesting tanks and stormwater conveyance network - o no treatment of stormwater prior to discharging into Council's stormwater system. • The SMR included a Flood Impact Assessment which determined that the site was not flood prone but could be impacted by some overland flows. • The SMR also included an Erosion and Sediment Control Plan to prevent pollutant loads from impacting Council's stormwater system or adjacent sites. • Council did not raise any concerns with the SMR or the stormwater design for the development.	• The Department is satisfied the Applicant's stormwater design would ensure pre and post development flows meet Council's requirements. • The Department has recommended conditions to ensure stormwater discharge from the site does not have adverse off-site impacts during construction and operation, including: - o preparation of detailed stormwater designs in consultation with Council - o preparation of a Construction Environmental Management Plan in consultation with Council including an Erosion and Sediment Control Plan.
Crime Prevention Through Environmental Design (CPTED)	• The development involves the construction of a new joint-use community and School library, the design of which should consider crime prevention to ensure the safety of residents. • The EIS suggested the design of the development implements the principles identified in the Department's Crime Prevention and	• The Department generally agrees that the development has been designed in accordance with the CPTED principles, however, it is unclear how the lighting strategy would be implemented to provide adequate light for pedestrians

the Assessment of Development Applications (2001) guidelines, including:

- o natural surveillance – the development has been designed to provide passive surveillance over public areas, particularly overlooking Carrington Park. The well-lit nature of the School environment would also enhance passive surveillance.
- o access control – separate access points to the library are proposed for school students and the community (see **Figures 9 to 11**). The internal layout has been designed with access control in mind including sliding partitions. Externally, gates would be used to restrict access to some sections of the northern school grounds / joint-use areas during school hours
- o territorial reinforcement – fencing, gates and landscaping would be used to reinforce community use areas, school areas and joint-use areas
- o space management – durable façade treatments would be used to discourage graffiti or vandalism. The continued maintenance of the building would ensure that it does not become degraded.

walking along Currawong Walk.

- The Department has recommended a condition requiring finalisation of the lighting strategy prior to the commencement of works on the site.



7. *Evaluation*

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

The application is consistent with the objects of the EP&A Act and is consistent with the State's strategic planning objectives for the site as set out in the NSW Premier's Priorities, as it would improve education results through the provision of new and improved teaching facilities in a regional setting. The development would provide significant public benefit to the local community through delivering new teaching and learning facilities for the school and contemporary learning, cultural and community facilities for the public.

The Department has considered the concerns raised in the public submissions, including in relation to increased traffic, pedestrian accessibility, lack of parking, impact on heritage values and the social impact of relocating the library away from the town centre.

The Department considers the surrounding road network has capacity to accommodate the additional traffic and on-street parking needs associated with the new Library. The RSA, provided as part of the TIA, uncovered some existing issues with the street network which the Department has recommended be addressed by the relevant road authority as conditions of consent.

The Department generally considers the siting and design of the development is sympathetic to the heritage values of the site and its surrounds including the former Court House.

The Department agrees with the Heritage Council that an Interpretation Strategy and Plan should be implemented as a condition of consent to ensure the significance of the Lambing Flat Anti-Chinese Riots is considered further in the refinement of the non-built form design of the development. Further, the Heritage Council raised valid concerns with the landscape strategy and its lack of symmetrical connections with the former Court House and the design of the new Library. Therefore, the Department has recommended a condition regarding the refinement of the landscape design. The Department also agrees with the Heritage Council that some of the design elements of the new Library could be refined to be more sympathetic to the Court House and has recommended a condition to ensure this occurs prior to the commencement of construction.

It is understandable that the relocation of an engrained community facility has caused some public concerns and perceived negative social impacts. The Department has evaluated the social impacts associated with the relocation of the library from the town centre and the provision of contemporary

and improved learning and cultural facilities for the school and the community. On balance, the Department considers the development would provide a net positive social impact to the community and the School.



8. Recommendation

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

- **considers** the findings and recommendations of this report; and
- **accepts and adopts** all the findings and recommendations in this report as the reasons for making the decision to grant consent to the application;
- **agrees** with the key reasons for approval listed in the notice of decision;
- **grants consent** for the application in respect of SSD 9671; and
- **signs** the attached development consent and recommended instrument of approval (**Appendix C**).

Recommended by:

Dominic Crinnion

Team Leader

Water and Intermodals Assessments



9. *Determination*

The recommendation is: **Adopted by:**

21/5/2020

David Gainsford

Executive Director

Infrastructure Assessments



Appendices

Appendix A – List of Documents

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

1. Environmental Impact Statement
<https://www.planningportal.nsw.gov.au/major-projects/project/10096>
2. Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/10096>
3. Applicant's Response to Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/10096>

Appendix B – Statutory Considerations

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

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

Controls considered as part of the assessment of the proposal are:

- State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64)
- Draft State Environmental Planning Policy (Remediation of Land)
- Draft State Environmental Planning Policy (Environment)
- Young Local Environmental Plan 2010 (LEP).

Compliance with Controls

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

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

Table B1 | SRD SEPP compliance table

Relevant Sections	Consideration and Comments	Complies
3 Aims of Policy The aims of this Policy are as follows: (a) to identify development that is State significant development	The proposed development is identified as SSD.	Yes
8 Declaration of State significant development: section 4.36 (1) Development is declared to be State significant development for the purposes of the Act if: (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2.	The proposal is for the purpose of an educational establishment with a capital investment value (CIV) in excess of \$20 million, under clause 15 of Schedule 1 of the SRD SEPP.	Yes

State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)

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

Sections 27 to 32 of the ISEPP, which included provisions in relation to educational establishments, were repealed on 1 September 2017 with the introduction of the Education SEPP.

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

The Education SEPP commenced on 1 September 2017 and aims to simplify and standardise the approval process for child care centres, schools, TAFEs and universities while minimising impacts on surrounding areas and improving the quality of the facilities. The Education SEPP includes planning rules for where these developments can be built, which development standards can apply and constructions requirements. The application has been assessed against the relevant provisions of the Education SEPP.

Clause 57 of the Education SEPP requires traffic generating development that involve addition of 50 or more students to be referred to TfNSW. The Application was referred to TfNSW in accordance with this clause and details of consultation and the Department's consideration of TfNSW's advice is provided in **Sections 5 and 6**.

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

Table B2 | Consideration of the Design Quality Principles

Design Principles	Response
Principle 1 - context, built form and landscape	The configuration and siting of the proposed building has been selected to minimise the heritage impact on the former Court House and Carrington Park.
Principle 2 - sustainable, efficient and durable	The proposal includes ecologically sustainable development elements as detailed in Section 4.4.3 .
Principle 3 - accessible and inclusive	The proposal has been designed to be accessible and inclusive through the provision of accessible paths of travel from the site boundaries up to and around the new Library. The proposal incorporates wayfinding signage identifying key areas within the school assisting visitors to navigate the site.

Principle 4 - health and safety	The design of the new Library provides a safe and secure school environment.
Principle 5 - amenity	The proposal provides a variety of internal learning places for both formal and informal educational opportunities and outdoor spaces for student interaction. The design of the new Library seeks to maximise natural light and ventilation to the indoor areas of the new Library while the landscaping and outdoor areas provide ample areas for students and staff use and community use outside of school hours.
Principle 6 - whole of life, flexible, adaptable	The buildings would allow for long term flexibility through the provision of flexible formal and informal learning areas to adapt to future learning requirements.
Principle 7 - aesthetics	The proposal offers an articulated and dynamic built form with clear entry points and wayfinding.

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

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The EIS included a preliminary contamination investigation of the site which concluded that the risk of contamination is low and that the site is suitable for the continued use as a school.

The Department has considered the EIS and advice provided by the EPA is satisfied that the site is suitable for the continued use as a school as required by SEPP 55. Notwithstanding, the Department has recommended a condition of consent requiring the applicant to implement an unexpected finds procedure if contaminated material is encountered during construction of the development

State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64)

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

The development proposes new way finding and building identification signage as detailed in the Amended Plans provided by the Applicant in the RTS (see Appendix A). The proposed signs are grey in colour including some constructed of concrete with etched lettering.

Under clause 8 of SEPP 64, consent must not be granted for any signage application unless the proposal is consistent with the objectives of the SEPP and with the assessment criteria which are contained in Schedule 1. **Table B3** below demonstrates the consistency of the proposed signage with these assessment criteria.

Table B3 | SEPP 64 compliance table

Assessment Criteria	Comments	Compliance
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The signage is relatively understated for the size of the site, would be compatible with the future character of the school, and would not detract from the future character of the surrounding area.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is no established theme for signage. The signage would be consistent with the school design and would not detract from the existing way finding and heritage item identification signage in Carrington Park.	Yes
2 Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposal does not detract from the amenity or visual quality of any special areas.	Yes
3 Views and vistas		
Does the proposal obscure or compromise important views?	The signage would not obscure any views.	Yes
Does the proposal dominate the skyline and reduce the quality of vistas?	The signage would sit well below the height of proposed adjoining buildings and therefore does not affect the skyline or vistas.	Yes
Does the proposal respect the viewing rights of other advertisers?	There are no other advertisers in the vicinity of the sign.	Yes

4 Streetscape, setting or landscape

Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The signage would be of appropriate scale and proportion for the setting and landscape.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The signage would complement the school design and Carrington Park therefore the visual interest of the streetscape.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The signage is simple in design and would not result in visual clutter.	Yes
Does the proposal screen unsightliness?	Not applicable (N/A).	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signage would sit well below the height of adjoining buildings and trees.	Yes
Does the proposal require ongoing vegetation management?	No vegetation management required.	Yes

5 Site and building

Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The signage is of appropriate scale and proportion and is considered relatively understated in the context of the entire site.	Yes
Does the proposal respect important features of the site or building, or both?	The signage is appropriately located and does not impact on any other important features of the site.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The purpose of the signage is to denote the entrance to the library and allow for wayfinding and it is not considered necessary to demonstrate innovation or imagination in this case.	Yes

6 Associated devices and logos with advertisements and advertising structures

Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	No associated devices are proposed.	Yes
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7 Illumination

Would illumination result in unacceptable glare?	The sign would not be illuminated.	Yes
Would illumination affect safety for pedestrians, vehicles or aircraft?		

Would illumination detract from the amenity of any residence or other form of accommodation?	N/A	N/A
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Can the intensity of the illumination be adjusted, if necessary?	N/A	N/A
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Is the illumination subject to a curfew?	N/A	
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8 Safety

Would the proposal reduce safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No. Extensive views of Currawong Walk and entrance area would still be available.	Yes
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Would the proposal reduce safety for any public road?	No. The sign would not affect the public road.	Yes
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Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)

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

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

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

Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)

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

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

Young Local Environmental Plan 2010 (YLEP)

The Young LEP aims to encourage development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of Hilltops LGA. The LEP also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the YLEP and those matters raised by Council in its assessment of the development (see **Section 5**). The Department concludes the development is consistent with the relevant provisions of the LEP.

Table B4 | Consideration of the Young LEP

LEP	Department Comment/Assessment
Clause 2.3 Zone objectives	The Department considers the development is generally consistent with the objectives of the R1 – General Residential zone as it provides an educational and community facility to meet the day to day needs of the residents of Young. The development is also considered generally consistent with the objectives of the RE1 – Public Recreation zone as the site including Carrington Park would continue to provide a range of recreational opportunities and the new Library would be considered a compatible land use which could increase the usership of the adjacent park.
Clause 2.7 Demolition requires development consent	The proposal includes the demolition of buildings within the site and therefore forms part of any consent granted.

Clause 4.3 Building height The site is not subject to a building height limit.

Clause 4.4 Floor Space
Ratio The site is not subject to a floor space ratio limit.

Clause 5.10 Heritage
conservation The grounds of the school are listed as an item of local heritage significance in the LEP and the site is listed on the NSW Department of Education's Section 170 Heritage and Conservation Register. The listings relate to Carrington Park and Band Rotunda, Assembly Hall (former Court House, the technical college (former Gaol). The site is also in near vicinity to local heritage items including a group of Catholic church, convent and school buildings.

A nomination has been made to list lands including part of the site for State Heritage Listing.

The Department has considered the appropriateness of the proposed development in consideration of the heritage characteristics of the site and surrounds.

Other Policies

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

Notwithstanding, the objectives of relevant controls under the Young Development Control Plan 2011, where relevant, has been considered in **Section 6**.

Appendix C – Recommended Instrument of Approval

<https://www.planningportal.nsw.gov.au/major-projects/project/10096>