



Planning &
Environment

**STATE SIGNIFICANT DEVELOPMENT
ASSESSMENT REPORT:
Rouse Hill Anglican College
(SSD 8006)**



Environmental Assessment Report
Section 4.40 of the *Environmental Planning and
Assessment Act 1979*

June 2018

ABBREVIATIONS

AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
Applicant	Anglican Schools Corporation
AS	Australian Standard
ACM	Asbestos containing material
BLEP	Blacktown Local Environmental Plan 2015
CIV	Capital Investment Value
Commission	Independent Planning Commission
Consent	Development Consent
Council	Blacktown City Council
DCP	Development Control Plan
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPI	Environmental Planning Instrument
EPA	Environmental Protection Authority
ESD	Ecologically Sustainable Development
FSR	Floor Space Ratio
GANSW	Government Architect NSW
GFA	Gross Floor Area
GSC	Greater Sydney Commission
ICNP	Interim Construction Noise Policy
LEP	Local Environmental Plan
LGA	Local Government Area
Minister	Minister for Planning
NCC	National Construction Code
NSW RFS	NSW Rural Fire Service
NPI	Noise Policy for Industry
OEH	Office of Environment and Heritage
PBP	Planning for Bush Fire Protection 2006
RMS	Roads and Maritime Services
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SSD	State Significant Development
TfNSW	Transport for NSW

Cover Photograph: 3D Visualisation of the school from the intersection of Worcester Road and Rouse Road
(Source: Terroir Architectural Drawings)

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EXECUTIVE SUMMARY

This report provides an assessment of a State significant development (SSD) application lodged by the Anglican Schools Corporation (the Applicant) seeking the redevelopment of Rouse Hill Anglican College located at 7 and 37 Worcester Road, Rouse Hill within the Blacktown local government area (LGA).

The proposal seeks approval for the construction of a new junior school on 37 Worcester Road, (Lot 14), a new senior school building, library, covered outdoor learning area (COLA) and multi-purpose hall on 7 Worcester Road (Lot 130), internal roads and parking over seven stages. The proposal would provide educational facilities and services for an additional 795 students and 40 pre-kindergarten places (a total of 2,135 students) and an additional 101 staff (a total of 194 staff).

The proposal has a Capital Investment Value (CIV) of \$54.75 million and would generate an additional 101 operational jobs and 100 - 238 (per stage) construction jobs. The proposal is SSD under clause 15 of the State Environmental Planning Policy (State and Regional Development) 2011, as it is development for the purpose of a new educational establishment and the redevelopment of an existing school with a CIV of more than \$20 million. Therefore, the Minister for Planning is the consent authority.

The Environmental Impact Statement (EIS) was publicly exhibited between 18 October and 16 November 2017 (30 days). The Department of Planning and Environment (the Department) received a total of seven submissions during the exhibition of the application, all from public authorities and Council which provided advice on the proposed development. The matters raised in the public authority submissions include contamination, operational noise impacts, staging of development to mitigate bush fire risk, traffic generation, vegetation, and vehicular access.

The Applicant's Response to Submissions (RtS) report included further information and responses to the key issues in submissions. The RtS included amended architectural plans, supplementary traffic and parking assessment including revised entry and exit configuration, supplementary bush fire report, supplementary contamination reports and supplementary noise assessment. A further four submissions from Government agencies were received in response to the Applicant's RtS.

The Department identified the following key issues for assessment:

- Built Form; and
- Traffic and Transport.

The Department has considered the concerns raised in submissions and concludes that some of the proposed mitigation and management measures require further refinement. As such a number of conditions have been recommended including:

- interim road infrastructure arrangements until the planned future upgrades occur within the Precinct;
- revised landscape plan with an objective to increase canopy cover;
- operational pedestrian and traffic management; and
- requirements for final design details of future public infrastructure including roads, drainage and pedestrian works and bus manoeuvring.

The Department is satisfied that built form, traffic and car parking were considered and found to be acceptable through standard conditions and mitigation measures.

The Department considers the application is consistent with the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act), including ecologically sustainable development, State Priorities, A Plan for Growing Sydney and the Greater Sydney Commission's Central City District Plan. The Department is satisfied the subject site is suitable for the proposal and would provide additional education opportunities to meet the growing demand generated by the Area 20 release area. The Department therefore considers the development would be in the public interest and recommend that the State significant development application be approved, subject to conditions.

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1. BACKGROUND

1.1 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 redevelopment of Rouse Hill Anglican College at 7 and 37 Worcester Road, Rouse Hill (SSD 8006).

The Anglican Schools Corporation (the Applicant) proposes to redevelop the existing school facilities at 7 Worcester Road, Rouse Hill, including the demolition of the existing primary school facilities in the south of the site, and construction of a new senior school building, new multi-purpose building, library, and Covered Outdoor Learning Area (COLA). The proposal also includes construction of three new primary school buildings access and car parking at 37 Worcester Road.

1.2 The Site and Surroundings

1.2.1 Site Description

The subject site is located approximately 17 km north west of Parramatta CBD and 1.3 km west of the Rouse Hill Town Centre. Rouse Hill Metro Station is located approximately 1.5 km to the south east. The proposed development location is show in **Figures 1 and 2**.

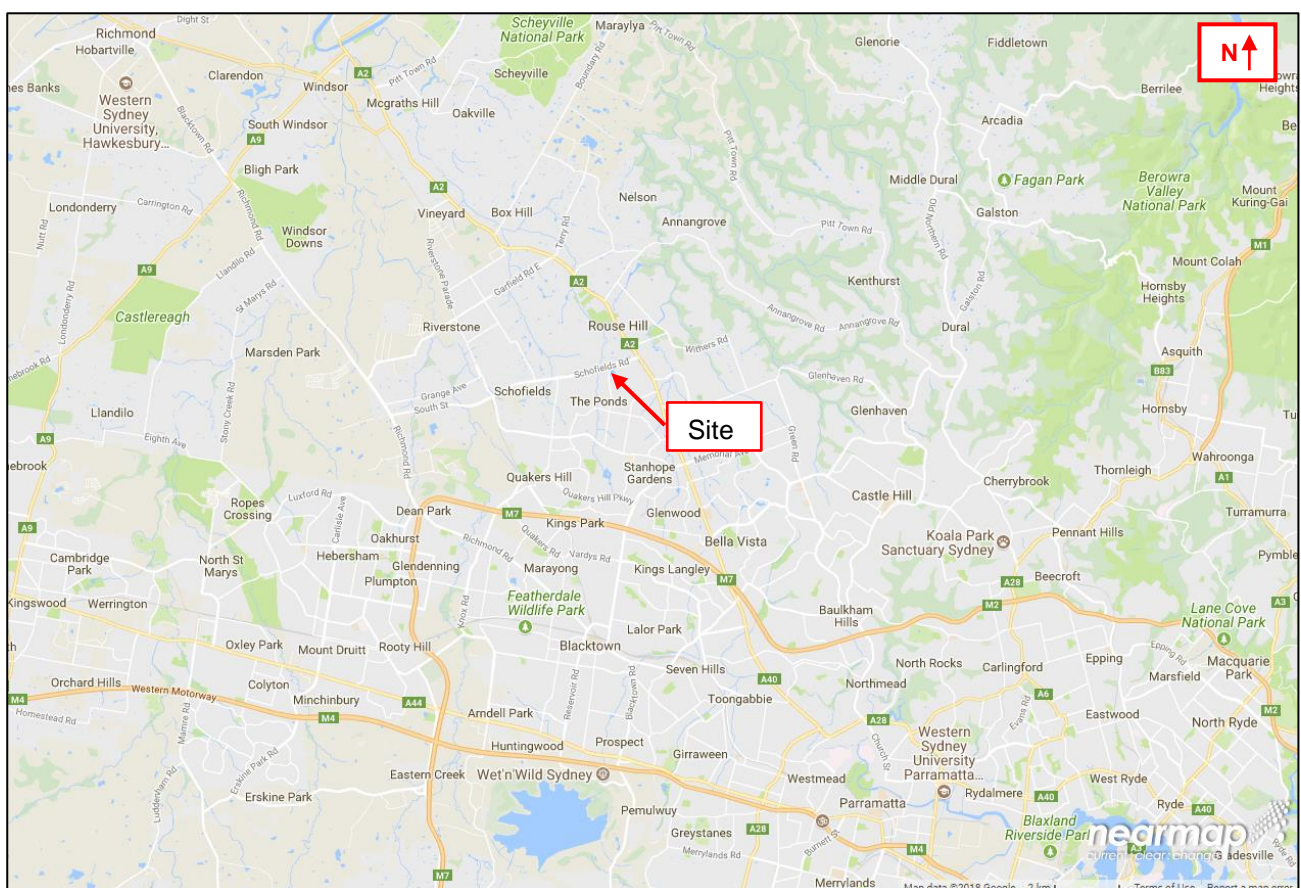


Figure 1: Site context (Source: nearmap 2018)

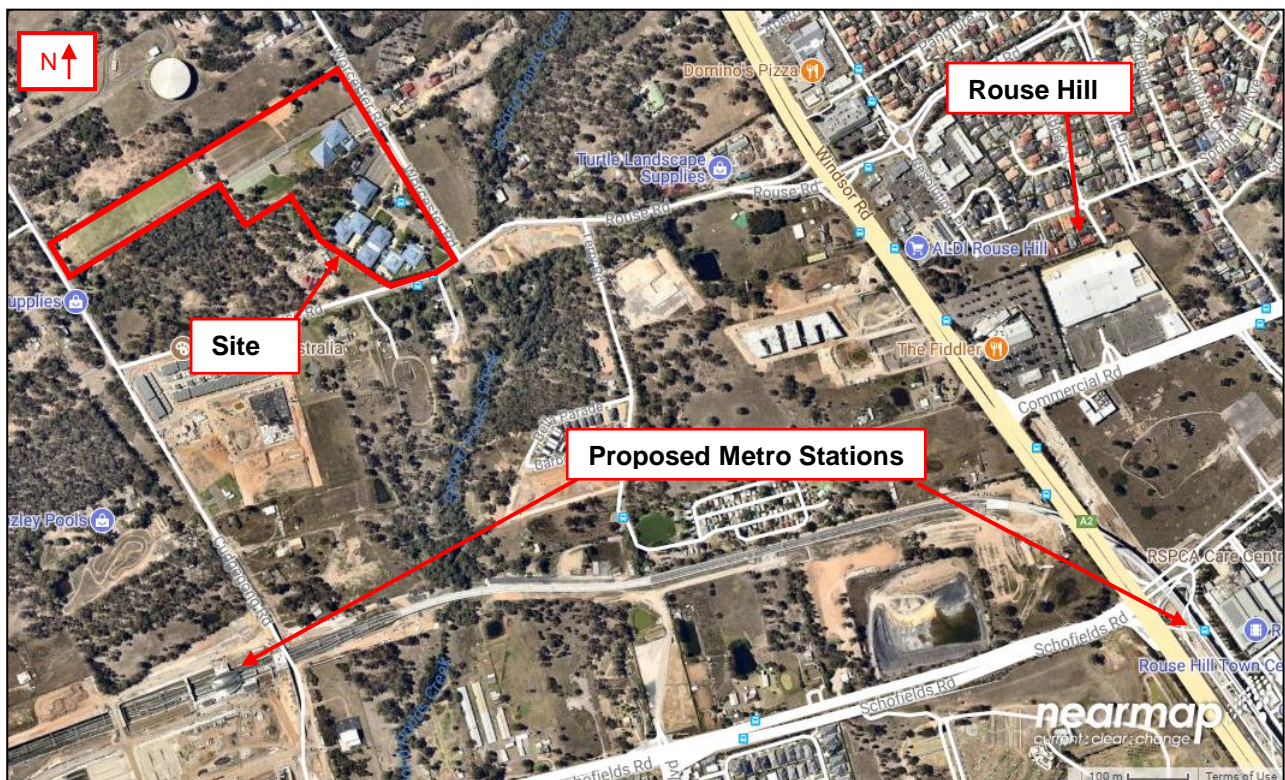


Figure 2: Site context – Rouse Hill Anglican College (source: nearmap 2018)

The site is located at 7 and 37 Worcester Road Rouse Hill and is formally described as Lots 130 DP 1138775 and Lot 14 DP 1120290 within the Blacktown City Local Government Area (LGA). The site is zoned R2 Low Density Residential.

The site slopes gently downhill from north to south and from west to east. Worcester Road forms the eastern boundary of the site, Cudgegong Road is to the west of the site, and Rouse Road is to the south of the site. There are six existing school buildings, two playing fields, three hard courts, a volleyball court and associated roads and parking currently located on the site. The existing site layout is shown in **Figure 3**.



Figure 3: Existing site layout (source: nearmap 2018)

1.3 Surrounding Development

The site is located in the Cudgegong Road / Area 20 Precinct, which forms part of the North West Growth Centre. The North West Growth Centre is currently undergoing significant redevelopment, including in the areas immediately adjacent to Cudgegong Road / Area 20.

In 2015, the mostly small lot rural precinct was rezoned to allow a range of residential development. The land immediately surrounding the subject site is currently primarily rural residential development. However, there are a variety of development types and land uses surrounding the site. A mixture of rural residential properties, recreation areas and infrastructure lie to the south and north of the site.

Immediately adjoining the northern boundary of the site are a number of rural residential properties and an infrastructure lot with a water reservoir. The indicative Precinct Plan (**Figure 4**), shows the proposed future road layout, which includes future roads along the northern and southern property boundaries.

Figures 5 shows that the land surrounding the subject site has been rezoned for:

- north: R2 Low density residential;
- east: RE1 Public recreation, R3 Medium residential;
- south: SP2 Infrastructure (Local drainage), RE 1 Public recreation;
- south west: R3 Medium density residential; and
- west: RE1 Public recreation.

While the surrounding land has not yet been developed, a number of development applications have been approved by both Council and the Joint Regional Planning Panel for medium density residential developments. Consequently this assessment considers the impact of this staged proposal on the future surrounding development.

Rouse Hill Regional Park is to the north east of the site. Historic Rouse Hill House and Farm are located within the Regional Park. Other recreational areas are located to the east, south and west of the site.

1.4 Previous Approvals

The existing school was approved for construction and use in 2001. Construction was completed the same year and its use commenced in February 2002.

A Complying Development Certificate (170365) was issued for the demolition of the existing dwelling and swimming pool on Lot 14 (37 Worcester Road) on 12 September 2017.

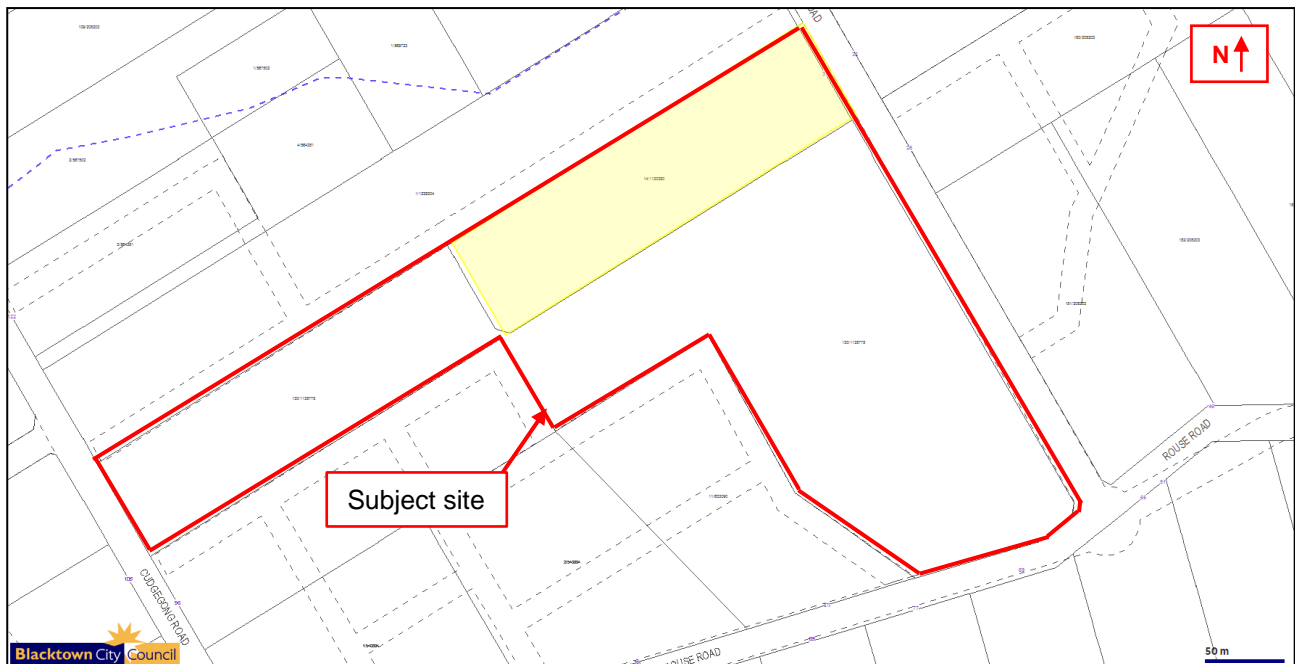


Figure 4: Precinct plan layout (Source: Blacktown City Council interactive maps, 2017)

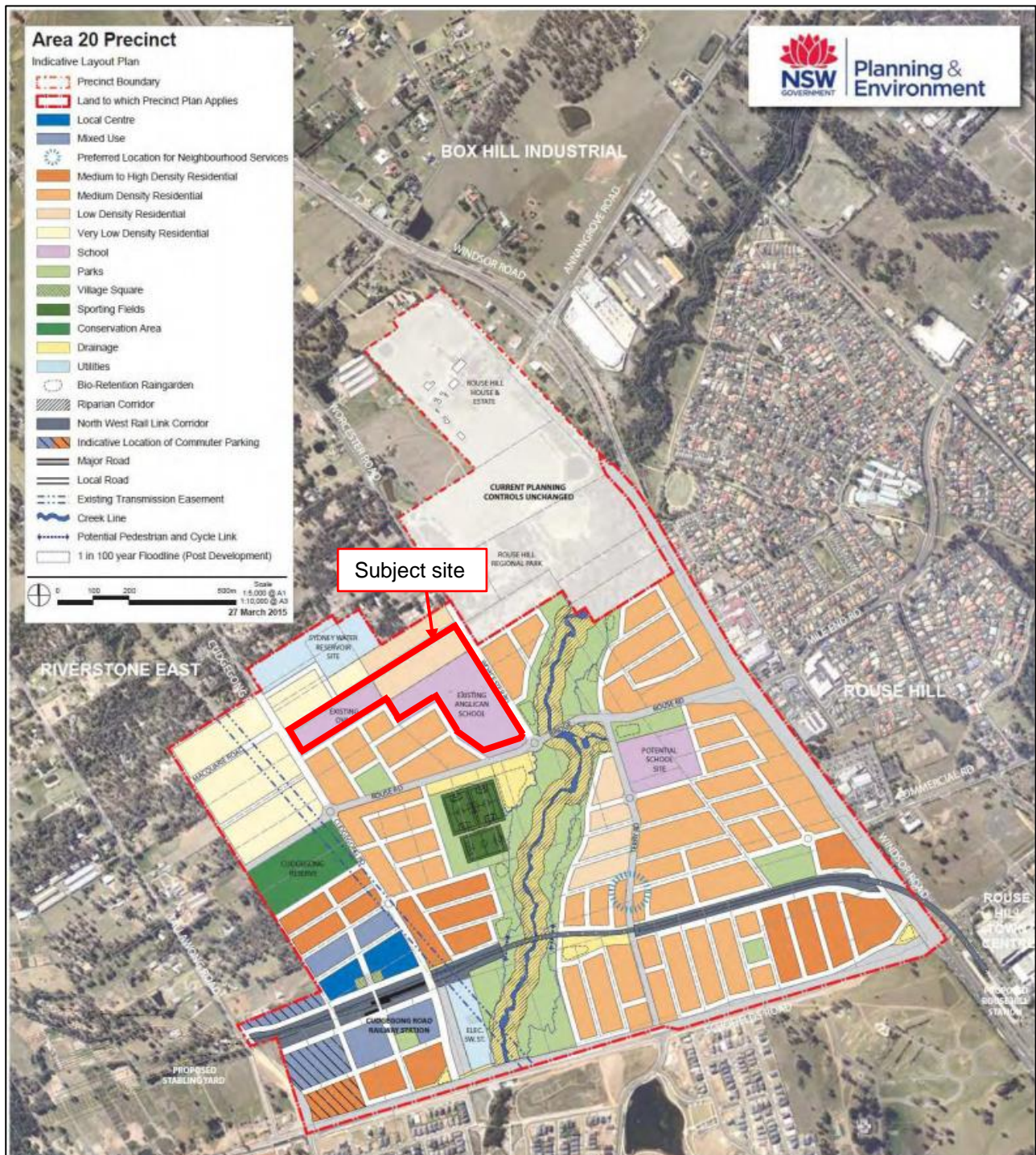


Figure 5: Zoning of land surrounding the subject site (Source: Department of Planning and Environment 2015)

2. DESCRIPTION OF PROPOSAL

2.1 Description of the Proposal

The key components and features of the proposal (as refined in the Response to Submissions) are provided in **Table 1** and are shown in **Figures 6 to 10**.

Table 1: Key development components

Aspect	Description
Summary	Construction of a new and expanded junior school, new senior school classrooms, library and multi-purpose building.
Demolition	Demolition of existing junior school building at 7 Worcester Road
Built form	<ul style="list-style-type: none"> Construction of a new, relocated and expanded junior school including: <ul style="list-style-type: none"> three new buildings each with eight classrooms, central learning areas, storage and amenities Out of School Hours Care facilities New library facilities for both junior and senior school, including teaching rooms, student common room, and study areas Demolition of existing junior school buildings (Blocks A & B), construction of a new senior school building with upgraded connections to the existing senior school New multi-purpose building including rehearsal room, performance stage, music practice rooms, classroom, amenities, equipment and storeroom areas Clearing of vegetation and earthworks Landscaping including terraced central COLA, grassed courtyard area New school signage Augmentation and construction of ancillary site infrastructure and utilities as required New central junior school carpark.
Site Area	Approximately 9 hectares
Gross Floor Area	20,469m ²
Uses	Kindergarten to year 12 school for educational purposes, out of school hours care
Access	<ul style="list-style-type: none"> Vehicular access from Worcester Road Bus access from Worcester Road Bus bay Pedestrian access from Worcester Road and Cudgegong Road
Car parking	New car park, resulting in a total of 285 parking spaces onsite
Bicycle parking	66 bicycle spaces
Public domain and landscaping	133 canopy trees are proposed to be located on the site. Hedge planting along the north western property boundary is also proposed.
Operational hours	6:30 am – 9:00 pm Monday to Friday
Signage	Two new school identification signs
Number of students and staff	<ul style="list-style-type: none"> Students: total of 2,135: <ul style="list-style-type: none"> kindergarten – Year 12: 2,095 (795 new students) pre-kindergarten: 40 Staff: 194
Remediation	Remediation of the site in accordance with the submitted remedial action plan
Jobs	<ul style="list-style-type: none"> 100 - 238 construction jobs 101 new operational jobs
CIV	\$54,750,000

Staging of Works

The proposal seeks approval for the development of a Master Plan for the Rouse Hill Anglican College. Development on the site is proposed to occur in seven stages. **Table 2** specifies the development proposed for each stage. The works are proposed in addition to the demolition of the dwelling at 37 Worcester Road, approved under a separate Complying Development Certificate.

Proposed Built Form

Six new buildings are proposed including three primary school buildings, one senior school building (constructed over three stages), a library and a multi-purpose building.

The proposed new junior school buildings would be located on the currently vacant Lot 14 (37 Worcester Road, Rouse Hill) to the north of the existing school. Two junior school modules would be demolished and replaced with the senior school buildings at the southern extent of the site. The proposed library and multi-purpose building would be located to the north of the existing senior modules and gymnasium. This area is currently open space, with one demountable classroom which would be removed.

Table 2: Proposed Staging of Works

Stage 1	<ul style="list-style-type: none"> Construction of junior classrooms – Block K Stage 1 car park
Stage 2	<ul style="list-style-type: none"> Construction of junior classrooms – Block L Stage 2 car park Northern internal road network
Stage 3	<ul style="list-style-type: none"> Construction of senior classrooms
Stage 4	<ul style="list-style-type: none"> Construction of library Construction of covered outdoor learning area (COLA)
Stage 5	<ul style="list-style-type: none"> Construction of senior classrooms Construction of new services access road to the south of the Stage 1 car park
Stage 6	<ul style="list-style-type: none"> Construction multi-purpose centre
Stage 7	<ul style="list-style-type: none"> Construction of junior classrooms – Block M Construction of bus drop-off/pick-up

Vehicular Access and Car Parking

The proposal includes the provision of three new access points on Worcester Road, as well as upgrade works to the existing maintenance access point on Rouse Road.

An additional 80 parking spaces are proposed as part of this application to supplement the existing 205, resulting in a total of 285 car parking spaces. The new car parking area would be located on Lot 14 and accessed from the northern most driveway on Worcester Road, with egress onto Cudgegong Road. As part of the 285 car parking spaces to be provided, 3 disabled spaces would be provided.

A new bus drop-off/pick-up is proposed to be located to the east of the new junior school buildings with access to /from Worcester Road.

Drop-off / Pick-Up Areas

The proposal includes the provision of on-site drop-off and pick-up facilities for students prior to and following the completion of each school day. In addition to improved drop-off/pick-up facilities for private vehicles, the proposal includes a new bus drop-off/pick-up facility.

Landscaping Works

It is proposed to remove 105 trees on-site, and replace them with up to 60 new trees of the indigenous Grey Box and Turpentine (*Syncarpia glomulifera*), resulting in a total of up to 71 trees on-site once the proposed development has been completed. In addition to the 60 new trees, soft landscaping and paving is proposed.



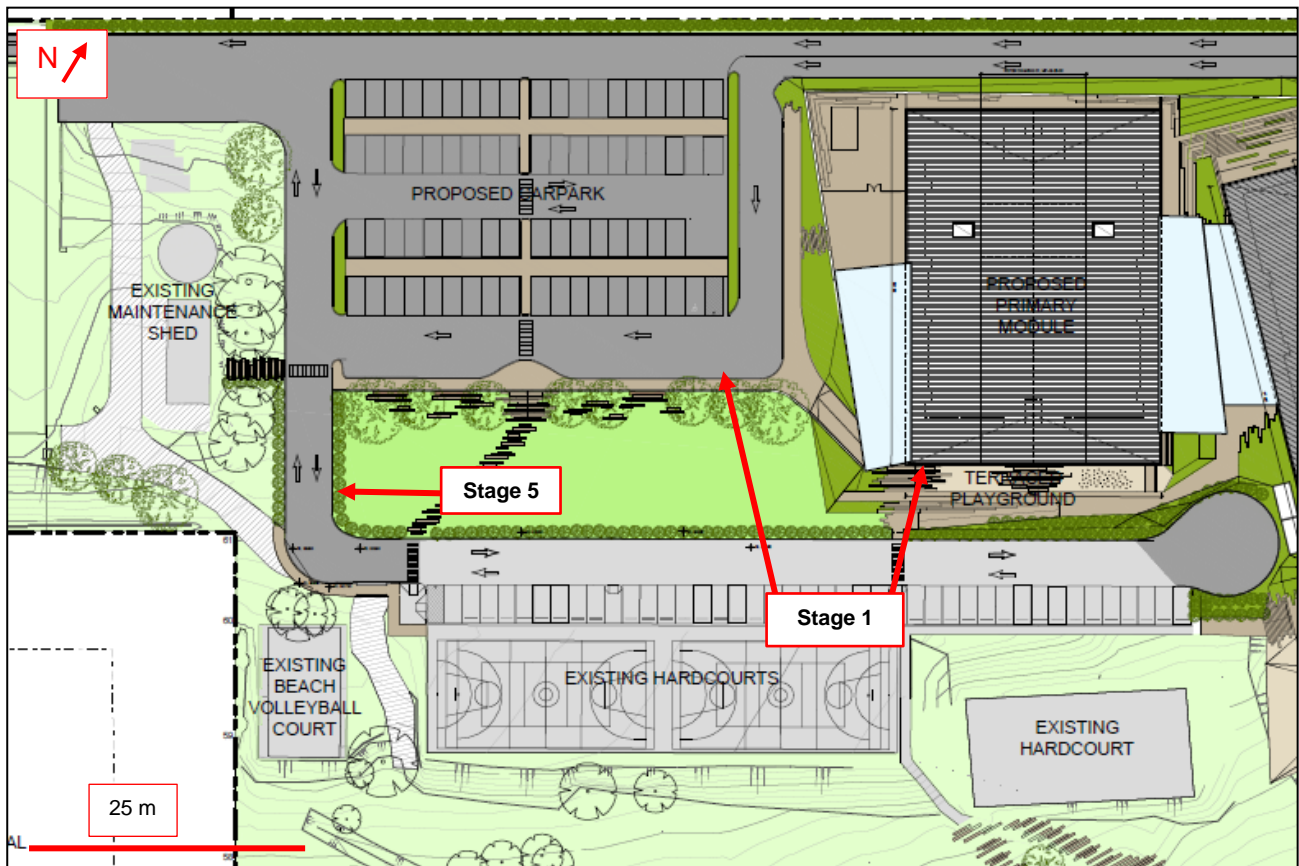


Figure 7: Proposed site plan and staging (source: EIS 2017)

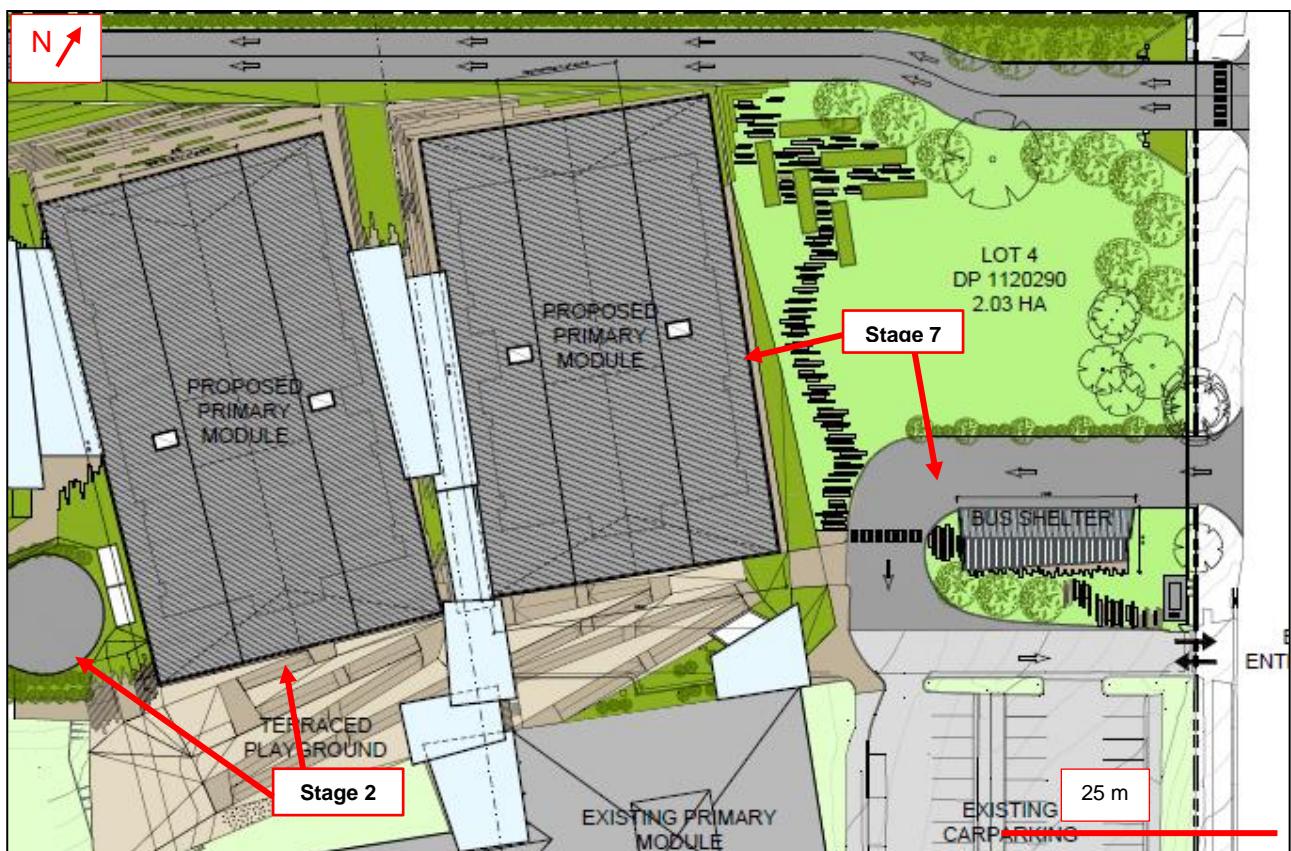


Figure 8: Proposed site plan and staging (source: EIS 2017)

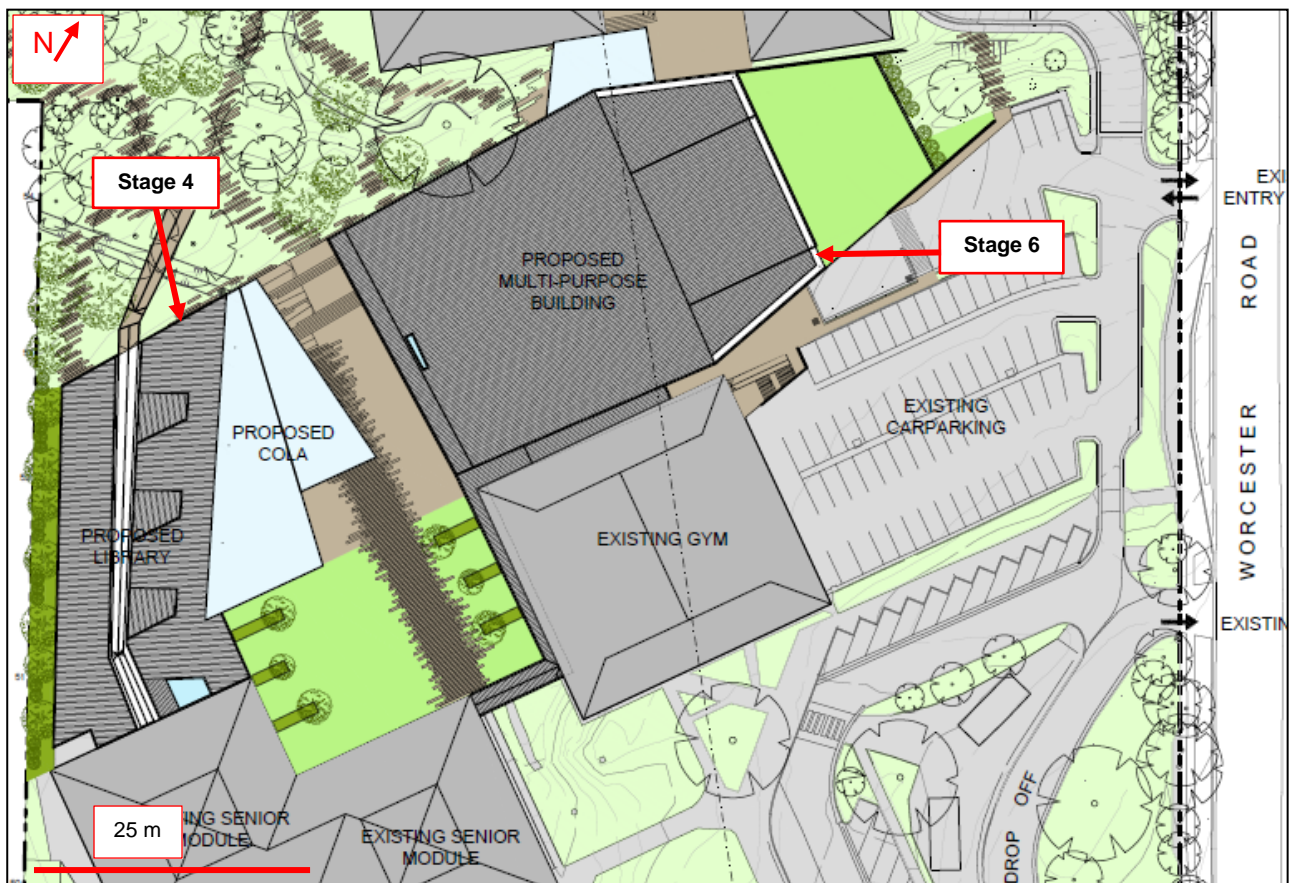


Figure 9: Proposed site plan and staging (source: EIS 2017)

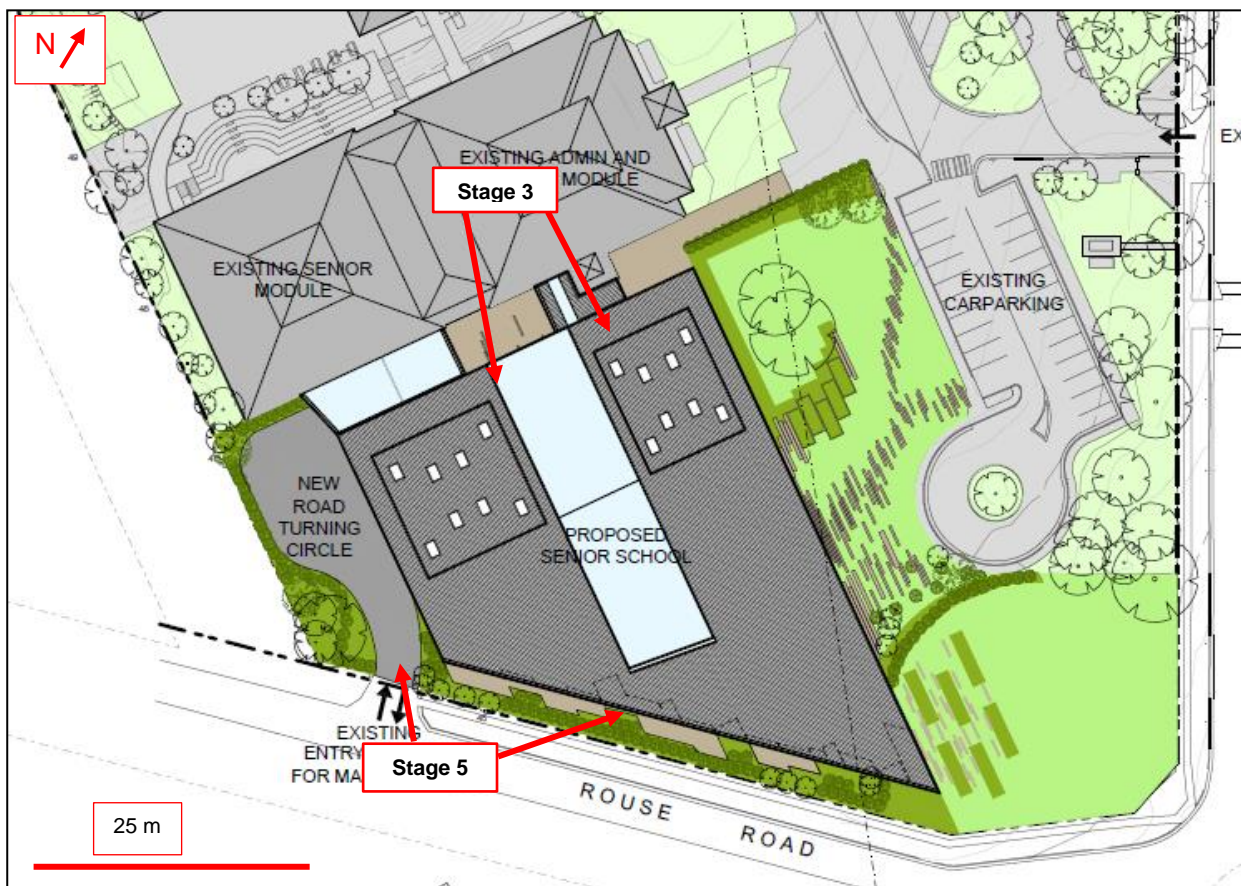


Figure 10: Proposed site plan and staging (source: EIS 2017)

2.2 Project Need and Justification

The Applicant seeks approval to upgrade an existing educational establishment in proximity to an identified strategic centre, Rouse Hill, which is located within the North West Growth Centre. The Applicant states that the proposal would provide improved educational facilities and infrastructure. The proposal will provide increased capacity on the site for a total of 2,135 students (2035 kindergarten to Year 12 students and 40 pre-kindergarten children) once completed. The proposal would meet the future needs of the students.

The increase in capacity is important for the Rouse Hill area which is currently undergoing significant transformation through residential development. The proposal would also require an additional 100 teachers providing employment in the growing region.

2.3 Strategic Context

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

- it is consistent with the NSW State Priorities to improve education results through the provision of new and improved teaching and education facilities;
- it is consistent with A Plan for Growing Sydney, as it proposes new school facilities to meet the growing needs of Sydney;
- it is consistent with the State Infrastructure Strategy 2018 – 2036;
- it is consistent with the Greater Sydney Regional Plan, A Metropolis of three cities;
- NSW Future Transport Strategy 2056 as it would provide a new educational facility in an accessible location and provide access to additional new employment opportunities close to public transport;
- it is consistent with the vision outlined in the Greater Sydney Commission's Central City District Plan, as it would provide school infrastructure conveniently located near existing public transport services and opportunities to co-share facilities with the local community; and
- it would provide direct investment in the region of approximately \$54 million, which would support up to 200 construction jobs per stage and 101 new operational jobs.

Central City District Plan

The Greater Sydney Commission's (GSC) role is to coordinate and align planning to shape the future of Metropolitan Sydney. The GSC has prepared District Plans to inform local council planning and influence the decisions of State agencies. The aim of the District Plans is to connect local planning with the longer-term metropolitan planning for Greater Sydney.

The site is located within the Central City District. The proposal is consistent with the priorities of the Central City District Plan as it provides the community with new social infrastructure by increasing the number of classrooms in response to the enrolment numbers expected for the locality. Additionally, the proposal has included ecologically sustainable development (ESD) principles within the design of the buildings to increase the sustainable use of existing natural resources through a passive building design.

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

- it is consistent with the NSW State Priorities to improve education results through the provision of new and improved teaching and education facilities;
- it is consistent with the State Infrastructure Strategy 2018 - 2036, as it would ensure new and innovative school designs to support modern and technology enabled teaching and learning; and
- it would provide direct investment of over \$20 million, which would support construction and operational jobs.

3. STATUTORY AND STRATEGIC CONTEXT

3.1 State Significant Development

The proposal is SSD under section 4.36 (development declared SSD) of the EP&A Act as the proposal is for the redevelopment of the existing school with a CIV in excess of \$20 million (\$54.75m), which is identified as SSD under clause 15 of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011*.

3.2 Consent Authority

In accordance with the Minister's delegation dated 11 October 2017, the Executive Director, Priority Projects Assessments can determine the subject application as Council has not objected to the proposal, no political disclosure statement has been made and less than 25 public objections have been received.

3.3 Permissibility and Zoning

The proposal is defined as an educational establishment under Appendix 2 of the Growth Centres SEPP. The subject site is zoned R2 Low Density Residential. Educational establishments are permitted with consent in the R2 Low Density Residential zone in accordance with clause 35 of the Education SEPP.

3.4 Environmental Planning Instruments

Under section 4.15 of the EP&A Act, the Secretary's assessment report is required to include a copy of, or reference to, the provisions of any environmental planning instruments (EPIs) that substantially govern the proposal and that have been considered in the assessment of the proposal. The following EPIs apply to the site:

- *State Environmental Planning Policy (State and Regional Development) 2011*;
- *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)*;
- *State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP)*;
- *State Environmental Planning Policy No. 64 – Advertising Signage (SEPP 64)*;
- *State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)*;
- Draft State Environmental Planning Policy (Remediation of Land);
- Draft Environmental Planning Policy (Environment); and
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP).

The Department has undertaken a detailed assessment of these EPIs in **Appendix B**. In summary, the Department considers the proposal is consistent with the requirements of the EPIs.

3.5 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 3**.

Table 3: Response to the objects of section 1.3 of the EP&A Act

Objects of the EP&A Act	Consideration
(a) <i>to promote the social and economic welfare of the community and a better environment by the proper</i>	The proposal involves the construction of a new school in an emerging suburb. The proposal is near a future strategic centre, and would provide for the current and future needs of the community. The proposal would also provide for employment

<i>management, development and conservation of the State's natural and other resources</i>	<p>opportunities close to new homes and public transport and would result in economic and social benefits for the locality.</p> <p>The subject site is currently cleared, and its development would not negatively impact the economic welfare of the community, nor the natural environment.</p>
<i>(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment</i>	The proposal includes measures to deliver ESD (Section 3.6).
<i>(c) to promote the orderly and economic use and development of land</i>	The proposal is an orderly and economic development and use of the land as the proposal provides for the redevelopment of an existing school which would provide new, fit-for-purpose educational facilities on a site owned by the Anglican Schools Corporation.
<i>(d) to promote the delivery and maintenance of affordable housing</i>	Not applicable.
<i>(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats</i>	<p>No threatened fauna species were found on-site during the study period; however, it was noted that a number of species had the potential to forage above the site.</p> <p>The site is mapped as having Cumberland Shale Plains Woodland, which is a threatened ecological community. Landscaping is assessed further in Section 5 of this report.</p> <p>Additionally, a Biodiversity Certification Order has been signed by the Minister for Climate Change and the Environment, and was issued in December 2007. The Certification suspends the application of Section 5A of the EP&A Act 1979 over the subject site.</p>
<i>(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)</i>	<p>One registered Aboriginal site has been identified within the site and has been assessed in Section 5 of this report.</p> <p>The site does not include any built heritage items nor is it within the vicinity of built heritage items or conservation areas.</p>
<i>(g) to promote good design and amenity of the built environment</i>	The building has a modern functional design which would integrate with the surrounding built environment.
<i>(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants</i>	The proposal would promote proper construction and maintenance of buildings subject to recommended conditions of consent.
<i>(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State</i>	The Department publicly exhibited the proposal (Section 4.1), which included consultation with Council and other public authorities and consideration of their responses (Sections 4.1 and 5).
<i>(j) to provide increased opportunity for community participation in environmental planning and assessment.</i>	The Department publicly exhibited the proposal as outlined in Section 4.1 , 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.

3.6 Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991* (see glossary at **Appendix C**). 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; and
- improved valuation, pricing and incentive mechanisms.

The Applicant has identified ESD opportunities for inclusion in the design of the proposed development and ongoing operations of the school including use of energy efficient lighting, daylight sensors for street lighting, recycled building waste, and water efficient fixtures & fittings to meet industry best practice.

The development has used the Green Star Design and As Built v1.1 with a Targeted Rating of 4 Stars – the minimum to achieve best practice.

The proposed junior school development is located on a previously cleared site. The existing junior school buildings are proposed to be demolished, with new senior school buildings constructed in their place. A stand of trees would be removed for the development of the library and multi-purpose hall, however as outlined in the EIS, these trees have not been identified as threatened species.

Due to the rural nature of the area, there is a lack of pedestrian and cyclist facilities. Notwithstanding, the proposal includes provision for bicycle parking and footpaths would be upgraded to provide safer commuting for cyclists and pedestrians adjacent to the site. It is expected that as the area develops and roads are upgraded by Council, the footpaths and cycle paths would also be upgraded. Additionally, the site has 'bespoke' school busses, exclusively for student use, to reduce car use.

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 proposal 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.

3.7 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.

3.8 Secretary's Environmental Assessment Requirements

On 7 October 2016 and again on 29 September 2017, the Department notified the Applicant of the Secretary's Environmental Assessment Requirements (SEARs) for the SSD application. The Department is satisfied the EIS adequately addresses compliance with the SEARs to enable the assessment and determination of the application.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 18 October 2017 until 16 November 2017 (30 days) The application was exhibited on the Department's website, at the NSW Service Centre and at Blacktown Council's office.

The Department placed a public exhibition notice in the Sydney Morning Herald, Daily Telegraph and the *Blacktown Sun* on 17 October 2017, and notified adjoining landholders and relevant State and local government authorities in writing.

The Department received a total of eight submissions, all from public authorities. No submissions were received from the general public. A summary of the issues raised in the submissions is provided at **Table 4** below and copies of the submissions may be viewed at **Appendix A**.

The Department has considered the comments raised in the public authority submissions during the assessment of the application (**Section 5**) and/or by way of recommended conditions in the instrument of consent at **Appendix C**.

4.1.1 Public Authority Submissions

Table 4: Summary of submissions from public authorities

Blacktown City Council (Council)
Council provided the following comments:
<u>Planning Matters</u>
<ul style="list-style-type: none"> requires details of the use, including hours of operation, out of hours activities and community use of the school facilities; and a copy of the Aboriginal Heritage Impact Permit (AHIP) issued for the site by Office of Environment and Heritage (OEH) is to be forwarded for Council's records.
<u>Traffic, access and car parking</u>
<ul style="list-style-type: none"> additional traffic generated can be accommodated within the existing road network; major intersections, including foot and cycle paths near the school would be upgraded by Council as part of the precinct plan road network; the proposed 285 car parking spaces is considered adequate for the development and complies with the DCP; and the proposal provides access off Cudgegong Road. Therefore, a wombat pedestrian crossing is required to be provided at no cost to Council to facilitate safe pedestrian movements.
Council's submission also included list of standard Blacktown City Council conditions of consent relating to signage, service approvals, special infrastructure contributions, construction hours, compliance with the BCA and <i>Planning for Bush Fire Protection 2006</i> , environmental health, engineering, traffic, access, parking, contamination and waste management.
Environmental Protection Authority (EPA)
The EPA advised that as the proposal does not constitute a Scheduled Activity under the <i>Protection of the Environment Operations Act 1997</i> (POEO Act) and does not require an Environmental Protection Licence to be issued under the POEO Act.
NSW Rural Fire Service (NSW RFS)
NSW RFS reviewed the proposal and raised no objection to the redevelopment subject to the following advice:
<ul style="list-style-type: none"> compliance with the plan prepared by Terroir, project number 14301, drawing number MP-10-00, revision number 1 dated 25 July 2017; that the proposed library and multi-purpose hall are not constructed until such time as the adjoining land at 86 Rouse Road is cleared and maintained as an asset protection zone in perpetuity, ensuring the aforementioned structures can achieve a maximum radiant heat flux of 10kW/m²; that the entire site is managed as an inner protection area in perpetuity; water and utilities comply with <i>Planning for Bush Fire Protection 2006</i>; internal roads comply with <i>Planning for Bush Fire Protection 2006</i>; an emergency evacuation plan is prepared consistent with <i>Development Planning – A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014</i>; new construction is compliant with either AS3959-2009 <i>Construction of buildings in bushfire-prone areas</i> or the NASH Standard (<i>National Standard Steel Framed Construction in Bushfire Areas – 2014</i>) BAL 12.5 and Addendum Appendix 3 <i>Planning for Bush Fire Protection 2006</i>; and landscaping to comply with Appendix 5 of <i>Planning for Bush Fire Protection 2006</i>.
Office of Environment & Heritage (OEH)
OEH noted that the site has been identified as 'Existing Certified Land' on the North West Growth Centre – Biodiversity Certification Map' and therefore had no comments to make during the exhibition phase.

Roads and Maritime Services (RMS)

Identified that amendments are required to the Worcester Road entrance and the Cudgegong Road exit to manage network and safety concerns. The submission also requires a signage plan be provided for the entry/exit at the northern end of the property, as well as for the bus bay. Additionally, conditions were provided relating to the provision of 40km/h school zones on Worcester, Rouse and Cudgegong Roads.

Sydney Water

Sydney Water advised that their strategic servicing investigation shows that the trunk water and waste system in the area has adequate capacity to service the redevelopment of the Anglican College and can be served via the existing 200mm water main located in Rouse Road.

Additionally, that the trunk waste system also has adequate capacity, however an appropriately sized extension along Worcester Road would need to be connected to the 800mm Second Ponds Creek Carrier.

Transport for NSW (TfNSW)

TfNSW recognises that the site is constrained in terms of provision of active transport options. However, TfNSW is encouraging the Applicant to liaise with TfNSW and Blacktown City Council to ensure adequate access is provided between the subject site and future public transport at Cudgegong Road Station for cyclists and pedestrians.

4.1.2 Public Submissions

No public submissions were received during exhibition.

4.2 Applicant's Response to Submissions

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.

On 13 February 2018, the Applicant provided a Response to Submissions (RtS) (**Appendix A**) on the issues raised during the exhibition of the proposal. The RtS includes the following amendments to the proposal:

- amended shadow diagrams;
- amended traffic report;
- green travel plan;
- detailed site investigation;
- remedial action plan;
- hours of operation;
- site works and stormwater plans; and
- signage plans.

The RtS was made publicly available on the Department's website and was referred to the public authorities who provided comment on the EIS. An additional four submissions were received from public authorities. A summary of the issues raised in the submissions is provided at **Table 5** and copies of the submissions may be viewed at **Appendix A**.

The Department has considered the comments raised in the Public Authority submissions during the assessment of the proposal (**Section 5**) and has recommended conditions in the instrument of consent at **Appendix C**.

Table 5: Summary of Public Authority Submissions to the RtS

Council

In addition to Council's previous comments, the following operational condition is recommended:

- The recommendations provided in the supplementary noise assessment for afterhours events, prepared by Spoke Acoustics Pty Ltd, dated 16 January 2018 shall be implemented.

Council also noted that some remediation works associated with the demolition of the house and swimming pool (approved under separate cover) on Lot 14 have not yet been undertaken as they form part of the bulk

earthworks associated with this proposal. Council recommends a Site Auditor review the final validation report and provide a Site Audit Statement.

The draft Conditions were referred to Blacktown City Council who provided additional conditions recommended for inclusion in the consent including conditions relating to developer contributions.

NSW RFS

The NSW RFS provided revised recommended conditions removing the requirement to delay the construction of the multi-purpose hall until such time as the adjacent vegetation is removed.

NSW RFS restated their position that the proposed library is not constructed until such time as the adjoining land at 86 Rouse Road is managed as an asset protection zone in perpetuity, ensuring the aforementioned structures can achieve a maximum radiant heat flux of 10 kW/m².

RMS

RMS requested the following:

- amended civil driveway designs restricting vehicle egress onto Cudgegong Road by introducing a driveway splay to physically direct cars to make left turns;
- the plans be updated so that they accurately portray the proposed entry/exit movements and traffic mitigation measures;
- if a new bus bay is proposed, amendments are to be made to the proposed northern bus bay and attached car park on Worcester Road. The southern vehicle access should be amended from being an entry/exit to a bus exit only. The existing car park would be able to gain entry and exit movements from the driveway further to the south. Access to the future bus bay exit from the carpark is to be restricted with landscaping or a physical restriction; and
- the signage plan is to be updated to remove all references to School Zone Signs.

RMS is the only authorised organisation that can approve speed zoning changes and authorise installation of speed limit/ school zone signs. RMS would determine the appropriate location of any new school zones or modification to existing zones prior to operation.

OEH

OEH advised that they would not be providing comments on the RtS report.

5. ASSESSMENT

5.1 Section 4.15 Evaluation

Table 6 identifies the matters for consideration under section 4.15 (see glossary at **Appendix C**) 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 5.2** and relevant appendices or other sections of this report and the EIS, referenced in the table.

Table 6: Section 4.15(1) Matters for Consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	See Section 3.4 and Appendix B .
(a)(ii) any proposed instrument	See Section 3 and Appendix B .
(a)(iii) any development control plan	See Appendix B .
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations	The proposal 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.
(a)(v) any coastal zone management plan	Not applicable.
(b) the likely impacts of that development	Appropriately mitigated or conditioned - refer to Section 5 of this report.

(c) the suitability of the site for the development	The site is suitable for the development as discussed in Sections 3 and 5 of this report.
(d) any submissions	Consideration has been given to the submissions received during the exhibition period. See Sections 4 and 5 of this report.
(e) the public interest	Refer to Section 5 of this report.
Biodiversity values exempt if: (a) On biodiversity certified land (b) Biobanking Statement exists	A Biodiversity Certification Order has been signed by the Minister for Climate Change and the Environment, and was issued in December 2007. The Certification suspends the application of Section 5A of the EP&A Act 1979 over the subject site.

* Under clause 11 of the State Environmental Planning Policy (State and Regional Development), DCPs do not apply to SSD. Notwithstanding, consideration has been given to relevant DCPs at Appendix B.

5.2 Key Assessment Issues

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

- Built Form; and
- Traffic and Transport.

Each of these issues is discussed in the following sections of this report. Other issues were taken into consideration during the assessment of the application and are discussed in **Section 5.3**.

5.2.1 Built Form

Building Height

Under the provisions of the Growth Centres SEPP, the subject site is subject to a building height control of 8.5 m for Lot 14 and part of Lot 130, and 12 m for the majority of Lot 130 (**Figure 11**).

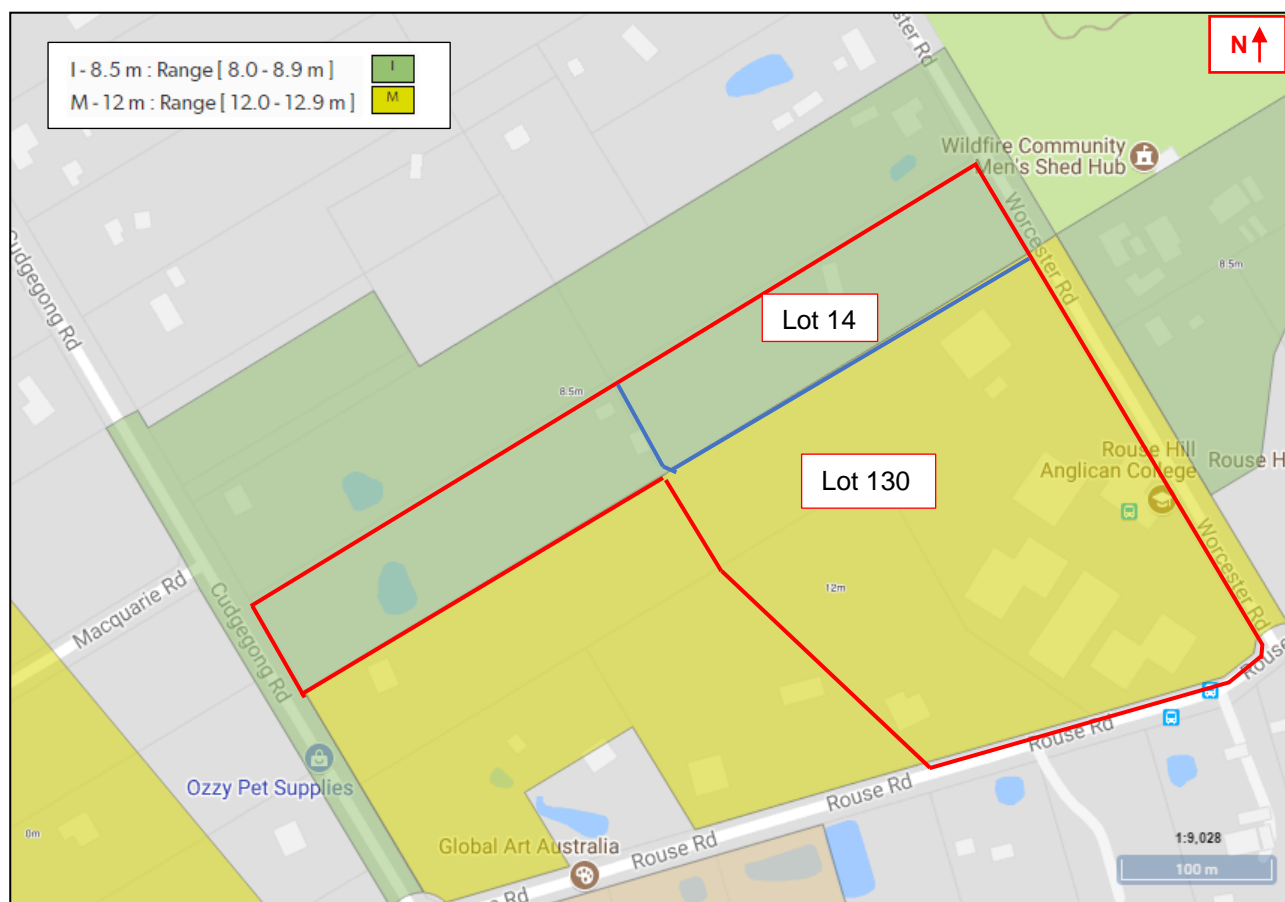


Figure 11: Maximum building heights, Growth Centres SEPP Appendix 6 (Source: Planning Portal 2018)

The EIS has indicated that due to the fall of the land, some of the proposed junior school buildings would be approximately 11 m from the natural ground level. This exceeds the maximum building height of 8.5 metres (Range 8.0 - 8.9 m), permitted on Lot 14 under the provisions of Clause 4.3 Appendix 6 of the Growth Centres SEPP, however, the buildings comply with the maximum height on Lot 130 (12 m) (**Figure 11**).

The purpose of the building height clause are as follows:

- to preserve the amenity of adjoining development in terms of solar access to dwellings, private open space and bulk and scale;
- to provide for a range of residential building heights in appropriate locations that provide a high quality urban form;
- to facilitate higher density neighbourhood and town centres while minimising impacts on adjacent residential areas; and
- to provide appropriate height controls for commercial and industrial development.

Clause 4.6 of the Growth Centres SEPP provides flexibility in the application of the development standards if it can be demonstrated that compliance is unreasonable and unnecessary and there is sufficient planning justification for contravention of the development standard.

As held by the Land and Environment Court in *Wehbe v Pittwater Council [2007] NSWLEC 827*, development standards are not an end in themselves but a means of achieving environmental and planning objectives. Where the objectives of the development control are achieved, strict compliance with the standard would be unnecessary (if the intended purpose is achieved anyway) and unreasonable (if no purpose would be served).

The EIS addresses clause 4.6 of Appendix 6 of the Growth Centres SEPP and justifies the building height variation as:

"A 9 metre height control applies to the new school Lot 14 DP 1120290. This is a height control that has been established for residential development within the R2 Low Density Residential zone.

While the height of the proposed module buildings from finished floor level to RL is approximately 7.6 m, given the slope of the land and the need for cut and fill across the sloping site, the height of some of the buildings when measured from natural ground level extends to around 11m.

It is noted that this additional height is effectively restricted to the internal interface of the new school property with the existing school development. It is also noted that this area is at the interface of two maximum height controls i.e. 9 m and 12 m standards. It also must be stated that the new Education SEPP allows for school development of up to 15 metres as complying development on any educational establishment land."

The subject site has a slope from the north of the site to the east, south and west exacerbating the height of the buildings when viewed from Worcester Road.

The three proposed junior school buildings, which are single storey in height, each with a mezzanine level, have building height non-compliances. The non-compliance is along the south-eastern elevation at the interface between the two maximum building height controls (**Figure 12**).

The junior school buildings present a single storey façade to the land along the north-western boundary and would not result in overlooking or undue visual impact from future adjacent development (**Figure 13**).

These buildings would also present as single storey when viewed from Worcester Road. However, there would be some bulk from the roof structures as Block K (the western most junior school building) has a higher ground level (approximately 4 m) than Blocks L and M, due to the slope of the

land down towards Worcester Road. This would be partially screened by vegetation planted between the school buildings and the street (**Figure 14**). **Figure 15** shows the junior school buildings when viewed from Worcester Road and the senior school buildings when viewed from the intersection of Rouse and Worcester Roads.

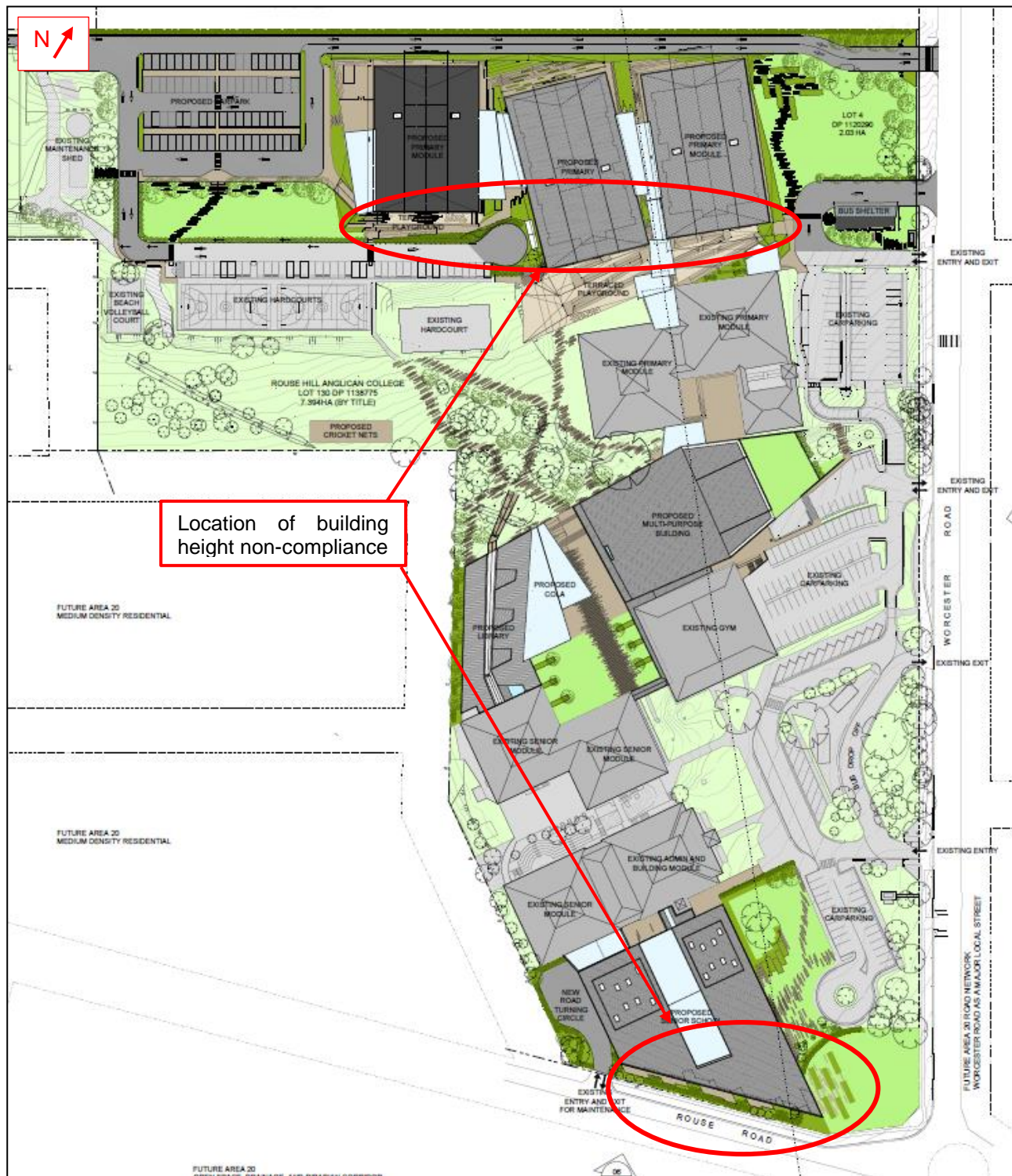


Figure 12: Plan excerpt locations of building height non-compliances (Source: Applicant's EIS 2018)

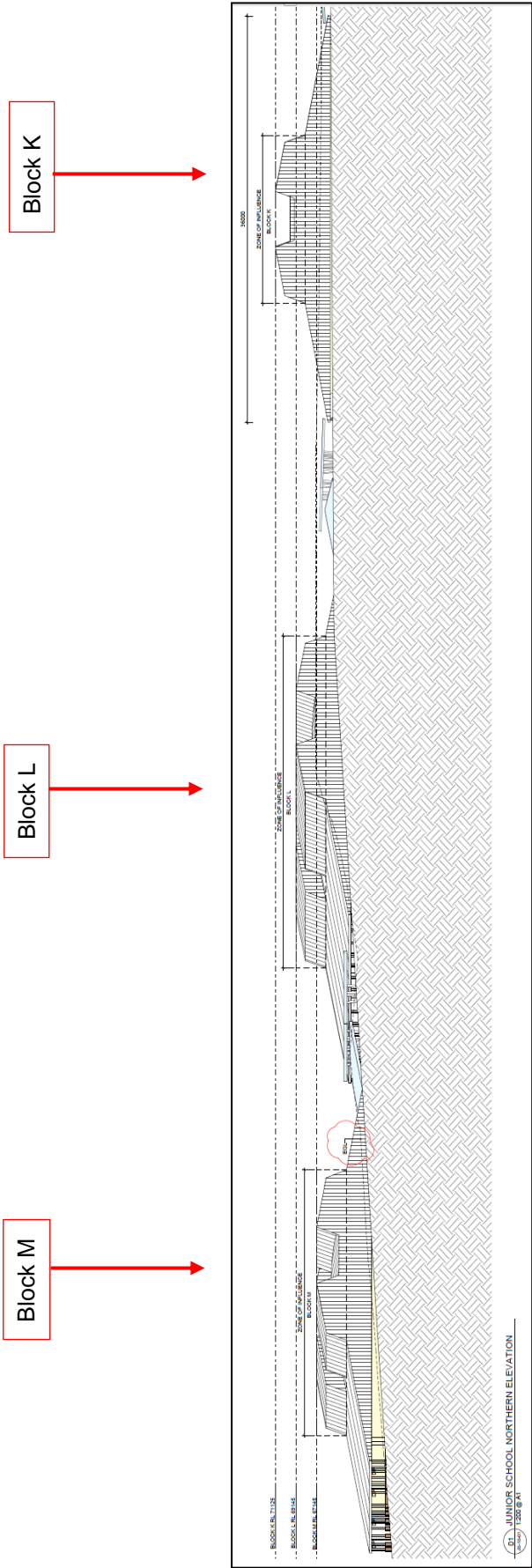


Figure 13: Northern elevation of junior school viewed from Area 20 (Source: Applicant's RfS 201



Figure 14: Existing and proposed view of the school from Worcester Road (Source: Applicant's RtS 2018)

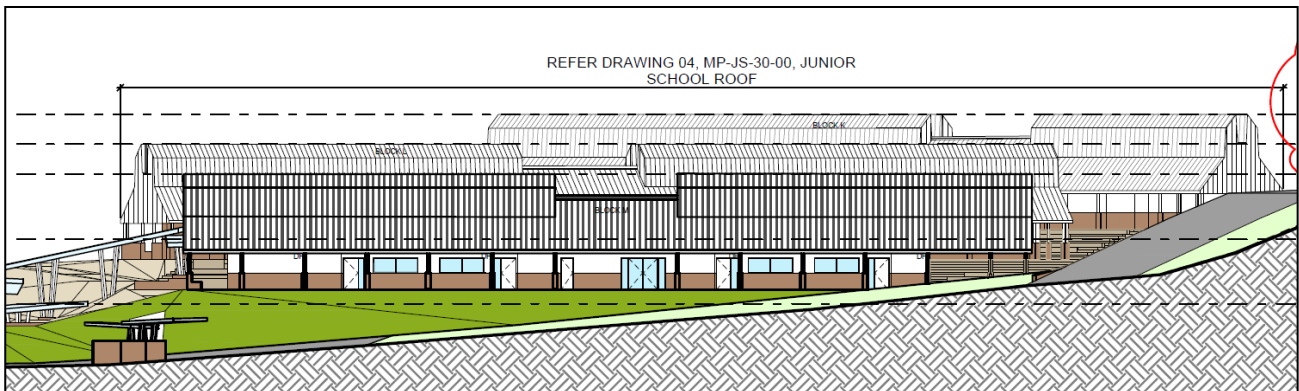


Figure 15: Eastern elevation of the junior school – view from Worcester Road - (Source: Applicant's RtS 2018)

Future medium density residential development to the south, and south west would be approximately 100 to 150 m from proposed Block K, and would be separated from the junior school by sporting facilities and roads, which would not result in unreasonable overlooking from the non-compliant building height.

Due to the slope of the land, the building design and location of single and two-storey elements of the proposed junior school buildings, it is considered that the proposal provides an appropriate interface between the two building height controls.

In addition to the junior school non-compliance, the proposed senior school building is also non-compliant with a proposed building height of 13.05 m (exceeding the building height by 1.05 m) along the Rouse Road elevation.

The proposed library and existing senior school buildings would be located closer to future residential development to the south west of the school than the junior school buildings. The first floor of the library would be setback approximately 12 m from the western property boundary. With the addition of a 15 m wide DCP road reserve, the proposed separation would be approximately 27 m between the first floor of the library and any future residential development to the south west providing privacy and amenity to any new development. The land on the southern side of Rouse Road has been zoned SP2 Local Drainage and RE 1 Public Recreation. Consequently, the proposed senior school building would not provide undue privacy impacts on land on the southern side of Rouse Road.

The height non-compliance of the proposed senior school buildings (**Figures 15 to 19**) is located along the Rouse Road frontage to the school. This non-compliance is a result of the existing sloping nature of the site. The existing and proposed vegetation along Worcester and Rouse Roads would ensure amenity is maintained when viewed from the south east frontage.

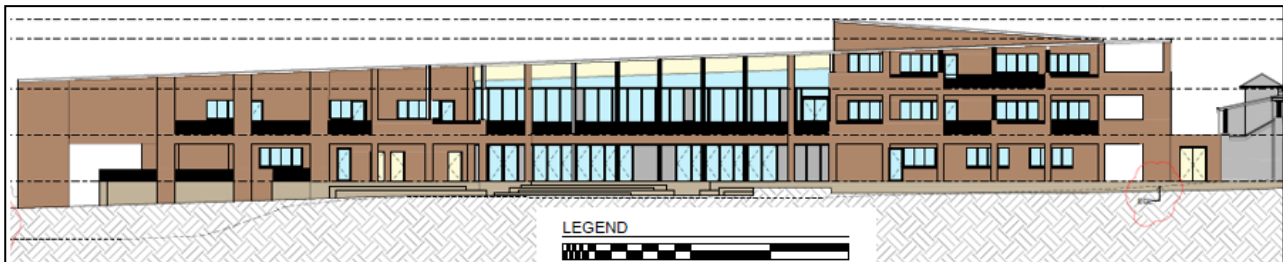


Figure 16: North eastern (main entrance) elevation of the senior school building (Source: Applicant's RtS 2018)

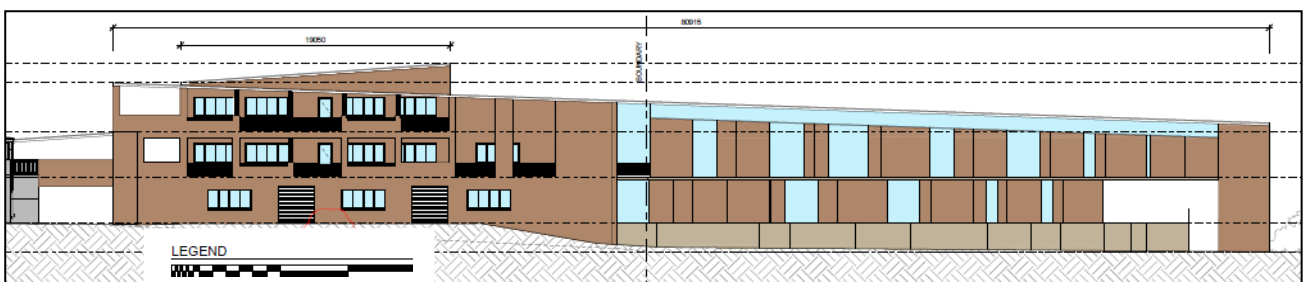


Figure 17: South western elevation of the senior school building (Source: Applicant's RtS 2018)



Figure 18: Existing and proposed view of the school from the intersection of Rouse and Worcester Roads (Source: Applicant's RtS 2018)

The building height non-compliance is not evident when viewed from the main Worcester Road frontage, and provides a sense of scale to the main frontage enhancing the school's presence along Worcester Road. This is complemented by a landscaped setback.

The Department has assessed the proposed building height against the building height objectives of the Growth Centres SEPP and considers that the design and built form of the proposed new junior and senior school buildings would not result in adverse visual impacts on the surrounding area and is considered acceptable in terms of the relationship with the existing development on site and has regard to minimising impacts on future adjacent development.

The Department referred the application to the Government Architect NSW (GANSW) as part of the exhibition and RtS processes. The GANSW provided feedback on the proposal and raised no objection to the proposed built form.



Figure 19: Existing and proposed view of the school from Rouse Road (Source: Applicant's RtS 2018)

The Department notes the justification provided by the Applicant and its consideration of the objectives of the height control. While it is acknowledged that the proposed development represents critical social infrastructure which would contribute to meeting the increased demand for school enrolments, this should not be at the detriment of the surrounding locality. The Department's consideration of the Growth Centres SEPP building height objectives is provided in **Table 7**.

Table 7: Growth Centres SEPP Building Height Objectives

Objective	Response
(a) to ensure the height of development is appropriate to the condition of the site and its context	The proposed development is higher than other development in the area however its position within the site ensures the proposal would not unreasonably impact on the amenity of neighbouring properties.
(b) to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas,	<p>The proposal is located within an emerging area within the North West Growth Centre. The surrounding land is currently primarily rural residential, with surrounding land zoned for medium density residential development.</p> <p>There are no heritage items located on or within close proximity of the site.</p> <p>The proposed new buildings are contemporary in design and appropriate in the context of the site. Further, interface landscaping is proposed to compliment the proposed development.</p>
(c) to promote the sharing of views,	There are no significant views which would be impeded by the proposed development.

The Department has assessed the proposed building height variation and has considered the Clause 4.6 variation submitted by the Applicant, in conjunction with the established principle in the case of *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009*, by the Land and Environment Court.

The judgement established that to accept a departure from the development standard, the context of the site should be considered and it should be demonstrated that the development promotes “*the proper and orderly development of land as contemplated by the controls applicable*”, being the zone of the land, “*which is an objective of the Act (s 5(a)(ii)) and which it can be assumed is within the scope of the ‘environmental planning grounds’ referred to in cl 4.6(4)(a)(i) of the LEP*”.

In accordance with the views expressed in this decision, sufficient environmental planning grounds, unique to a site, must be demonstrated by the Applicant for a Clause 4.6 variation request to be upheld. In this context, the Department considers the Applicant's arguments to be well founded for the following reasons:

- the junior school building non-compliances are located at the interface between two height controls;
- the senior and junior school buildings would be consistent in height and scale to the future surrounding development;
- the proposal would not impact on the solar access of adjacent properties;
- the proposal would not unduly impact on the amenity of the area; and
- the proposal would not result in view loss for surrounding occupiers.

The Department is satisfied the bulk and scale is appropriate on the site as it provides an acceptable transition to surrounding existing and future development. The height exceedances are effectively managed within the site and the integration of the proposed buildings with the existing school is supported.

5.2.2 Traffic, Car Parking and Public Transport

Operational Traffic

A Traffic Impact Assessment (TIA) prepared by Traffix was submitted with the EIS and updated with the RtS. The subject site is located on the corner of Rouse and Worcester Roads, which is currently a T-intersection. However, this intersection has been identified in the TIA as one of the key priority controlled intersections near the site as outlined in the North West Growth Centre Road Framework (2011). This intersection is proposed to be upgraded to a roundabout controlled intersection.

Both Worcester and Rouse Roads are sign-posted as a 60 km/h zones and have 40 km/h school zone speed restrictions between 08:00 - 09:30 am and 02:30 - 04:00 pm on school days.

The TIA indicates that 99 per cent of staff drive to/from the school during the morning and afternoon peak periods, while 77 per cent of students arrive at school by car in the morning peak, and 63 per cent of students depart the school via car in the afternoon peak. It is expected that the proposed development would generate a total of 1,537 vehicle trips (854 in, 683 out) during the morning peak (a net increase of 619 trips), and 1,046 vehicle trips (470 in, 576 out) during the afternoon peak (a net increase of 415 trips).

The TIA has stated that 60 per cent of development traffic would enter and exit the site via Worcester Road. 70 per cent of trips are expected to arrive from/depart towards Rouse Road to the south. The remaining 30 per cent of trips would arrive from/depart towards Guntawong Road in the north. The remaining 40 per cent of trips would enter the site via Worcester Road and exit via Cudgegong Road, with vehicles turning left out of the site (**Figure 20**).

The modelled intersection performance provided in the TIA states that all assessed intersections maintain a Level of Service (LoS) A to the year 2036 base plus development traffic. The exception to this is the Rouse and Cudgegong Roads, which would result in a LoS B. The *RMS Guide to Traffic Generating Developments* states that a LoS B results in an average vehicle delay of 15 to 28 seconds, which for roundabouts is considered "good with acceptable delays and spare capacity."

Neither Council nor RMS raised objection to the traffic generation of the development. RMS however requested amendments to the architectural plans, and advised that they are responsible for speed management along public roads, and the only organisation that can authorise installation of speed zoning traffic control devices.

As this area is developed, the surrounding road network would be upgraded to accommodate increased traffic. The Department therefore considers that, despite the anticipated development in the North West Growth Centre, the additional traffic generated by the proposal would not have a

detrimental impact on the surrounding road network. Additionally, the Department notes the plans showing the Cudgegong Road exit were updated as part of the Supplementary RtS (SRtS) to prevent vehicles from turning right out of the site as requested by RMS.

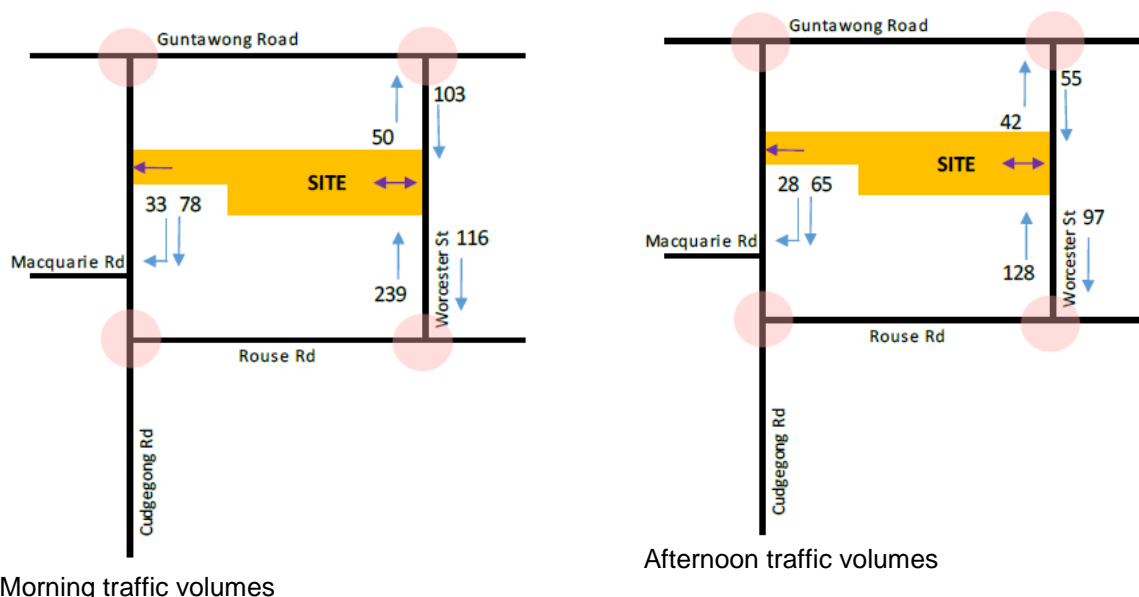


Figure 20: Expected traffic distribution (Source: Applicant's RtS 2018)

The Department has considered the information submitted in the EIS, RtS and Supplementary RtS as well as the responses from Council, RMS and TfNSW and has recommended conditions relating to both construction and operational traffic and pedestrian management.

Car Parking

There are currently 200 car parking spaces on-site. The proposal includes the provision of an additional 85 car parking spaces, resulting in a total of 285 car parking spaces on-site at the completion of the development.

Based on the requirements within the Blacktown Growth Centres DCP the following parking provisions would apply:

Land use	Parking requirement	Provision
Child care	1 space / staff; 1 space / 6 children	4 (staff) + 7 (40 children) = 11
Primary & Secondary	1 space / staff; 1 space / 100 students	190 (staff) + 21 (2085 students)
Senior High	1 space / 5 Year 12 students	28 (138 Year 12 students)
Total		250

The Applicant has proposed that six of the car parking spaces would be dedicated as disabled which exceeds the requirements of the BCA to have one disabled space for every 100 parking spaces or part thereof. Five of the disabled parking spaces are existing, with one additional disabled space provided as part of the development.

The proposal provides a total of 285 car parking spaces, which exceeds the DCP rates required for the final development by 35 spaces. The Department considers that the on-site parking is sufficient to cater for both the safe drop-off/pick-up of students and can accommodate the car parking demand generated by the proposal and no adverse traffic impacts are predicted as a result of the 35 surplus spaces. Consequently, the Department considers that no conditions relating to the provision of car parking are necessary. Notwithstanding, the Department recommends conditions relating to the provision of an operational traffic management plan prior to occupation of each stage of the development.

Construction Traffic

Rouse Road is a currently a local, two lane road which runs from Windsor Road (a State Classified Road) in the east, to Cudgegong Road to the west. Windsor Road is one of the primary arterial corridors serving the locality. As part of the development occurring in the area, Rouse Road would be upgraded to two lanes of traffic in each direction by RMS.

It is expected that construction traffic would utilise Windsor Road and Rouse Road as the primary access route to the school. For Stages 1, 2, part of 5 and 7 (Junior school construction), vehicular access to the site would be via Worcester Road. For Stages 3 and part of 5, vehicular access for construction would be via Rouse Road. Depending on the progress of construction of local roads on adjoining sites, access for Stages 4 and 6 (library and multi-purpose hall) may be from these future local roads.

Neither Council nor RMS raised concerns with regard to construction vehicle movement times and their interaction with school drop-off and pick-up times. Given the significant numbers of students who will arrive and depart the school via private vehicle, the Department considers it reasonable to recommend a condition which minimises the movement of construction vehicles around the school during peak drop-off and pick-up times.

The Department raises no objection with the proposed construction traffic arrangements, however, to minimise the impact of construction vehicles and their noise on neighbouring properties, the Department recommends the following conditions:

- that the delivery of materials to and removal from the site occur during normal construction hours; and
- that a Construction Traffic and Pedestrian Management Plan be prepared for each stage of development.

Public Transport

The TIA indicates that in the morning peak, 23 per cent of students catch public transport to school, and 37 per cent of students catch public transport home. The TIA has stated that public transport is limited in the area due to its rural nature, with only one Busways route servicing the site. However, as the area develops, it is expected that additional public bus services would be available. In addition to the public bus route, Busways and Hills Bus provide school bus services to/from Rouse Hill Anglican College, which service the surrounding areas.

Construction of North West Metro stations is currently underway, with Tallawong Station approximately 700 metres south west of the site on Cudgegong Road (**Figure 21**) which would become available for use by school students and staff once completed (currently due for completion in early 2019).

The Department considers that, as area develops further, bus companies are likely to increase the frequency and number of routes. The dedicated bus services as well as future Metro services would adequately provide additional transportation options for occupants of the school.

Green Travel Plan

The RtS includes a preliminary Green Travel Plan (GTP). The preliminary GTP indicates that, due to the current rural nature of the area, the lack of suitable pedestrian and cyclist infrastructure limits the current opportunities for a GTP to be implemented. Advice received by the Applicant from traffic engineers is that, until such time as appropriate infrastructure is provided, it is not safe to promote active transport to the school community.

The Applicant appreciates the value of GTPs and the benefits they offer. Consequently, the Applicant would accept a condition of consent for the completion of a GTP as appropriate infrastructure is provided. The Department considers that this approach is practical given the lack of pedestrian and

cyclist infrastructure currently surrounding the site. Consequently, a condition of consent requiring a GTP be prepared and implemented as the surrounding area is developed has been recommended.

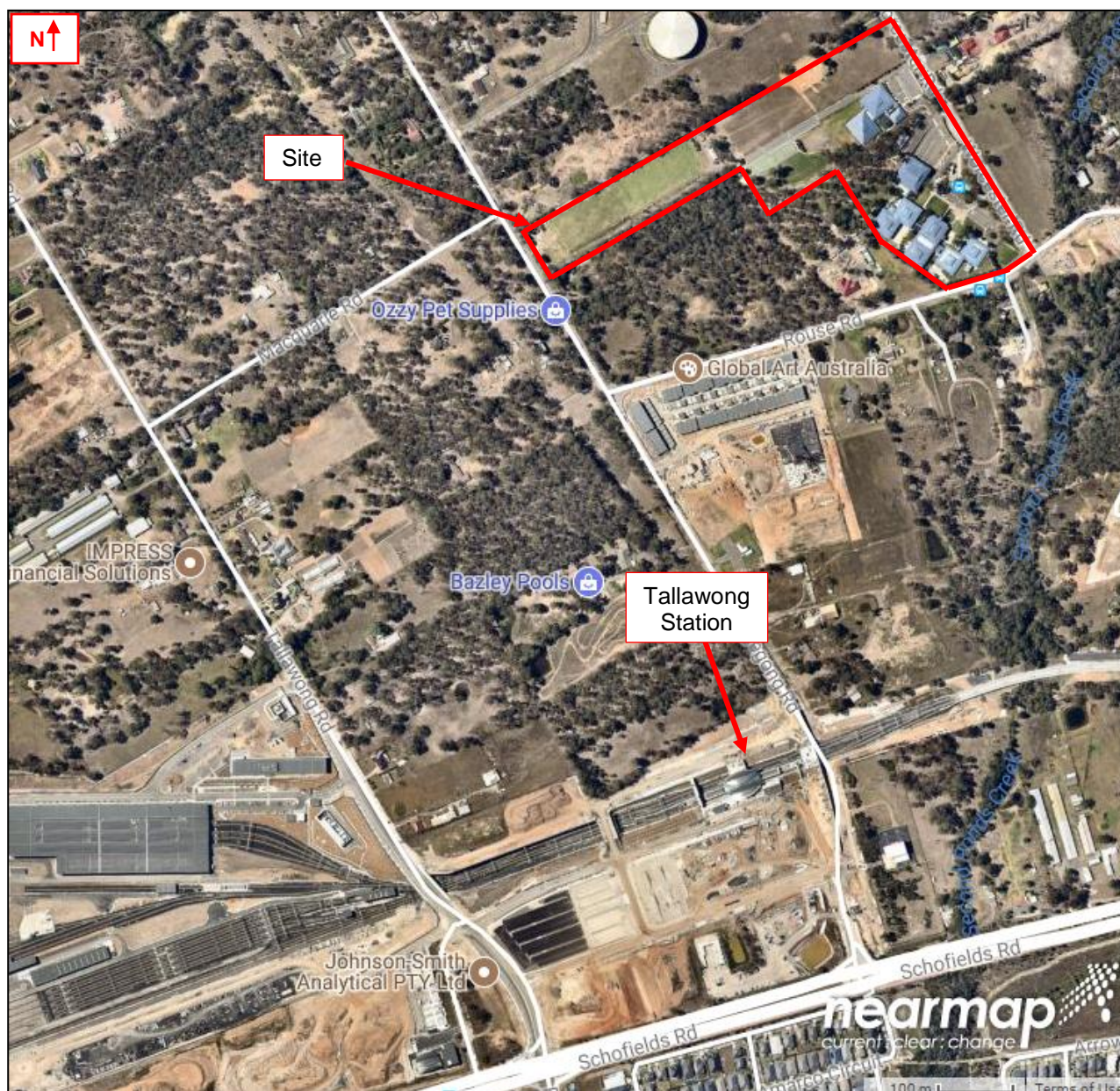


Figure 21: Tallawong Station - North West Metro (Source: nearmap 2018)

5.3 Other Matters

Other assessment matters for consideration include Aboriginal heritage, noise, bush fire, contamination, hours of operation, landscaping, solar access, storm water and section 94 contributions and are summarised in **Table 8** below.

Table 8: Other assessment Matters for Consideration

Issue	Consideration	Recommendation
Aboriginal Heritage	<ul style="list-style-type: none"> An Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared by GML Heritage in accordance with OEH guidelines and was submitted with the RtS. As part of the ACHAR, 17 Registered Aboriginal Parties (RAPs) were consulted on the proposed development. An Aboriginal Heritage Information Management System (AHIMS) search was undertaken and found that there 	<p>The Department has recommended conditions of consent regarding:</p> <ul style="list-style-type: none"> Salvage strategy; and Unexpected finds protocol.

Issue	Consideration	Recommendation
	<p>were previously four registered artefact sites within the site. Following development of the existing school, one artefact site remains in the vicinity of the proposed multi-purpose hall.</p> <ul style="list-style-type: none"> • The ACHAR identified that the historic, scientific and aesthetic grade of significance of the remaining artefact site was low, with the social grade of significance being moderate. • The Applicant considered that the following measures would minimise/mitigate the impacts upon Aboriginal heritage of the proposed development: <ul style="list-style-type: none"> ○ avoidance; ○ approval of the subject application Without Community Collection; ○ Cultural Heritage Induction and Stop Works Procedure; and ○ Interpretation Strategy. • The Applicant's recommendations also included the consideration of an Archaeological Interpretation Kit for use as part of the school curriculum. • OEH made no comment on the proposed recommendations of the Applicant. • As the development is SSD, section 4.41 (1)(d) of the EP&A Act, AHIPs do not apply. Therefore, an AHIP would not be issued by OEH. • The Department has considered the Applicant's ACHAR and considers it to be acceptable subject to the implementation of conditions relating to salvage strategy and unexpected finds protocol. 	
Noise	<ul style="list-style-type: none"> • The EIS included construction and operational noise assessments prepared by Spoke Acoustics. • The development site is located on Worcester Road, Rouse Hill immediately surrounded by rural residential development and the existing Rouse Hill Anglican College. • A mixture of rural residential properties, recreation areas and infrastructure are located to the south and north of the site. • The area of the proposed development has been rezoned as part of the North West Growth Centre and with the implementation of the Area 20 Plan, the immediately surrounding land uses have the potential to change. • Both attended and unattended noise monitoring was undertaken to quantify the existing acoustic environment at the site and at the nearest sensitive receiver locations, including areas designated for future development. • The noise environment was determined to be highly variable, dominated at times by natural sounds, with intermittent traffic noise or moderately high industrial noise from the quarry located opposite the existing school. <p><u>Construction</u></p> <ul style="list-style-type: none"> • The Interim Construction Noise Guideline (DECCW, 2009) (ICNG) outlines the process of establishing noise management levels (NMLs) to minimise construction noise impacts on sensitive receivers. • The NMLs (Noise Affected) during standard construction hours at the most affected sensitive rural receivers, based on background noise levels range would be 44 dB LAeq(15min) (i.e. Rating Background Level (RBL) 34 + 10dB = 44 dB LAeq(15min)). 	<p>The Department has recommended a condition of consent requiring the Applicant:</p> <ul style="list-style-type: none"> • undertake construction between 7 am to 6 pm Monday to Friday and 8 am to 1 pm Saturday • undertake noisy works between specific times in accordance with the ICNG • restrict arrival times of construction vehicles to construction hours • implement 'respite periods' for works that generate noise with particularly annoying or intrusive characteristics • to undertake an Operational Noise Assessment and prepare an Operational Noise Management Plan.

Issue	Consideration	Recommendation
	<ul style="list-style-type: none"> The ICNG specifies the following standard construction hours as follows: <ul style="list-style-type: none"> 7:00 am to 6:00 pm Monday to Friday 8:00 am to 1:00 pm Saturday No construction works on Sunday or NSW Public Holidays. The construction noise levels during standard construction hours are anticipated to exceed the NMLs however would generally remain below the 'highly affected' noise limit of 75dBA. Earthworks, including rock-breaking are anticipated to be clearly audible by sensitive receivers and moderately intrusive, however will be short-term in duration. Modelling undertaken of construction impacts upon proposed receivers in accordance with the Area 20 Plan indicates some exceedances of the highly noise affected limit within the high-density area north of the proposed development due to the close proximity of these residences to the works (within ten metres). Further, some structures and sensitive receivers are located within the recommended distances for vibration intensive plant. These distances are outside of the minimum working distance for cosmetic damage, however there is potential for these works to be felt and exceed comfort levels. The Applicant has recommended that the construction manager be required to implement mitigation measures as follows, to minimise noise impacts, where possible: <ul style="list-style-type: none"> scheduling of works within standard construction hours; implementing respite periods; selecting equipment with lowest noise ratings; siting plant within areas to minimise noise; utilising non-tonal and sensitive reversing alarms where practicable; shielding stationary noise sources; and shielding sensitive receivers with barriers. Where receivers are anticipated to be highly noise affected, the report recommends implementing respite periods and consulting with the affected residents. Council requested that noise generating development works be undertaken in accordance with the hours within the ICNG. The Department acknowledges that construction of any development would result in some noise impacts and as such, has recommended conditions to ensure noise is minimised, where practicable and that all recommendations of the Construction Noise and Vibration Management Plan be implemented. Additionally, a condition has been recommended requiring the Applicant to undertake construction works in accordance with ICNG's standard construction hours and time periods for noisy works have been stipulated with a requirement for the scheduling of respite periods in accordance with the ICNG. <p><u>Operation</u></p> <ul style="list-style-type: none"> Typical hours of operation of the proposed development would be from 6:30 am to 9 pm Monday to Friday. 	

Issue	Consideration	Recommendation
	<ul style="list-style-type: none"> • The Applicant considered the relevant provisions of the NSW Industrial Noise Policy (EPA, 2000) (INP) and the EPA's <i>Noise Criteria for Local Government</i> (EPA, 2013). • The Applicant's EIS considered noise impacts throughout the various expansion phases of the proposed development and provided project specific noise levels for the 16 nearest most affected locations, considering the potential changes in the area. • Once fully operational, there is potential for some short-term noise exceedances during AM and PM peak periods as well as potential for exceedances in mechanical plant noise due to the increased scale of the school and close proximity of planned residential dwellings. • The noise assessment notes that these exceedances are measured against the existing background noise levels, and given the planned changes to the surrounding environment, these background noise levels are anticipated to change. • The EPA noted that the proposed development would not constitute a Scheduled Activity under Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> (POEO Act) and would not require an Environment Protection Licence. Subsequently, no further comments were made. • The Department notes the anticipated changes for the area, and anticipates background noise levels close to the proposed development would increase. As such, it is difficult at this time to quantify any exceedances. • Given the changes that may occur in the area prior to the completion of the proposed development, the Department has recommended a condition requiring that an Operational Noise Assessment be undertaken as part of the Operational Noise Management Plan. This noise assessment and Operational Noise Management Plan will be required to accurately establish the background noise level and provide detail of mitigation measures and strategies that will be implemented throughout the life of the development to ensure that operational noise criteria are accurately established and met. • In considering the information presented and commitments of the Applicant, the Department considers that the operational noise impacts of the proposed development can be adequately managed with the adoption of recommended conditions. 	
Bush Fire	<ul style="list-style-type: none"> • The proposed development is Special Fire Protection Purpose (SFPP) Infill in accordance with the requirements of <i>Planning for Bush Fire Protection 2006</i> (PBP 2006). Consequently, the new school buildings are not required to comply with a maximum radiant heat exposure of 10 kW/m². The buildings are required to be no closer to the bush fire hazard than existing buildings on-site. • All proposed buildings are either behind or consistent with the existing building line with the exception of the library. Consequently, the Applicant's bush fire consultant recommended that the library (which has been identified as being within the flame zone) not be constructed until such time as the adjacent vegetation has been removed. 	<p>The Department has recommended the following conditions of consent:</p> <ul style="list-style-type: none"> • that the proposed library is not constructed until such time as the adjoining land is maintained as an asset protection zone in perpetuity; • that the entire site is managed as an inner

Issue	Consideration	Recommendation
	<ul style="list-style-type: none"> • The NSW RFS agreed with this assessment, however recommended a condition that construction of the proposed multi-purpose hall be delayed until the adjacent vegetation to the west has been removed. As part of the RtS, the Applicant has requested that the NSW RFS reconsider this requirement. • The NSW RFS revised their response removing the requirement to delay the construction of the multi-purpose hall until the vegetation is removed. • The Department undertook an assessment of the library in accordance with Appendix 2 of PBP 2006 and identified that the proposed multi-purpose hall should be constructed to comply with Bushfire Attack Level (BAL) 19. It is therefore considered unreasonable to delay the construction of the multi-purpose hall until such time as the adjacent vegetation is removed. Consequently, the Department concurs with the Applicant's bush fire consultant's recommendations. • The proposed multi-purpose hall complies with the requirements of SFPP infill development in section 4.2.5 of PBP 2006 to be no closer to the hazard than existing development, and provide the development with a better bush fire protection outcome than if the development did not proceed. • The Department considers that bush fire risks can be appropriately managed by recommending the conditions of consent provided by the NSW RFS relating to asset protection zones, construction, access, water and staging of the development. 	<p>protection area in perpetuity;</p> <ul style="list-style-type: none"> • water and utilities comply PBP; • internal roads comply with PBP; • an emergency evacuation plan is prepared • new construction is compliant with BAL 12.5; and • landscaping to comply with PBP.
Contamination	<ul style="list-style-type: none"> • Two lots make up the site, being Lot 130 DP 1138775 and Lot 14 DP 1120290. • The existing school, located on Lot 130 DP 1138775, was subject of a detailed site investigation (DSI) in 2001 as the site was previously used as a duck and turkey farm. • The proposed primary school (Lot 14 DP 1120290) was previously utilised as a rural residential dwelling, which was demolished in 2017 (Section 1.4). • The DSI prepared for the existing school site identified that construction waste was observed to a depth of 1.7 m (established during site remediation) within the former swimming pool area on Lot 14 which is currently vacant. • The DSI also noted asbestos containing material (ACM) within the footprint of the previous dwelling and on the surface of the former swimming pool. • Additionally, asbestos piping was located running downslope (south) towards Lot 130. The piping was identified for removal during remediation works. • The DSI identified that a Remedial Action Plan (RAP) would be required to remediate the site prior to the construction of the proposed junior school. • A RAP was submitted to Council on 13 September 2017, and was provided as part of the RtS and includes a contingency plan in the event that unexpected contamination is identified. • Full remediation of the area around the swimming pool is required, including excavation and off-site disposal of fill, which is proposed during bulk earthworks. 	<p>The Department has recommended the following conditions:</p> <ul style="list-style-type: none"> • Remediation in accordance with the Interim Validation Report prepared by Martens; • Procedure for unexpected contamination discoveries; and • Prior to the commencement of works provision of a copy of the approved Site Audit Statement to the Certifying Authority.

Issue	Consideration	Recommendation
	<ul style="list-style-type: none"> The Department considers that with appropriate conditioning of remediation in accordance with the RAP, management of unexpected contamination, and the provision of the final Site Audit Statement would adequately manage any potential contamination finds and that the site would be suitable for its intended use. 	
Hours of operation	<ul style="list-style-type: none"> The school is proposing to operate at the following times throughout the week: <ul style="list-style-type: none"> School days: 6:30 am – 9:00 pm; Non-school days: 7:00 am – 9:00 pm; and Operation of the multi-purpose hall until 10:00 pm on 12 occasions throughout the year for school productions/performances Council has not raised an objection to the modified hours of operation of the out of school hours care, provided that only set-up occurs prior to 7 am. Based on Council's recommendation, the Department raises no objection to the half hour extension to operation of the out of school hours care and has recommended a condition specifying the hours of operation. 	<p>The Department has recommended the operation of the proposed development operate from 6:30 am to 9:00 pm on school days and 7:00 am to 9:00 pm on non-school days, and the multi-purpose hall until 10:00 pm on 12 occasions throughout the year.</p>
Landscaping	<ul style="list-style-type: none"> There are currently 193 canopy trees on-site. The proposal includes the removal of 120 trees resulting in the retention of 73 canopy trees. The landscape plan indicates that 60 indigenous canopy species would be planted on the site, resulting in 133 canopy trees on-site. Tree removal is required to facilitate the construction of the new library and multi-purpose hall. The Department has considered the Applicant's assessment of the clearing requirements of the proposed development and notes that some clearing is required to facilitate the construction of the library and multi-purpose hall. Notwithstanding, the Department considers that further consideration should be given to retaining trees where possible and to additional replacement plantings throughout the site. As such, the Department has recommended a condition requiring the Applicant provide an updated landscape plan with tree planting schedule demonstrating an increased number of trees with an aim to increasing the tree canopy across the site. The Department considers that with the implementation of the recommended conditions that the impacts of the proposed development can be adequately managed. 	<p>The Department has recommended the following conditions:</p> <ul style="list-style-type: none"> Identification and delineation of a tree protection zone (TPZ) be identified and that any excavation within the TPZ be undertaken by hand. Prior to the commencement of construction, the Applicant must submit to the approval of the Secretary an updated landscape plan demonstrating an increased number of replacement tree plantings with an aim to increasing the tree canopy across the site. The updated landscape is to include an updated planting schedule.
Solar Access	<ul style="list-style-type: none"> The existing Council roads along each of the school's property boundaries provide a minimum of 15 m separation between the proposed school buildings and future residential development. As a result of the buffer provided by the surrounding road network, overshadowing from the proposed development is predominantly restricted to within the boundaries of the site. The Applicant notes that the proposed development would result in some overshadowing of the southern side 	<p>The Department considers no additional conditions or amendments are necessary.</p>

Issue	Consideration	Recommendation
	<p>of Rouse Road as a result of the proposed senior school building.</p> <ul style="list-style-type: none"> • The solar access assessment indicated that there would be overshadowing of Rouse Road after midday on 21 June. As such, the impacts of this reduction in solar access are not anticipated to be significant. • The Department considers that adequate levels of solar access would continue to be provided to surrounding development and future development and the proposed development would not impact of this solar access. 	
Stormwater	<ul style="list-style-type: none"> • A Stormwater and Drainage Report of the proposed development was prepared by Taylor Thomson Whitting Consulting Engineers. • The existing development utilises both an above ground and below ground stormwater network. • Below ground drainage within the existing development includes a network of pits and pipes that convey flows from the impervious catchment area of approximately 3.3 hectares. The remaining area flows overland towards the south-eastern corner of the site, where there is an above ground detention basin, at the corner of Worcester Road and Rouse Road. • During construction, the existing stormwater network would remain and the Applicant proposes to implement additional controls to minimise impacts upon the existing stormwater quality and flow. • The Applicant commits to undertaking all works in accordance with "Blue Book" erosion and sediment control requirements. The management measures installed would include sediment fences and traps, a vehicle shaker grid and wash down bay as well as emplacement of sandbags around existing pits/drains. • During operation, the Applicant proposes the stormwater flows from the northern area of the proposed development (proposed junior school) would join the existing overland flows towards the above ground detention basin at the corner of Worcester and Rouse Roads and the central and south-eastern areas of the proposed development (shared facilities and senior school) would be captured in a series of new pits and pipes connecting to the existing below ground conveyance network. On site detention is proposed to ensure post development flows do not exceed pre-development flows. • The Applicant's stormwater network for the proposed development would be designed for the five-year ARI and in accordance with Council's Stormwater Drainage Manual. • Modelling of the proposed development in conjunction with the existing stormwater flows using MUSIC demonstrated that the treatment trains proposed achieve the targets within Council's Stormwater Drainage Manual and DCP. • Council did not raise any concerns with regard to stormwater management on the site. However, Council provided conditions requiring 80 % of non-potable water uses on-site to be met through rainwater or stormwater harvesting. 	<p>The Department has recommended a condition requiring the Applicant</p> <ul style="list-style-type: none"> • develop an erosion and sediment control plan in accordance "Managing Urban Stormwater – Soils & Construction Volume 1" (2004) • develop a Construction Soil and water Management Plan • implement rainwater harvesting measures; and • obtain a certificate of Hydraulic Compliance confirming all stormwater drainage has been constructed in accordance with the approved documentation.

Issue	Consideration	Recommendation
	<ul style="list-style-type: none"> The Department supports the Applicant's commitment to undertaking construction works in accordance with the requirements of the "Blue Book". Further, the modelling of the proposed development in conjunction with existing flows is considered acceptable and the Department has recommended that the proposed stormwater system be installed as per the detailed presented within the Stormwater and Drainage Report. 	
Section 94 Contributions	<ul style="list-style-type: none"> The Applicant has indicated that the applicable contributions plan for the site is Council's <i>Contribution Plan No. 22 – Area 20 Precinct</i>. Discussions held between the Applicant and Council prior to the lodgement of the EIS indicated Council had a preference that the development be levied for Water Management and Traffic Management contributions based on the developable area in accordance with Council's section 94 Plan. The Applicant has requested that the contributions for the proposed development be aligned with the phasing of the works. Council has advised that it is their opinion that the SSD application would need to be modified to have the section 94 conditions staged. The Department considers the information provided by the applicant's solicitor adequate to allow for the staging of the section 94 contributions as follows: <ul style="list-style-type: none"> Prior to release of the first Construction Certificate for works relating to Stage 1 for K Block and car park, as illustrated on architectural drawing No. MP-10-05 Revision D, being works on an area of 8,901.18m², section 94 contributions in the sum of \$589,003.20 must be paid. Prior to the release of the first Construction Certificate for works relating to Stage 2 on Lot 14/112090 for Block L, car park and maintenance shed as illustrated on drawing No. MP-10-06 Revision D (which includes 571.45m² of Block L, canteen that straddles boundary noted as Phase 2B) being works on an area of 6,335.76m², section 94 contributions in the sum of \$419,270.23 must be paid. Prior to the release of the first Construction Certificate for works on Lot 130/1138775 being Stage 3 for the Senior School as illustrated on architectural drawing No. MP-10-07 Revision D being works on an area of 372.86m², section 94 contributions in the sum of \$24,682.42 must be paid. Prior to the release of the first Construction Certificate for works relating to Stage 4 on Lot 130/1138775 as illustrated on architectural drawing No. MP-10-04 Revision D for the library and COLA being works on an area of 1,734.60m², section 94 contributions in the sum of \$114,809.63 must be paid. Prior to the release of the first Construction Certificate for works relating to Stage 5 as illustrated on architectural drawing No. MP-10-09 Revision E being works in the Senior School on an 	The Department has recommended a condition of consent requiring the Applicant pay staged contributions as stated.

Issue	Consideration	Recommendation
	<p>area of 934.38m², section 94 contributions in the sum of \$61,805.30 must be paid.</p> <ul style="list-style-type: none"> • Prior to the release of the first Construction Certificate for works relating to Stage 6 being a multipurpose gym and awning as illustrated on architectural drawing No. MP-10-10 Revision D for works on an area of 2,510.63m², section 94 contributions in the sum of \$166,159.65 must be paid. • Prior to the release of the first Construction Certificate for works relating to Stage 7 on Lot 14/112090 being Block M, canteen and bike shed as illustrated on drawing No. MP-10-11 Revision C for works on an area of 5,565.94m², section 94 contributions in the sum of \$368,317.25 must be paid. 	

5.4 Public interest

The proposal increases the capacity of the school by 795 students to a total 2135 (2095 kindergarten to Year 12, and 40 pre-kindergarten) and 101 new staff (a total of 194 staff), providing improved school facilities and opportunities for the area as well as employment both of which are in the public interest.

6. CONCLUSION

The Department has reviewed the EIS, RtS and supplementary RtS and considered advice from the public authorities including Council. Concerns raised in submissions have been considered and all environmental issues associated with the proposal have been addressed.

The Department considers the key issues associated with the assessment of the project relate to built form, traffic, and transport. Conditions of consent have been recommended to satisfactorily address outstanding, residual or operational issues.

The proposal is consistent with the objects of the EP&A Act (including ecologically sustainable development) and is consistent with the State's strategic planning objectives for the site as set out in the NSW State Priorities and *A Plan for Growing Sydney* as it would provide needed educational facilities in the North West release area.

The proposal is also considered to be consistent with the vision outlined in the Greater Sydney Commission's Western Central District Plan, as it would contribute to the continuing increase of learning spaces in the North West. The redevelopment of Rouse Hill Anglican College would generate between 100 and 238 construction jobs across each of the seven stages of the redevelopment, 101 new operational jobs and over \$20 million in economic benefit.

The Department concludes the impacts of the development are acceptable and can be appropriately mitigated through the implementation of the recommended conditions of consent. Consequently, the Department considers the development is in the public interest and should be approved subject to conditions.

7. RECOMMENDATION

For the purpose of section 4.38 of the *Environmental Planning and Assessment Act 1979*, it is recommended that the A/Executive Director, Priority Projects, as delegate of the Minister for Planning:

- **consider** the findings and recommendations of this report;
- **grant consent** to the State significant development application for SSD 8006 subject to conditions; and
- **sign** the attached development consent (**Attachment D**).

Prepared by: Iona Cameron
Senior Planner, Social and Other Infrastructure Assessments

Recommended by:



Dominic Crinnion
Team Leader

Decision

The recommendation is Approved by:



Glenn Snow
Acting Executive Director
Priority Projects Assessments
as delegate of the Minister for Planning.

APPENDIX A RELEVANT SUPPORTING INFORMATION

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

1. Environmental Assessment
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8006
2. Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=list_submissions&job_id=8006
3. Applicant's Response to Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8006

APPENDIX B CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENT(S) AND DCP(S)

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 (Educational Establishments and Child Care Centres) 2017 (Education SEPP);
- State Environmental Planning Policy (Infrastructure) 2007 (ISEPP);
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64);
- State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Growth Centres SEPP);
- Draft State Environmental Planning Policy (Remediation of Land); and
- Draft State Environmental Planning Policy (Environment).

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 confer the necessary functions to joint regional planning panels to determine development applications.

The proposal is for SSD in accordance with section 4.36 of the EP&A Act because it is development for the purpose of an educational establishment with CIV in excess of \$20 million, under clause 15 (educational establishments) of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011, as in force at the time of lodgement.

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 proposed development is permissible with development consent. The site is specified in Schedule 2.	Yes
Schedule 2 State significant development —identified sites (Clause 8 (1)) 2 Development on specified sites	Not applicable.	N/A

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

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 construction 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 the RMS. The Application was referred to RMS in accordance with this Clause. Issues raised by RMS during exhibition are covered in **Section 3.2** and comments regarding the RtS are covered in **Section 3.4** of this report.

The Department has considered the proposal against the relevant provisions of the Education SEPP below, specifically Part 4 Schools – specific development controls, Part 7 Clause 57 Traffic generating development, and Schedule 4 Schools – design quality principles.

Clause 42 of the Education SEPP states that Development consent may be granted for development for a school that is State significant development even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted. The proposed school buildings would have a maximum height of 11.25 m exceeding the permissible height limit of 8.5 m in building height zone I, and 13.05 m exceeding the permissible height limit of 12 m in building height zone M allowable under Appendix 6 of the Growth Centres SEPP. The Department notes that height exceedance is permitted under Clause 42. The height control exceedance has been addressed in **Section 5** of this report.

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**.

In accordance with Clause 35(6)(a) the development has been assessed against the design principles as set out in Schedule 4, and is provided in **Table B2** below.

The Department has considered the relevant provisions of the Growth Centres Development Control Plan (DCP) below in **Table B3**, and is generally satisfied that the proposal is consistent with those provisions. Notwithstanding, the Department also notes that Clause 35(9) of the SEPP provides that DCPs do not apply.

Table B2: Schedule 4 Schools – Design Quality Principles

Design Principles	Response
Context, built form and landscape	<p>The subject site slopes from the north down to the south, east and west. The proposed junior school buildings which are located on the highest point of the site have been designed to be primarily single storey with a mezzanine level, while the multi-storey senior school buildings are proposed to be located in the southern, lowest point of the site, which assists in minimising the overall bulk and scale of the school when viewed from the street.</p> <p>While there is a height non-compliance (see Section 5 of this report), this is due to the slope of the site, and applies to the single storey junior school buildings, not the multi-storey senior buildings.</p> <p>The plans provided indicate a future Area 20 precinct road network plan, which indicates that the school would be surrounded by roads on every boundary, providing separation to residential development.</p> <p>Landscaping has been proposed around the site, including screening along the property boundaries to minimise the visual impact of the buildings on surrounding land uses.</p>

Sustainable, efficient and durable	<p>The proposal has been designed to ensure ecologically sustainable development (ESD) initiatives are integrated into the design and operation of the school. These include energy efficient lighting, rainwater harvesting for re-use on the site and teaching spaces that are naturally ventilated and receive daylight reducing energy consumption.</p> <p>The Applicant has also undertaken an informal review against the Green Star rating scheme and identified that the proposal would achieve a minimum 4 Star Best Practice outcome.</p>
Accessible and inclusive	<p>The proposal has been designed to be accessible with ramps included in the landscape design as well as between buildings ensuring accessible travel paths. Multi-storey buildings have lifts.</p> <p>The proposed landscape and fencing has been designed to highlight school entrances.</p>
Health and Safety	<p>The design of the school incorporates internal spaces that are open and visible from the surrounding public domain, providing good natural surveillance that promotes safety both during school operating hours and after school community use.</p> <p>The proposed fencing along the Worcester Road frontage would match existing metal panel fencing. Fencing along Rouse Road would remain a lap and capped timber 1.8 metre fence, providing a secure boundary to the existing roads.</p>
Amenity	<p>The design of the school provides pleasant and engaging spaces across its campus, including distinct play and learning environments that are integrated into the built form and landscape scheme.</p> <p>The proposed school facilities, including separating the junior school from the senior school, the library and multi-purpose hall ensures that a range of age appropriate facilities would be provided.</p>
Whole of life, flexible, adaptable	The new school buildings have been designed to be flexible and allow for varied teaching approaches.
Aesthetics	The proposed new school buildings have been designed to complement the existing buildings on site, and to minimise the scale of the development when viewed from the street.

State Environmental Planning Policy (Infrastructure) 2007

The aim of the Infrastructure SEPP is to facilitate the effective state-wide delivery of infrastructure by providing greater flexibility in the location of infrastructure and service facilities, allowing the development of surplus government land, identifying relevant environmental assessment categories for development and relevant matters to be considered and providing for consultation with relevant public authorities. Clauses 27 – 32 (Division 3) of the Infrastructure SEPP were repealed on 1 September 2017.

Clause 104 and Schedule 3 of the Infrastructure SEPP requires traffic generating development to be referred to the RMS, where “any other purpose” has parking for 200 or more vehicles. At completion of the staged development, the proposal would have 285 parking spaces on site. The majority of those spaces are existing and therefore does not require referral to RMS. However, given the proposal is for a school which would have requirements for school zones to be installed along Worcester Road, the application was referred to RMS during exhibition. RMS provided a submission which recommended that changes be made to the entry on Worcester Road and the exit on Cudgegong Road for safety reasons. The Department requested amended plans be submitted to address RMS concerns, which were received as a supplementary RtS and adequately addressed RMS concerns.

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

State Environmental Planning Policy No 64- Advertising and Signage (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. SEPP 64 aims to ensure that signage is compatible with its context.

The proposal includes two new signs, which are proposed to be located on the new fence on Worcester Road, adjacent to the new junior school. The signs are proposed to be 2 metres long and 600mm high, identifying the name of the school and the school's crest. The signs are business/building identification signs in accordance with the definitions in Clause 4 of SEPP 64 and are permitted with consent in an R2 Low Density Residential zone.

The signs are similar in scale and overall design to other business identification signage within the locality. As the signs are to be located on the school fencing, they would not impair any views or vistas as they would not extend above the roofline of any of the school or surrounding buildings. It is proposed to use low intensity illumination on the signs to assist with building identification between dusk and midnight.

Table B3: SEPP 64 Schedule 1 Compliance Table

Schedule 1 – Assessment Criteria	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 proposed signs are compatible with the future character of the locality as they are business identification signage.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signage is consistent existing business identification signage in the locality
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 would not detract from the visual amenity of surrounding residential areas.
3. Views and vistas	
Does the proposal obscure or compromise important views?	The proposed signs would not obscure or compromise any view.
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed signage would not dominate the skyline nor does it reduce the quality of the Rouse Hill vista.
Does the proposal respect the viewing rights of other advertisers?	The proposed signage is not considered to compromise the viewing rights of other advertisers.
4. Streetscape, setting or landscape	
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	N/A
Does the proposal screen unsightliness?	Being a greenfield site there is no existing unsightliness to screen.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No
Does the proposal require ongoing vegetation management?	No
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?	Yes
Does the proposal respect important features of the site or building, or both?	Yes.
Does the proposal show innovation and imagination in its relationship to the site or building, or both	The proposal displays an appropriate level of imagination and innovation.

Schedule 1 – Assessment Criteria	Compliance
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?	The school crest is proposed to be located on the signs and is consistent with other business identification signage in the vicinity.
7. Illumination	
Would illumination result in unacceptable glare?	No, new advertising signs would not result in unacceptable glare.
8. Safety	
Would the proposal reduce the safety for any public road?	The proposed signs would not affect road safety.
Would the proposal reduce the safety for pedestrians or cyclists?	The proposed signs would not affect pedestrian or cyclists' safety.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signs would not obscure any sightlines from public areas.

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. The Applicant has provided an assessment of the proposed signage against the provisions of Schedule 1 of SEPP 64. The Department has considered the signage against the same assessment criteria and found it to be acceptable.

The Department considers that the proposed signage has been designed in accordance with clause 3 of SEPP 64, is compatible with the desired amenity and visual character of the area, provides effective communication, and is of a high-quality design and finish.

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

SEPP 55 aims to provide a state-wide approach to the remediation of contaminated land and to promote the remediation of contaminated land to reduce the risk of harm to human health and the environment by specifying under what circumstances consent is required, specifying certain considerations for consent to carry out remediation work and requiring that remediation works undertaken meet certain standards.

A contamination assessment undertaken for Lot 14 (the location of the proposed junior school buildings), identified that asbestos containing material (ACM) was found within the former dwelling footprint and pool backfill and a pipe which runs through the site. Consequently, the DSI recommends that a remedial action plan (RAP) be prepared for the site to manage the remediation of the land prior to construction of the proposed junior school, as well as to manage any additional investigations or unexpected contaminants.

As works are also proposed on the southern portion of the site, the Applicant was required to prepare either a new assessment, or provide the original assessment undertaken for the original development of the school in the year 2000. The Applicant provided the original assessment (prepared by Morse McVey), which concluded that having tested for “common heavy metals, nutrients and organochlorines” that the “risk to human health to be very small.” Consequently, recommended that no further investigations into land contamination were required for the site.

Based on the two DSI reports, the Department is satisfied that contamination has been adequately addressed and the site is suitable for the proposed development following remediation in accordance with the RAP. Notwithstanding, the Department has recommended appropriate conditions to ensure measures are in place should any unanticipated contamination be found during construction.

State Environmental Planning Policy (Growth Centres) 2006 (Growth Centres SEPP)

The Growth Centres SEPP seeks to facilitate the development of greenfield sites for urban growth including housing, employments, shops, health and education facilities, parks, bushland and new or upgraded infrastructure. The Growth Centres SEPP is the relevant EPI for the site and contains applicable development standards that are addressed further in **Table B2**.

Rouse Hill is within the North-West Growth Centre, therefore State Environmental Planning Policy (Sydney Growth Centres) 2006 (Growth Centres SEPP) applies, and amends the Blacktown LEP.

The aims of Appendix 6 of the Growth Centres SEPP are:

- a) to make development controls for land in the Area 20 Precinct within the North West Growth Centre that would ensure the creation of quality environments and good design outcomes;
- b) to protect and enhance the environmentally sensitive natural areas in, and the cultural heritage of, the Precinct;
- c) to provide for recreational opportunities within the Precinct;
- d) to provide for multifunctional and innovative development in the Precinct that encourages employment and economic growth;
- e) to promote housing choice and affordability in the Precinct;
- f) to provide for the sustainable development of the Precinct; and
- g) to promote pedestrian and vehicle connectivity with adjoining Precincts and localities and within the Precinct.

The development is consistent with the aim of the R2 Low Density Residential zone in the Growth Centres SEPP to support the development of land for facilities and services to meet the day to day needs, including an educational establishment, of the residents. Consideration of the relevant clauses of the Growth Centres SEPP is provided in **Table B4**.

Table B4: Growth Centres SEPP Compliance Table

Criteria	Department Comment/Assessment
Clause 4.3 - Height of buildings	<p>The maximum building height permissible varies between the two lots. For 7 Worcester Road (the existing school site) there is a maximum building height of 12 metres. For 37 Worcester Road, there is an 8.5 metre maximum building height.</p> <p>The Department considers that the proposed buildings are compatible with the height of surrounding residential developments. Refer to Section 5 for detailed consideration of building heights.</p> <p>The proposal exceeds the maximum 8.5 metres for the junior school, with a maximum building height of 11.25 metres, exceeding the maximum height by 2.75 metres.</p>
Clause 4.4 - Floor space ratio (FSR)	No FSR applies to this site.
Clause 4.6 - Exception to development standards	The proposal includes a variation to Clause 4.3 Height of Buildings. The building height non-compliance has been addressed in Section 5 of this report.
Clause 5.10 - Heritage conservation	Heritage has been considered further in Section 5 of this report.

Draft State Environmental Planning Policy (Remediation of Land)

The draft State Environmental Planning Policy (Remediation of Land) (Remediation SEPP) will 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 will require all remediation work that is carried out without development consent to be reviewed and certified by an accredited 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 will be consistent with the objectives of the draft Remediation SEPP.

Draft State Environmental Planning Policy (Environment)

The draft State Environmental Planning Policy (Environment) (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 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.

The proposal is consistent with the provisions of the existing SEPPs that are applicable, and the proposed development will generally be consistent with the provisions of the draft Environment SEPP.

Development Control Plans

It is noted that clause 11 of *State Environmental Planning Policy (State and Regional Development) 2011* provides that development control plans do not apply to SSD. Notwithstanding, consideration of relevant controls under the Blacktown Development Control Plan 2016 (DCP) is provided in **Table B5** below.

Table B5: Consideration of Blacktown City Council Growth Centre Precincts DCP provisions

DCP Provisions	Department's Assessment
Clause 4.4.3 Other development in residential areas – Educational Establishments and Places of worship	
<p>Objectives</p> <ul style="list-style-type: none"> To ensure appropriate provision and equitable distribution of education, establishments and places of public worship within the Precinct. To ensure that buildings are not out of character with the type, height, bulk and scale of surrounding buildings To encourage the appropriate location of facilities to create community focal points, centres of neighbourhood activity and enhance community identity. To mitigate the impacts of noise, privacy, increased traffic and nuisance on surrounding residential development. To foster iconic and landmark building design within each Precinct. 	Refer to Section 5 for detailed consideration of the operation of the school and an assessment of the built form.
<p>3) In assessing applications, Council would consider the following:</p> <ul style="list-style-type: none"> the privacy and amenity of adjoining developments; the need and adequacy for provision of buffer zones to surrounding residential development; urban design; location; the size of the land where the development is proposed; traffic generation and the impacts of traffic on the road network and the amenity of nearby residents; the availability of parking; the scale of buildings and their capacity; and hours of operation and noise impacts. 	Section 5 of this report addresses building height, urban design and amenity.

<p>4) A traffic and transport report/statement is to accompany the Development Application addressing the impact of the proposed development on the local road system and defining car parking requirements.</p> <p>Note: Due to the high level of traffic generation and peak nature of traffic volumes accessing these types of land uses, assessment of traffic impacts and pedestrian requirements is required and mitigation measures may need to be incorporated in the design. Such measures may include pedestrian crossings, speed control devices, pedestrian refuges on streets to which the development fronts and the provision of bus and drop off bays. School zones would require additional safety measures such as school crossings, 40 km/h school speed zones and flashing lights in accordance with RTA requirements.</p>	<p>The Department has assessed the adequacy of the TIA in Section 5 of this report.</p>
<p>5) A landscape plan and associated documentation is to be submitted with the Development Application identifying existing vegetation and community plant species and/or existing design elements of the site layout, and the proposed landscaping treatment of the development.</p>	<p>Refer to Section 5 for more detailed consideration of landscaping.</p>
<p>6) Car parking spaces shall be provided on site in accordance with Table 4-11 (extract in Section 5).</p>	<p>The Department has assessed the adequacy of the parking provision in Section 5 of this report.</p>
<p>7) For certain uses, the provision of overflow parking may be necessary particularly where such developments incorporate halls used for social gatherings. Overflow parking areas could be provided on open grassed areas and need not be formally sealed or line-marked. Proposed overflow parking areas are to be clearly shown on plans submitted with the Development Application.</p>	
<p>8) Development must be designed to minimise the possibility of noise disturbance to the occupants of adjoining or neighbouring dwellings.</p>	
<p>9) Development must be designed to minimise the possibility of noise to the occupants of adjoining or neighbouring dwellings.</p>	<p>The acoustic report has been assessed by the Department in Section 5 of this report.</p>
<p>10) Where it is likely that a development may cause an adverse noise impact on nearby residential areas, an acoustic report would be required to be submitted to council with the Development application, Development must comply with DECCW noise guidelines in clause 4.2.9.</p>	
<p>11) Where appropriate buffers should be put in place to limit noise impacts on the surrounding area.</p>	
<p>12) Sources of noise such as garbage collection, machinery, parking areas and air conditioning plants are sited away from adjoining properties and screened/ insulated by walls or other acoustic treatment.</p> <p>Noise levels are not to exceed specified limits at the most affected point of the property boundary.</p>	<p>Noise has been considered in Section 5 of this report.</p>
<p>13) The general hours of operation for places of public worship and educational establishments are between 7am and 9pm.</p>	<p>The school's operational hours have been addressed in Section 5 of this report.</p>
<p>14) Variation to the approved hours of operation may be approved by Council subject to other requirements or a merit assessment.</p>	

APPENDIX C GLOSSARY

Ecologically Sustainable Development can be achieved through the implementation of:

- a) *the precautionary principle - namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:*
 - i) *careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
 - ii) *an assessment of the risk-weighted consequences of various options,*
- b) *inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,*
- c) *conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,*
- d) *improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:*
 - i) *polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,*
 - ii) *the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,*
 - iii) *environmental goals, having been established, should be pursued in the most cost-effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems (Cl.7(4) Schedule 2 of the Regulation).*

Objects of the Act

- 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,*
- b) *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- c) *to promote the orderly and economic use and development of land,*
- d) *to promote the delivery and maintenance of affordable housing,*
- e) *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- f) *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- g) *to promote good design and amenity of the built environment,*
- h) *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- i) *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- j) *to provide increased opportunity for community participation in environmental planning and assessment.*

Section 4.15 Evaluation

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- a) the provisions of:
 - i) any environmental planning instrument, and*
 - ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - iii) any development control plan, and*
 - iv) (iia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - v) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
 - vi) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),**
- that apply to the land to which the development application relates,*
- 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,*
- c) the suitability of the site for the development,*
- d) any submissions made in accordance with this Act or the regulations,*
- e) the public interest.*

Note. See section 75P(2)(a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.

APPENDIX D RECOMMENDED CONDITIONS OF CONSENT
