



# Santa Sophia Catholic College

Section 4.55(1A) Modification Application to  
SSD 9772

Catholic Education Diocese of Parramatta

September 2020

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## Section 4.55(1A) Modification Application to SSD 9772

Prepared for Catholic Education Diocese of Parramatta

August 2020

### Document Control

Issue / Revision	Author	Reviewer	Approved for Issue	
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Revision 2	Stuart Wilmot		Stuart Wilmot	16/9/2020

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## List of Abbreviations

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<b>AS</b>	Australian Standard
<b>CEMP</b>	Construction Environmental Management Plan
<b>CEDP</b>	Catholic Education Diocese of Parramatta
<b>DA</b>	Development Application
<b>DoE</b>	NSW Department of Education
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	<i>Environmental Planning and Assessment Regulation 2000</i>
<b>ESEPP</b>	<i>SEPP (Educational Establishments and Child Care Facilities) 2017</i>
<b>ICNG</b>	Interim Construction Noise Guideline
<b>LEP</b>	Local Environmental Plan
<b>LGA</b>	Local Government Area
<b>SEE</b>	Statement of Environmental Effects
<b>SEPP</b>	State Environmental Planning Policy

# 1. Introduction

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This Statement supports a modification application under Section 4.55(1A) of the Environmental Planning and Assessment Act 1979 (EP&A Act) to the approved development of a new educational establishment, known as Santa Sophia Catholic College, being consent SSD 9772 approved on 21 April 2020 (the approved works). The scope of the modification is to:

- Include two driveways as part of the consent.
- Clarify the operational hours for the café/canteen; and
- Amend construction and pre-construction compliance reporting requirements.

Santa Sophia Catholic College is comprised in land known as Lot 1 DP 1237552 at 10 Red Gables Road, Box Hill and proposed driveways are located on Lot 2 DP 1237552. The approved works include the construction and operation of a new school comprising of a four to six storey building (15,090 square metres gross floor area), with four components accommodating: learning areas, creative and performance hubs; open space and sporting facilities for 1860 Kindergarten to Year 12 (K-12) students; and a centre-based childcare facility for 60 students and 130 full-time equivalent staff.

As the matter was a new school it was declared a State Significant Development in accordance with Clause 15 of the State Environmental Planning Policy (State and Regional Development) 2011. The Development Application (DA) was publicly exhibited and more than 25 submissions were received. Consequently, the DA was determined by the Independent Planning Commission (IPC).

The modification is described in the following documentation that accompanies the modification application:

## **Plans**

- C400 (Rev P1) Cover Sheet and General Notes dated 11 August 2020
- C401 (Rev P3) Locality Plan dated 9 September 2020
- C410 (Rev P3) Fontana Drive Driveway Plan and Sections dated 9 September 2020
- C411 (Rev P2) Future Road B Driveway Plan and Sections dated 9 September 2020
- C420 (Rev P1) Details Sheet dated 11 August 2020

This statement describes the affected area of the subject site together with the relevant planning controls and policies relating to the modification. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15(1) of the EP&A Act and compliance with the requirements of Section 4.55(1A) of the EP&A Act.

## 2. The Site and Surrounding Environment

### 2.1. Description of the Subject Site

Santa Sophia Catholic College is located on Lot 1 DP 1237552 at 10 Red Gables Road, Box Hill, New South Wales. The adjoining land, which includes the proposed driveways, is Lot 2 DP 123577. The two lots form the subject site, which is mostly zoned B2- Local Centre under the Hills Local Environmental Plan 2019 with a slither of land to the northwest zoned R1 – General Residential.



**Figure 2-1: Zoning of Santa Sophia Catholic College Site**

*Source: Planning Portal accessed 9.7.2020*

Development of the school is currently occurring on the site, which is located within the Box Hill North Urban Release Area and is part of the 'Gables' master planned mixed use development. When the master planned precinct is complete it will consist of a town centre, retail facilities, public primary school, approximately 4,100 dwellings, recreational facilities pedestrian and cycle networks, and associated roads and infrastructure. The subject site is in the Hills Local Government Area.



**Figure 2-2: Santa Sophia Catholic College Site**

*Source: Sixmaps accessed 8.7.2020*

## 3. The Modification

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### 3.1. Scope

The scope of the modification is to:

- Include driveways to Future Road B and Fontana Drive as part of the consent.
- Amend the operational hours for the café/canteen (Condition F5); and
- Amend the compliance reporting requirement wording to reference the PAR 2020 version (Condition C18-C22).

### 3.2. Description of the Driveway Works

Construction of the proposed driveways works would involve:

- The construction of a concrete pavement entrance from Fontana Drive approximately 4 to 5 metres wide and 5 metres deep to the school boundary. It is understood the Fontana Drive driveway is required by the electrical authority to access the substation from Fontana Drive.
- The construction of a concrete pavement entrance from Future Road B approximately 3.5 metres wide and 7 metres deep to the school boundary. It is understood the Future Road B driveway is required as a maintenance access for servicing and maintenance purposes.
- Provision of kerb and guttering for the access driveways.

### 3.3. Change of Hours of Operation

Café / canteen hours of operation as approved are 3pm to 10pm, Monday to Friday and 8am to 10pm Saturday and Sunday. CEDP seeks to amend café/ canteen hours. The existing condition allows the canteen/café to operate in conjunction with the multipurpose hall for community purposes. However, the condition could be interpreted as prohibiting the café/ canteen from operating for the school during recess or lunchtime. Therefore, it is proposed to amend the operating hours for the café/ canteen to **7am** to 10pm, Monday to Friday and 8am to 10pm Saturday and Sunday.

### 3.4. Change of Compliance Reporting Requirements

CEDP seeks to amend the Compliance Monitoring and Reporting Program. TSA Management submitted a Compliance Monitoring and Reporting Program dated 7 May 2020 to the Department of Planning, Industry and Environment. On 10 July 2020, the Department of Planning, Industry and Environment advised it was updating its *Compliance Reporting Post Approval Reporting Requirements* by:

1. Removing the requirement for an audit submission schedule
2. Revisiting the required reporting frequency
3. Removing the pre-construction and pre-operation reporting requirement
4. Removing the construction reporting requirement
5. Requiring Compliance Reporting only for operation and decommissioning

In response to the updated *Compliance Reporting Post Approval Reporting Requirements (2020)* CEDP seeks to delete the construction compliance reports and pre-operation compliance reports from its program. The current program and proposed amendments, as shown by deleting that ~~struck out~~, is described in Table 1 below.

**Table 1:** Compliance Monitoring and Reporting Program

Compliance Report	Phase	Submission timing	Anticipated date
Pre-construction compliance report	Pre-construction	Report to be submitted to the Planning Secretary prior to commencement of construction.	June 2020
<del>Construction compliance report</del>	<del>Construction</del>	<del>No greater than 26 weeks from the date of commencement of construction.</del>	<del>November 2020</del>
<del>Construction compliance report</del>	<del>Construction</del>	<del>No greater than 26 weeks from the date of the previous construction compliance report.</del>	<del>May 2021</del>
<del>Pre-operational compliance report</del>	<del>Pre-operation</del>	<del>Prior to commencement of operation.</del>	<del>October 2021</del>
Operation compliance report	Operation	No greater than 52 weeks from the date of commencement of operation.	April 2022

Changes to conditions C18, C19 and C22 are sought so that future compliance reports must comply with the updated *Compliance Reporting Post Approval Reporting Requirements (Department of Planning and Environment, 2020)*

Consentium has been appointed as the independent auditor and they prepared an Independent Audit Program (dated 21 May 2020) in accordance with consent condition D4. The Independent Audit Program remains consistent with the recently updated *Independent Audit Post Approval Requirements (Department of Planning and Environment, 2020)* and therefore no changes are required. The Independent Audit Program is described in Table 2 below.

**Table 2:** Independent Audit Program

Audit	Requirement Frequency	Timeframe
Initial Independent Audit	Within 8 weeks of the notified commencement date of construction	28 July 2020
Second Independent Audit	No later than 26 weeks from the date of initial construction Independent Audit	22 January 2021



Audit	Requirement Frequency	Timeframe
Third Independent Audit	At intervals, no greater than 52 weeks from the date of initial Independent Audit	27 July 2021
Independent Audits during operation phase of the development	Within 52 weeks of the commencement of operation and at intervals no greater than three years	To be confirmed

Changes to conditions D7, D8 and D10 are sought so that future independent audits must comply with the updated *Independent Audit Post Approval Requirements (Department of Planning and Environment, 2020)*.

### 3.5. Proposed Changes to Conditions

Pursuant to section 4.55(1A) of the EP&A Act this Application seeks to amend the consent conditions as set out below:

- Condition A.2. By amending the first table as shown by **inserting the bold** writing and deleting that ~~struck out~~:

Civil Works prepared by Taylor Thomson Whitting

Dwg No.	Rev	Name of Plan	Date
<b>C400</b>	<b>P1</b>	<b>Cover Sheet and General Notes</b>	<b>11 August 2020</b>
<b>C401</b>	<b>P3</b>	<b>Locality Plan</b>	<b>9 September 2020</b>
<b>C410</b>	<b>P3</b>	<b>Fontana Drive Driveway Plan and Sections</b>	<b>9 September 2020</b>
<b>C411</b>	<b>P2</b>	<b>Future Road B Driveway Plan and Sections</b>	<b>9 September 2020</b>
<b>C420</b>	<b>P1</b>	<b>Details Sheet</b>	<b>11 August 2020</b>

- Condition C18 - By amending the condition by **inserting the bold** writing and deleting that ~~struck out~~:

No later than two weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department ~~2018~~ **2020**) must be submitted to the Planning Secretary and the Certifier.

- Condition C19 - By amending the condition by **inserting the bold** writing and deleting that ~~struck out~~:

Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018 **2020**).

- Condition C22 - By amending the condition by **inserting the bold** writing and deleting that ~~struck-out~~:

Notwithstanding the requirements of the Compliance Reporting Post Approval Requirements (Department 2018 **2020**), the Planning Secretary may approve a request for ongoing annual operational compliance reports to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an operational compliance report has demonstrated operational compliance.

- Condition F5 - By amending the condition by **inserting the bold** writing and deleting that ~~struck-out~~:

The operating hours of the premises are restricted to the following:

(a) School: 6am to 6pm, Monday to Friday;

(b) CELC: 6am to 6:30pm, Monday to Friday (with outdoor play times restricted between 7am – 6pm);

(c) OOSH: 6am to 9am and 4pm to 7pm, Monday to Friday; and

(d) Use of multipurpose hall for community use:

- 3pm and 10pm, Monday to Friday.
- 8am to 10pm Saturday and Sunday.

(e) Café / canteen: ~~3pm~~ **7am** to 10pm, Monday to Friday and 8am to 10pm Saturday and Sunday.

- Condition D7 – By amending the condition by **inserting the bold** writing and deleting that ~~struck-out~~:

Independent Audits of the development must be carried out in accordance with:

(a) the Independent Audit Program submitted to the Planning Secretary and the Certifier under condition D4 of this consent; and

(b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018 **2020**).

- Condition D8 – By amending the condition by **inserting the bold** writing and deleting that ~~struck-out~~:

In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018-**2020**), the Applicant must:

(a) review and respond to each Independent Audit Report prepared under condition D4 of this consent;

(b) submit the response to the Planning Secretary and the Certifier; and

(c) make each Independent Audit Report and response to it publicly available 60 days after submission to the Planning Secretary and notify the Planning Secretary and the Certifier in writing at least seven days before this is done.

- Condition D10 – By amending the condition by **inserting the bold** writing and deleting that ~~struck-out~~:

Notwithstanding the requirements of the Independent Audit Post Approval Requirements (~~Department 2018~~), the Planning Secretary may approve a request for ongoing annual operational audits to be ceased, where it has been demonstrated to the Planning Secretary's satisfaction that an audit has demonstrated operational compliance

Figure 3-1 Proposed driveway to Fontana Drive

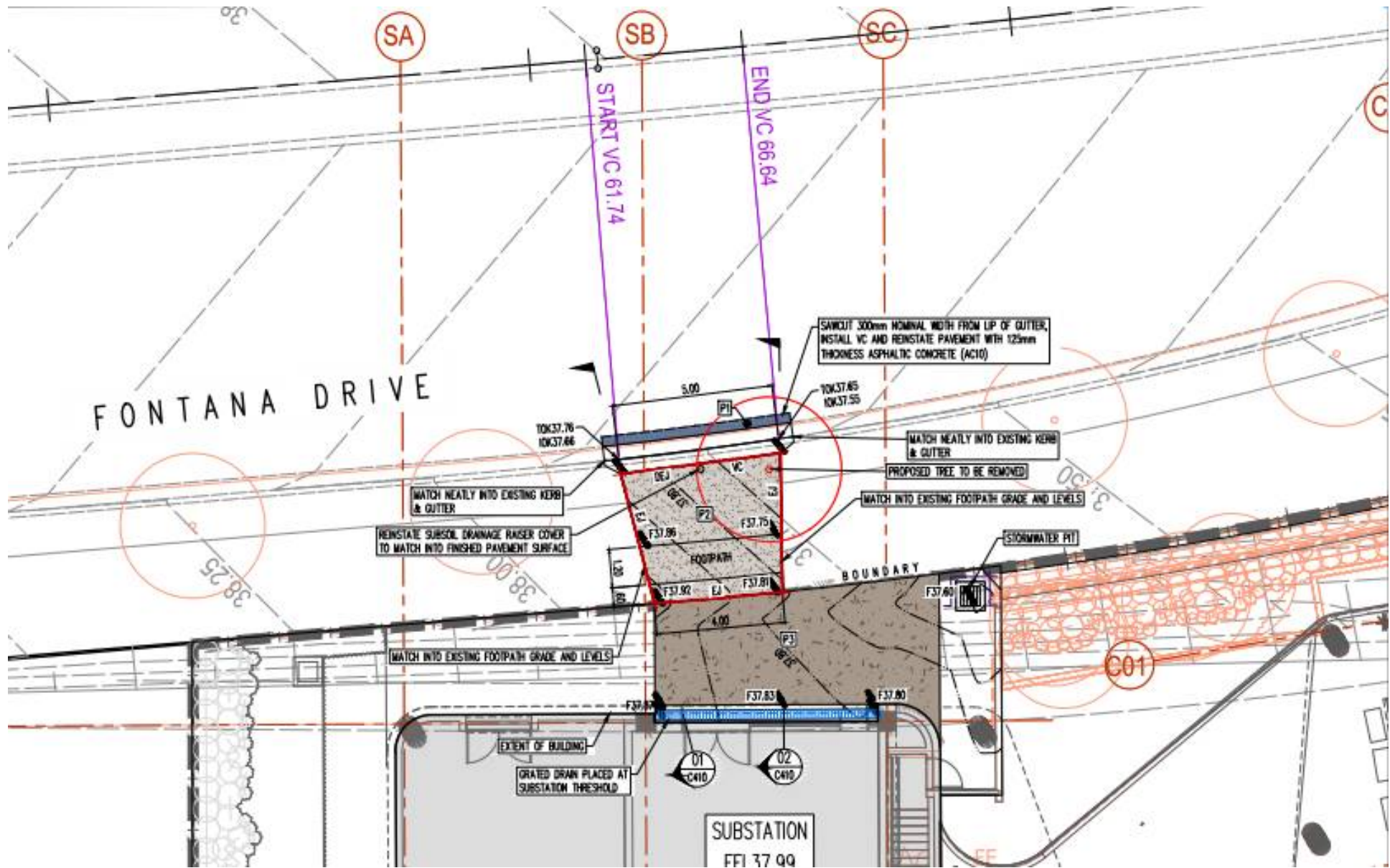
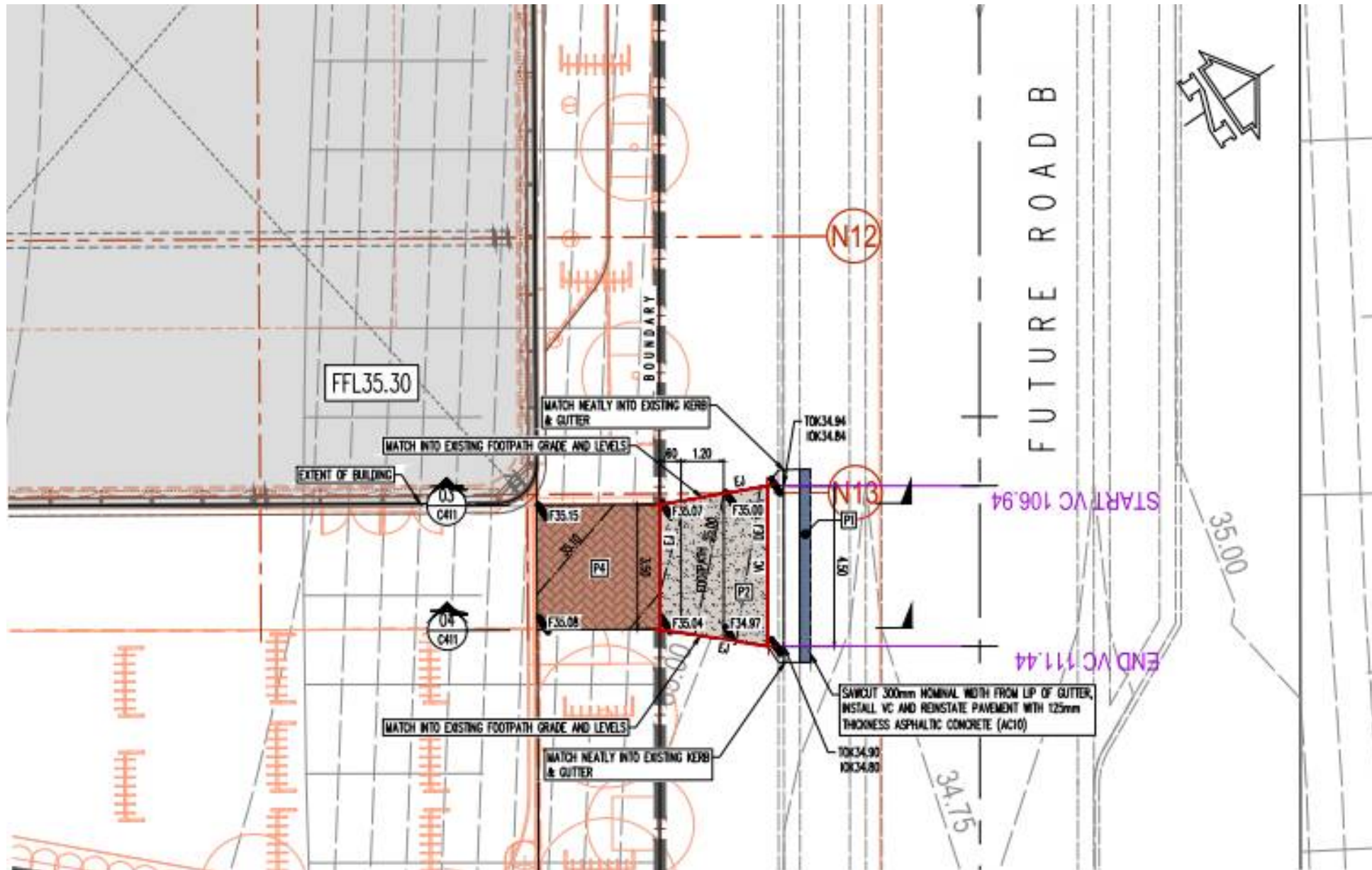


Figure 3-2 Proposed driveway to Future Road B



## 4. Statutory Framework and Development Controls

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### 4.1. Legislation

The following Acts are relevant to the modification application.

#### 4.1.1. Environmental Planning and Assessment Act 1979

Under Section 4.5(a) of the Act, the Minister is the consent authority for modification to State Significant Development if the Independent Planning Commission has not been declared to be the consent authority. The Minister has delegated his assessment functions under the Act to the Department of Planning, Industry and Environment (11 October 2017).

This application is made pursuant to section 4.55 (1A) of the EP&A Act. Section 4.55(1A) has two fundamental requirements, being that the consent authority is satisfied:

- (a) that the proposed modification is of minimal environmental impact, and
- (b) that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all).

These are discussed further as follows.

#### (a) Minimal Environmental Impact

The proposal is of minimal environmental impact. Construction of the driveways affects a small area of land (approximately 52.25m<sup>2</sup>) and the construction impacts are temporary. The driveways have sufficient distance from the intersections to allow safe turning of vehicles into the driveways and the generally flat topography of the area means there will be sufficient sight lines when vehicles are egressing from the driveways.

It is noted that construction of driveways is normally exempt development under the Part 2 of State Environmental Planning Policy (Exempt and Complying Development) 2008 if:

- It is associated with access to an open hard stand space (solely for parking a motor vehicle), a carport, a loading bay or a garage; and
- if the development is constructed or installed in a residential zone, the total area of all driveways or hard stand spaces, pathways and paved areas on the lot must not exceed 150m<sup>2</sup>.

However, the proposed driveways are not exempt development because the school is constructed on a slither of land zoned residential and the paved areas on the school site exceed 150m<sup>2</sup>. Also, the driveway from Future Road B does not allow for access to an open hard stand space used *solely* for parking a motor vehicle, a carport, a loading bay or a garage. Nevertheless, the environmental impact of the proposed driveways is commensurate with the impacts permitted with driveways

constructed as exempt development and therefore of minimal environmental impact.

Changes to the hours of the canteen are sought to remove doubt that the canteen can operate during normal school hours and in conjunction with the use of the multipurpose hall for community purposes. It was always intended for the canteen to operate these hours and therefore there is no material difference to the approved environmental impacts.

The proposed changes to compliance reporting requirement are administrative and would not have any impact on the physical environment.

The overall likely level of impact of the proposed changes is negligible and the conclusion is that there will be minimal environmental impact.

**(b) Substantially the Same Development**

The second principal requirement is that the consent would remain substantially the same as originally granted. The proposal remains a development for a new educational establishment. The modification to change café/ canteen hours, construct two driveways and remove construction and preconstruction compliance reporting does not alter the intended use or purpose of the approved development. The development will be substantially the same development as originally approved if the modification application is approved.

**(c) Consideration of Matters in s4.15(1)**

Section 4.55(3) requires the consent authority to take into consideration the relevant matters referred to in section 4.15(1) of the EP&A Act. This statement considers the relevant environmental planning instruments and development control plan and find that there is nothing which should prevent approval of the modification. Clause 92 of the EP&A Regulations 2000 also prescribe additional matters however none are relevant.

Section 4.15(1)(b) requires consideration of the impacts of the development including environmental impacts on the natural and built environments, and social and economic impacts on the locality. The environmental impacts have been carefully assessed above and found to be not significant.

Section 4.15(1)(c) requires consideration of suitability of the site for development. The modifications are on or associated with the new school site. It is considered that construction of the driveways is in the public interest as otherwise it will not be possible to access the approved substation and school maintenance road. Operation of the café/canteen during school hours and in conjunction with the use of the multipurpose hall for community purposes was previously assessed as part of the development application and found to be suitable for the new school site. Administrative changes to compliance reporting will have no affect on the suitability of the site to operate as a school.

**(d) Consideration of the reasons given by the consent authority for the grant of the consent**

Section 4.55(3) requires the consent authority to take into consideration the reasons given by the consent authority for the grant of the consent which is sought to be

modified. The Independent Planning Commission (IPC) acknowledged the positive outcomes of locating a school in the emerging Town Centre of Box Hill North, including the efficient use of transport and service infrastructure, providing an activated and vibrant “hub” for the community and meeting demand for educational facilities in the growth area.

The proposed driveways do not alter the vehicular access arrangements included the DA approved plans. Vehicular access was not discussed in the IPC’s assessment report as a concern. Nor was the IPC concerned about the hours of operation of the café/canteen in their assessment.

## **4.2. Environmental Planning Instruments**

The following environmental planning instruments are relevant to the modification application.

### **4.2.1. The Hills Local Environmental Plan 2019**

The LEP contains no provisions that relate to construction of driveways as part of the consent, operational hours for school café/canteens or construction and pre-construction compliance reporting requirements. Educational facilities remain permissible within the zone. Amendments to the LEP after the approval on 21 April 2020 do not apply to the site.

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

Schedule 4 of the ESEPP includes design quality principles for schools which must be considered before determining a development application (see clause 35(6)). As this application is not for development consent, consideration of the principles is not required. The Design Guide for Schools in NSW includes design quality principles, design guidance and design process and evaluation. Table 4-1 considers the relevant principles and design guidance provisions which would otherwise be taken into consideration by a consent authority if clause 35(6) of the ESEPP applied.

### **4.2.3. State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)**

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) provides the legislative planning framework for infrastructure and the provision of services across NSW. Schedule 3 stipulates that development for the purposes of an ‘educational establishment’ with 50 or more students and with access to any road must be referred to the RTA. Accordingly, Roads and Maritime Services (RMS) was consulted during the EIS assessment phase.

### **4.2.4. State Environmental Planning Policy (State and Regional Development) 2011**

The proposal was determined as SSD in accordance with Schedule 1 Clause 15 of The State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).



**Table 4-1 Design Quality Principles and Guidance under the ESEPP**

<p style="text-align: center;"><i>Design Quality Principles and Design Guidance</i></p>	<p style="text-align: center;"><b>How Addressed</b></p>
<p><b>1. Context, Built form and Landscape</b></p>	
<p>Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage.</p>	<p>Uses gradient of land effectively to create an access way which can be utilised by service vehicles. Extension of café / canteen hours supports student activities at school.</p>
<p>The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate.</p>	<p>Construction of the driveway to Fontana Drive will require the removal of one proposed street tree. This tree could be planted elsewhere so that there is no net loss of street trees along Fontana Drive. The application has sought to find the best outcome from an ecological viewpoint to avoid the impact on the health of the remaining trees.</p>
<p>Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites</p>	<p>The modification does not alter impacts on existing built form. Stockland's will plant street trees along Fontana Drive and Future Road B, which could include relocating the proposed tree that is currently located in the driveway to Fontana Drive. The modification does not alter the approved landscape plan for the school.</p>
<p><b>2. Sustainable, efficient and durable</b></p>	
<p>Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.</p>	<p>The proposed modification will have minimal impact on energy, water, waste and natural resources. Opportunities for safe walking, cycling and public transport access to and from the school will be addressed in the Green Travel Plan required by Condition E18. The proposed modification will</p>

<b><i>Design Quality Principles and Design Guidance</i></b>	<b>How Addressed</b>
	not limit the opportunities to maximise opportunities for safe walking, cycling and public transport access to and from the school.
Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.	Materials for the driveway are robust.
<b>3. Accessible and inclusive</b>	
School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.	The proposed driveways will provide access for service vehicles.
Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.	The modification seeks to amend the hours of operation to allow the café / canteen to operate for the school during recess or lunchtime as well as in conjunction with the multipurpose hall for community purposes.
<b>4. Health and safety</b>	
Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.	The modification does not alter general operation and management of the school.
<b>5. Amenity</b>	
Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood.	Construction of the driveway will have temporary noise impacts. Extended hours for school / café will occur during normal school hours to serve the students already onsite. It will not result in an intensification of use on the school site

<b><i>Design Quality Principles and Design Guidance</i></b>	<b>How Addressed</b>
	and therefore will not result in additional noise. Additional noise impacts will be minimal and have no adverse affect on the amenity of the local neighbourhood.
Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.	Not Applicable
Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.	The modification does not alter design of indoor or outdoor learning and play spaces.
<b>6. Whole of life, flexible and adaptive</b>	
School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.	The modification will not adversely affect the ability for the school to adapt and maximise its multi-use facilities.
<b>7. Aesthetics</b>	
School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood.	School aesthetics is not changed considerably from the existing situation.

<b><i>Design Quality Principles and Design Guidance</i></b>	<b>How Addressed</b>
The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.	As above

### **4.3. Hills Shire Driveway Specifications**

The drawing prepared by Taylor Thomson Whitting require that the drawing be read in conjunction with the Hills Shire Driveway Specification. *Drawing Number C420 (Rev P1) - Details Sheet* also includes standard drawings from the specification for gutter and footpath crossings and footpath paving and jointing details.

### **4.4. Other Environmental Considerations**

#### **4.4.1. Traffic Access and Sightlines**

The Fontana Drive driveway will be used for the delivery and replacement of the transformer in the substation. The replacement of the transformer in the substation may only occur once every 20 years and can be scheduled outside of school hours.

The driveway and associated hardstand area have been designed to comply with Endeavour Energy standards. The driveway needs to be aligned with the roller door to the substation so that the transformer can be unloaded directly into the substation. The truck, which is approximately 10.5 metres long, will need to reverse from Fontana Drive into the driveway (refer to Drawing C430). During loading / unloading of the transformer the truck will be parked across the footpath and protrude into the parking lane of Fontana Drive.

Fontana Drive will have a medium strip which will prevent trucks turning right to exit from the driveway. When turning left to exit the site, the truck will have approximately 50-metre sight line to on-coming traffic.

The Future Road B driveway will be accessed by utility vehicles and possibly light commercial vehicles. Vehicles will be able to use the forecourt of the Knowledge Centre and turn around to exit the site in a forward direction. Vehicles will be able enter and exit the site by turning left or right. Vehicles will have approximately 90-metre sight line to the intersection with Future Road B and Fontana Drive.

#### **4.4.2. Drainage**

The driveways will be constructed in accordance with Council's Driveway Specifications. The driveway to Fontana Drive will have a 3.7% to 3.9% fall from the boundary to the street gutter. The hardstand within the school boundary, which will be used for parking of electrical authority vehicle when they access the substation, will have 1.1% from the boundary to a grated drain in front of the school building. The driveway to Future Road B will have a 4% to 5% fall from the school boundary to the street gutter.

#### **4.4.3. Streetscape and Landscaping**

Stockland's will plant street trees along Fontana Drive and Future Road B in accordance with their streetscape plan. Construction of the driveway to Fontana Drive will require the removal of one proposed street tree. This tree could be planted elsewhere so that there is no net loss of street trees along Fontana Drive.

#### **4.4.4. Noise**

A noise & vibration impact assessment was carried out in support of the SSD application for Santa Sophia Catholic College (dated May 2019). The assessment assumed the main noise sources are:

- The mechanical plant;
- Recess and lunch bell – public address system;
- Indoor activities e.g. use of halls for music, out of hours school events;
- Rooftop basketball court;
- Outdoor playgrounds;
- Child care centre.
- Road traffic noise; and
- Construction noise and vibration.

The assessment found normal construction works would meet the noise limits for standard hours and out-of-hours works in accordance with the Interim Construction Noise Guideline (ICNG). Construction of the driveways would form part of the normal construction works and therefore would not affect compliance with ICNG Guideline.

During operation of the school, the assessment found the South-west CELC outdoor playground area and the Indoor playground areas (with windows open) exceed noise level criteria during the night-time period from 6am to 7am at the nearest residential receiver. The remainder of school activities complied with the noise criteria which included operation of the café and road traffic generated by the school during normal school hours. Noise from the café and traffic has already been considered in the noise assessment for the SSD application and therefore the proposed modification will have no material affect on the outcomes of the assessed noise impacts as approved.

#### **4.4.5. Management Plans**

Condition E21 requires preparation of an Operation Management Plan for the school prior to commencement of operation. The plan would incorporate traffic management and access to the school and operation of the canteen café. No additional mitigation measures are required as a consequence of the proposed modifications.

## 5. Conclusion

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### 5.1. Compliance with s 4.55(1A) of the EP&A Act

The modification application seeks to:

- Include two driveways as part of the consent.
- Clarify the operational hours for the café/canteen; and
- Amend construction and pre-construction compliance reporting requirements.

Construction of the driveways formalises the intended service vehicular access to and from the school. Construction of the driveway to Fontana Drive will require the removal of one proposed street tree. This tree could be planted elsewhere so that there is no net loss of street trees along Fontana Drive.

Amendments to the operating hours for the café/canteen are proposed to clarify that the café/ canteen can operate during school hours and in conjunction with the multipurpose hall for community purposes.

The SSD assessment for the school considered traffic and noise impacts of school vehicles and operation of the café/canteen and therefore the modification will have no material affect on the impacts previously assessed. Amendment to construction and pre-construction compliance reporting requirements is an administrative change because of new policy guidelines from the Department of Planning, Industry and Environment (dated 10 July 2020).

The proposed modifications will be of minimal environmental impact. If the modification is approved, the development will remain substantially the same as originally approved. The modification is in the public interest because it is aligned with the intent of the approval for the school. The modification application is therefore recommended for approval.