

11 August 2026

NSW Department of Planning, Housing and Infrastructure
www.planningportal.nsw.gov.au/major-projects/projects

Attention: Simon Coleman

Re: State Significant Development Application No.SSD-82160220 (184 Fifth Avenue, Austral)

Dear Simon,

The Department of Education (the department) welcomes the opportunity to provide comments on the above State Significant Development Application (SSDA) and concurrent rezoning proposal (RP).

The department understands that the SSDA seeks development consent and rezoning for the following:

1. Proposed Development:

Demolition of existing structures and vegetation removal. Construction of mixed-use development comprising 2 buildings (up to 15 storeys) with 445 dwellings, a centre based childcare facility, gym, retail floor space and basement parking. Public domain works along Scalabrini Creek.

2. Proposed Rezoning:

Amendment of the Liverpool Growth Centres Precinct Plan within Appendix 4 of the State Environmental Planning Policy (Precincts—Western Parkland City) 2021 (Western Parkland City SEPP), pursuant to Division 3.5 of the EP&A Act. The amendments to the Western Parkland City SEPP include:

- Rezoning of land to R3 Medium Density Residential and RE1 Public Recreation.
- Amendment of the maximum building height control from 12m to 55m.
- Amendment of the maximum floor space ratio (FSR) control from 0.75:1 to 3.8:1.

The department notes that since the submission of this SSDA, the Western Parklands City SEPP was amended (26 June 2026) via a separate State-assessed Planning Proposal with the following changes affecting the subject development site:

- Rezoning the site to R4 High Density Residential, SP2 Infrastructure (Local Road) & RE1 Public Recreation.
- Amendment of maximum building height to 30m (applicable to R4 zone only).
- Amendment of maximum floor space ratio to 2.5:1 (applicable to R4 zone only).
- Amendment to the Land Reservation Acquisition Map to permit the RE1 Public Recreation & SP2 Local Road zoned land to be acquired by the relevant authority.

The site is located opposite the proposed new public school (approx. 1000 students) and collocated public early learning facility (approx. 60 place) at 170-180 Fifth Avenue, Austral. The school project is currently in the planning phase with forecast opening date of Day 1 Term 1 2029. For more details, please refer to school project page at:

(<https://www.schoolinfrastructure.nsw.gov.au/projects/new-schools/new-primary-school-for-austral-south.html>)

Accordingly, the department has reviewed the SSDA documentation and provides the following matters for consideration:

Consultation with the Department of Education – SINSW

Given that the proposed development and proposed school will both share access and be integrated with the new local road, it is requested that the applicant/developer continue to consult with School Infrastructure New South Wales (SINSW) during the detailed design process of the road to ensure that satisfactory pedestrian and vehicular access is provided around and to the new school, including any public domain works.

The applicant's development manager is currently liaising with SINSW and this should continue.

Traffic and Transport

Cumulative Impact with future School Traffic and Parking

The TIA accompanying the SSDA should consider the cumulative traffic and parking impacts having regard to the proposed public school and public early learning facility. In this regard, Section 9.3 of the TIA indicates that the proposed school has not been considered as part the assessment given that insufficient details were available. Sufficient high-level details for the planned school are available at the above provided link.

Traffic Modelling and Intersection Impacts

The department seeks that the traffic modelling be carefully reviewed and assessed. The modelling should also include the construction and operation of the proposed school and public early learning facility.

Any review should consider existing and post development impacts on critical intersections in the area, including delays and queue lengths. Furthermore, it appears that the TIA has not supplied any survey information nor any detailed information from SIDRA to inform the assessment.

The department is concerned that without careful consideration, the proposed SSD could result in intersection failure and/or warrant intersection upgrades (including signalisation).

Vehicular movements & sightlines

It is recommended that the TIA give careful consideration of proposed vehicle movements and sightlines around its access driveways, having regard to the future school use, to ensure safe operation for all users.

Operational Waste Management - Traffic

To ensure safe pedestrian, cyclist and vehicle access for school users, waste collection associated with the proposed development should be avoided during peak school AM and PM times (30 minutes before and after school start and finish times).

Overshadowing

The proposed development and rezoning propose significant up-lift in building height beyond that currently provided in Western Parkland City SEPP.

The siting and design of all proposed buildings should not have unreasonable overshadowing impacts on the proposed public school and public early learning facility. In particular, the development should ensure that the open play space areas and classroom buildings are not negatively impacted by overshadowing during school hours.

Overlooking and Visual Privacy

Whilst the proposed development site is separated from the school site by the proposed local road, the significant proposed uplift in building heights and density creates the potential for overlooking of the school site. In this regard, consideration should be given to the siting and design of buildings to minimise the impacts of overlooking toward the school site.

Noise Impact Assessment

Operational Noise and Vibration

The location, design and hours of operation of loading and unloading areas (e.g., waste collection and retail loading docks), retail activities, as well as any plant related to the proposed development, should ensure that there are no adverse noise and vibration impacts on the school site.

Noise Intrusion

It is recommended that any noise and vibration assessment supporting the proposed development also consider any anticipated noise intrusion from the future operation of the school and early learning centre, forecast to be open Day 1 Term 1 2029.

Civil Plans

Proposed New Local Road

The department understands that the construction of the proposed local road between the development and school sites is intended to be delivered as a half road construction by each development. However, the TIA (at Appendix L) notes that *"the Applicant has engaged with the neighbouring property owner to the east, and it is understood that agreement has been reached to deliver the full road construction prior to occupation of the development. This removes the need for any interim half-road width construction arrangements"*. The department is not aware of any such agreement.

The department notes that the proposed road levels along the proposed local road between the development site and school site vary between approximately 300mm-1000mm. It is requested

that the applicant/developer consult with SINSW to ensure that there is no conflict with the proposed road levels between the sites.

Construction

The successful operation of schools relies on safe pedestrian, cyclist and vehicle access and minimal noise and vibration interference. As such, consideration and incorporation of the following will assist to limit and manage any construction impacts to the school and its students (in the event, that the proposed school is operational at the time of construction of the proposed development):

- **Construction Management Plan (CMP)**
 - Prior to construction, the proposal should be supported with a CMP which specifically considers impacts to the school as a sensitive receiver including student safety, traffic, noise, vibration and air quality. The CMP should include appropriate mitigation measures where impacts are identified.
 - The CMP should also address any overlap of construction activities with the proposed school. It is noted that the proposed SSD is anticipated to commence construction in early 2028 which will coincide with anticipated school construction activities during that year before the school's opening at the beginning of 2029.
- **Construction Traffic**
 - The Construction Traffic Management Plan should contain an acknowledgement of school proximity and avoid heavy vehicle movements during peak school times.
 - If approved, it is recommended the proposal be conditioned to prohibit construction vehicles accessing and egressing the site during school drop-off and pick-up times (30 minutes before and after school start and finish times).
 - Work zones should not be proposed in locations that will compromise pedestrian, cyclist and vehicular access to the school and associated drop-off and pick-up spaces.
 - Pedestrian and cyclist safety should be closely considered and managed including where necessary, traffic controllers for construction vehicle entry and exit movements.
 - If any impacts to school bus services are anticipated, these should be addressed and mitigated through the CMP.
- **Construction Noise and Vibration**
 - Noise and vibration assessments are to assess construction noise impacts and consider the school as a sensitive receiver.
 - If noise and vibration exceedances at the school are identified, mitigation measures should be developed consistent with NSW EPA construction noise guidelines. The mitigation measures should seek to maintain internal noise levels for classrooms required by the department's Educational Facilities Standards and Guidelines (EFSG).
 - If necessary, a mitigation measure should also be included to provide periods of respite during the school day to limit impacts to student learning.
 - High impact works and activities should, where possible, be undertaken outside of school hours or during school holidays. Should ongoing noise or vibration impacts cause concern to the future school, it is requested that appropriate monitoring and mitigation measures be required to be undertaken by the Applicant.
- **Air Quality**
 - Consideration should be given to air quality impacts arising from construction dust including appropriate mitigation measures as necessary.

Should you require further information, please contact the department's Statutory Planning team at StatutoryPlanning@det.nsw.edu.au.

Sincerely,

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

Andrew Robinson
A/Director, Statutory Planning