

Environmental Impact Statement

NORTH KELLYVILLE NEW PRIMARY
SCHOOL 120 -126 HEZLETT ROAD,
KELLYVILLE

AUGUST 2017



QUALITY ASSURANCE

PROJECT: Environmental Impact Statement – North Kellyville New Primary School

ADDRESS: Lots 100 and 101 in DP 1216659, 120 -126 Hezlett, Road Kellyville

COUNCIL: The Hills Shire Council

APPLICANT: NSW Department of Education C/O TSA Management

AUTHORITY: NSW Department of Planning and Environment

AUTHOR: Think Planners Pty Ltd

Mays Hill Gatehouse, Great Western Highway, Parramatta Park, Parramatta

PO Box 121 Wahroonga NSW 2076

(02) 9687 8899

Key Personnel:	Brad Delapierre	Adam Byrnes
	Planning Manager	Director
<i>Qualifications:</i>	B. Urban Regional Planning	BA Town Planning,

Certification

I certify that I have prepared the content of this EIS and to the best of my knowledge it is in accordance with Schedule 2 of the Environmental Planning and Assessment Regulation 2000, contains all available information that is relevant to the environmental assessment of the development to which this statement relates and the information contained in the statement is neither false nor misleading.

B Delapierre

Brad Delapierre 29 August 2017

Date	Purpose of Issue	Rev	Reviewed	Authorised
19 June 2017	Issued for comments	A	BD/JW	AB
23 June 2017	Test of Adequacy Lodgement Issue	B	BD/JW	AB
10 August 2017	Updated Site Area -Issued for comments	C	BD	AB
29 August	SSD lodgement issue	D	BD	BD

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EXECUTIVE SUMMARY

Think Planners were commissioned by GHD Woodhead to prepare a State Significant Development Application on behalf of the NSW Department of Education.

This submission to the Department of Planning and Environment comprises an Environmental Impact Statement (EIS) for a Development Application under Part 4 of the Environmental Planning and Assessment Act 1979.

It relates to the development of a new primary school within the North West Growth Sector at Kellyville that will be known as the North Kellyville New Primary School). The proposed development has a Capital Investment Value over \$30 million and is therefore classified as State Significant Development pursuant to Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 (SEPP SRD). Refer to Appendix C for the Capital Investment Value Estimate.

The Secretary's Environment Assessment Requirements (SEARs) were issued on 11 April 2017. This submission is in accordance with the Department's guidelines for SSD applications lodged under Part 4 of the EP&A Act and addresses the issues raised in the SEARs.

This application seeks approval for the construction of a 1000 place primary school comprising of 40 new teaching spaces and will be known as Kellyville North Primary School. The specific elements that this State Significant Development Application seeks approval for includes:

- Dam Dewatering of both dams on the site;
- Tree removal;
- Bulk Earthworks;
- Construction of a two-storey courtyard building that will contain:
 - 40 teaching spaces;
 - Canteen
 - Library;
 - Multi-purpose Hall;
 - Office and Administration Space;
 - Amenities for students and staff; and
 - OSHC accommodation
- Construction of a junior soccer field;
- Construction of two multi-purpose courts;
- Construction of two playgrounds;
- Provision of a COLA within the central courtyard; and
- Provision of 12 on site carparking spaces including 2 accessible spaces.

Architectural plans for the school that have been prepared by GHD Woodhead, are contained in Appendix D.

The proposed building works will provide high quality learning and teaching spaces with flexible layout arrangements and durable finishes ensuring the proposal operates as a long-life, high utility and low-maintenance educational establishment.

It is noted that a local development application is likely to be submitted to The Hills Shire Council for a further subdivision of the site to create the school site as the site is currently considered to be greater than required for the school.

Complying Development Certificates were issued in May 2016 for the removal of all buildings from the site. This work has been carried out.

The school will have approximately 80 full time staff and will primarily operate between 7am and 6pm weekdays noting that the school incorporates an out of hours school hours (OSHC) and Vacation Care centre that will cater for up to 200 students.

The site is legally known as lot 100 and 101 in DP 1216659, but commonly known as 120 -126 Hezlett Road, Kellyville. (It is noted that the site was formally known as 56 - 58 Hezlett Road, Kellyville, but due to the extent of anticipated development in this release area, the road was renumbered circa 2016.)

The North-West Growth Centre is one of the two main urban growth areas within Sydney and contains a number of Priority Growth Areas. Within the primary school catchments of this Cluster, urban development plans include an additional 35,725 dwellings, which the Department of Education equates to a likely demand for 2,560 additional Government primary school students within the precinct by 2031.

The five existing primary schools in the Department of Education's Cluster do not have capacity to meet the projected demand. This school will provide an additional 40 teaching spaces and ease enrolment pressures across the cluster.

The proposed development will involve a built form of up to two storeys in height, resulting in the two storey courtyard building exceeding the maximum building height control under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 of 9m by up to 5.2m. The application is supported by a Clause 4.6 departure which outlines why it is appropriate to vary the control in this instance.

In accordance with the NSW Department of Education's requirement to promote sustainable development and to minimise parking on-site, the proposal will provide 12 on site car parking spaces. The development is supported by a range of sustainable transport initiatives including improved access to public bus services, and integration with the precinct-wide pedestrian and cycle pathway network.

The works proposed under this development application incorporate the recommendations of specialist reports so as to ensure appropriate geotechnical, contamination and salinity outcomes are achieved.

Having regard to the substantial benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, and that the proposal represents an effective use of the land, the application is submitted to Planning NSW for assessment. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

1. ENVIRONMENTAL IMPACT STATEMENT

1.1 Introduction

This Environmental Impact Statement accompanies a State Significant Development application that is submitted to the Department of Planning and Environment for the construction of a new primary school.

This EIS has been prepared in accordance with the requirements of Part 4 of the Environmental Planning and Assessment Act, Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation), and the requirements of the Secretary of the Department of Planning and Environment for the preparation of this EIS, that were received.

This submission to the Department of Planning and Environment comprises an Environmental Impact Statement (EIS) for a Development Application under Part 4 of the Environmental Planning and Assessment Act 1979.

It relates to the development of a new primary school within the North West Growth Sector at Kellyville that will be known as the Kellyville North Primary School. The proposed development has a Capital Investment Value over \$30 million and is therefore classified as State Significant Development pursuant to Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 (SEPP SRD). Refer to Appendix C for the Capital Investment Value Estimate.

The Secretary's Environment Assessment Requirements (SEARs) were issued on 11 April 2017. This submission is in accordance with the Department's guidelines for SSD applications lodged under Part 4 of the EP&A Act and addresses the issues raised in the SEARs.

The Environmental Impact Statement should be read in conjunction with the supporting information and plans accompanying this statement.

1.2 Proponent and Project Team

The proponent and project team are identified in the table below.

Document/ Plan	Consultant
Proponent	TSA Project Management
Architectural Plans and reports	GHD Woodhead
Site Survey	CMS
Landscaping	GHD Woodhead
Hydraulic	GHD Woodhead
Civil Engineering	GHD Woodhead
Quantity Surveyors Report and Economic Benefits Report	Rider Levett Bucknall
Contamination Report	Douglas Partners
Geotechnical Report	Douglas partners
Dam De Watering Report	GHD
Traffic and Parking	GHD
Aboriginal Heritage	Cultural Heritage Connections
Waste Management	GHD
Town Planning	Think Planners
Arborist	Arborreport
Construction Management Plan	GHD
Acoustic Report	GHD
BCA and Access	Metro Building Consultancy
Power and Infrastructure Report	GHD

1.3 Summary of The Proposal

This application seeks approval for the construction of a 1000 place primary school comprising of 40 new teaching spaces and will be known as Kellyville North Primary School.

The specific elements that this State Significant Development Application seeks approval for include:

- Dam Dewatering of two dams;
- Tree removal;
- Bulk Earthworks;
- Construction of a two storey courtyard building that will contain:
 - 40 teaching spaces;
 - Canteen
 - Library;
 - Multi-purpose Hall;
 - Office and Administration Space;
 - Amenities for students and staff;
 - OSHC accommodation
 -
- Construction of a junior soccer field;
- Construction of two multi-purpose courts;
- Construction of two playgrounds;
- Provision of 12 on site carparking spaces including 2 accessible spaces.

Architectural plans for the school that have been prepared by GHD Woodhead, are contained in Appendix D.

1.4 Need for The Proposal

The site is located within the Department of Planning's North-West Priority Growth Area.

Within Kellyville and the wider North-West Priority Growth Area, significant population growth has placed substantial pressure on existing public schools within the area. Forecasts have also indicated that this pressure will continue as development continues to occur within the immediate vicinity of the site.

The proposed school is within a Department of Education cluster that contains the following schools:

- Beaumont Hills Public School
- Ironbark Ridge Public School

- Kellyville Public School
- Rouse Hill Public School
- Sherwood Ridge Public School
- Bella Vista Public School (under construction – opens in 2018)

Within the primary school catchments of this Cluster, urban development plans include an additional 35,725 dwellings, which equates to a likely demand for 2,560 additional Government primary school students within the precinct by 2031.

The five existing primary schools in the Cluster do not have capacity to meet the projected demand. There is a need for several new primary schools across the Cluster to meet the projected demand. The new schools planned for Bella Vista and North Kellyville will provide an additional 80 teaching spaces and ease enrolment pressures across the cluster.

1.5 Analysis of Feasible Alternatives

Option 1 -This Proposal

Option 1 is as detailed within this EIS Report and accompanying documents and is considered to be the best option as it utilises land that has already been acquired by the NSW Department of Education which has been earmarked for this purpose, and will provide a high quality educational facility to meet the growing demands of the new residential population in Kellyville without significant adverse environmental impacts.

Option 2 -Alternate Design

Option 2 would entail an alternate design utilising different parts of the site for buildings or an alternate layout. As part of the design and siting exercise for the school alternative options for the siting of buildings and facilities on the site were explored, however the design team considered that the proposed option that focuses the building towards Hezlett Road edge of the site will provide an appropriate sense of address for the development.

Option 3 -Expansion of existing schools within the cluster

Given the extent of development within the precinct that includes at least 4500 homes and the proximity to existing schools, the ability of students to be in close proximity to schools they attend would be diminished.

Alterations to the schools would also be disruptive the students and core facilities within the schools would need to be expanded and there would also be a loss of open space to accommodate the additional population.

Option 4 -Alternate Sites

When the North Kellyville ILP was exhibited, the area was included in the area zoned by the Growth Centres Centre and the DCP adopted in 2008, a primary school site was identified for an alternate location on Withers Road, Kellyville.

Following extensive consultations with the landowner (s), this option was not proceeded with and the site the subject of this application was identified.

In March 2015, the planning controls for the precinct were amended to indicate that this site was the preferred location of a future school.

1.6 Consequence of Not Carrying Out The Development

The consequences of not establishing the facility include:

- Likely overcrowding of existing schools within the cluster;
- Reduced educational experiences for attendee's due to inadequate core facilities; and
- Extended travel distances for students and associated increase in vehicle usage and or public transport demand.

1.7 Response to Sears

In accordance with section 78A(8A) of the EP&A Act, the Secretary of the Department of Planning and Environment issued the requirements for the preparation of the EIS on 11 April 2017. A copy of the Secretary's Environmental Assessment Requirements (SEAR's) is included at Appendix A.

The following table provides a detailed summary of the individual matters listed in the SEARs and identifies where each of these requirements has been addressed in this report and the accompanying technical studies.

Secretary's Requirements	Location in EIS
The Environmental Impact Statement (EIS) must address the Environmental Planning and Assessment Act 1979 and meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 the Environmental Planning and Assessment Regulation 2000.	Throughout the EIS. Note sections 4 and 5 lists mitigation measures as specifically required.
Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development. Where relevant, the assessment of the key issues below, and another significant issues identified in the risk assessment, must include: <ul style="list-style-type: none"> • adequate baseline data; • consideration of potential cumulative impacts due to other 	Refer to section 5.3 of the EIS

<p>development in the vicinity (completed, underway or proposed); and</p> <ul style="list-style-type: none"> • measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment. 	
<p>The EIS must be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> • a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Environmental Planning and Assessment Regulation 2000) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; • an estimate of the jobs that will be created by the future development during the construction and operational phases of the development; and • certification that the information provided is accurate at the date of preparation. 	<p>Refer to section 5.1.3 of the EIS and Appendices C and X of the EIS</p>
<p>The EIS must address the following</p> <p>1. Statutory and Strategic Context – including: Address the statutory provisions contained in all relevant environmental planning instruments, including:</p> <ul style="list-style-type: none"> □□ <i>State Environmental Planning Policy (State & Regional Development) 2011;</i> □□ <i>State Environmental Planning Policy (Infrastructure) 2007;</i> • <i>State Environmental Planning Policy No.55 – Remediation of Land;</i> • <i>State Environmental Planning Policy (Sydney Region Growth Centres) 2006;</i> and • <i>Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017.</i> 	<p>Refer to section 5.1</p>
<p>The EIS must address</p> <p><i>Permissibility</i> Detail the nature and extent of any prohibitions that apply to the development.</p> <p><i>Development Standards</i> Identify compliance with the development standards applying to the site and provide justification for any contravention of the development standards.</p>	<p>Section 5.1</p>
<p>Address the relevant planning provisions, goals and strategic planning objectives in the following:</p> <ul style="list-style-type: none"> • NSW State Priorities; • A Plan for Growing Sydney; • NSW Long Term Transport Master Plan 2012; • Sydney's Cycling Future 2013; • Sydney's Walking Future 2013; • Sydney's Bus Future 2013; • Healthy Urban Development Checklist, NSW Health; • Greater Sydney Commission's Draft West Central District Plan; <p>and</p> <ul style="list-style-type: none"> • North Kellyville Growth Centres Precinct DCP 2016. 	<p>Section 5.2 and appendix Q.</p>

Built Form and Urban Design

Section 5.3 and Appendix V

- Address the height, density, bulk and scale, setbacks of the proposal in relation to the surrounding development, topography, streetscape and any public open spaces.
- Address design quality, with specific consideration of the overall site layout, streetscape, open spaces, façade, rooftop, massing, setbacks, building articulation, materials, colours and Crime Prevention Through Environmental Design Principles.
- Detail how services, including but not limited to waste management, loading zones, and mechanical plant are integrated into the design of the development.

Environmental Amenity

Section 5.3.1 – 5.3.6

- Detail amenity impacts including solar access, acoustic impacts, visual privacy, view loss, overshadowing and wind impacts. A high level of environmental amenity for any surrounding residential land uses must be demonstrated.
- Detail any proposed use of the school grounds out of school hours (including weekends) and any resultant amenity impacts on the immediate locality and proposed mitigation measures.

Transport and Accessibility (Operation and Construction)

Appendix Q

Include a transport and accessibility impact assessment, which details, but not limited to the following:

- accurate details of the current daily and peak hour vehicle, public transport, pedestrian and cycle movement and existing traffic and transport facilities provided on the road network located adjacent to the proposed development;
 - an assessment of the operation of existing and future transport networks including the bus network and their ability to accommodate the forecast number of trips to and from the development;
- details of estimated total daily and peak hour trips generated by the proposal, including vehicle, public transport, pedestrian and bicycle trips;
- the adequacy of public transport, pedestrian and bicycle networks and infrastructure to meet the likely future demand of the proposed development;
 - the impact of the proposed development on existing and future public transport infrastructure within the vicinity of the site in consultation with Roads and Maritime Services and Transport for NSW and identify measures to integrate the development with the transport network;
 - details of any upgrading or road improvement works required to accommodate the proposed development;
 - the preparation of a Green Travel Plan that outlines proposals to encourage sustainable travel choices and details programs for implementation;
 - the impact of trips generated by the development on nearby intersections, with consideration of the cumulative impacts from

other approved developments in the vicinity, and the need/associated funding for upgrading or road improvement works, if required (note: traffic modelling is to be undertaken with scope to be agreed by TfNSW and RMS in advance);

- the proposed active transport access arrangements and connections to public transport services;
- details of any proposed school bus routes along bus capable roads (i.e. travel lanes of 3.5 m minimum) and infrastructure (bus stops, bus layovers etc.);
- the proposed access arrangements, including car and bus pickup/ drop-off facilities, and measures to mitigate any associated traffic impacts and impacts on public transport, pedestrian and bicycle networks, including pedestrian crossings and refuges and speed control devices and zones;
- measures to maintain road and personal safety in line with CPTED principles;
- the proposed car and bicycle parking provision, including end of trip facilities, which must be taken into consideration of the availability of public transport and the requirements of Council's relevant parking codes and Australian Standards;
- proposed bicycle parking facilities in secure, convenient, accessible areas close to main entries incorporating lighting and passive surveillance;
- details of the proposed number of car parking spaces and compliance with appropriate parking codes and justify the level of car parking provided on-site;
- details of emergency vehicle access arrangements;
- an assessment of road and pedestrian safety adjacent to the proposed development and the details of required road safety measures;
- service vehicle access, delivery and loading arrangements and estimated service vehicle movements (including vehicle type and the likely arrival and departure times);
- in relation to construction traffic:
 - o assessment of cumulative impacts associated with other construction activities (if any);
 - o an assessment of road safety at key intersection and locations subject to heavy vehicle construction traffic movements and high pedestrian activity;
 - o details of construction program detailing the anticipated construction duration and highlighting significant and milestone stages and events during the construction process;
 - o details of anticipated peak hour and daily construction vehicle movements to and from the site;
 - o details of access arrangements of construction vehicles, construction workers to and from the site, emergency vehicles and service vehicle;
 - o details of temporary cycling and pedestrian access during construction;
 - o details of proposed construction vehicle access arrangements at all stages of construction; and
 - o traffic and transport impacts during construction, including cumulative impacts associated with other construction

activities, and how these impacts will be mitigated for any associated traffic, pedestrian, cyclists, parking and public transport, including the preparation of a draft Construction Traffic Management Plan to demonstrate the proposed management of the impact.

→ Relevant Policies and Guidelines:

- *Guide to Traffic Generating Developments (Roads and Maritime Services)*
- *EIS Guidelines – Road and Related Facilities (DoPI)*
- *Cycling Aspects of Austroads Guides*
- *NSW Planning Guidelines for Walking and Cycling*
- *Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development*
- *Standards Australia AS2890.3 (Bicycle Parking Facilities)*

Ecologically Sustainable Development

Detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Environmental Planning and Assessment Regulation 2000) will be incorporated in the design and ongoing operation phases of the development.

- Demonstrate that the development has been assessed against a suitably accredited rating scheme to meet industry best practice.
- Include a description of the measures that would be implemented to minimise consumption of resources, water (including water sensitive urban design) and energy.

Section 5.3.8 and Appendix W

Social Impacts

Include an assessment of the social consequences of the schools' relative location

Section 5.3.9

Biodiversity

Biodiversity impacts related to the proposed development are to be assessed and documented in accordance with the Framework for Biodiversity Assessment, unless where otherwise agreed by the OEH, by a person accredited in accordance with s142B(1)(c) of the *Threatened Species Conservation Act 1995*.

Section 5.4

Aboriginal Heritage

Address Aboriginal Cultural Heritage in accordance with the *Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011)* and *Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW)*.

Section 5.4.1 and Appendix O

Noise and Vibration

Identify and provide a quantitative assessment of the main noise and vibration generating sources during construction and operation, including consideration of any public address system, school bell and use of any school hall for concerts etc. (both during and outside school hours), and outline measures to minimise and mitigate the potential noise impacts on surrounding occupiers of land.

Section 5.4.2 and Appendix M

<p>→ <i>Relevant Policies and Guidelines:</i></p> <ul style="list-style-type: none"> • <i>NSW Industrial Noise Policy (EPA)</i> • <i>Interim Construction Noise Guideline (DECC)</i> • <i>Assessing Vibration: A Technical Guideline 2006</i> • <i>Bella Vista Station Precinct – Transport Plan (TfNSW 2015)</i> • <i>Development Near Rail Corridors and Busy Roads – Interim Guideline (Department of Planning 2008)</i> 	
<p>Contamination Demonstrate that the site is suitable for the proposed use in accordance with SEPP 55.</p> <p>→ <i>Relevant Policies and Guidelines:</i></p> <ul style="list-style-type: none"> • <i>Managing Land Contamination: Planning Guidelines - SEPP 55 Remediation of Land (DUAP)</i> 	Section 5.4.3 and Appendix S
<p>Utilities Prepare an Infrastructure Management Plan in consultation with relevant agencies, detailing information on the existing capacity and any augmentation requirements of the development for the provision of utilities including staging of infrastructure.</p> <ul style="list-style-type: none"> • Prepare an Integrated Water Management Plan detailing any proposed alternative water supplies, proposed end uses of potable and non-potable water, and water sensitive urban design. 	Section 5.4.4 and Appendix N and P
<p>Contributions Address Council's Section 94A Contribution Plan (if relevant) and/or details of any Voluntary Planning Agreement.</p>	Section 5.4.5
<p>Drainage Detail drainage associated with the proposal, including stormwater and drainage infrastructure.</p>	Section 5.4.6 and Appendix E
<p>Flooding Assess any flood risk on site (detailing the most recent flood studies for the project area) and consideration of any relevant provisions of the NSW Floodplain Development Manual (2005), including the potential effects of climate change, sea level rise and an increase in rainfall intensity.</p>	Section 5.4.7
<p>Waste Identify, quantify and classify the likely waste streams to be generated during construction and operation and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste. Identify appropriate servicing arrangements (including but not limited to, waste management, loading zones, mechanical plant) for the site.</p>	Section 5.4.8 and Appendix T
<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Environmental Planning and Assessment Regulation 2000. Provide these as part of the EIS rather than as separate documents.</p>	Appendix D, E and F
<p>In addition, the EIS must include the following:</p> <ul style="list-style-type: none"> • Architectural drawings (dimensioned and including RLs); • Site Survey Plan, showing existing levels, location and height of existing and adjacent structures / buildings and boundaries; • Site Analysis Plan; 	Multiple Appendices

- Stormwater Concept Plan;
 - Sediment and Erosion Control Plan
- Shadow Diagrams;
- View Analysis / Photomontages;
- Landscape Plan (identifying any trees to be removed and trees to be retained or transplanted);
- Preliminary Construction Management Plan, inclusive of a Preliminary Construction Management Plan detailing vehicle routes, number of trucks, hours of operation, access arrangements and traffic control measures;
- Geotechnical and Structural Report;
- Accessibility Report;
- Arborist Report;
- Dam Dewatering Report and Aquatic Ecology Dam Watering Report (if required) (in accordance with The Hills Shire Council requirements);
- Acid Sulphate Soils Management Plan

Section 5.1

During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular you must consult with:

- The Hills Shire Council;
- Office of Environment and Heritage;
- Transport for NSW; and
- Roads and Maritime Services

The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.

Further Consultation after 2 years

N/A

If you do not lodge a development application and EIS for the development within two years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.

References

See Above

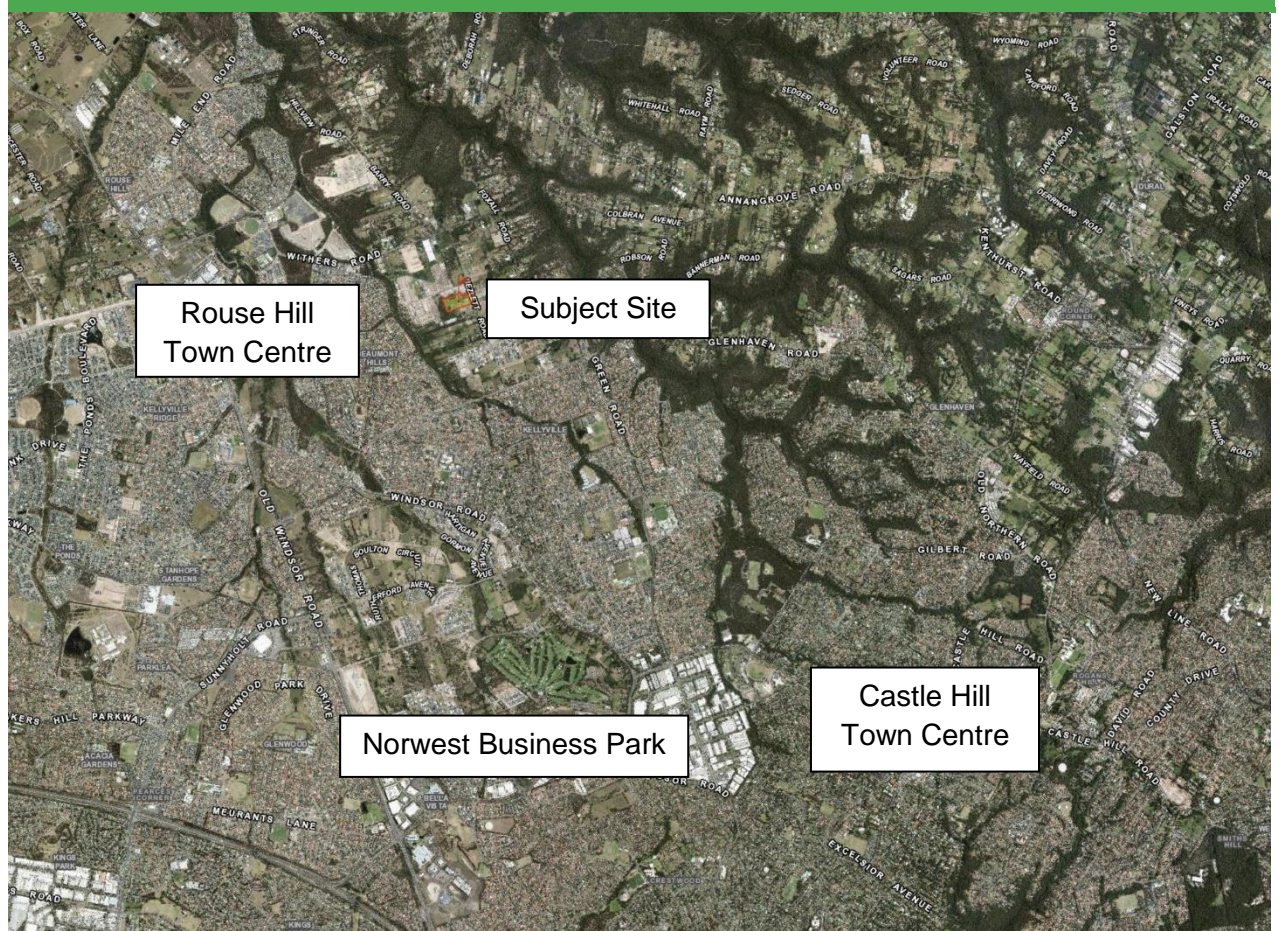
The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified.

2. SITE CONTEXT

2.1 Site Location

The site is located within the North Kellyville Precinct of the North West Growth Area. The site is located within The Hills Council Local Government Area. As illustrated on the aerial photograph on the adjoining page the site is located in proximity to the existing Rouse Hill Town Centre, Norwest Business Park, Castle Hill Town Centre and the North Kellyville Town Centre.

Figure 1: Regional Locality Plan (Source Google Maps 2017)



2.2 Site Description

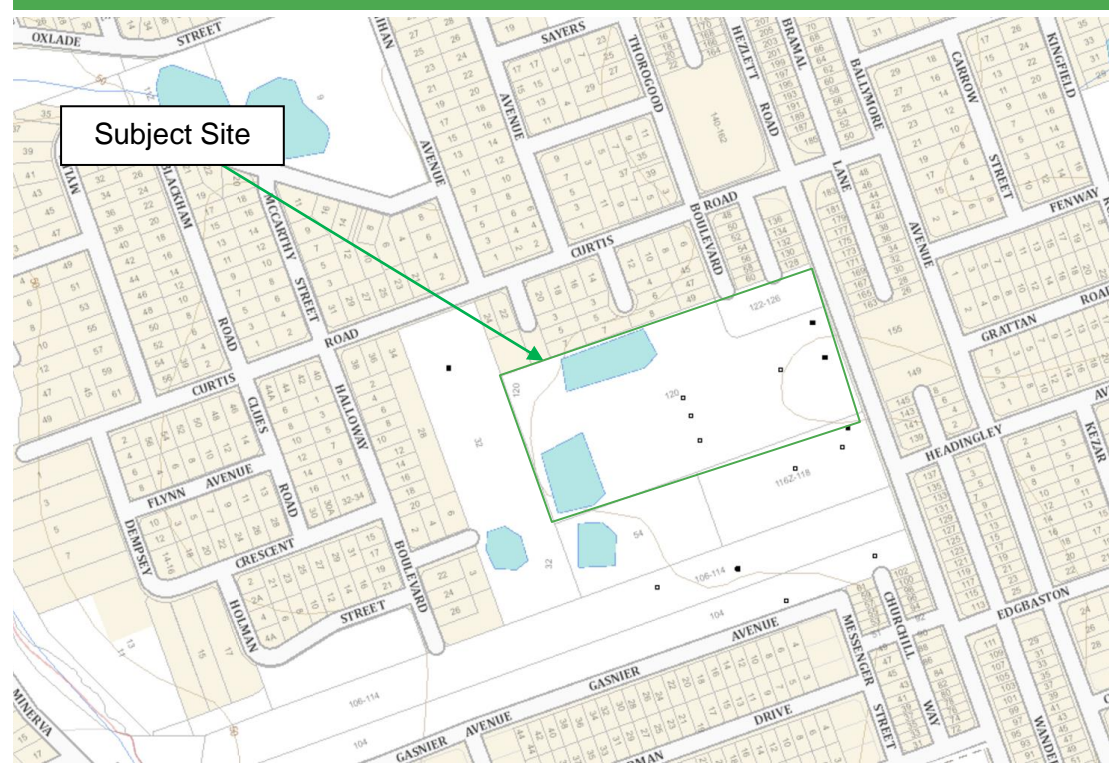
The site is legally known as Lots 100 and 101 in DP 1216659, but commonly known as 120 -126 Hezlett Road, Kellyville. (It is noted that the site was formally known as 56 -58 Hezlett Road, Kellyville, but due to the extent of anticipated development in this release area, the road was renumbered circa 2016.)

The site is owned by the NSW Department of Education.

The site appears up until recently to have been used for rural residential purposes with the site containing a dwelling, dams and outbuildings. (It is noted that the dwellings and outbuildings were removed from the site in early 2017)

The site is an irregular shapesite with a 130.2m frontage to Hezlett Road, a depth of 290m and total site area of 3.69 hectares. The current site is larger than required for the school and a future subdivision application will reduce the size of the site to 29,891m².

Figure 1: Cadastre (Source: Sixmaps 2017).



The following aerial photograph illustrates the extent of recent developments in the vicinity of the site that predominantly comprises small lot houses. It is noted that some of the larger allotments to the north of the site have either approvals or pending approvals for 3 storey apartments buildings.

Figure 2: Aerial Photograph (Source: Nearmap 2017).



As outlined previously the school site is larger than required for a 1000 place school and a portion of the site on its western boundary will be excised off the site via a separate subdivision application. It is envisioned that this land will be utilised for residential purposes and facilitate the future extension of Hipwell Avenue. Land to the south of the site is likely to be acquired by The Hills Council to facilitate the provision of additional open space associated with the adjoining land that is zoned for recreational purposes. The proposed school site of 29,891m² is illustrated in figure 3 on the following page.

Figure 3: Plan illustrating the future boundaries of the site after a portion of land is removed from the southern and western boundaries

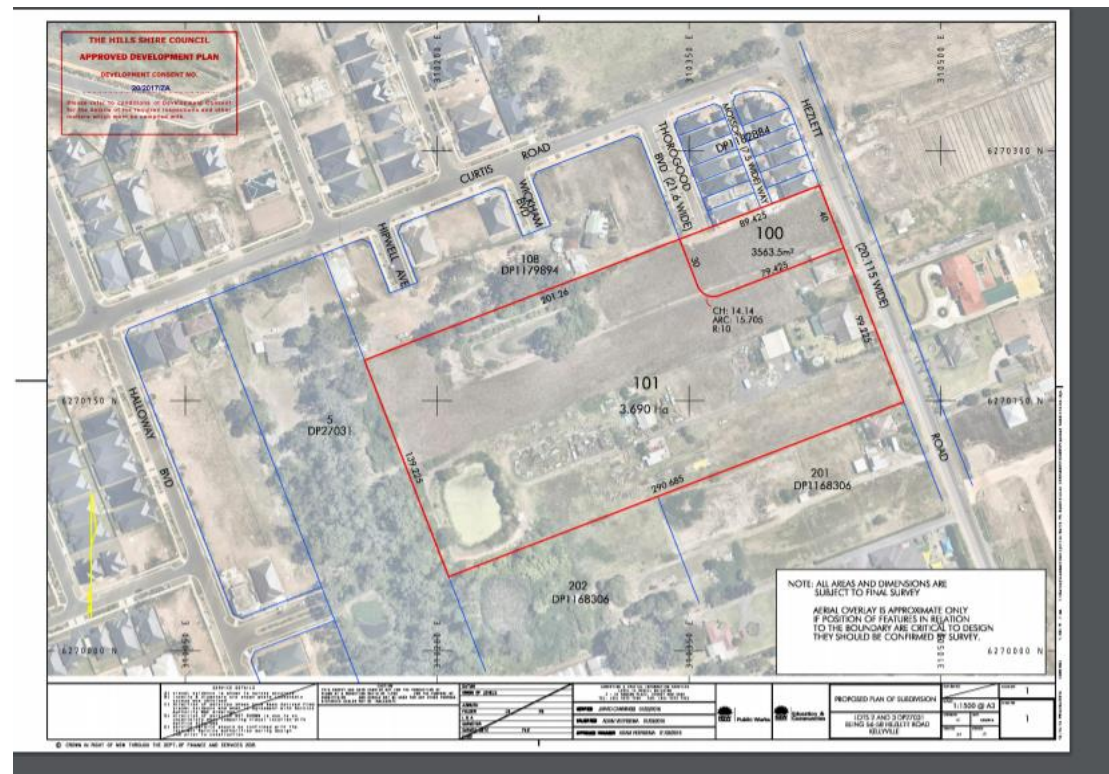


2.3 Previous Development Consents

Subdivision DA

The site benefits from an existing approval being Development application 20/2017/ZA to resubdivide the site into two residue allotments that was approved by The Hills Shire Council on 12 August 2016. An image of the approved plan of subdivision is provided below:

Figure 4: Approved plan of Subdivision (Source: The Hills Shire council website 2017)



As illustrated in figure 1, this consent has been taken up and the subdivision has been registered.

Demolition Complying Development Certificate

A CDC has also been issued for the demolition of existing structures on the site. The Hills Council has registered the CDC as 1097/2017/PCDA. Demolition work has been carried out in accordance with this CDC.

2.4 Surrounding Development

The site is located in an area experiencing a transition from a rural residential area to a low to medium density suburban environment. Properties in the immediate vicinity have been developed for residential housing on lots typically between 250m² and 600m². Properties along Hezlett Road within the R1 zoned corridor in closer proximity to Withers Road have either been developed or have approval for 3 storey residential flat buildings.

On the northern and southern edges of Hezlett Road are local centres that will provide retail facilities for residents of this release area. It is noted that the North Kellyville Square shopping centre (Cnr Hezlett Road And Withers Road) contains a Woolworths Supermarket and speciality retail shops and opened in June 2017.

A Seventh Day Adventist Primary school is located on the southern section of Hezlett Road on the corner of Gum Nut close and Hezlett Road. A portion of the southern boundary of the site adjoins a proposed Council reserve.

Photographs of the existing site are provided below.

Photograph 1: Photograph of part of the site as viewed from Hezlett Road, Kellyville





Photograph 2: Photograph of part of the site as viewed from Hezlett Road, Kellyville



Photograph 3: Photograph of part of the site as viewed from Hezlett Road, Kellyville



Photograph 4: Photograph of Hezlett Road looking north from the site as viewed from Hezlett Road, Kellyville



Photograph 5: Photograph of Hezlett Road looking south from the site as viewed from the site





Photograph 6: Photograph of closest adjoining properties to the north of the site as viewed from Hezlett Road, Kellyville.



Photograph 7: Photograph of recently constructed dwellings on the eastern side of Hezlett Road, opposite the site.





Photograph 8: Photograph of older dwelling on the eastern side of Hezlett Road, opposite the site.



Photograph 9: Photograph from southern end of Thorogood Boulevard looking towards the site.



Photograph 10: Photograph looking towards the site as viewed from Wickham Boulevard, noting the northern edge of the dam.



Photograph 11: Photograph of the residue portion of the site as viewed from Hipwell Avenue



2.5 Surrounding Road Network

The site has frontage to Hezlett Road that is identified by the North Kellyville DCP as being a future four lane sub arterial road. Currently Hezlett Road facilitates one lane of traffic in either direction with extensive verges. The following figure indicates the future width of Hezlett Road.

Figure 5: Indicative Road design for Hezlett Road (Source: North Kellyville Growth Centres DCP 2016)



Figure 7. Sub Arterial Road A - Hezlett Road (South of the Town Centre)

Hezlett Road is north south sub arterial road that links to both Withers Road and Samantha Riley Drive that connect to Windsor Road that is a key arterial road. Windsor Road provides connections the Rouse Hill Town Centre, Castle Hill CBD, Blacktown CBD, Parramatta CBD and the Norwest Business Park.

The surrounding road and public transport network is described in more detail within the Traffic and Parking Assessment Report prepared by GHD Woodhead (refer Appendix Q).

3. DETAILED DESCRIPTION OF PROPOSAL

3.1 Overview

This State Significant Development Application proposes the construction of a new Public Primary School.

Works for the project include:

- Dam Dewatering of the two dams on the site;
- Tree removal;
- Bulk Earthworks;
- Construction of a two storey courtyard building that will contain:
 - 40 teaching spaces;
 - Canteen
 - Library;
 - Multi-purpose Hall;
 - Office and Administration Space;
 - Amenities for students and staff; and
 - OSHC accommodation.
- Construction of a turfed soccer field;
- Construction of two multi-purpose courts;
- Construction of playgrounds;
- Provision of 12 on site carparking spaces including 2 accessible spaces.

3.2 Demolition, Site Clearing and Dam De Watering

The site previously accommodated two dwellings and associated outbuildings. As both dwellings on the site were no longer tenanted and concern was raised that the properties may be subject to vandalism and or squatters, a complying development certificate was issued by a Private Certifier being Metro Building Consultancy in June 2017 and demolition work has now been carried out. Accordingly, approval for demolition is not sought as part of this EIS.

As the site on which the school is proposed to be constructed was primarily used for agricultural purposes, the site contains limited vegetation. The extent of site clearing is outlined in the arborist report (Appendix R). As outlined in the arborist report the site contains a large Eucalyptus tereticornis that was initially considered appropriate to retain given its health and size. However as outlined in the comments from the GHD landscape architect the tree is now proposed to be removed to ensure a greater public benefit is provided.

There is a large existing Eucalyptus tereticornis tree located in the north west corner of the site, on the bund of an existing dam. This tree will need to be removed in order to fit in the main elements of the proposed school, namely the new school building and junior regulation size soccer sports field. Throughout the initial site planning phase GHDW attempted to retain the existing tree by investigating different configurations of the building and soccer pitch envelope. There was not one option where the tree could be retained. This is mainly due to the relatively constrained overall site envelope that severely limited the configuration for where the building and soccer pitch could go. As it currently stands the proposed soccer pitch is placed over the top of the tree. If the soccer pitch pushed right up against the western boundary it would allow a gap of approximately 6.0m to the tree. However, the new surface level of the soccer pitch means a 2.0m retaining wall would need to wrap around the tree to retain it. This type of large wall with associated significant footings would have a detrimental effect on the TPZ (tree protection zone) of the tree and potentially weaken the root system and make the tree more susceptible to collapse in extreme weather.

Pushing the soccer pitch flush up against the western boundary is also not ideal from an urban design point of view as it would require a 7.0m retaining wall flush up against the road reserve which would create a very poor streetscape environment and outlook for the proposed housing adjacent.

The site currently contains two dams. Only one of the dams is located within the portion of the site that will be occupied by the school. However, utilising the large site area for irrigation and to ensure public safety both dams are proposed to be de-watered as part of the EIS process. (refer Appendix H)

3.3 Site Design Brief

A Design brief has been prepared for the site by GHD Woodhead. This states in part:

This project will provide 40 new teaching spaces accommodating up to 1000 students. Facilities within the school are to meet school facilities standards including future focussed learning. This new school will require the construction of all new core facilities according to guidelines.

The three key drivers for this project are:

Identity Design the campus to help establish an attractive presence in the emerging community and frame it as an early component of key community social infrastructure.

Outdoor Space Maximise the areas for playgrounds, fields, courts and landscaping to provide as much open area for children who will increasingly live in smaller homes with less yard space.

Create a campus heart Use the forms of the buildings to provide sheltered landscaped central courts that provide a strong identity and are attractive gathering spaces.

As indicated in this report the proposal is an appropriate response to the sites opportunities and constraints.

3.4 Building Function and Operation

The school when catering for 1000 students would have approximately 80 full time staff.

The school will primarily operate between 9am and 3pm on school days, however staff /students involved with ancillary activities including lesson planning, sports practice, band practice, staff meetings etc, could be on site between 7am and 5:30pm.

The site will also accommodate a 200 place Out of Hours School Care that will operate on school days in the morning from 7am and after school until 7pm and during school holidays between 7am and 7pm.

Other activities proposed to occur on the site include:

- Use of school facilities by external bodies including community groups up to 10pm daily;
- Use of school facilities for school activities including concerts, information sessions up to 10pm daily;
- Potential use of the all-weather oval by external parties up to 10pm on weekdays and between 8am and 6pm on weekends.

3.5 Building Site Preparation/ Bulk Earthworks/ Remediation

Given the former use of the site for rural purposes a phase 2 contamination report has been prepared for the site by Douglas Partners. (Appendix S). This testing confirms that parts of the site are contaminated with asbestos and petroleum hydrocarbons and require remediation prior to the future use of the site as an educational establishment. The report outlines there are a number of options to remediate the site and it is anticipated that conditions of consent will be imposed to ensure that appropriate remediation has occurred prior to occupation of the school.

A bulk earthworks plan has been prepared for the site by GHD Woodhead (Appendix E). This demonstrates that the site balances the need for cut and fill with approximately 16599m³ of cut being proposed and approximately 191662m³ of fill proposed. Given this the development will result in 2563m³ of fill being imported to the site.

3.6 Landscaping and Public Domain

Landscape plans for the site have been prepared by GHD Woodhead (Refer Appendix F).

The landscape plans include:

- A Junior Adventure playground;
- A Senior Adventure playground;
- Two netball courts;
- A soccer Oval;
- Vegetable Garden
- Sand pit;
- Seating areas within the internal courtyard;

The proposed landscaping scheme predominantly comprises native species and have been appropriately chosen to be appropriate for a primary school environment.

3.7 Access and Parking

Initially the sites primary focus for pedestrian and vehicle access will be towards Hezlett Road with bus drop off and a 'kiss and drop' point also being provided along Hezlett Road that will be able to accommodate around 25 parked cars. Pedestrian access to the site will also be available from Thorogood Boulevard. In the future and as surrounding properties are developed for residential purposes there is likely to be increased opportunities for vehicular and pedestrian access to the site.

A carparking area with provision for 12 spaces including 2 accessible spaces is provided along a portion of the southern boundary of the site.

A bicycle parking area for 60 bicycles is provided.

In the future and as surrounding properties are developed for residential purposes there is likely to be increased opportunities for pedestrian access to the site.

3.10 Infrastructure and Services

An Infrastructure and Services report has been prepared for the site. (refer Appendix N). This report advises that a pad mount substation with a 470A capacity is required to service the development and that underground NBN cables and overhead telephone cables are currently provided along Hezlett Road.

The landscape plans have made provision for this substation along the Hezlett Road frontage of the site.

3.11 Waste Management

The proposal incorporates a waste storage area at the end of the extension to Thorogood Boulevard that is accessible and will facilitate the collection of waste including recyclables from the site once the school commences operation.

4. CONSULTATION

4.1 General

Consultation has occurred on the project since inception and will continue as the assessment of the application progresses and throughout the entire development project. The purpose of the consultation process to date has been to inform and seek feedback from key stakeholders. DOE and TSA have worked to ensure relevant issues have been considered during the development of the proposal.

The key stakeholders engaged with as part of the consultation process were.

- Project Reference Group
- Local Community
- The Hills Shire Council
- Department of Planning & Environment
- Office of Environment & Heritage
- Transport for NSW
- Roads & Maritime Services

4.2 Project Reference Group

The Project Reference Group (PRG) is a project governance body that consists of representatives of key project stakeholders. During the course of the project the members of the PRG work together collaboratively with the aim of achieving the optimal outcomes for the project and at regular interval the PRG meets formally to discuss key issues and risks, and also review and endorse submissions. The PRG members for Kellyville North Primary School include:

- Public School NSW Director
- Principal of Beaumont Hills Public School;
- Parent Representative;
- Community Representative;
- Representative of Department of Education's Asset Management Unit

- Project Manager - TSA Management
- Head Design Consultant – GHD Woodhead

4.3 Community Consultation

Post Ministerial announcement of the school, TSA Management has held full day Information booth sessions on the 8th June, 20th July and 17 August. Further Information booth, public consultation, sessions are planned to be held on an approximately monthly basis. In addition to this the DoE has an active Website, updated monthly, providing project details and opportunities to provide comment for the community. Frequently asked questions and a Public Survey are available from that Website

A Consultation Outcomes Report that discusses this in more detail is provided in appendix K.

4.4 Transport For NSW

Transport for NSW were further consulted about the proposal and in an email dated 13 June 2017 Ken Ho advised in part that the traffic and parking assessment being prepared for the EIS should address:

- any road network performance assessment (SIDRA analysis, microsim or others – study extent, intersections to be assessed),
- any parking assessments (pick-up/drop-off requirements, staff parking requirements, bus servicing),
- any empirical trip generation forecasting (incl. details of what kind of surveys will/are being undertaken to determine existing travel patterns and mode shares),
- assessment scenarios (existing, future design years),
- any traffic demand management strategies, and
- construction impacts.

The traffic report (Appendix Q) discusses this consultation in more detail concludes that the surrounding road network has the capacity to cater for the traffic generated by the development and notes that the many future students will live within walking or cycling distance of the school.

4.5 Roads and Maritime NSW

RMS were further consulted about the proposal on 6 June 2017, however as at the time of preparation of this EIS had not formally responded to the request for further engagement.

Notwithstanding this the traffic report (appendix Q) appropriately addresses issues raised as part of the SEARS consultation process.

4.6 The Hills Council

A meeting with The Hills Council was held on 11 May 2017. At this meeting staff in attendance were briefed on the proposal and discussions occurred around:

- Civil Engineering requirements for stormwater disposal and OSD;
- Dam Dewatering;
- Items to be incorporated in the Acoustic Report;
- Development of the adjoining reserve by Council. Council to provide details of the proposed;
- works in the park and advise on timing;
- Vehicular access off Hezlett Road. Council to provide details of proposed road works; and
- Potential shared use of both School and adjacent Council facilities given the shortage of recreational areas within the surrounding precinct.

4.7 Office of Environment and Heritage

The Office of Environment was further consulted about the project and in email dated 14 June 2017, Dana Alderson from the Office of Environment and Heritage advised in part that:

In relation to the ecological assessment requirements, the land is identified as 'Existing Certified Land' on the North West Growth Centre – Biodiversity Certification Map under Clause 17(1) of Schedule 7 of the Threatened Species Conservation Act 1995. Therefore, there is no need for an ecological survey for vegetation on the site and the Framework for Biodiversity Assessment will not apply.

The work you are completing on dam dewatering, flooding and Aboriginal cultural heritage is noted.

5. PLANNING CONTROLS

5.1 STATUTORY PLANNING CONTROLS

The relevant Statutory Planning Controls include: -

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Sydney Region Growth Centres) 2006
- State Environmental Planning Policy No. 55 – Contaminated Land;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No. 64 – Signage;
- Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- Sydney Regional Environmental Plan N0.20 Hawkesbury Nepean River (Deemed SEPP); and

Consideration is now given to the applicable Statutory Planning Controls.

5.1.1 Environmental Planning and Assessment Act 1979

The EP&A Act provides, the legislative framework for the assessment and approval of development in NSW. In accordance with Division 4.1 of Part 4 of the EP&A Act, this Environmental Impact Statement has been prepared in to address both the Secretary's Environmental Assessment Requirements and the general provisions of Schedule 2 of the EP&A Regulations.

Section 5A sets out matters which must be considered in deciding whether a proposed development is likely to have a significant effect on threatened species, populations or ecological communities, or their habitats. The Site is subject to biodiversity certification as described in Schedule 7 Part 7 of the Threatened Species Conservation Act 1995 and accordingly, the proposal is taken to be *“development that is not likely to significantly affect any threatened species, population or ecological community, or its habitat”*.

5.1.2 Environmental Planning and Assessment Regulation 2000

The EIS has addressed the specific criteria within clause 6 and clause 7 of Schedule 2 of the EP&A Regulation including the principles of ecologically sustainable development in Section 7.

As required by Clause 7(1)(d)(v) of Schedule 2 of the EP&A Regulation, an additional approval will also be required in order to permit the proposed development to occur. The additional approval required under other legislation for the facility is set out below.

Roads Act 1993

The proposal includes carrying out of works that affect public roads, being the construction of two driveways to the site and the construction of a cul-de-sac head to Thorogood Boulevard. Consent from The Hills Shire Council under Section 138 of the Road Act 1993 will be required for these works. However, in accordance with Section 89K of the EP&A Act, the Section 138 Roads Act approval must be consistent with the development consent that is issued.

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

In accordance with clause 15 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 the proposal is considered to be State Significant Development as it seeks approval for an Educational Establishment with a Capital investment Value of more than \$30 million. As outlined in the Capital Investment report prepared by Rider Levett Bucknall the proposed development has a CIV of > \$30 million. (Refer Appendix C)

Clause 11 of the SEPP outlines that DCPs (whether made before or after the commencement of the SEPP) do not apply to State Significant Development.

As the proposal is State Significant Development an Environmental Impact Statement is required to accompany the development application and the development application will be assessed by the Department of Planning staff and not The Hills Shire Council.

5.1.4 State Environmental Planning Policy – Sydney Region Growth Centres 2006

As shown on the zoning map extract at Figure 5, the development site is zoned both R1 General Residential and R2 Low Density Residential under the provisions of the SEPP - Sydney Region Growth Centres 2006.

Educational Establishments are permissible with consent in both these zones and the proposal is consistent with the definition contained within this SEPP:

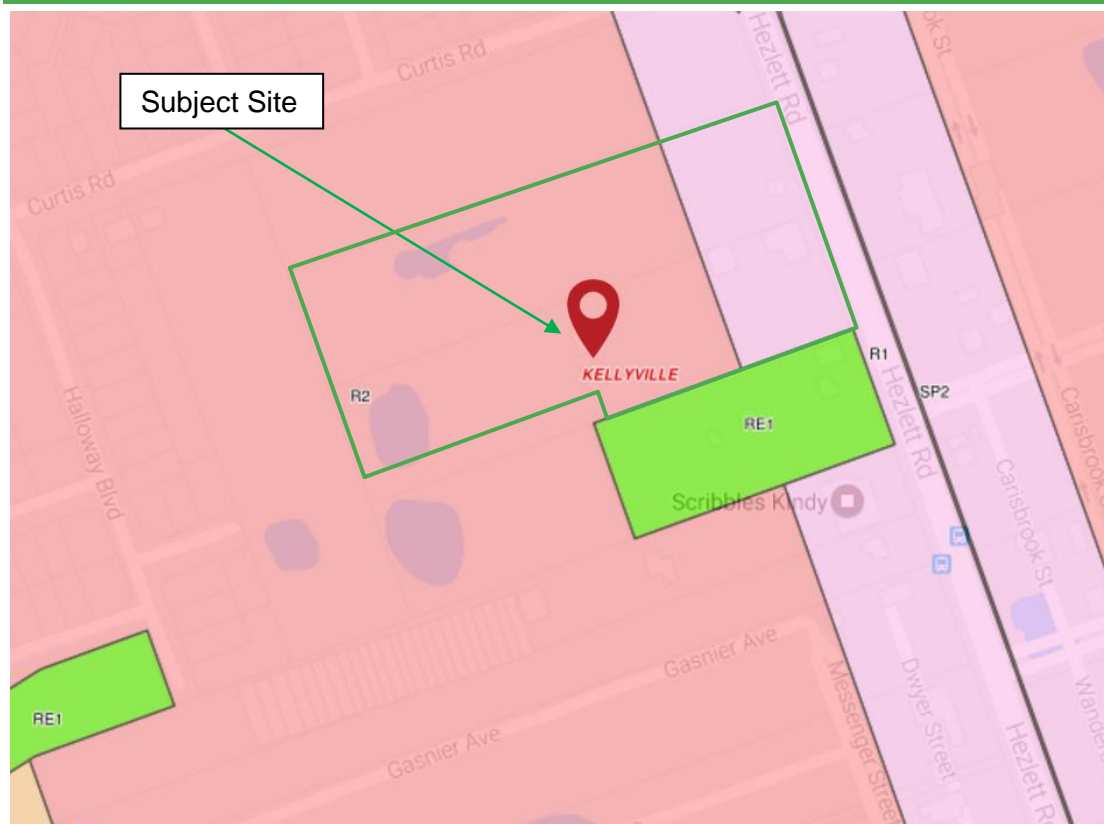
educational establishment means a building or place used for education (including teaching), being:

(a) a school, or

(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act

It is also noted that clause 28 of the Infrastructure SEPP also permits the construction of an educational facility on R1 and R2 zoned land.

Figure 6: Zoning Map Extract.



The following table outlines the primary planning controls within the Growth Centres SEPP.

State Environmental Planning Policy – Sydney Region Growth Centre 2006			
Clause	Controls	Comment	Complies
Appendix 2 North Kellyville Precinct Plan 2008			
Zoning	R1 – General Residential and R2 Low Density Residential	An educational establishment is permissible with Council consent on the site	YES
Part 2 Permitted or Prohibited Development			
2.3	Zone Objectives and Land Use Table	The proposal is consistent with the zone objectives of both the R1 – General Residential Zone and the R2 Low Density Residential zone.	YES
2.3A	Demolition requires consent	All structures on the site have been removed in accordance with a complying development certificate that has been issued for the site.	N/A
2.6	Subdivision requires consent	Although it is anticipated that the site will be further subdivided to excise surplus land from the site, this will occur via a separate approval and does not form part of this EIS.	N/A
Part 4 Principal Development Standards			
4.3	Height of Buildings: 9m	Due to the need to ensure that open space areas are maximised on the site and the desire to provide appropriate floor to ceiling heights within the building on the site, the development exceeds the 9m height control by up to 5.2m Refer to clause 4.6 departure at the end of this table.	Variation
4.4	Floor Space Ratio	An FSR control for the site is not identified.	N/A
4.6	Exceptions to development standards	The development seeks to vary the height control. A detailed departure is provided at the end of this table.	Yes

Part 5 Miscellaneous Provisions

5.1	Land reserved for acquisition	The site does not contain land identified for acquisition.	N/A
5.9	Preservation of Trees or Vegetation	<p>The site contains some trees that will need to be removed to facilitate the development.</p> <p>An arborist report (appendix R) accompanies the development application and outlines why tree removal is appropriate.</p>	YES
5.10	Heritage Conservation	<p>The site is not heritage listed, within a heritage conservation area or located in the immediate vicinity of any listed European Heritage Items.</p> <p>The potential for the site to contain aboriginal relics was considered by Cultural Heritage Connections. This report is contained in Appendix O and concludes; No known sites are recorded within the study area boundaries. No Aboriginal objects were located during the site inspection. No trees with the potential for cultural scars were located within the study area. The site inspection revealed a disturbed landscape.</p>	YES

Part 6 Additional Local provisions

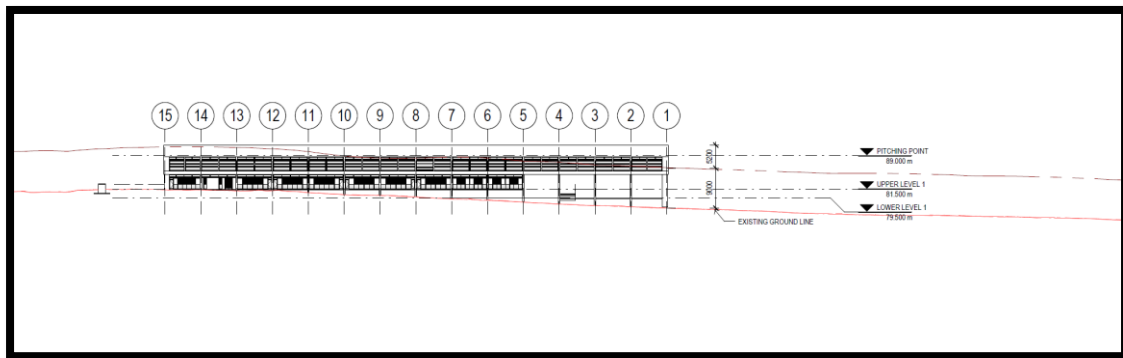
6.1	Public utility infrastructure – Adequate arrangements need to be made for water, electricity and sewage.	<p>Consultation has occurred with engineer providers, Sydney Water and communication providers.</p> <p>These authorities have confirmed that the site is able to be serviced. (Refer Appendix N and P)</p>	YES
6.3	Development controls – native vegetation retention areas and riparian protection areas	This site is not identified as being a native vegetation area nor is it identified as being a riparian protection area.	N/A



Clause 4.6 Height Departure

The development concept results in the height of the proposal exceeding the permissible height as shown on the SEPP height map, with parts of the upper level exceeding this control as shown on the submitted elevation below.

Figure 7: Section illustrating extent of height departure.



The actual height departure to the roof on the upper level is up to 5.2m.

As shown on the extract the variation is a function of topography and the desire to provide a two storey building on the site that maximises outdoor landscaping and play opportunities with parts of the building exceeding the height where natural ground level dips away from the site.

The provisions of Clause 4.6 of the SEPP are addressed below in order to permit the Department to vary the SEPP.

Clause 4.6(3)

In accordance with the provisions of this clause it is considered that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case as the underlying objectives of the control are achieved.

The objectives of the height of buildings development standard are stated as:

- (a) to preserve the amenity of adjoining development in terms of solar access to dwellings, private open space and bulk and scale,
- (b) to provide for a range of residential building heights in appropriate locations that provide a high quality urban form,
- (c) to facilitate higher density neighbourhood and town centres while minimising impacts on adjacent residential areas,
- (d) to provide appropriate height controls for commercial development,
- (e) to restrict the height of buildings within the curtilage of heritage items.

The current development proposal seeks to depart from the height control for portions of the building. Despite this the proposal remains consistent with the objectives of the clause and is a more appropriate outcome on the site because of the following:

- a) The proposal is in close proximity to the recently North Kellyville Local Centre and the extent of non-compliance represents an appropriate higher density on the site with the building being predominately two storeys in height which is an appropriate height for an educational establishment that adjoins two storey dwellings.
- b) The site is large and the impacts arising from overshadowing, visual impact and loss of privacy are manageable within the site, and have no significant impact on adjoining properties or open space areas given that the development is well setback within the site and will not result in the overshadowing of any adjoining dwellings.;
- c) The proposal provides an appropriate 2 storey building form that is consistent with the desired future character of the locality and is reflective of the objectives for the zone and locality generally- noting the uneven topography on this site is the key driver of the height variation rather than a desired to achieve greater yield on the site;
- d) The proposal has no impact on heritage or other views; and
- e) The proposal presents an appropriate height on the site that facilitates a high quality urban form to contribute to building diversity across the North Kellyville Precinct.

The unique circumstances of the case that warrant support of the departure are:

- The need to provide appropriate floor to ceiling heights within the development whilst providing accessible entries to all rooms which is preferable to only having stair access which would compromise amenity and useability for future users;
- The need to provide appropriate floor to ceiling heights within the development to facilitate appropriate natural ventilation/ airflow rather than air conditioning which is consistent with ESD principles; and
- The desire to maximise open space on the site to benefit future students.

As outlined above the proposal remains consistent with the underlying objectives of the controls and as such compliance is considered unnecessary or unreasonable in the circumstances. The above discussion demonstrates that there are sufficient environmental planning grounds to justify the departure from the control.

Clause 4.6(4)

In accordance with the provisions of Clause 4.6(4) the Department of Planning can be satisfied that this written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3). As addressed the proposed development is in the public interest as it remains consistent with the objectives of the height control. In addition, the proposal is consistent with the objectives of the zone.

The proposal provides for the educational needs of the community and contributes to the provision of a community hub in this release area. The development site is in close proximity to public transport and the design concept recognises the key site attributes and provides for an attractive built form that relates to the existing and future site context.

It is understood that the concurrence of the Secretary can be assumed in the current circumstances.

Clause 4.6(5)

As addressed it is understood the concurrence of the Secretary may be assumed in this circumstance, however the following points are made in relation to this clause:

The contravention of the height control does not raise any matter of significance for State or regional environmental planning given the nature of the development proposal; and

There is no public benefit in maintaining the development standard as it relates to the current proposal given that the non-compliance has no discernible impact upon the public streetscape.

Strict compliance with the prescriptive height requirement is unreasonable and unnecessary in the context of the proposal and its particular circumstances. The proposed development meets the underlying intent of the control and is a compatible form of development that does not result in unreasonable environmental amenity impacts. The proposal will not have any adverse effect on the surrounding locality.

The proposal promotes the economic use and development of the land consistent with its zone and purpose. The Department of Planning is requested to invoke its powers under Clause 4.6 to permit the variation proposed to the maximum height control.

5.1.5 State Environmental Planning Policy No. 55 Contaminated Land

Clause 7 of SEPP 55 provides:

(1) A consent authority must not consent to the carrying out of any development on land unless:

(a) it has considered whether the land is contaminated, and

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Given the historical use of the site for rural purposes, land contamination is a possibility. Given this a contamination report has been prepared by Douglas Partners. (refer Appendix S) This report concludes that portions of the site are contaminated and remediation is required. The report confirms that the site can be appropriately remediated and that the site is suitable for a public school.

Accordingly, the department can be satisfied that the provisions of Clause 7 of the SEPP are satisfied. If any further contaminated material or suspected contaminated material is unearthed during the construction process then actions consistent with the legislative requirements and guideline document will be undertaken.

5.1.6 State Environmental Planning Policy (Infrastructure 2007)

In accordance with Part 3 of Division 3 - Educational Establishments, the proposed development is State Significant Development and not Exempt or Complying Development pursuant to State Environmental Planning Policy (Infrastructure) 2007.

Clause 32 of the ISEPP requires a consent authority to consider the following state government publications:

(a) School Facilities Standards—Landscape Standard—Version 22 (March 2002),

(b) Schools Facilities Standards—Design Standard (Version 1/09/2006),

(c) Schools Facilities Standards—Specification Standard (Version 01/11/2008)

It is important to note that clause 32(3) states: If there is an inconsistency between a standard referred to in subclause (2) and a provision of a development control plan, the standard prevails to the extent of the inconsistency

The NSW Department of Education (Asset Management Directorate) has confirmed that the School Facility Standards were superseded by the EFSG in 2014. As part of this process, a comprehensive review and update of the content from the SFS was undertaken and incorporated into the new EFSG. All Department of Education capital works projects, including new schools, are assessed and reviewed against EFSG requirements at pre-concept, concept, schematic and detailed design stages by the Department of Education. As the content of the SFS has been embodied within the EFSG, it has become the relevant suite of design standards against which all school development should be designed and assessed.

It is noted that this is reflected in Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, which when gazetted will remove the current references to educational establishments in this SEPP. The draft Education SEPP is discussed further at Section 5.1.8.

GHD Woodhead have prepared a Statement of Design Compliance (Appendix Z) which confirms that all buildings, spaces and areas have been designed to comply with the relevant standards and guidelines of the EFSG. The development site is not located on a classified road and as a result it is not necessary to consider the provisions of Clause 102, and 103 of the SEPP.

Clause 104 and Schedule 3 of the ISEPP relate to traffic generating development and certain proposals trigger a requirement for referral to the RMS.

The proposed development triggers this requirement as it entails an educational establishment catering for 50 or more students. Given this it is assumed the proposal will be referred to the RMS regional traffic committee for input.

5.1.7 State Environmental Planning Policy No. 64 -Signage

SEPP 64 regulates signage, and includes assessment criteria against which all signage must be assessed, including:

- Character of the area;
- Special areas;
- Views and vistas;
- Streetscape, setting or landscape;
- Site and building;
- Associated devices and logos with advertisements and advertising structures;
- Illumination; and
- Safety.

The development proposal incorporates business identification signage and therefore Part 3 of the SEPP is not relevant to the proposal. The proposed signage is limited to a singular sign that will contain the name of the school and its emblem.

The proposed sign is consistent with the objective of the policy in that the sign:

- i. *Is compatible with the desired amenity and visual character of an area, and*
- ii. *provides effective communication in suitable locations, and*
- iii. *is of high quality design and finish.*

An assessment against the criteria is contained in Schedule 1 is provided below:

Criteria	Comment
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 signage is consistent with the prevailing patterns of signage associated with non residential land uses in a residential area such as child care centres.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is no particular theme for advertising in the locality however as discussed, the sig is consistent with the patterns of signage associated with non-residential development within low density residential zones.
2 Special areas	
Does the proposal detract from the amenity or visual quality of any	The proposed sign does not detract from the amenity or visual quality of any of the mentioned aspects.

Criteria	Comment
environmental sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	
3 Views and vistas	
Does the proposal obscure or compromise important views?	The proposed sign will not obscure or comprise any important views.
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed sign is to be located below the proposed 2 storey building and will not impact on the skyline nor will it reduce the quality of vistas.
4 Streetscape, setting or landscape	
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the proposed sign is appropriate for the streetscape and setting noting the signage is of low scale and consistent with the forms of signage associated with other schools within the LGA.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	Not applicable.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposal involves minimal signage, with the proposed signage being appropriate to identify the operations of the site.
Does the proposal screen unsightliness?	The proposed signage does not screen unsightliness.
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?	The signage is compatible with the scale and proportion of the proposed building on the site.
Does the proposal respect important features of the site or building, or both?	Yes

Criteria	Comment
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage has been designed to complement the proposed building form.
5 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 structures on which it is to be displayed?	Yes
7 Illumination	
Would illumination result in unacceptable glare?	No illumination proposed.
Would illumination affect safety for pedestrians, vehicles or aircraft?	No
Would illumination detract from the amenity of any residence or other form of accommodation?	No, illumination proposed.
Can the intensity of the illumination be adjusted, if necessary?	N/A
Is the illumination subject to a curfew?	N/A
8 Safety	
Would the proposal reduce the safety for any public road?	No
Would the proposal reduce the safety for pedestrians or bicyclists?	No
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No

5.1.8 Draft State Environmental Planning Policy (Educational Establishments and Childcare Facilities) 2017

The Department of Planning and Environment exhibited the Draft SEPP between 3 February 2017 and 7 April 2017.

The proposed SEPP aims to:

- streamline the planning system for education and child care facilities including changes to exempt and complying development;
- NSW will be the first State to bring Commonwealth Laws regulating early childhood education and care into a state planning system;
- bring the Department of Education into the planning process early, and gives child care providers and developers information, from the beginning regarding all national and state requirements for new child care services;
- streamline the delivery of new schools and upgrading existing facilities, with a focus on good design; and
- assist TAFEs and universities to expand and adapt their specialist facilities in response to the growing need, and to maintain our reputation for providing world class tertiary education, while allowing for more flexibility in the use of their facilities

Clause 29(1) of the SEPP permits schools to be carried out with consent in a prescribed zone, with clause 29(4) permitting a school to be utilised with consent for community or commercial purposes.

Clause 29(5) of the draft SEPP requires a consent authority to take into consideration the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4.

GHD Woodhead Architects has prepared a Statement as part of the Design Analysis Report (Appendix V) confirming the consistency of the proposed development with the proposed design quality principles set out under the draft Education SEPP.

The following table also outlines how the development appropriately addresses the seven design quality principles:

Design Quality Principles	Design Responses
Principle 1—context, built form and landscape	
<i>Schools should be designed to respond to and enhance the positive qualities of their setting,</i>	The development appropriately responds to the existing built and natural environment on the site. The siting of the new building maximises passive

Design Quality Principles	Design Responses
<p><i>landscape and heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate. Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites.</i></p>	<p>solar gain and natural cross flow ventilation, provides an appropriate street address to Hezlett road and has facilities appropriately setback from adjoining low density residential properties.</p> <p>The building is well setback from the boundaries of adjoining low density residential properties and is not considered to result in an undue negative impact of the surrounding but rather will appear as a modest two storey building in a garden setting.</p>
<p>Principle 2—sustainable, efficient and durable</p> <p><i>Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling. Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.</i></p>	<p>The development incorporates appropriate waste sensitive urban design measures including water harvesting from the roof of the new building to reduce reliance on Sydney Water supplies.</p> <p>The building is designed to maximise natural ventilation and in accordance with the Department of Education policy does not incorporate air-conditioning.</p> <p>The development maximises reliance on natural light penetration that will reduce the reliance on artificial illumination.</p> <p>The development incorporates solar panels on the roof of the building that will assist to reduce the schools demand for electricity.</p> <p>The building is constructed of durable materials that are low maintenance and utilise the Department of Education's experience in minimising on-going maintenance costs.</p> <p>The internal planning of the school building ensures that it is adaptable and contains opportunities for break out spaces and group learning that is consistent with modern educational practices rather than only incorporating traditional class rooms.</p>
<p>Principle 3—accessible and inclusive</p> <p><i>School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.</i></p>	<p>The learning building incorporates a lift that provides access to all throughout the building. Accessible paths of travel are provided from the sites boundaries to school facilities.</p> <p>The development will incorporate appropriate wayfinding signage to assist visitors and first time users with identifying key areas within the site.</p>

Design Quality Principles	Design Responses
<i>Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.</i>	<p>The school incorporates an Out of School Hours Care Facility and is also proposed to be used by community groups and other activities outside core hours.</p> <p>This ensures that the school is a 'social' hub for the surrounding community and contributes to the social wellbeing of the community.</p>
<p>Principle 4—health and safety</p> <p><i>Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment</i></p>	<p>The proposal has had regards to CPTED principles and provides delineation through a combination of landscaping, fencing and signage the 'public' areas of the site when the school is operating.</p> <p>The building maximises access to natural light and ventilation and maximises the provision of outdoor space on the site through the provision of a 2 storey building.</p>
<p>Principle 5—amenity</p> <p><i>Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood. Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.</i></p>	<p>The school provides a variety of internal and external learning places that are suitable for formal and informal educational opportunities for students.</p> <p>The new building incorporates appropriate storage spaces for teachers, students the school and for community users.</p> <p>The buildings have been located to minimise their visual impact on surrounding buildings, incorporate adequate landscaping that will assist in partially screening the new buildings and provide a pleasant landscaped outlook from both within the site and for views into the site.</p> <p>The buildings maximise natural light penetration through the appropriate use of glazing and facilitate natural cross ventilation.</p> <p>The buildings incorporate acoustic absorbing materials and are appropriately setback from boundaries to reduce excessive noise transmission.</p>
<p>Principle 6—whole of life, flexible and adaptive</p> <p><i>School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high</i></p>	<p>The design of the building considers the future needs of the school and the building has been designed to incorporate both formal learning areas and informal learning spaces, allow for combined educational opportunities and maximise the opportunities for the adaptive use of the building as technology is increasingly used in classrooms by both educators and students.</p>

Design Quality Principles	Design Responses
<i>environmental performance, ease of adaptation and maximise multi-use facilities</i>	The building is capable of being divided into smaller spaces when required.
Principle 7— aesthetics	
<i>School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood. The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood</i>	<p>The building incorporates a high level of finishes that appropriately takes design cues from the surrounding built form both within the school and surrounding land uses.</p> <p>The development will continue to result in the development appearing as a series of building in a landscaped setting that is consistent with the patterns and rhythm of surrounding buildings that predominantly comprised buildings in a landscaped setting setback from the street.</p> <p>The buildings encourage interaction with the site.</p>

Clause 36 of the draft Education SEPP proposes the following provisions relating to State significant development for the purpose of schools:

Development consent may be granted to development for the purpose of a school that is state significant development even though the development would contravene a development standard imposed by the local environmental plan under which the consent is granted.

As indicated in Section 5.1. 4 and discussed in detail in the Clause 4.6 Variation Statement in section 5.1.4, the proposed development does not comply with the Height of Buildings development standard under the Growth Centres SEPP although strict compliance is considered unreasonable and unnecessary in this instance and would hinder the orderly and economic development of the land. Accordingly, a determination that approves the proposed development including the height non-compliance would be consistent with the intent of Clause 36 of the draft Education SEPP.

5.1.9 Sydney Regional Environmental Plan No.20 Hawkesbury Nepean River (Deemed Sepp)

SREP 20 applies to the majority of land within The Hills LGA and contains various provisions aimed at protecting the environment of the Hawkesbury-Nepean River system.

Clause 4 of the SREP requires that certain 'General Provisions' under clause 5 and 'Special Planning Policies and Recommended Strategies' under clause 6 must be taken into consideration by a consent authority determining an application for

development on land to which the SREP applies. These provisions primarily relate to managing water quality and quantity, protecting flora and fauna, protecting cultural heritage and protecting riverine scenic qualities.

It is considered that the environmental assessment within this EIS report satisfactorily considers these matters and that the proposal is acceptable in these regards.

5.2 POLICIES

The SEARS that were issued for this project require this EIS to address the relevant planning provisions, goals and strategic planning objectives in the following:

- NSW State Priorities;
- A Plan for Growing Sydney;
- NSW Long Term Transport Master Plan 2012;
- Sydney's Cycling Future 2013;
- Sydney's Walking Future 2013;
- Sydney's Bus Future 2013;
- Healthy Urban Development Checklist, NSW Health;
- Greater Sydney Commission's Draft West Central District Plan; and
- North Kellyville Growth Centres Precinct DCP 2016.

Consistency with the relevant planning provisions and goals contained to the above strategic policies is discussed below.

5.2.1 NSW State Priorities

There are 18 state priorities for NSW that will assist with growing the economy by delivering infrastructure, protect the vulnerable and improve health, increasing education and public services across NSW.

This proposal is consistent with relevant state priorities as it will:

- Create approximately 135 jobs through the construction phase and provide ongoing employment for approximately 80 full time teachers and support staff when operating;
- Provide employment opportunities for all including people of different racial backgrounds, religious beliefs and with disabilities.
- Provide physical and intellectual education to students with the aim of reducing reliance on health services in the future;
- Assist with increasing the proportion of NSW students in the top two NAPLAN bands; and
- Provide educational facilities to support the north west growth sector;

Overall, it is considered that the proposed development is entirely consistent with the goals and objectives set out within the *NSW State Priorities*.

5.2.2 A Plan for Growing Sydney

A Plan for Growing Sydney outlines the State Government's plan to deliver homes, jobs and infrastructure to support a growing population. Key directions described in the Plan relate to accelerating housing supply and urban renewal across Sydney, with a focus on providing homes in areas well serviced by existing or planned infrastructure.

The Plan identifies that there is a significant gap between current housing production and future housing needs and that it is critical to remove the barriers to increased housing production to facilitate accelerated housing supply. The Plan explains that the Government intends to work with councils and the development sector to put in place flexible planning controls which enable housing development in feasible locations.

A Plan for Growing Sydney will also provide a framework for strengthening the global competitiveness of Sydney, in order to facilitate strong investment and jobs growth. Specifically, strategic direction 1.10, encourages planning for education to meet Sydney's growing needs. The relevant Strategic Direction importantly identifies that planning for education needs is integral in maintaining Sydney's competitive edge and standard of living into the future, and that meeting Schools land use needs is critical to providing choice and quality education to all.

This application seeks to provide a new school facilities in an urban growth area to meet the growing residential population in the locality.

The planning proposal is consistent with the objectives and actions of A Plan for Growing Sydney.

5.2.3 NSW Long Term Transport Master Plan 2012

The NSW Government's Long Term Transport Master Plan 2012 sets out the framework for the delivery of an integrated, modern transport system. The LTTMP 2012 is underpinned by a range of short to long terms actions to guide the transformation of the NSW transport system.

The school will contribute towards achieving the delivery of the objectives and actions outlined in the LTTMP 2012 as the proposal will deliver an improved pedestrian and vehicular access that prioritises active travel modes and an integrated transport approach.

The concept proposal will facilitate planning to: - Create movement networks for people and their various forms of transport; and - Ensure the campus includes a clear and interconnected set of movement networks that accentuate key site access points and fit with the public transport network and pedestrian infrastructure.

5.2.4 Sydney's Cycling Future 2013;

Sydney's Cycling Future (2013) seeks to make bicycle riding a feasible transport option within Sydney by encouraging the use of Sydney's existing bicycle network and within a five kilometre catchment of Parramatta, Penrith, Liverpool and Blacktown.

Although the site is not within 5km of Parramatta or Blacktown, the area is within the North Kellyville precinct of the North West Priority Growth Area. As part of the planning for this area, on road bicycle paths will be provided along Hezlett Road in front of the site as well as along Curtis Road. Future parents, students and employees of the School will be able to use these roads to access the site via bike. This will reduce reliance on cars, decrease congestion and promote in sustainable outcomes.

5.2.5 Sydney's Walking Future 2013;

The NSW Government's goal is to get people in Sydney walking more through actions that make it a more convenient, better connected and safer mode of transport. The more people walk, the more socially engaged the community becomes and the safer people feel when walking for transport.

The actions set out in Sydney's Walking Future will make walking the transport choice for quick trips under two kilometres and will help people access public transport. Increasing the number of people walking will help to reduce the burden of congestion on our roads and free up capacity on key public transport corridors.

The school will assist with achieving these goals by providing opportunities for parents and caregivers to walk to a school that is surrounded by residential development.

5.2.6 Sydney's Bus Future 2013;

Buses are a key part of Sydney's growing and evolving public transport network. Sydney's Bus Future is the NSW Government's long-term plan to redesign our city's bus network to meet customer needs now and into the future

In respect of the North-West Growth Sector this plan will facilitate rapid bus routes will be developed for both the North West and South West Growth Centres. These Rapid routes will provide frequent, all-day cross-regional connections to existing and new major centres and rail stations.

The school is located on Hezlett Road, which will likely benefit from these future services and assist with providing public transport for students and employees of the school.

5.2.7 Healthy Urban Development Checklist, NSW Health;

The Healthy Urban Development Checklist, prepared by NSW Health, identifies that the relationship between health and urban development is multifaceted and involves a wide range of possible interventions at numerous policy and plan making levels. The checklist seeks to ensure built environments are created within NSW and greenfield realise areas that are sustainable and promote healthy habits. The most relevant aspects of the checklist are discussed below.

Healthy Food

The proposed school development will not result in any significant issues related to access to fresh, nutritious and affordable food, preservation of agricultural lands, and support for local food production. The NSW Department of Education has developed a 'Nutrition in Schools Policy'. All schools are expected to promote and model healthy eating and good nutrition in school programs and activities relating to or involving food and drink. School canteens are also required to implement the Fresh Tastes @ School – NSW Healthy School Canteen Strategy. The proposed new high school will implement the abovementioned policies, with a substantial food technology learning community space, outdoor kitchen, agriculture centre, and vegetables and fruit trees.

Physical Activity

The proposed development will promote encouragement of incidental physical activity, including opportunities for walking and students with access to usable and quality outdoor spaces and recreational facilities. The proposed development provides 60 bicycle parking spaces encouraging students and staff to cycle to school, formal and information recreation areas and spaces including an oval, playgrounds and a multi-purpose sports court.

Public Open Space

The development incorporates an all-weather sport facilities that will likely be utilised by the local community and assist with providing active recreational opportunities

Transport and Physical Connectivity

The school is located within an area that is appropriate for walking and has access to footpaths and bicycle paths. The location of the school within a new release, that befits from public transport networks reduces reliance on cars.

Social Cohesion and Social Connectivity

The school will serve as a hub for social cohesion and social connectivity, and will provide an informal meeting place for new residents to engage in social interaction.

The location of the school adjacent to a future park will assist with this casual social interaction.

5.2.8 Greater Sydney Commission's Draft West Central District Plan;

The draft West Central District Plan that was released in November 2016 sets out the priorities and actions for this District and these are structured around 3 key themes of a Productive City, a Liveable City and a Sustainable City.

The Draft West Central District Plan includes a range of priorities and actions to appropriately support the strategic growth of Sydney's West Central District.

Section 4.8.2 of the document– identifies the need to Plan to meet the demand for school facilities, and states:

if no additional classrooms were to be provided in the West Central District by 2036 there would be significant shortfalls based on projected changes in the primary and secondary school – aged population.

In response, the District Plan notes that DoE is investing in new government schools, including at North Kellyville to assist in catering for future demand. Accordingly, this proposal is consistent with the District Plan and will assist in catering for the areas growing population.

5.2.9 North Kellyville Growth Centres Precinct DCP 2016

Clause 11 of State Environmental Planning Policy (State and Regional Development) 2011 states that:

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

(a) State significant development,

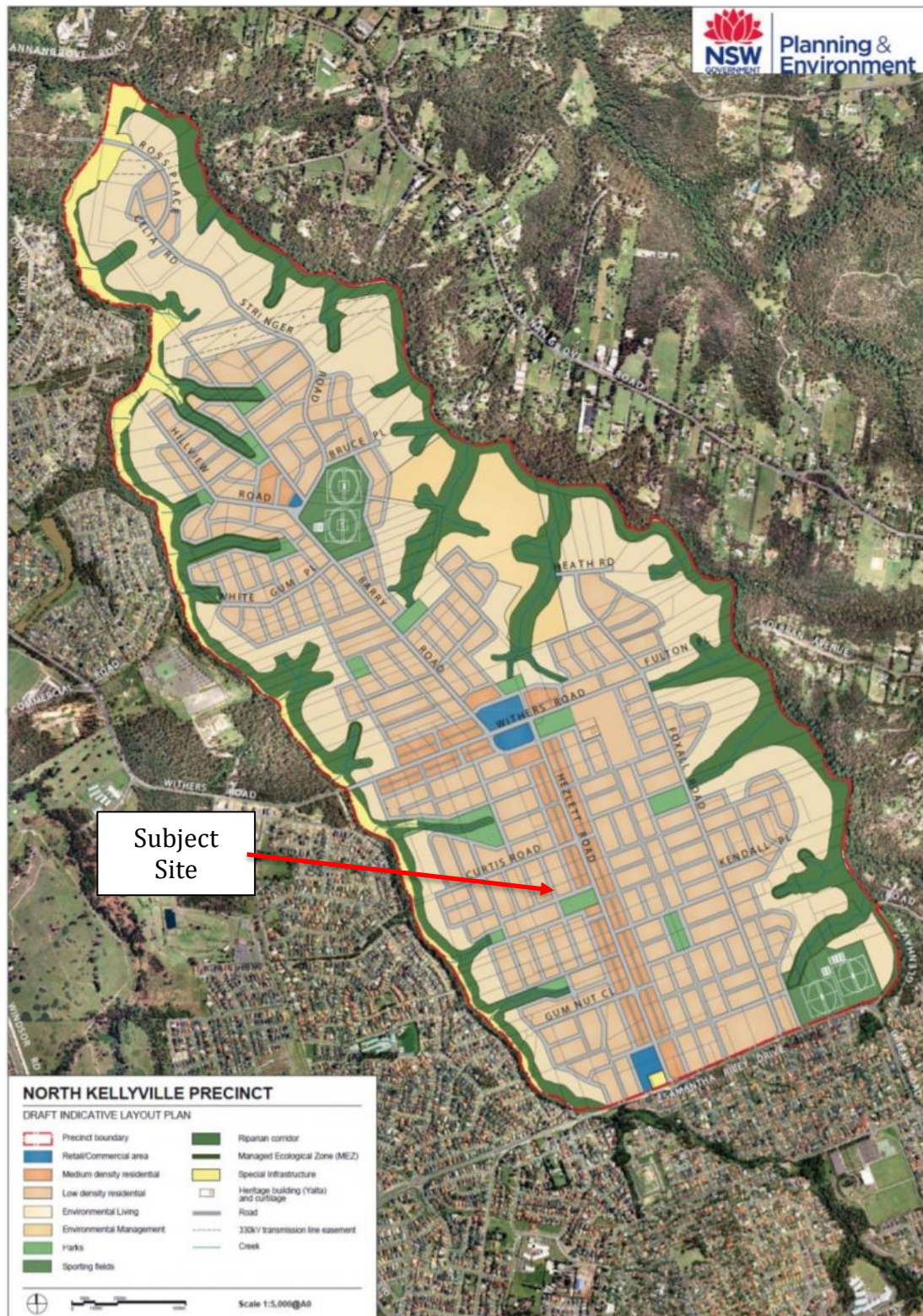
Notwithstanding this the SEARS have requested that we address the DCP and it will assist the Department with assessing the merits of the proposal.

This DCP that was last amended in November 2016 contains the fine grain controls for the development of the precinct. Although many of the controls relate to residential development the following controls are relevant to the proposed Educational Establishment.

Indicative layout plan.

The indicative layout plan on the following page illustrates the location of the site and the proposed road layout for the site.

Figure 8: North Kellyville Precinct Indicative Layout Plan





Road layout Plan

Figure 6 of the DCP outlined the indicative road layout plan for the precinct. This is reproduced below. This figure indicate that local roads and local streets are intended to traverse the site.

Figure 9: Indicating that the site contains two fixed roads.



The development seeks to vary the indicative layout plan and is not proposing to provide roads that traverse the site. This is discussed in more detail in the traffic report that can be found in appendix Q

Carparking

Table 19 of the DCP indicates that parking for educational establishments should be provided at the rate of:

1 space per full-time employee or classroom, whichever is greater, plus 1 space per 10 students over the age of 17 years.

Where development includes the provision of a church or community facilities in conjunction with a school, additional parking must be provided at half the applicable rate

The proposal has 40 classrooms and will have 80 full time employees. Given this the DCP suggests that 80 spaces are required. The development provides 12 parking spaces.

A traffic and parking assessment prepared by GHD that outlines why the provision of 12 spaces within the site is appropriate in this instance. (Refer Appendix Q). The report

outlines that the site is served by public transport, there is availability for on-street parking on surrounding streets and that the construction of the Sydney Northwest metro with stations at Kellyville and Rouse Hill will assist employees with accessing the school.

It is also noted that as part of the sale of surplus land from the school site that the current contract of sale requires around 45, 90 degree carparking spaces that will be accessed from Hipwell Avenue to be provided within the schools boundary adjacent to the oval. When constructed this will provide additional parking for the school community.

Bicycle parking

Table 20 of the DCP requires bicycle parking to be provided at the rate of:

One bicycle space per 5 students above Grade 4 at primary and high schools

Given the above, approximately 58 spaces are required. The development provides 60 bicycle spaces.

Integrated Stormwater management

Section 6.1 of the DCP requires Water Sensitive Urban Design measures to be implemented within developments.

The application is accompanied by Hydraulic plans (Appendix E) and a Hydraulic report (Appendix W) that outlines the Water Sensitive Urban Design Measures incorporated in the proposal.

Aboriginal Heritage

Section 6.2 of the DCP and Figure 49 of the DCP indicates that the site has not been identified as potentially containing Aboriginal Archaeological significant sites.

Notwithstanding this an Aboriginal Heritage Due Diligence Assessment was prepared by Cultural Heritage Connections. (Appendix O).

This report concludes that:

On the basis of the regional predictive modelling and the observed disturbance on site it is concluded that the study area has low archaeological potential. It is unlikely that intact high-density deposits would be preserved sub-surface.

Most of the study area is sloping in nature. It is over 200 metres from a significant water source. It is therefore unlikely to have been a favoured camping location. While lower density artefact sites or other evidence of transient land use may have been

present in the area the extent of the disturbance to the ground surface is considered likely to have removed most if not all traces of past Aboriginal occupation.

Tree and Bushland Protection

Section 6.4 of the DCP requires a Tree Management Plan prepared by an arborist to be submitted with development applications.

An arborist report has been prepared by Arborreport (appendix R)

Contamination

Figure 50 of the DCP indicates that the site is within an area of potential Environmental Concern and that a phase 2 contamination report and possibly a Remediation Action Plan will be required to accompany a development application.

A phase 2 Contamination report has been prepared by Douglas Partners. (Appendix S) Testing done as part of this report confirms that parts of the site are contaminated with asbestos and petroleum hydrocarbons and require remediation prior to the future use of the site as an educational establishment. The report outlines there are a number of options to remediate the site and it is anticipated that conditions of consent will be imposed to ensure that appropriate remediation has occurred prior to occupation of the school.

5.3 SECTION 79C(1B) ASSESSMENT

The following sub sections assesses the key issues outlined in the SEARS and assesses the likely impacts of the development in accordance with Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979.

5.3.1 Built Form and Urban Design

The new school is located in area currently experiencing a rapid transition from rural landuses to urban land uses. The site is predominantly surround by a mixture of one and two storey dwellings. Dwellings along Hezlett Road tend to be more two to three storey terraces with rear lane access. On the northern and southern edges of Hezlett Road are 3 storey residential flat buildings and commercial/retail premises.

The two storey height of the main buildings on the site is compatible with the emerging predominately two storey scale of surrounding developments.

The buildings on the site relate to the surrounding built form and the building provides a sense of address to Hezlett Road. After completion of the development, the site will contain a large two storey courtyard building in a garden setting.

The site utilises Hezlett Road as its main vehicular access point with the main drop off and collection point being provided on this frontage. The teacher's carpark is also access off Hezlett Road. Service access is provided from Thorogood Boulevard. Pedestrian access to the site will be initially available from both Hezlett Road and Thorogood Boulevard and as the area continue to be redeveloped, from surrounding local streets.

The architectural design statement prepared by GHD Woodhead (Appendix V) states in part that that:

The Campus heart is created within the main Courtyard which is modelled on the traditional educational cloister. The Courtyard design assists in the navigation of the site gradient with integrated stairs and ramping to provide accessibility while providing visual connectivity to links the learning areas. The consolidated two level plan also preserves the major part of the site for play areas and expansion. The courtyard space is proportioned to be attractive paved green space with planters and signature trees. Upper level bridges connect the blocks.

While the main drop off zone is from the facing Hezlett Road, the main pedestrian access to the public facing components of Administration, Library and Hall are from a semi-public and secured entrance plaza to the south.

The internal courtyard is visually connected with the western playgrounds. Working with the fall of the land towards the west, the design proposes the creation of an under

croft at the west end of the campus that incorporates the Hall breakout. The building embraces a modern innovative teaching philosophy, which is research-driven, active and student centred. Learning spaces - both formal and informal in character, are proposed, promoting creativity and flexibility, and allowing for multiple uses concurrently, so that students may undertake a range of activities as individuals or groups. Break out, informal, flexible learning spaces provide an extension to the formal teaching areas whilst encouraging informal peer-to-peer learning. The use of operable door/walls allow the school to customise spaces to suit the teaching program and class size. The learning levels are organised with both flexible Learning Street and Hub models. The circulation zones that can be arranged into different learning node configuration through use of sliding and folding doors and movable furniture. At the eastern end, the two floor plates are connected with an internal atrium with an activated stair that doubles as amphitheatre. Internal connectivity is enhanced through the internal circulation zone that provides visual links between all parts of the campus. The west façade at the upper levels overlooks the playing fields. The facade takes advantage of these existing views at the upper levels.

The predominant axis of the building is east – west and proportioned to allow cross ventilation of internal spaces. The buildings' largest surface area has a northerly orientation. The facade is designed to reduce heat gain on the west and east faces through shading that limits solar gain and responds to the low angle of the sun late in the day. This is expressed as vertical fins. The northern faces of the building is designed to reduce solar heat gain during the heat of the day in warmer months while allowing the winter sun to enter. The proportion of glazing and openable area is modelled to optimise the internal comfort levels.

Our aesthetic approach has been to provide a façade that can be read at different scales – establishing a civic presence while identifying the main entries and functional elements – Administration, Library and Hall. Against this, patterns of colour and materials are used to provide contrast. The structural frame and integral shading elements provide depth and visual interest. These elements also allow the incorporation and demonstration of the passive design elements in the visual expression of the building. The durable material choices incorporate standard product dimensions and connections and the structural grid allows easy reconfiguration.

5.3.1 Crime Prevention Through Environmental Design

CPTED is the term that encompasses the philosophical theory and practical application of design practices for buildings and places that seek to prevent crime. A building or place designed with CPTED principles in mind achieves –

- deterring crime by increasing the perception and chance of crime being detected, witnessed, challenged or criminals captured;
- making the opportunities for crime occurrence more difficult; and

- limiting or concealing opportunities for crime.

The NSW Police Force describe the “Safer by Design” approach in the following manner —:

Crime Prevention through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It reduces opportunities for crime by using design and place management principles that reduce the likelihood of essential crime ingredients (law, offender, victim or target, opportunity) from intersecting in time and space.

Predatory offenders often make cost-benefit assessment of potential victims and locations before committing crime. CPTED aims to create the reality (or perception) that the costs of committing crime are greater than the likely benefits. This is achieved by creating environmental and social conditions that:

Maximise risk to offenders (increasing the likelihood of detection, challenge and apprehension);

Maximise the effort required to commit crime (increasing the time, energy and resources required to commit crime);

Minimise the actual and perceived benefits of crime (removing, minimising or concealing crime attractors and rewards); and

Minimise excuse making opportunities (removing conditions that encourage/facilitate rationalisation of inappropriate behaviour).

CPTED employs four key strategies. These are territorial re-enforcement, surveillance, access control and space/activity management. All CPTED strategies aim to create the perception or reality of capable guardianship.

The four key strategies have been applied to the development proposal and analysis and commentary is provided in below and within the following pages.

Surveillance

Crime can be reduced by providing opportunities for effective surveillance. In areas with high levels of natural and passive surveillance potential offenders are deterred from committing a crime. Natural and passive surveillance in relation to the proposal needs to be understood at the macro / site level and the individual occupant level.

Macro / Site Level

The scale of the subject site and the proposed development results in the need for the introduction of a series of frontages to public places (streets and open space) and the creation of internalised private open space and movement spaces. The following passive surveillance attributes are demonstrated in the proposal:

- The site is broken down by roads and introducing a limited number of publicly accessible components and places.
- Sight lines from the public spaces (roads and pathways) are generally to the external outer edges of the proposed buildings, lobby spaces and driveway entrances. The site lines are clear and are not overly complicated or blocked by landscaping.
- Landscaping provides for designation of spaces without creating “blind” spots or concealment areas.
- The ‘eyes on the street’ approach to the street frontage and communal area will serve to discourage anti-social behaviour;
- Concealment opportunities are limited and appropriate lighting will be provided to publicly accessible areas; and
- The series of individual entry points to the building assist in creating ownership of each space and improved recognition and familiarity with fellow students peculiar to each core.

Access control

The use of physical and symbolic barriers to attract, channel or restrict the movement of people assists in minimising opportunities for crime and increases the effort required to commit a crime.

In this regard, the proposal provides:

- The design allows for ease in clearly marking entrance points and way finding features such as pathways, lighting and signage;

- Security fencing around part of the site to limit the number of access points to the site;
- Encouragement of students to wear a uniform that will assist in identifying potential offenders on the site;
- Use of teachers to monitor/ supervise playground activities when students are present

Territorial reinforcement

Places that are well maintained and designed are often more regularly visited and endowed with a sense of community ownership. Accordingly, well used spaces reduce crime opportunities. In this regard, the proposal provides:

- High quality landscaped open space areas to encourage its use by students;
- Fostering of ownership of open space areas given that different areas will be allocated to different year groups throughout the school;
- Delineating between public and restricted areas through the use of landscaping and fencing etc; and
- The provision of a limited number of cores that access relatively few classrooms and allow for increased opportunity for familiarisation with students and staff.

Space / Activity Management

Well maintained and cared for spaces discourage crime as they tend to be more actively used and unwelcome persons are readily identified. In this regard, the proposal provides:

- Dedicated staff responsible for site cleanliness, rapid repair of vandalism and graffiti, the replacement of lighting and the regular maintenance of common areas and furniture.
- The out of hours uses of portions of the site for out of school hours care, vacation care and potential use of the artificial sports field by external sporting clubs, will all assist in space management; and
- The supervision of students during designated breaks by teaching staff.

In conclusion, having regard to the design of the proposal; its inter-relationship with the public domain and noting that the design of the development proposal incorporates

CPTED measures and demonstrably improves the safety of students/staff, while at the same time diminishing opportunities for crime.

The safer by design theory has been appropriately applied at the design stage, ensuring the proposal will not necessitate retro fitting post construction, which tends to be costlier and less effective.

5.3.2 Services

A service road provides access for servicing the site and will facilitate the delivery of goods to the site as well as waste collection.

The Traffic and Parking report (Appendix Q) and the On-going Waste Management Plan (Appendix T) outline the likely frequency of waste collection and confirm that the proposed cul-de-sac head to Thorogood Boulevard is adequate to provide appropriate manoeuvring whilst minimising interactions with students.

5.3.3 Solar Access and Overshadowing

The siting of the building maximizes its northerly aspect with the buildings maximizing use of natural light to reduce reliance on artificial illumination.

Due to the siting of the building overshadowing from the buildings is contained within the site and will not impact on adjoining properties that a combination of residential dwellings and a future Council reserve.

5.3.4 Privacy and Views

The site is identified in the DCP as containing a school and given this is some awareness from the emerging community that a school will be provided on the site. The two-storey building is setback a minimum of 40m from the closest residential property on the adjacent side of Hezlett Road.

Given this and having regards to the proposed landscaping and boundary fencing it is not considered that this development will result in an unacceptable loss of privacy to adjoining residential properties.

The planning controls for the site don't identify the immediate precinct as benefiting from significant views. Notwithstanding this, the site when viewed from adjoining sites will present as a school in a landscaped setting that is consistent with the predominantly suburban character of the area.

5.3.5 Wind Impact

The development contains a two storey building in an extensive landscape setting. Given this and noting the low-density nature of surrounding development and the extensive space between buildings on this site and adjoining buildings, it is not considered that this development will result in pedestrians feeling discomfort due to wind tunnels created by the built environment in the area.

5.3.6 Out Of Hours Use Of The Site

Out of hours school usage is likely to comprise:

- Before and after school care that will operate between 7am and 7pm on school days and on weekdays during school holidays;
- Use of school facilities by external bodies including community groups up to 10pm daily;
- Use of school facilities for school activities including concerts, information sessions up to 10pm daily;
- Potential use of the all-weather oval by external parties up to 10pm on weekdays and between 8am and 6pm on weekends.

The acoustic report prepared by GHD Woodhead (Appendix M) confirms that the use of the school is acceptable and states:

All school activity are expected to occur during the day or evening period therefore sleep disturbance impacts are not expected.

It is recommended that events at the school hall should finish prior to 10 pm to avoid associated sleep disturbance noise impacts.

The out of hours usage of the school is considered appropriate and is an important social aspect to assist with the school becoming a community hub.

5.3.7 Transport and Accessibility

The application is accompanied by a Traffic and Parking Report prepared by GHD. (Appendix O)

This report addresses both the construction and operational phases of the development and concludes that the surrounding road network has the capacity to accommodate the additional traffic that the school will generate both during the

construction and the on-going operational phase without an unacceptable loss of service to nearby intersections.

5.3.8 Ecologically Sustainable Development

The application is accompanied by a ESD report prepared by GHD. (Appendix O)

This report states that:

The aim of the design is to be intrinsically sustainable, and to develop a building and landscape where the culture of environmental awareness and minimising our ecological impact, is manifested in the building design and in how everyone uses the building. In this way, the building is an educational tool for learning about sustainability.

The report then considered the design intent against the principles outlined in the “One Planet” system.

Given this, report is considered that the development appropriately considers ESD principles.

The EP&A Regulation lists 4 principles of ecologically sustainable development to be considered in assessing a project. They are:

- The precautionary principle;
- Intergenerational equity;
- Conservation of biological diversity and ecological integrity; and
- Improved valuation and pricing of environmental resources.

These principles are discussed below:

Precautionary Principle

The precautionary principle means if there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

The environmental impacts associated with the proposed development are detailed throughout this EIS and have been identified and quantified to an adequate degree of certainty. To ensure that the development is carried out in ways that factors in precautionary approaches, mitigating measures have been proposed where considered necessary to prevent detrimental impacts from occurring.

Intergenerational Equity

Intergenerational Equity requires that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for benefit of future generations. The requirement for equity between generations binds or integrates the other principles of ecologically sustainable development. Intergenerational equity implies that the present generation should ensure that its local environment is maintained or enhanced for the benefit of future generations. As described above, the proposed development will not result in significant impacts on the receiving environment.

Conservation of biological diversity and ecological integrity

Biological diversity refers to the diversity of genes, species, populations, communities and ecosystems and the linkages between them. Biological resources provide food, many medicines, fibres and industrial products. Maintenance of biological diversity will ensure life support functions and can be considered a 'minimal' requirement for intergenerational equity. The proposed development does not impact on biological diversity or ecological integrity, as the site is already substantially cleared.

Improved valuation, pricing and incentive mechanisms

This principle is a component of "intergenerational equity" and establishes the need to determine economic values for services provided by the natural environment, such as the atmosphere's ability to receive emissions, cultural values and visual amenity. The value of the environmental resources affected by the proposal has been acknowledged and provided for through the examination of environmental consequences of the proposal and identification of mitigation measures to address potential impacts, including any short term construction impacts.

5.3.9 Social Impacts

The provision of a school on the site is considered to have positive social benefits. The school will act as a social hub for surrounding residents and the development will result in the provision of a high quality public educational facilities which will also be utilised by the community.

There is forecast demand for additional education facilities in the north Kellyville Precinct and this proposal will greatly assist in meeting the educational needs of the wider precinct for the foreseeable future. Given this, the proposal is considered to have substantial positive social impacts.

5.4 BIODIVERSITY

The site is located within the North-West Priority Growth Area.

The site has been substantially cleared and used for agricultural and rural residential purposes for many years. As outlined in the arborist report (Appendix R) the development proposes the removal of one significant tree.

The site is also substantially devoid of vegetation and is not identified in the North Kellyville DCP as containing significant vegetation

It is also noted that, the precinct containing the site is subject to biodiversity certification as described in Schedule 7 Part 7 of the TSC Act and accordingly, the proposal is taken to be “development that is not likely to significantly affect any threatened species, population or ecological community, or its habitat”

5.4.1 Aboriginal Heritage

The potential for the site to contain aboriginal relics was considered by Cultural Heritage Connections. This report is contained in Appendix O and concludes:

No known sites are recorded within the study area boundaries. No Aboriginal objects were located during the site inspection. No trees with the potential for cultural scars were located within the study area. The site inspection revealed a disturbed landscape.

It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics. This is consistent with similar sites contained in this growth centre that are located further from the creek network that was utilised for water and food sources. Notwithstanding this should any potential aboriginal relics be uncovered during the construction works, work in this section of the site will cease and the Office of Environment and Heritage will be contacted.

5.4.2 Noise and Vibration

GHD Woodhead have prepared an Acoustic Report (Appendix I) that assesses the noise and vibration impacts of both the construction and operational phases of the development.

With regards to Operational impacts of the school, the report concludes:

Based on the assumptions in the report, operation of the school is predicted to comply with the Industrial Noise Policy (EPA, 2000) noise criteria. The proposal should be acceptable from an acoustic perspective assuming the recommended mitigation measures are implemented.

Operational mitigation measures

The following mitigation measures are recommended:

- *Events at the school hall should finish prior to 10 pm to negate any sleep disturbance impacts.*
- *If noisy events in the school are proposed which have the potential to generate internal noise levels in excess of 90 dBA then additional acoustic treatments to the school hall should be considered.*

With respect to construction noise, the Acoustic Assessment Report the report identifies that the closest residential properties will experience some impact and outlines mitigation measures to minimise the impact.

It is noted that the entire area is undergoing transition from a rural area to urban areas and that there is some expectation of construction noise occurring. It is considered that the mitigation measures will ensure that an acceptable level of amenity is provided.

5.4.3 Contamination

Douglas Partners have prepared a Contamination report (appendix S).

Testing conducted as part of this report confirms that parts of the site are contaminated with asbestos and petroleum hydrocarbons and require remediation prior to the future use of the site as an educational establishment. The report outlines there are a number of options to remediate the site and it is anticipated that conditions of consent will be imposed to ensure that appropriate remediation has occurred prior to occupation of the school.

5.4.4 Utilities

The site will utilise electricity, gas, water, communication and sewer services.

GHD Woodhead have prepared a Power and Communications Infrastructure Report (Appendix P) that includes a letter from Endeavour Energy that confirms that they can currently service the site and cater for the demand that the school will generate. An indicative layout for the location of a pad mount substation is provided on the architectural plans (Appendix F). The report also confirms that NBN is available in front of the site and the school will be able to connect to this.

GHD Woodhead have prepared a Hydraulic Services Report (Appendix N) that confirms that the site is able to be serviced by Sydney Water, has a Natural Gas connection that will be utilised for hot water generation and room heating and has access to the recycled water supply in the precinct and incorporates an Integrated Water Management Plan.

The development proposes to incorporate a 20m³ rainwater tank that will harvest water from the site that will be utilised for toilet flushing and irrigation.

5.4.5 Contributions

The site is located in an area where The Hills Council Contribution Plan No.13 (North Kellyville Precinct) applies. However, this plan only levies contributions for residential development and accordingly a section 94 contribution is not required from this development.

The Site is within a Western Sydney Growth Centre and is therefore in an area that is subject to Special Infrastructure Contribution (SIC) levies. SIC levies were determined on 14 January 2011 by the then Minister for Planning under the Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2011 (the Determination). Section 5(2) of the Determination outlines that a SIC is not required to be made for the following development: (a) *Government school (within the meaning of the Education Act 1990)*.

As the proposal comprises a government school within the meaning of the Education Act 1990, SIC levies do not apply to the proposed development.

5.4.6 Drainage

GHD Woodhead have prepared a Stormwater Management Plan (Appendix E).

This report identifies that the development will appropriately collect, store and, treat and dispose of stormwater from the site.

5.4.7 Flooding

The site is not identified as being flood prone by the 149 certificate issued by Council for the site.

The stormwater plans prepared for the site facilitate the conveyance of stormwater up to and including the 1% ARI flooding event.

5.4.8 Waste

A Waste Management Plan has been prepared by GHD Woodhead (Appendix T) which identifies the likely waste streams to be generated during both the construction and operation phases of the development. The Waste Management Plan outlines measures to avoid the generation of unnecessary waste, minimise the volume of waste to be collected, and maximize the recycling, reuse and recovering waste generated by the proposed works. The Plan outlines appropriate private servicing arrangements for the site.

6. ENVIRONMENTAL ASSESSMENT

6.1.1 Environmental Impacts

The Environmental Risk Assessment (ERA) establishes a residual risk by reviewing the significance of environmental impacts and the ability to manage those impacts. The ERA for the project has been adapted from Australian Standard AS4369.1999 Risk Management and Environmental Risk Tools.

6.1.2 Environmental Management Plan - Construction Phase Activities

During construction, appropriate environmental safeguards shall be implemented.

The developer's contractor prior to the commencement of construction shall prepare an Environmental Management Plan (EMP) covering the construction phase.

The EMP for the construction phase will be structured as follows: -

Chapter 1 - Introduction.

A description of the project and the objectives of the EMP will be provided.

Chapter 2 - Environmental Management Planning.

Environmental issues and aspects summarised in Section 5 of this EIS, as well as the any issues relevant to obtaining the approval of other regulatory authorities will be detailed.

Chapter 3 - Management Strategies and Implementation.

The environmental protection measures will be documented, when and how they are to be implemented and who is ultimately responsible for undertaking particular actions. Awareness, training and emergency response requirements will also be addressed in this chapter.

Chapter 4 - Monitoring & Measuring Environmental Impacts.

The process for monitoring the performance and compliance with the EMP will be documented. The process for reporting and managing breaches of the plan will be specified.

Chapter 5 - Communication Strategy.

The process for addressing public complaints or concerns will be detailed. Methods for communicating with interested stakeholders as may be required from time to time, will also be addressed.

A copy of the prepared construction environmental management plan will be provided to the Department of Planning and the Hills Council prior to works commencing.

6.1.3 Construction Mitigation Measures

Mitigation measures and environmental safeguards for the proposal are listed below. These safeguards would minimise the potential adverse impacts of the proposal discussed previously in this EIS. This section of the report is prepared consistent with the requirement of Schedule 2 Part 7(1)(e) to provide a compilation of the measures proposed to mitigate any adverse effects of the development on the environment during the construction phase:

Landscape and Trees	Adequate Mitigation
Existing vegetation, not identified for removal is to be retained and protected at all times. Contractors working under the drip-line of existing trees identified for retention are to visually monitor the digging of trenches to ensure that significant root systems are not damaged. Visual monitoring is to be carried out of the trench excavations. Storage of materials, equipment, and vehicles is to be away from the existing trees that are to be retained.	Yes
Heritage	Adequate Mitigation
If previously unidentified archaeological items are uncovered during the works, all works must cease in the vicinity of the material/find and professional advice is to be immediately sought. Works in the vicinity of the find must not re-commence until clearance has been received.	Yes
If previously unidentified Aboriginal heritage items are uncovered during the works, all works in the vicinity of the find must cease and appropriate advice must be sought. Works in the vicinity of the find must not re-commence until clearance has been received.	Yes
Biodiversity	Adequate Mitigation
There is to be no disturbance or damage to threatened species, endangered ecological communities, or critical habitat.	N/A
Declared noxious weeds are to be managed according to requirements under the <i>Noxious Weeds Act 1993</i> .	Yes
Vehicles and plant/equipment are to be kept away from mature trees and environmentally sensitive areas.	Yes

Erosion and sedimentation	Adequate Mitigation
<p>Erosion and sediment control measures are to be implemented and maintained to:</p> <ul style="list-style-type: none"> Prevent sediment moving off-site and sediment laden water entering any water course, drainage lines, or drain inlets Reduce water velocity and capture sediment on site Minimise the amount of material transported from site to surrounding pavement surfaces Divert clean water around the site <p>An Erosion and Sediment Control Plan is to be prepared in accordance with the Landcom/Department of Housing Managing Urban Stormwater, Soils and Construction Guidelines (the Blue Book).</p>	Yes
<p>Erosion and sedimentation controls are to be checked and maintained at least on a weekly basis (including clearing of sediment from behind barriers). Controls are also to be inspected before, during and after heavy rainfall events.</p>	Yes
<p>Erosion and sediment control measures are not to be removed until the works are complete or areas are stabilised.</p>	Yes
<p>Work areas are to be stabilised progressively during the works.</p>	Yes
Water Quality & Drainage	Adequate Mitigation
<p>Visual monitoring of local water quality (i.e. turbidity, hydrocarbon spills/slicks) is to be undertaken on a regular basis to identify any potential spills.</p>	Yes
<p>Water quality control measures are to be used to prevent any materials (e.g. concrete, grout, sediment etc.) entering drain inlets or waterways.</p>	Yes
<p>All fuels, chemicals and liquids are to be stored in an impervious bunded area a minimum of 20 metres away from:</p> <ul style="list-style-type: none"> Rivers, creeks or any areas of concentrated water flow. Flooded or poorly drained areas. Slopes above 10%. 	Yes
<p>Refuelling of plant and equipment is to occur in impervious bunded areas located a minimum of 20 metres from drainage lines or waterways.</p>	Yes
<p>Vehicle wash down and/or cement truck washout is to occur in a designated bunded area or offsite in accordance with DECCW's guidelines for concrete washouts.</p>	Yes
<p>Trenches are to be backfilled and compacted to align with the existing natural ground level to ensure that the prevailing slope of the land is maintained and stormwater is not diverted.</p>	Yes

Emergency spill kits are to be kept on site at all times. All staff is to be made aware of the location of the spill kit and trained in its use.	Yes
Air quality	Adequate Mitigation
Measures (including watering or covering exposed areas) are to be used to minimise or prevent the generation of air pollution and dust.	Yes
Works (including the spraying of paint and other materials) are not to be carried out during strong winds or in weather conditions where high levels of dust or air borne particulates are likely.	Yes
Vehicles transporting waste or other materials that may produce odours or dust are to be covered and their tailgates sealed during transportation.	Yes
Construction noise and vibration	Adequate Mitigation
Works to be carried out during normal work hours (i.e. 7am to 6pm Monday to Friday; 8am to 1pm Saturdays).	Yes
Construction noise must be managed in accordance with the DECCW Construction Noise Guidelines.	Yes
As a qualitative approach to noise management has been taken the management of noise impacts will be carried out as follows: All potentially affected residents and businesses will be notified of the type and duration of works prior to the commencement of construction; All vehicles and machinery will be turned off when not in use; Equipment will be well maintained. Complaints are to be handled, and the contractor is to record any complaints received during the works programme and note measures undertaken to resolve the concerns raised.	Yes
Vibration (other than from blasting) resulting from construction and received at any structure outside of the project must be limited to: For structural damage vibration - German Standard DIN 4150: Part 3 – 1999 “Structural Vibration in Buildings: Effects on Structures”; and For human exposure to vibration the acceptable vibration values set out in the Environmental Noise Management Assessing Vibration: A Technical Guideline (DEC 2006).	Yes
Waste management	Adequate Mitigation
Resource management hierarchy principles will be followed: Avoid unnecessary resource consumption as a priority Avoidance is followed by resource recovery (including reuse of materials, reprocessing, recycling and energy recovery) Disposal is undertaken as a last resort	Yes
Waste material is not to be left on site once the works have been completed.	Yes
Working areas are to be maintained, kept free of rubbish and cleaned up at the end of each working day.	Yes
A Waste Management Plan is to be prepared by the contractor specifying the likely waste generation and how the waste generated will be disposed of.	Yes

Waste material taken off site will be appropriately classified and managed in accordance with the Waste Classification Guidelines (DECCW, April 2008). All waste documentation is to be collated in accordance with these guidelines	
The reuse potential for usable spoil material will be identified.	Yes
Contamination	Adequate Mitigation
The potential for additional contamination e.g. visible spills and unbunded areas will be monitored during daily inspections.	Yes
Utilities and services	Adequate Mitigation
Discussions with utility and service providers will be undertaken prior to commencement of any service adjustments or relocations and all relevant approvals sought prior to the commencement of works where required.	Yes
Any construction lighting for the project must be designed, installed and operated in accordance with the requirements of AS 1158 "Road Lighting" and AS 4282 "Control of the Obtrusive Effects of Outdoor Lighting".	Yes
Roads	Adequate Mitigation
Road Condition Reports must be prepared for all local roads likely to be used by construction traffic in the vicinity of the project. These reports must be prepared prior to commencement of construction and after construction is complete. A copy of the relevant report must be forwarded to the relevant roads authority. Any damage resulting from the construction of the project, aside from that resulting from normal wear and tear must be repaired. An alternative arrangement for road damage repair may be negotiated with the relevant roads authority.	Yes
Traffic and site access	Adequate Mitigation
A Construction Traffic Management Plan is to be prepared by the contractor to address the construction phase of the development.	Yes
Amenity Impacts	Adequate Mitigation
Inform adjoining landowners of the schedule and scope of works prior to works commencing.	Yes

6.1.4 Environmental Management Plan - Operational Phase

Mitigation measures and environmental safeguards for the proposal are listed below. These safeguards would minimise the potential adverse impacts of the proposal discussed previously in this EIS. This section of the report is prepared consistent with the requirement of Schedule 2 Part 7(1)(e) to provide a compilation of the measures proposed to mitigate any adverse effects of the development on the environment during its operation:

Noise	Adequate Mitigation
<p>There is potential for operational noise from school activities including children playing, plant, PA announcements and activities in the hall to impact on adjoining residential properties.</p> <p>To ensure that the development is compatible with surrounding residential landuses:</p> <ul style="list-style-type: none"> o mechanical plant should be sited and treated to minimise noise; o PA announcements should be minimised and only within school hours; o Use of whistle on sporting fields should be minimised o Appropriate acoustic treatment should be provided to buildings 	YES
Waste	Adequate Mitigation
<p>There is potential for the school to generate excessive waste.</p> <p>As outlined in the submitted Waste Management Plan, (Appendix T) Waste Minimisation is to be provided both during the construction and operational phase.</p>	Yes
Traffic and Parking	Adequate Mitigation
<p>There is potential for traffic and parking to impact on surrounding residential properties.</p> <p>A dedicated bus stop and student drop off point is provided along the Hezlett Road frontage of the site.</p>	Yes

CONCLUSION

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents. Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

The proposed development has been assessed in accordance with the provisions of Section 79C of the EP&A Act 1979 and is generally consistent with the relevant objectives and planning controls, with the exception of building height as required by the Growth Centres SEPP. The application is supported by a Clause 4.6 Variation which is considered to be well founded.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of development consent. Think Planners Pty Ltd recommends the approval of this State Significant Development Application that will facilitate the provision of a much needed primary school, subject to necessary, relevant and appropriate conditions of consent.