



Alex Avenue Public School

*State Significant
Development
(SSD-9368)*

May 2020



May 2020

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Cover photo

Artist Impression of the south-eastern corner of the proposed development (Source: Applicant's Response to Submissions 2019)

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Glossary

Abbreviation	Definition
ACHAR	Aboriginal Cultural Heritage Assessment Report
Applicant	NSW Department of Education
CIV	Capital Investment Value
Consent	Development Consent
COLA	Covered Outdoor Learning Area
Council	Blacktown City Council
Department	Department of Planning, Industry and Environment
EES Group	Environment, Energy and Science Group of the Department of Planning, Industry and Environment
Education SEPP	State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
EIS	Environmental Impact Statement
ENVIA	Environmental Noise and Vibration Impact Assessment
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
ESD	Ecologically Sustainable Development
Heritage NSW	Heritage, Community Engagement, Department of Premier and Cabinet
Heritage Statement	Statement of Heritage Impact and Historical Archaeological Assessment
ICNG	Interim Construction Noise Guidelines
LGA	Local Government Area
LoS	Level of Service
NSW RFS	NSW Rural Fire Service
OOSH	Out of School Hours
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
RtS	Response to Submissions
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SRtS1	Supplementary Response to Submissions
SRtS2	Supplementary Response to Submissions
SSD	State Significant Development
TIA	Transport Impact Assessment
TfNSW	Transport for NSW
TfNSW (RMS)	Transport for NSW (former Roads and Maritime Services)



Executive Summary

This report provides an assessment of a state significant development (SSD) application for Alex Avenue Public School (SSD-9368). The site is located at Farmland Drive, Schofields within the Blacktown City Council local government area. The Applicant is the NSW Department of Education.

The proposal seeks approval for the staged construction and operation of a new primary school including four learning hubs containing home bases, a hall with a canteen and out of school hours facilities, library and administrative building, and associated works including covered outdoor learning areas, landscaping, drop-off / pick-up facilities, car parking, signage and infrastructure works.

The Department of Planning, Industry and Environment (the Department) identified built form and design and traffic and parking as the key issues for assessment. The Department has considered the merits of the proposal in accordance with the relevant matters under section 4.15(1) and the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the principles of Ecologically Sustainable Development (ESD), and issues raised in submissions as well as the Applicant's responses to these.

The Department is satisfied that the key issues have been appropriately addressed by the Applicant or have been addressed through recommended conditions of consent. The Department considers that the proposed school buildings would be compatible with the form and scale of existing and future surrounding development, whilst the design of the buildings would provide visual interest.

The Department considers that satisfactory access and parking arrangements have been proposed or required through recommended conditions of consent to accommodate staff and student travel to the school while avoiding significant impacts to the local road network. Recommended conditions of consent require the construction of roads and pedestrian infrastructure adjoining the site prior to the opening of the school and provision of temporary on-site parking and drop-off facilities in the event that a shared use offsite carpark is not constructed by Council prior the opening of the school.

The Department concludes the proposal is in the public interest and recommends that the application be approved subject to conditions. The Department recognises the concerns raised in the public submission objecting to the development based on future land use conflicts between the site and an adjoining parcel of land. The Department is satisfied that the Applicant has demonstrated that future land use conflicts would be avoided or managed subject to recommended conditions of consent that require satisfactory ongoing access and servicing arrangements to be put in place for land to the south of the site prior to operation of the school. Appropriate drainage infrastructure would also be required to be put in place to carry stormwater to Council's nominated discharge point.

The proposal has a capital investment value of approximately \$43.9 million and would generate 340 construction jobs and 70 operational jobs. The proposal is SSD under Schedule 1 clause 15(1) of the

State Environmental Planning Policy (State and Regional Development) 2011, as it is development for the purpose of a new school.

The application was publicly exhibited between 4 April 2019 and 1 May 2019 (28 days). The Department received a total of ten submissions, including eight from public authorities (including Blacktown City Council) and two from the public. One public submission and the Council submission objected to the proposal.

An additional eight submissions from public authorities (including Council) and from one public submitter were received in response to the Applicant's Response to Submissions. Two public authority submissions (including one from Council) were received in response to the Applicant's first Supplementary Response to Submissions (SRtS). A further submission was received from Council after submission of the Applicant's second SRtS that withdrew its objection to the proposal on the basis of recommended conditions addressing road and drainage infrastructure matters. Further correspondence was also received from the one public submitter that objected to the application.



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1. Introduction

This report provides an assessment of a state significant development (SSD) application for a new primary school at Farmland Drive, Schofields (SSD-9368). NSW Department of Education (the Applicant) seeks approval for the staged construction and operation of four learning hubs containing home bases, a hall with a canteen and out of school hours (OOSH) facilities, library and administrative building, and associated works including covered outdoor learning areas (COLAs), landscaping, drop-off / pick-up facilities, car parking, signage and infrastructure works. The school would eventually accommodate up to 1000 students.

1.1 Site description

The site is located at Farmland Drive, Schofields (the site) in Blacktown City Council (Council) local government area (LGA). The site is located approximately eight kilometres north-west of Blacktown central business district and 700 metres north-east of Schofields town centre and railway station.

The location of the site is shown in **Figure 1**.

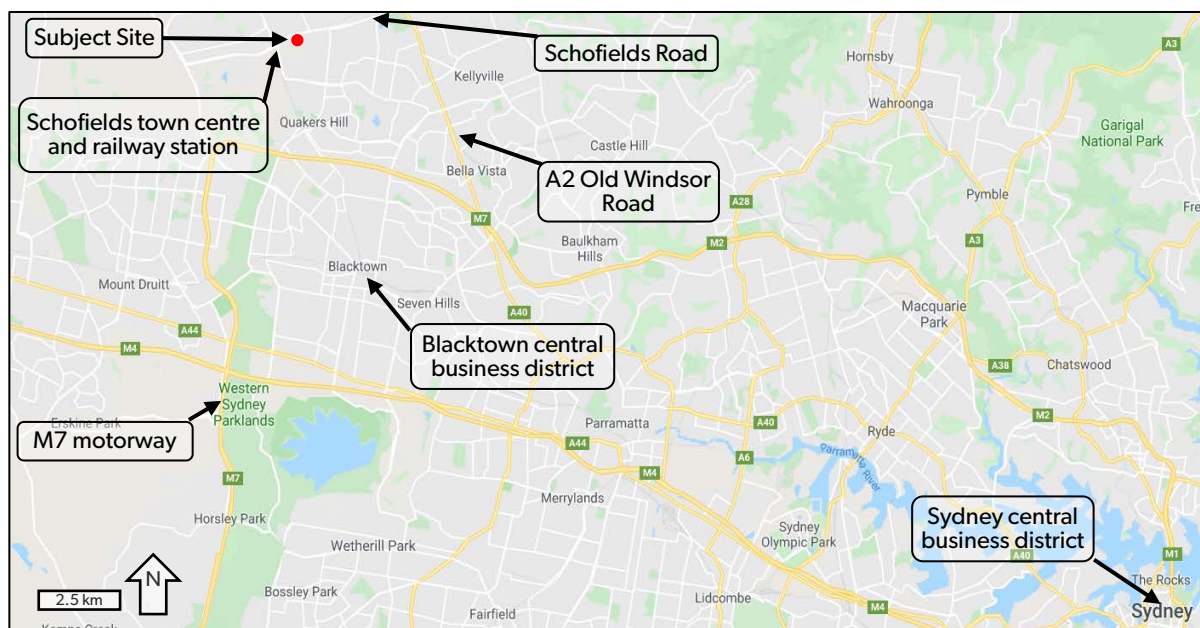


Figure 1 | Location of the site (Source: Google Maps)

The site is legally described as part of Lot 1 and the entirety of Lot 2 in DP1244925 and has an area of approximately two hectares. The site is an irregularly-shaped parcel of land with frontage to Farmland Drive to the north. As the site is in a developing area, Farmland Drive has only been constructed along the eastern two-thirds of the northern boundary of the site. The remainder is currently under construction, along with a future road to be known as Pelican Road, located along the western boundary of the site. These works are anticipated to be completed in August 2020.

The northern part of the site adjacent to the existing constructed section of Farmland Drive is generally flat. The site then slopes downwards to the west, south-west and south-east.

Early construction works have been undertaken on the site under separate planning pathways (see **Section 2.4**) with parts of the site levelled, vegetation removed and enabling infrastructure and footings installed. Eight trees are located in the south-eastern corner of the site that would be retained.

The existing conditions of the site are shown in **Figure 2**.



Figure 2 | Existing conditions of the site (Base source: Nearmap October 2019)

The application relates to part of Lot 1 DP1244925. Lot 1 is a north-south strip of land to the east of the proposed alignment of Pelican Road. The application includes the northern part of the lot, with remainder of the lot being within the ownership of the Applicant but not forming part of the proposed school site. **Figure 3** shows a plan of the area of Lot 1 included in the application (outlined in red) and the remainder of Lot 1 (outlined in green).

The acquisition of Lots 1 and 2 DP1244925 by the Applicant resulted in the potential for Lot 4 DP1244925, located to the south of Lot 2 and east of Lot 1, to be landlocked. As a result, a temporary six metre wide easement for access and services was created along the eastern boundary of Lot 2 to provide temporary access from Lot 4 to Farmland Drive (see **Figure 3**). The Applicant advises that this easement is to be extinguished and replaced by a permanent easement located over Lot 1 to the south of the proposed school site. This would allow for access to be provided to Lot 4 from Pelican Road once it has been constructed.

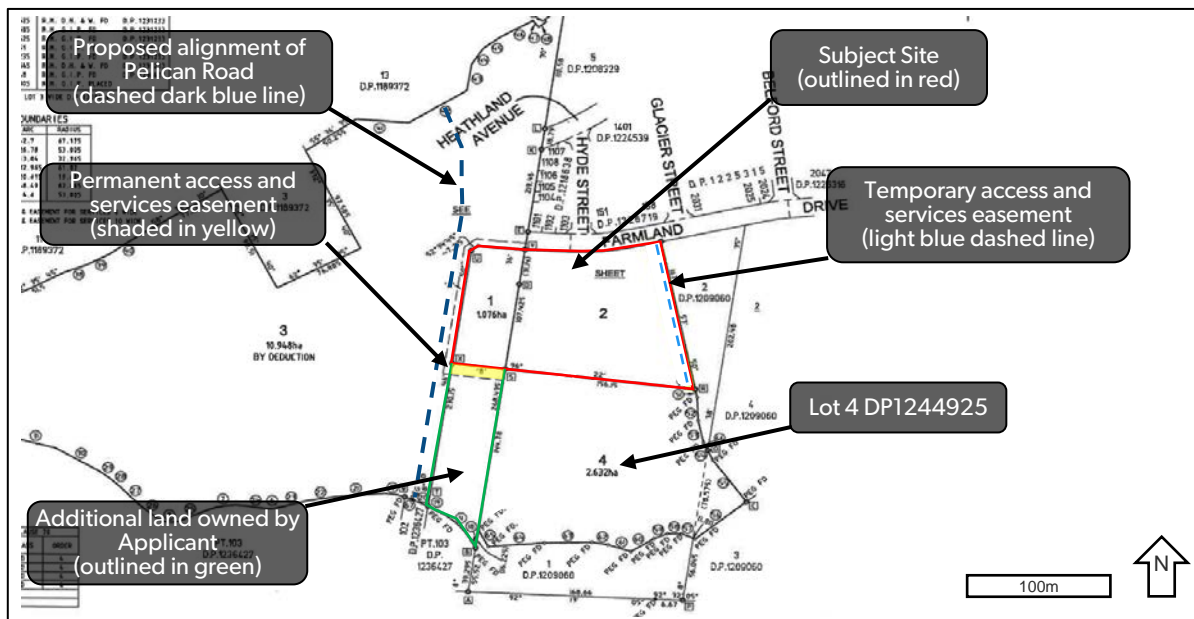


Figure 3 | Configuration of the site and surrounding lots (Source: Applicant's RtS 2019)

1.2 Surrounding development

Land to the east of the site is to be developed by Council as a recreation reserve with playing fields and car parking which would also be used by the school under a shared use arrangement. It is anticipated that the shared use car park would be constructed prior to the opening of Stage 1 of the school.

Land to the north of the site has been partially-developed for medium density housing. Land to the west of the site contains a dwelling on a large lot that is earmarked for medium to high density residential development. An electrical substation is located to the north-west of the site, adjacent to Schofields Road.

Land to the south of the site is currently undeveloped but zoned for education purposes and earmarked in the Alex Avenue Precinct Indicative Layout Plan as additional land to be developed and used as a school. The Applicant has indicated that much of this additional land, now contained in Lot 4 DP1244925, was envisaged to accommodate a secondary school that is no longer required following the establishment of The Ponds High School elsewhere within the Alex Avenue Precinct. The Applicant has indicated in its Response to Submissions (RtS) that the remainder of Lot 1 DP1244925 within the Applicant's ownership to the south of the site (see **Figure 3**) could be required for future expansion of the proposed primary school.

An aerial view of the site and its surrounds is shown in **Figure 4** and an extract of the Alex Avenue Precinct Indicative Layout Plan depicting proposed land uses is shown in **Figure 5**.



Figure 4 | Surrounding development (Source: Nearmap 2020)

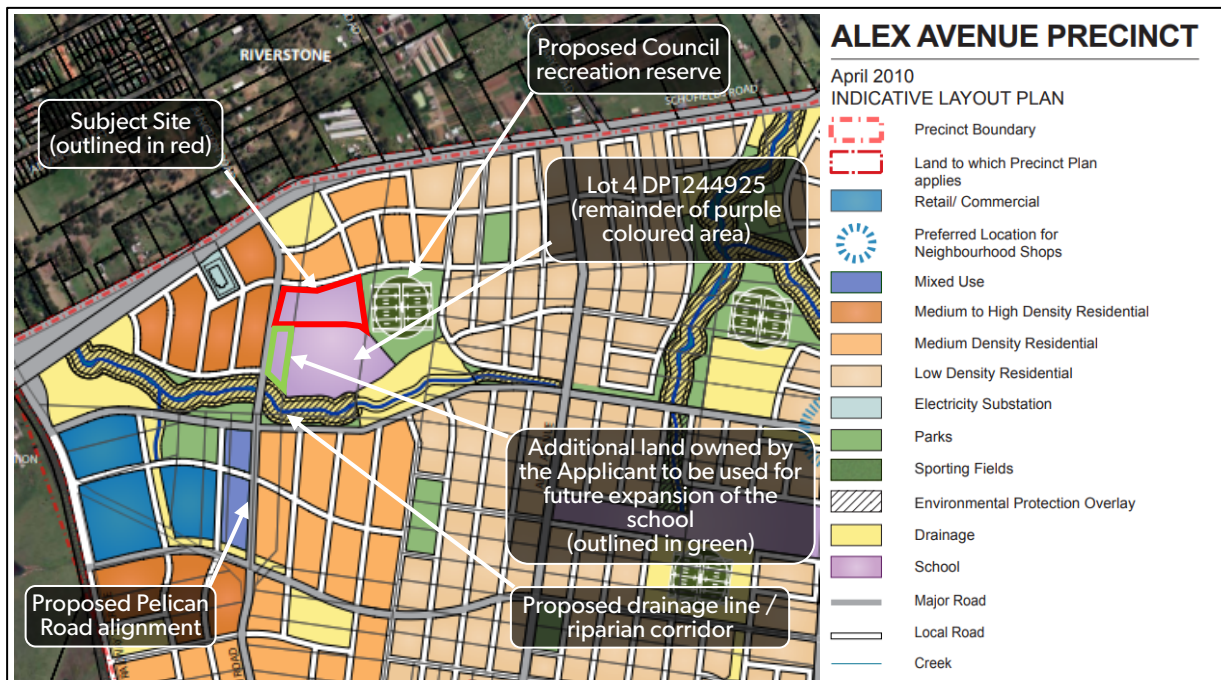


Figure 5 | Extract from Alex Avenue Precinct Indicative Layout Plan (Source: www.planning.nsw.gov.au)



2. Project

The key components and features of the proposal as refined in the RtS and two Supplementary Response to Submissions (SRTS) are provided in **Table 1** and shown in **Figures 6 to 11**.

Table 1 | Main components of the project

Aspect	Description
Project Summary	Staged construction and operation of a new school including four learning hubs containing home bases, a hall with canteen and OOSH facilities, library and administrative building, and associated works including COLAs, landscaping, drop-off / pick-up facilities, car parking, signage and infrastructure works.
Built form	<ul style="list-style-type: none">• Two-storey library, administration and staff building (Block A) comprising:<ul style="list-style-type: none">○ administrative space and school reception.○ staffrooms and offices.○ special program rooms.• Four two-storey learning hub buildings (Blocks B1 to B4) comprising:<ul style="list-style-type: none">○ home bases.○ collaborative learning spaces.○ learning studios.○ practical activity areas.○ amenities.• Single storey assembly hall (Block C) with canteen and OOSH facilities.
Site area	<ul style="list-style-type: none">• Approximately two hectares.
Gross floor area	<ul style="list-style-type: none">• 5953.7 square metres.
Uses	<ul style="list-style-type: none">• Public school catering to Kindergarten to Year 6 for up to 1000 students.• OOSH weekday mornings and afternoons.• Community use of outdoor sports courts outside of school hours.
Access and roadworks	<ul style="list-style-type: none">• Vehicular access from/to Farmland Drive and proposed recreation reserve.• Pedestrian access from Farmland Drive, proposed recreation reserve and proposed Pelican Road.• Pedestrian 'wombat' crossings to be provided on Farmland Drive and Pelican Road (under construction).• Bus bay to be provided on Pelican Road.

Car parking	<ul style="list-style-type: none"> • Shared use of a 100 space car park and eight space drop-off / pick-up area within the adjoining proposed Council recreation reserve under a joint use agreement with Council. • Four space special needs drop-off / pick-up and accessible parking area in the north east corner of the site. • 32 temporary car parking spaces and five drop-off / pick-up spaces to be provided on site if the permanent off site shared use car park is not provided by Council prior to Stage 1 operations.
Bicycle parking	<ul style="list-style-type: none"> • 56 bicycle parking spaces across three areas on site.
Public domain and landscaping	<ul style="list-style-type: none"> • Retention and protection of eight trees located in the south-east corner of the site and seven trees on land to the south of the site. • Landscaping of the site including planting 55 trees.
Hours of operation	<ul style="list-style-type: none"> • General operating hours: 8am to 5pm. • OOSH: 6:30am to 9am and 3pm to 6:30pm. • School use of hall out of school hours: <ul style="list-style-type: none"> ○ 3pm to 9:30pm (with pack down to 10pm) weekdays. ○ 8am to 6pm Saturdays (with pack down to 7pm) on Saturdays. • Outdoor sports courts: <ul style="list-style-type: none"> ○ 3pm to 6pm (with pack down to 7pm) weekdays. ○ 8am to 6pm Saturdays (with pack down to 7pm) on Saturdays.
Signage	<ul style="list-style-type: none"> • One school identification sign on the eastern elevation of the school hall.
Jobs	<ul style="list-style-type: none"> • 340 construction jobs and 70 operational jobs.
Capital Investment Value (CIV)	<ul style="list-style-type: none"> • \$43,960,742.

2.1 Physical Layout and Design

The proposed school buildings would be generally be located along the northern, western and southern boundaries of the site with a playground located in the centre of the buildings. Each building would be connected to the adjoining building via covered walkways or COLAs. The proposed hall would be located in the north-eastern corner of the site adjacent to the entrance off Farmland Drive and the shared carpark located in the adjoining Council recreation reserve.

The proposed layout of the site is shown in **Figure 6**, ground floor layout in **Figure 7** and first floor layout in **Figure 8**.

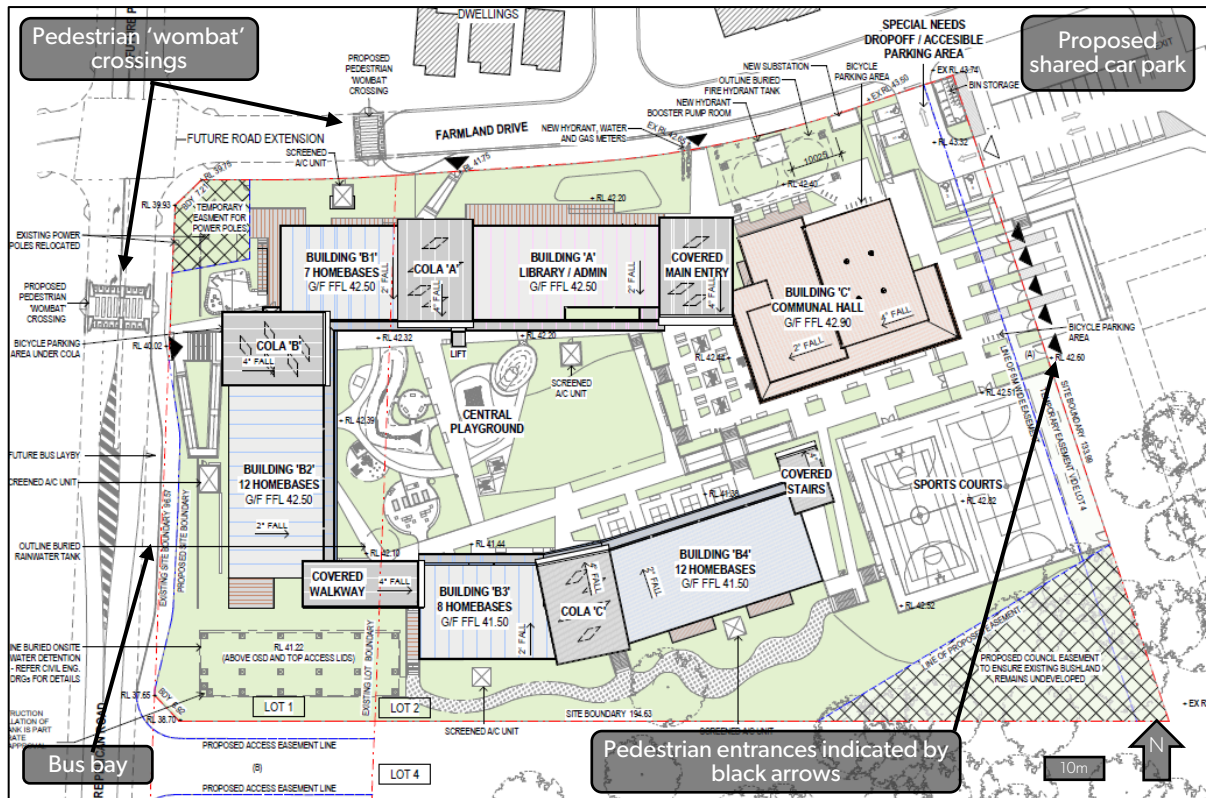


Figure 6 | Proposed site layout (Base source: Applicant's SRtS2 2020)

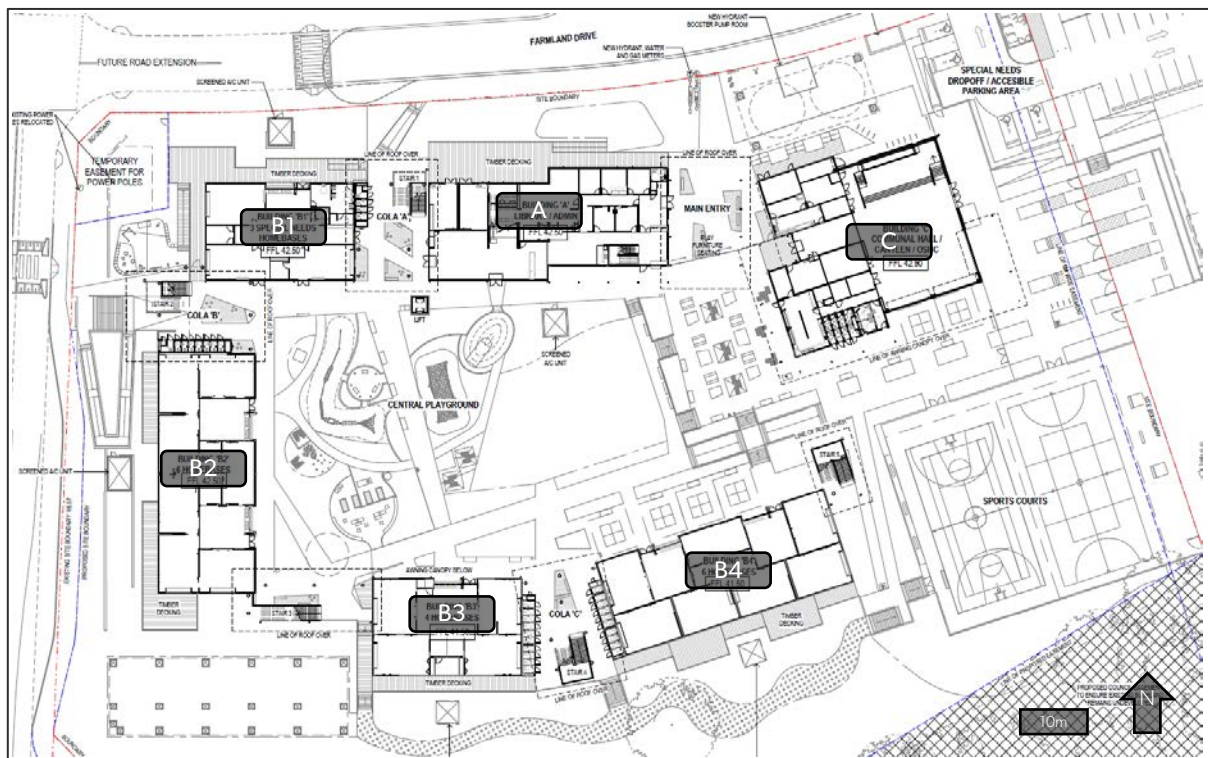


Figure 7 | Proposed ground floor layout (Base source: Applicant's SRtS2 2020)

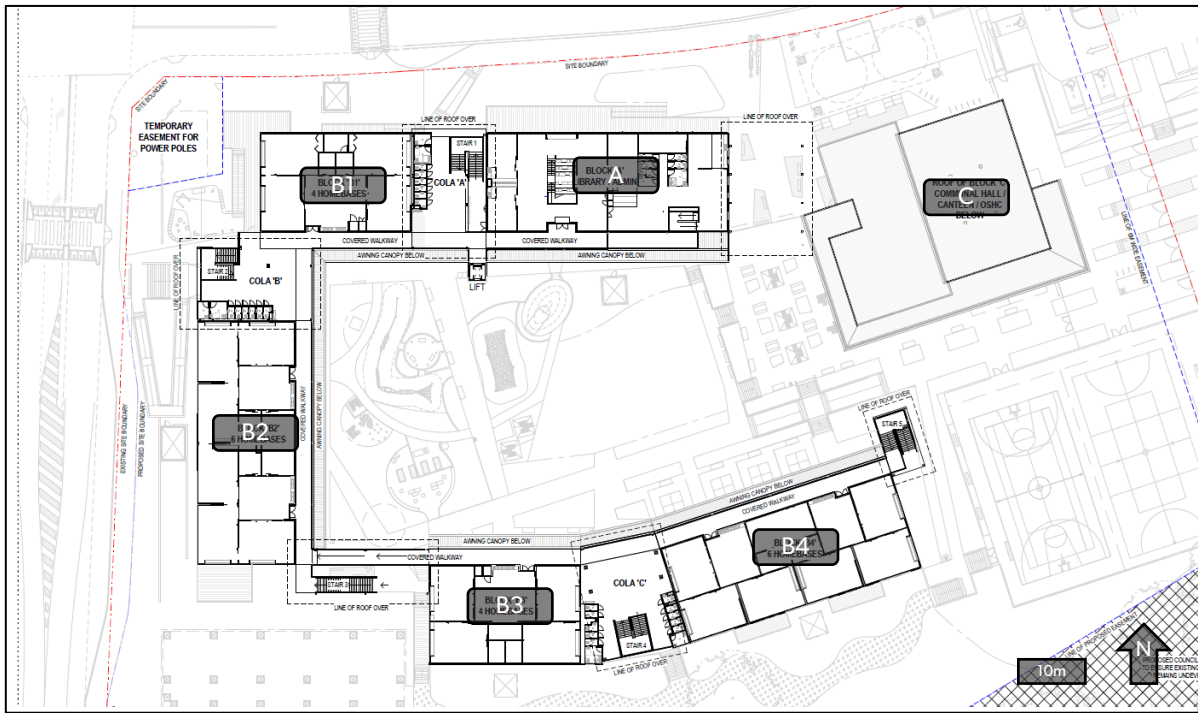


Figure 8 | Proposed first floor layout (Base source: Applicant's SRtS2 2020)

An artist's perspective of the proposed school buildings as seen from Farmland Drive is shown in **Figure 9** and as seen from the future corner of Farmland Drive and Pelican Road in **Figure 10**.



Figure 9 | Perspective of the proposed school from the north-east (Source: Applicant's SRtS1 2019)



Figure 10 | Perspective of the north-west corner of the proposed school (Source: Applicant's SRtS1 2019)

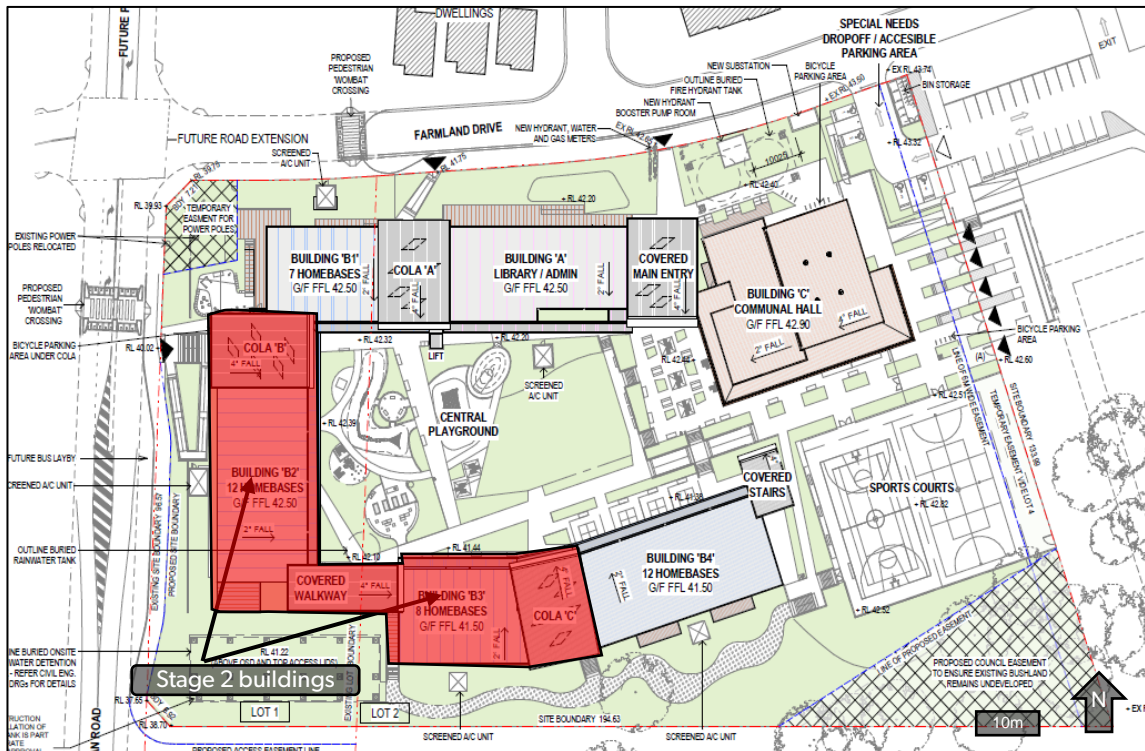


Figure 12 | Site layout with Stage 2 buildings shown in red (Base source: Applicant's SRtS2 2020)

2.4 Related Development

Early site establishment and servicing works have been undertaken under a review of environmental factors completed by the Applicant. Additional works, including site preparation, site clearing, bulk earthworks and footing works were undertaken on site as shown in **Figure 2**. The Applicant has advised that certification would be obtained from Council for those works.

In SRtS2, the Applicant advised that drainage and sewer works would also be undertaken under a review of environmental factors. This includes an on-site detention facility within the site and drainage and sewer connections extending to a drainage corridor to the south outside of the site.

As detailed in **Table 1**, the school would have shared use of car parking within a proposed Council recreation reserve to be developed east of the site. Those works will be undertaken by Council under a separate assessment process.



3. Strategic Context

It is anticipated that there will be a 21% growth in student numbers in NSW by 2031 compared to 2017. This means that NSW schools will need to accommodate an extra 269,000 students, with 164,000 of these students in the public system. In response to the need for additional public education infrastructure because of increased demand, the NSW Department of Education is investing \$6.7 billion to deliver new schools and upgrade existing schools.

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

- Greater Sydney Regional Plan - A Metropolis of Three Cities, as it proposes new school facilities to meet the growing needs of Sydney.
- Greater Sydney Commission's Central City District Plan, as it would provide much needed school infrastructure and opportunities to share facilities with the local community.
- anticipated use of the site identified in the Alex Avenue Precinct Indicative Layout Plan April 2010.
- State Infrastructure Strategy 2018 – 2038 Building the Momentum, as it proposes new school facilities to support the growth in demand for primary student enrolments and facilitates sharing with communities.
- NSW Future Transport Strategy 2056, as it would provide a new educational facility in an accessible location.
- Sydney's Cycling Future 2013, as it would promote and cater for bicycle use through the provision of bicycle parking and end-of-trip facilities.

The proposal would also provide direct investment in the region of \$43.9 million and generate more than 300 construction jobs and 70 operational jobs.



4. Statutory Context

4.1 State significant development

The proposal is SSD under section 4.36 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as the development is for the purpose of a new school under clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

The Minister for Planning and Public Spaces is the consent authority under section 4.5 of the Act. In accordance with the then Minister for Planning and Public Spaces delegation to determine SSD applications, signed on 9 March 2020, the Executive Director, Infrastructure Assessments may determine this application as:

- the relevant Council has not made an objection (Council removed its original objection).
- there are less than 50 public submissions in the nature of objection.
- a political disclosure statement has not been made.

4.2 Permissibility

The site is identified as being located within the SP2 Infrastructure - Educational Establishment zone by the State Environmental Planning Policy (Sydney Region Growth Centres) 2006. An educational establishment is permissible with consent within the zone. Therefore, the Minister for Planning and Public Spaces or a delegate may determine the carrying out of the development.

4.3 Other approvals

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

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

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

4.4 Mandatory matters for consideration

4.4.1 Environmental planning instruments

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

the provisions of any environmental planning instruments that substantially govern the project and that have been considered in the assessment of the project.

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

4.4.2 Objects of the EP&A Act

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

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

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	The proposal involves the construction of a new primary school to cater for demand in a developing urban area. The site is suitable for the use and its development would not negatively impact the economic welfare of the community, nor the natural environment.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal includes measures to deliver ecologically sustainable development (ESD). See Section 4.4.3 .
(c) to promote the orderly and economic use and development of land,	The proposal would be an orderly and economic development and use of the land as the proposal provides for the construction of a new school which would provide a fit-for-purpose educational facility on a site owned by the Applicant.
(d) to promote the delivery and maintenance of affordable housing,	Not applicable.
(e) to protect the environment, including the conservation of threatened and other	The proposal would protect the environment, as detailed in Section 6 .

species of native animals and plants, ecological communities and their habitats,	<p>The proposal would not affect any protected or threatened species or vegetation communities.</p> <p>The proposal involves landscaping and planting which would provide opportunities for new habitat areas on the site.</p>
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	<p>The site does not include any heritage items nor is it within the vicinity of heritage items or conservation areas. An Aboriginal Cultural Heritage Assessment Report (ACHAR) was included in the EIS which identified the Aboriginal cultural heritage values of the site in consultation with Aboriginal communities and set out appropriate mitigation measures to protect these values (Section 6.3).</p>
(g) to promote good design and amenity of the built environment,	<p>The proposed buildings would have a contemporary functional design and would integrate with the surrounding built environment as detailed in Section 6.</p>
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	<p>The proposal would promote proper construction and maintenance of buildings subject to recommended conditions of consent.</p>
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	<p>The Department publicly exhibited the proposal (Section 5.1), which included consultation with Council, other public authorities and consideration of their responses (Sections 5 and 6).</p>
(j) to provide increased opportunity for community participation in environmental planning and assessment.	<p>The Department publicly exhibited the proposal as outlined in Section 5.1, which included notifying adjoining landowners, placing a notice in newspapers and displaying the proposal on the Department's website and at Council during the exhibition period.</p> <p>Issues raised in the submissions have been addressed in Section 6.</p>

4.4.3 Ecologically sustainable development

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

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

The development proposes ESD initiatives and sustainability measures, including:

- use of certified / best practice materials and consideration of durability, recycled content, location, embodied carbon and toxicity in their selection.
- use of efficient materials, including high performance glazing and insulation to reduce heat transfer and consequent heat loss in winter and heat gain in summer.
- energy efficient design, including maximum use of natural light utilising suitably located windows and shading structures to reduce solar heat gain.
- installation of a photovoltaic solar system to provide on-site renewable energy.
- use of water conservation measures, including highly efficient water fittings and fixtures, rainwater harvesting and low water-dependent landscaping.
- use of pre-fabricated construction building components where appropriate that significantly reduces material consumption and waste.

The Applicant is targeting an equivalent 4-Star Green Star rating which is in accordance with the suggested 4-Star Green Star rating in the Educational Facilities Standards and Guidelines (NSW Department of Education).

The Department has considered the proposed development in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process via a thorough and rigorous assessment of the environmental impacts of the proposed development.

In order to ensure that ESD is appropriately incorporated into the proposed development, the Department has recommended a condition that requires the Applicant to register for a minimum 4-star Green Star rating with the Green Building Council Australia, or an alternative certificate process as agreed by the Planning Secretary, prior to the commencement of construction.

Subject to this condition, the proposed development is consistent with ESD principles as described in Section 7.9 and Appendix J of the Applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). Overall, the proposal is consistent with ESD principles and the Department is satisfied the proposed sustainability initiatives would encourage ESD, in accordance with the objects of the EP&A Act.

4.4.4 Environmental Planning and Assessment Regulation 2000

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

4.4.5 Planning Secretary's Environmental Assessment Requirements

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

4.4.6 Section 5.15(1) matters for consideration

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

Table 3 | Section 4.15(1) matters for consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of the relevant environmental planning instruments is provided in Appendix B of this report.
(a)(ii) any proposed instrument	The Department's consideration of the relevant environmental planning instruments is provided in Appendix B of this report.
(a)(iii) any development control plan	Under clause 11 of the SRD SEPP, development control plans do not apply to SSD. Notwithstanding this, consideration has been given to relevant development control plans at Appendix B .
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations <i>Refer Division 8 of the EP&A Regulation</i>	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and	The impacts of the proposed development have been appropriately mitigated or conditioned. See Section 6 .

social and economic impacts in the locality

(c) the suitability of the site for the development	The site is suitable for the development as discussed in Sections 3 and 6 .
(d) any submissions	Consideration has been given to the submissions received during the exhibition period. See Sections 5 and 6 .
(e) the public interest	The proposal is considered to be in the public interest. See Section 6 of this report.

4.4.7 Biodiversity Conservation Act 2016

Under section 7.9(2) of the *Biodiversity Conservation Act 2016*, SSD applications are to be accompanied by a biodiversity development assessment report.

The site was biodiversity certified in 2007 as part of the certification of the north-west growth centre and is largely clear of native vegetation. Section 8.4(2) *Biodiversity Conservation Act 2016* provides that a development application relating to land that has been biodiversity certified is not required to take into consideration the likely impact of the proposed development on biodiversity. Consequently, a biodiversity development assessment report is not required to be submitted with the application.



5. Engagement

5.1 Department's Engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 4 April 2019 to 1 May 2019 (28 days). The application was exhibited at the Department and on its website, at the NSW Service Centre and at Council's office.

The Department placed a public exhibition notice in the Blacktown Advocate and the Rouse Hill Times on Wednesday 3 April 2019 and notified adjoining landholders and relevant state and local government authorities in writing. Department representatives visited the site to provide an informed assessment of the development.

The Department has considered the comments raised in the public authority and public submissions during the assessment of the application (**Section 6**) and /or by way of recommended conditions in the instrument of consent at **Appendix C**.

5.2 Summary of Submissions

The Department received a total of 10 submissions, comprising eight submissions from public authorities (including Council) and two public submissions. A summary of the issues raised in the submissions is provided at **Section 5.3** and **5.4** below and copies of the submissions may be viewed at **Appendix A**.

5.3 Public authority submissions

A summary of the issues raised in the public authority submissions is provided at **Table 4** below and copies of the submissions may be viewed at **Appendix A**.

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

Council

Council advised that it had objections to key aspects of the proposal and made the following comments:

- architectural plans submitted with the application do not adequately detail the proposed development to enable an assessment of the proposal.
- additional traffic generated by the proposed development would be likely to create traffic congestion along Farmland Drive, as well as nearby residential local roads. No mitigation measures have been proposed in the traffic report to address these impacts.
- a joint parking strategy is proposed to share car parking to be provided for a future reserve, however the shared arrangements have not yet been finalised.

- the proposed off street drop-off / pick-up area within the reserve car park is supported however agreement is required in relation to the usage of car parking, maintenance and management of car parking and enforcement arrangements.
- the proposed on street special needs drop-off / pick-up area on Farmland Drive is not supported. This must be provided on site for safety reasons.
- insufficient information has been provided to demonstrate that adequate sight distance has been provided for both pedestrian and vehicular movement at the proposed site driveway in accordance with Australian Standards to ensure safety of pedestrians on the footpath system and motor vehicles along the new driveway.
- on site stormwater detention and water quality treatment measures is required in accordance with the Blacktown City Council Growth Centre Precincts Development Control Plan July 2018.
- the proposal must cater for and facilitate surrounding and regional infrastructure in accordance with the s94 Contributions Plan No. 20 – Riverstone and Alex Avenue Precincts.
- roads fronting the development must be constructed in accordance with the relevant road hierarchy plan, including the extension of Farmland Drive along the northern boundary of the site and the future road (to be known as Pelican Road) along the western boundary of the site.
- the proposed concept discharge point is not supported. The proposal must discharge stormwater into Council's existing stormwater system.
- Appendices referenced in the Arboricultural Impact Assessment should be provided for assessment by Council.

Environment Protection Authority (EPA)

The EPA made the following comments in relation to the proposal:

Contamination

- an unexpected finds procedure should be prepared prior to the commencement of any work on the site to guide the identification and management of unexpected contamination.
- the proposal should ensure that the construction works do not result in a change of risk in relation to pre-existing contamination.

Noise and vibration

- noise monitoring undertaken as part of the Environmental Noise and Vibration Impact Assessment (ENVIA) submitted with the EIS has not been undertaken in accordance with the Noise Policy for Industry (EPA, 2017) and was adversely affected by extraneous noise and wind during monitoring.
- construction works should only be undertaken within standard working hours and incorporate intra-day respite periods and vehicle movement and management procedures.
- use of outdoor facilities outside of school hours should not be used on weekday mornings, after 6pm on weeknights and outside of the hours of 8am and 6pm on Saturdays.
- noise monitoring should be undertaken during use of school facilities outside school hours and community use of the school hall should not occur after 10pm.

- a detailed assessment of plant and equipment should be undertaken to ensure compliance with applicable noise limits.
- waste collection should not be undertaken outside of the hours of 7:30am and 6pm Monday to Friday.

Other

- sediment control, waste management and ESD measures should be implemented.

Endeavour Energy

Endeavour Energy advised that electricity services are available to service the proposed development subject to approval and augmentation requirements.

NSW Rural Fire Service (NSW RFS)

The NSW RFS advised that the Bushfire Assessment submitted with the EIS should be updated to address the grassland hazard surrounding the site and demonstrate how proposed buildings would achieve a maximum radiant heat exposure of 10 kilowatts per square metre including the required setbacks (asset protection zones).

Environment, Energy and Science Group of the Department of Planning, Industry and Environment (EES Group)

EES Group supported the use of native planting as a key environmental strategy of the development along with the inclusion of native eucalypt trees in the proposed landscaping. To further improve the biodiversity outcomes of the development, EES Group recommended that the proposed use of exotic Kikuyu turf as groundcover be replaced by endemic Cumberland Plain Woodland species.

Sydney Water

Sydney Water advised that water supply and wastewater services are available to service the proposed development. The requisite approvals would be required prior to commencement of works.

Transport for NSW (TfNSW)

TfNSW made the following comments:

- until Pelican Road has been constructed, temporary school bus access would be necessary on Farmland Drive. On this basis, consideration should be given to providing either a temporary:
 - school bus stop in the shared use car park within the recreation reserve, along with allowance for turning circles for buses exiting at the temporary Glacier Street roundabout, or
 - bus zone on Farmland Drive with the use of nearby local roads to allow buses to return towards Alex Avenue.

- future public bus services are planned along Jerralong Drive and Pelican Road which would connect to Schofields town centre and railway station when development in the area has further progressed.
- the need for a pedestrian crossing on Farmland Drive should be considered in consultation with Council given the expected traffic movements in the area and likelihood of parents dropping children off on nearby streets and walking into the school.
- a Green Travel Plan should be prepared and implemented for the school.
- a Traffic and Parking Management Plan should be prepared and implemented for the site.
- a Road Safety Audit should be undertaken prior to the commencement of construction and the findings considered in consultation with Council.

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

TfNSW (RMS) made the following comments:

- traffic arrangements should be implemented through a Construction Traffic Management Plan during construction.
- the Applicant should provide eight weeks notification to TfNSW (RMS) prior to occupation to allow for approval of speed limit changes (i.e. for school speed zones).
- the shared car parking to be provided within the recreation reserve adjacent to the site should be provided prior to the commencement of occupation.

5.4 Public submissions

Two public submissions were received which may be viewed at **Appendix A**.

One submission strongly supported the development of a school in the area which is experiencing high levels of growth. The second submission was lodged on behalf of the owner of Lot 4 DP1244925 located immediately south of Lot 2 DP1244925 and east of the southern portion of Lot 1 DP1244925 owned by the Applicant. This submission objected to the proposal on the following grounds:

- the proposal locates the school entrance, drop-off / pick-up zone, waste storage area, basketball court, landscaping structures and an electrical substation within the access and services easement located along the eastern boundary of the site that benefits the submitter in contravention of the provisions of the easement.
- the orientation of the main school entrance towards the recreation reserve requires school users to traverse the easement which would result in significant conflict if / when an accessway is constructed over the easement to Lot 4 DP1244925.
- the application does not include or set out the proposed use and development of the southern portion of Lot 1 which leaves several issues unresolved regarding the future viable development of that land or Lot 4 owned by the submitter.
- non-inclusion of the remainder of Lot 1 DP1244925 in the proposal raises questions regarding the appropriateness of the acquisition of the land by the Applicant.

- the proposal does not consider integration with the future development and use of Lot 4 which is likely to be rezoned given that it is no longer required for school use.
- transport and traffic issues have not been considered appropriately having regard to:
 - the access and services easement for Lot 4.
 - future development and use of the southern portion of Lot 1 owned by the Applicant.
 - the incomplete construction of Farmland Drive and consequent traffic impacts on surrounding roads.
- the proposal involves the discharge of all stormwater drainage onto Lot 4 which is unacceptable.
- the proposed shared use of the car park on the Council recreation reserve has necessitated the relocation of a facilities block within the reserve which results in significant level change and retaining walls along the boundary with Lot 4.
- lack of consultation with adjoining landowners prior to the submission of the SSD application.
- overall, the proposal has unreasonable impacts on surrounding land having regard to the above comments.
- the proposal includes a number of inaccuracies in the information provided in the EIS.

5.5 Response to Submissions

Following the exhibition of the application, the Department placed copies of all submissions received on its website and requested the Applicant to provide a response to the issues raised in the submissions and matters raised following the Department's preliminary review of the EIS.

On 17 June 2019, the Applicant provided a RtS on the issues raised during the exhibition of the EIS. A copy of this is provided at **Appendix A**. The RtS included:

- advice that the school would be occupied on a staged basis.
- confirmation of the anticipated community uses of the school facilities focusing on the outdoor sports courts and OOSH facilities.
- amended architectural plans detailing changes to the layout including:
 - relocation of the special needs drop-off / pick-up area to Farmland Drive frontage of the site.
 - relocation of services and facilities outside of the access and service easement along the eastern boundary of the site.
 - minor modifications to the site layout and floor layouts and design of the proposed buildings.
- the location of a temporary on site staff car park to be provided if the proposed shared parking in Council's recreation reserve is not provided in time for the opening of the school.
- a revised landscape plan with details of numbers, species and size of plantings.

The RtS was referred to relevant public authorities for comment and placed on the Department's website. An additional eight submissions providing comments on the development were received from public authorities and one public submission from the owner of the adjoining property, Lot 4 DP1244925 was received. As submissions (both public authority and public) were received outside the statutory community participation period, the Department has not placed these on the website.

Notwithstanding, a summary of the issues raised in the public authority submissions is provided at **Table 5**.

Table 5 | Summary of public authority submissions to the RtS

Council

Council advised that the RtS did not adequately respond to Council's concerns and confirmed its objection to key aspects of the proposal. Council particularly noted its concerns about the:

- proposed stormwater drainage design that incorporates the discharge of concentrated overland flow off the south-west corner of the site and fails to include sufficient on site detention and piping to the Council drainage network to the south of the site.
- need to make a financial contribution in lieu of provision on site stormwater detention if that approach is agreed with Council.
- lack of a non-potable water supply (i.e. rainwater collection) to minimise water use within the development.

Council also advised that landscaping should include the provision of street tree plantings at spacings of approximately eight metres considering vehicle sightlines and street light spill.

Endeavour Energy

Endeavour Energy advised that the:

- revised architectural plans included the relocation of the electrical substation to the Farmland Drive frontage of the site which is acceptable.
- landscape plans included in the RtS show planting near the proposed electrical substation, contrary to Endeavour Energy's requirements.
- The Environmental Noise and Vibration and Impact Assessment (ENVIA) did not have any reference to the existing Schofields Zone Substation to the north-west of the site.

EPA

The EPA advised that the RtS appeared to accept the advice and recommendations made in the EPA's submission to the EIS, however:

- unexpected finds protocol included in the RtS did not deal with other forms of contamination aside from asbestos as well as other important procedural matters.
- amended ENVIA included in the RtS identified significantly lower background noise levels than those included in the EIS.
- the ENVIA proposed additional construction hours on Saturday mornings and afternoons but did not provide justification for departing from the standard construction hours.

On this basis, the EPA provided alternative project noise trigger levels to be applied to the proposal and recommended that the unexpected contamination find protocol be updated, standard construction hours be applied and that controls be imposed on the use of the school hall and outdoor sports courts.

EES Group

EES Group advised that it had no comments to make.

Sydney Water

Sydney Water advised that it had no further comments to make.

TfNSW

TfNSW:

- acknowledged the Applicant's advice that bus stop infrastructure is not required on Farmland Drive as a walking school bus is proposed given the relatively short period of time between the construction of the school and expected construction of Pelican Road.
- recommended that the Department ensure that the walking school bus is implemented at the commencement of school operations.
- recommended that the Department ensure that the Applicant consult with Council in relation to the need for the provision of a pedestrian crossing on Farmland Drive as per the commitment in the RtS.

TfNSW (RMS)

TfNSW (RMS) reiterated comments made in its submission to the EIS, including that the:

- Applicant should provide eight weeks notification to TfNSW (RMS) prior to occupation to allow for approval of speed limit changes (i.e. for school speed zones).
- shared car parking to be provided within the recreation reserve adjacent to the site should be provided prior to the commencement of occupation.

NSW RFS

NSW RFS provided the following recommended conditions:

- the entire property to be managed as an asset protection zone (inner protection area).
- Buildings A, B1 and B2 to be constructed to Bushfire Attack Level BAL-12.5.
- a bush fire emergency management and evacuation plan to be prepared.
- landscaping of the site and water, electricity and gas services are to comply with Planning for Bush Fire Protection 2006.

The further public submission from the owner of Lot 4 DP1244925 advised that the Applicant's RtS did not address or respond to concerns raised in relation to the failure of the proposal to consider impacts on the future development of Lot 4 DP1244925. The submitter also raised concerns with the likely land use conflict between the future extension of the school onto the southern portion of Lot 1 DP1244925 (as advised by the Applicant in the RtS) and the existing six metre wide access and services easement for Lot 4 located immediately to the south of the current proposed school site.

5.6 Supplementary Response to Submissions 1

On 28 August 2019, the Applicant submitted a Supplementary Response to Submissions (SRtS1) which responded to the comments on the RtS and queries raised by the Department and Government Architect NSW in relation to the Applicant's proposed use of pre-fabricated construction components.

SRtS1 included:

- advice that on site detention would be provided on site in the form of an underground tank under Block B3.
- an updated ENVIA which included corrected background noise levels and updated project noise trigger levels.
- an updated Arboricultural Impact Assessment including the appendices requested by Council and advice that street tree planting requirements could be imposed as a condition of consent.
- advice that the proposal would not unreasonably impact upon the potential future development of Lot 4 DP1244925.
- architectural statements providing further information to explain the benefits of the construction approach using pre-fabricated building components and structural details of the pre-fabricated building components.

SRtS1 advised that Council had informed the Applicant that the levels along the western boundary of the site must match the proposed levels of the proposed Pelican Road. The Applicant advised that whilst this would not affect the location or levels of buildings proposed on the site, it would alter the landscaping treatment along the western boundary of the site. This would require some terracing and provision of stairs and a ramp to the western pedestrian entrance. This Applicant requested that this detail be finalised prior to the commencement of construction by a condition of consent.

SRtS1 was referred to Council which advised that the information provided had not satisfactorily addressed its concerns and Council maintained its objection to the proposal on based on:

- the interface of the main school entrance in the north eastern corner of the site with the proposed Council recreation reserve to the east of the site, including regarding levels, fencing, landscaping and pedestrian path treatments.
- temporary arrangements to avoid conflict between the main school entrance and the temporary existing access and services easement that runs along the eastern boundary of the site.
- the unacceptable reversing of garbage trucks into the site as required by the proposed access arrangements.
- drainage arrangements.
- design of driveways into the site in consideration of relevant Australian Standards.

The Department received further correspondence from the owner of Lot 4 DP1244925 advising that SRtS1 contained a number of errors and inconsistencies and did not address its concerns.

Representatives of the Department met with this public submitter to discuss the concerns raised.

5.7 Supplementary Response to Submissions 2

On 29 April 2020, the Applicant provided a further SRtS (SRtS2) which responded to Council's comments and queries raised by the Department. This included:

- clarification that the school would be constructed and operated over two stages (see **Section 2.3**).
- confirmation that:
 - the construction of Pelican Road (and the extension of Farmland Drive) is currently underway and is expected to be completed in August 2020 ahead of operation of Stage 1 on day 1 term 1 2021. The Applicant also confirmed that it has the ability to take over the construction of the works in December if the works have not been completed.
 - a joint use agreement has been established with Council for the construction of the shared use car park.
 - temporary parking and drop-off / pick-up arrangements would be put in place if the shared car park was not completed prior to the operation of Stage 1 on day 1 Term 1 2021.
 - provision of pedestrian infrastructure will be put in place including construction of a footpath along the:
 - Farmland Drive frontage of the site by the Applicant; and
 - southern side of Farmland Drive from the eastern boundary of the site to Antonia Parade by Council.
 - proposed temporary and permanent access and servicing arrangements to the adjoining land being Lot 4 DP1244925, including:
 - protection of the temporary easement within the site along the eastern boundary with fencing during Stage 1 construction phase.
 - protection of the temporary easement and provision of temporary school access arrangements if Pelican Road is not completed for the operation of Stage 1.
 - construction of a public road through the permanent easement once Pelican Road has been constructed and removal of the temporary easement.
 - the length of the proposed bus bay in Pelican Road has been reduced in length from 44 metres to 35 metres.
- amendments to the proposal, including:
 - changes to landscaping along western site boundary to match proposed levels of Pelican Road initially proposed in SRtS1.
 - relocation of the proposed special needs drop-off / pick-up and service vehicle access to the north-east corner of the site to address Council's comments.
 - replacement of the bioretention swale previously proposed with an on-site detention facility, to be delivered under a separate planning pathway (**Section 2.4**).

- stormwater to be discharged to the drainage reserve to the south of the site through the southern portion of Lot 1 owned by the Applicant to be provided under a separate planning pathway (**Section 2.4**).
- inclusion of a new sewer line to the south through the southern portion of Lot 1 owned by the Applicant to be provided under a separate planning pathway (**Section 2.4**).
- advice that the south east corner of the site has been nominated as a permanent easement to ensure that there are no works within that portion of the site to protect stormwater runoff and student safety as requested by Council.
- advice that a temporary bus turning bay could be provided in the southern portion of Lot 1 owned by the Applicant in the event that suitable access turning or through arrangements are not included at the southern end of the constructed section of Pelican Road.
- updated / new technical reports to reflect the above updates to the project including a supplementary Transport Impact Assessment (TIA) and Green Travel Plan.

Following submission of SRtS2, Council advised that it no longer objected to the proposal subject to a number of conditions including requirements for:

- Pelican Road and the extension of Farmland Drive to be constructed prior to the commencement of operation of Stage 1.
- the temporary access and services easement within the site along the eastern boundary to be extinguished prior to the commencement of operation of Stage 1.
- proposed drainage arrangements be finalised to the satisfaction of Council.

The Department also received further correspondence from a legal representative on behalf of the owner of Lot 4 DP1244925 advising that the:

- Applicant's proposed construction of a roadway within the permanent easement to Lot 4 without appropriate consultation with the submitter would be contrary to the provisions of the easement and other associated legal agreements entered into by the Applicant and the submitter;
- design of the proposed bus bay on Pelican Road would detrimentally impact upon the proposed permanent access to the submitter's property and the failure to consult with the submitter on this design is contrary to the legal agreements entered into by the Applicant and the submitter; and
- the proposed arrangements set out in SRtS2 generally fail to comply with the provisions of the temporary and permanent easements due to the apparent lack of intention to consult with the submitter prior to the proposed works.

The Department has considered the comments and concerns raised in its assessment (**Section 6**).



6. Assessment

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

- built form and urban design.
- traffic and parking.

Each of these issues is discussed in the following sections of this report. Other issues taken into consideration during the assessment of the application are discussed at **Section 6.3**.

6.1 Built form and urban design

The Applicant advises that the design of the proposed school was developed in consideration of the objectives of the project to:

- provide a new school with capacity of up to 1000 students.
- provide learning facilities that are flexible and adaptable.
- maximise outdoor learning opportunities.
- consider shared access to facilities.
- make best use of existing infrastructure, particularly the proposed shared use facilities to the east of the site.

To achieve these objectives, the proposal locates the proposed school buildings along the northern, western, and southern boundaries of the site with a playground located in the centre of the buildings. The main school entrance and sports courts are to be located at the eastern end of the site adjacent to the proposed Council recreation reserve that would contain the proposed shared use parking, drop-off / pick-up facilities and sports fields.

6.1.1 Layout and site frontage

The main entrance to the school would be in the north-eastern corner focussed on Farmland Drive and the adjoining shared use car park. Additional pedestrian entrances would be located at the western end of the Farmland Drive frontage and the proposed Pelican Road frontage.

Following exhibition of the EIS, the Department and Government Architect NSW raised queries regarding the appropriateness of the main school entrance being located at the eastern end of the site focussed on Farmland Drive, which is a local road, rather than at the western boundary where it would front onto proposed Pelican Road, which would be a collector road.

The Applicant provided an updated design report in the RtS that responded to the Department's queries. This summarised the options considered in the site layout and design development process, including the orientation of the school to Pelican Road, and set out the reasons for the selected option.

The design report concluded that the selected option provided a range of benefits over the other options, including that the location of the entrance adjacent to the proposed Council recreation reserve and shared parking facilities created:

- a combined community presence and welcoming entry for the school hall.
- shared-use opportunities between Council assets and the school, including shared use of the school basketball courts, the Council oval and the Council car park.
- an integrated community sports precinct.
- spatial efficiencies through the sharing of facilities as well as more efficient service vehicle access arrangements.
- improved way-finding and accessibility for visitors and staff.

In addition, the RtS noted that the:

- proposal included the provision of an entrance onto the proposed Pelican Road that would connect with a proposed bus drop-off / pick-up bay immediately adjacent to the entrance.
- school buildings would also be located along the proposed Pelican Road frontage which would mean that the school appropriately addresses the proposed road.
- orientation of the school to Farmland Drive would offer a safer environment for student movements at the school entrance given the lower traffic levels and speeds that would be found on the lower order road.

The Department has considered the information provided by the Applicant and is satisfied that the proposed orientation of the school is appropriate given the existing infrastructure constraints of the site and the unique opportunities offered by the location of the school next to a Council recreation reserve. The Department accepts that the orientation of the school entrance in the north-eastern corner of the site would maximise opportunities for sharing of facilities and create a strong community presence and welcoming entrance to the school.

6.1.2 Bulk and scale

The site is not subject to building height or floor space ratio limits under the Blacktown City Council Growth Centre Precincts Development Control Plan July 2018, however the medium density residential land to the north and west of the site is subject to a 16 metre height limit.

The proposed school buildings would be two storeys (extending to approximately eight metres in height), except for the school hall / OOSH building which would be single storey but would have an elevated roof, resulting in an overall height of 6.3 metres. The proposed COLAs, that would be located between and overhang each of the proposed school buildings, would reach a maximum of 10.3 metres.

The Department has considered the controls that affect the site and the form of surrounding development and is satisfied that the height, bulk and scale of the proposal is appropriate. Whilst the site not subject to a height limit, the proposed school buildings would be significantly lower than the maximum height limit affecting the adjoining medium density residential land. In addition, the proposed school buildings would be of a similar height to the existing development on the northern side of

Farmland Drive that comprises two storey terrace and detached houses with minimal front and side setbacks. The proposed school buildings would incorporate greater setbacks from the street and larger gaps between buildings on the site than the surrounding development.

On this basis, the Department considers that the overall form of the development is appropriate for the site and would be compatible with the existing and future scale and form of surrounding development.

6.1.3 Design and appearance

Following the exhibition of the EIS, the Department and Government Architect NSW raised concerns in relation to the design of the proposed buildings, particularly the incorporation of large black facades and overall lack of articulation and aesthetic appeal. In addition, Government Architect NSW requested further details in relation to the proposed construction approach using pre-fabricated building components.

The Applicant responded to Department's concerns in the RtS and SRtS1, including submitting:

- updated plans and elevations incorporating minor amendments of the design of the buildings.
- updated and additional perspectives of the design intentions.
- details of the pre-fabricated building components to demonstrate the credibility of the design presented.

The additional perspectives are shown in **Figures 13** and **14**.



Figure 13 | Perspective of school entrance from Farmland Drive (Source: Applicant's SRtS1 2019)



Figure 14 | Perspective of hall with school entrance behind (Source: Applicant's SRtS1 2019)

Following consideration of this information, Government Architect NSW advised that its concerns had been resolved, subject to a recommendation that the building façade treatment and landscaping accurately reflect that shown in the perspectives included in the RtS and SRtS1. In addition,

Government Architect NSW recommended that the proposal incorporate the installation of an artwork on the northern façade of the hall to break up the visual bulk of the building and provide visual interest.

The Department has considered the advice of Government Architect NSW and information provided by the Applicant and is satisfied that the design of the proposed buildings, as refined in the RtS and SRtS1, would achieve a quality design appropriate to the context of the site and the purpose of the site as a school.

The Department has recommended conditions requiring the preparation of a:

- schedule of materials and finishes for the proposed buildings that matches the materials and finishes presented in the perspectives provided in the RtS and SRtS1.
- detailed landscape plan that matches the landscape treatment along Farmland Drive shown in the perspectives provided in the RtS and SRtS1.
- northern elevation of the proposed school hall showing the location for an art installation that serves to further break up the visual bulk of the building and provide visual interest.

6.1.4 Landscaping

Early site works, including vegetation removal, have been undertaken on site (**Section 2.4**) as part of works under a review of environmental factors.

An Arboricultural Impact Assessment was included in the EIS and revised in the RtS (**Section 5.5**). This assessed eight existing trees within the south-east corner of the site and seven on the adjoining land near to the site boundary. See **Figure 15** for an aerial photo showing the location of these trees.

The Arboricultural Impact Assessment found that the earthworks batter on the southern side of the proposed basketball courts and proposed boundary fencing would impact on several trees. However, trees could be retained subject to sensitive design of the batter and installation of boundary fencing.

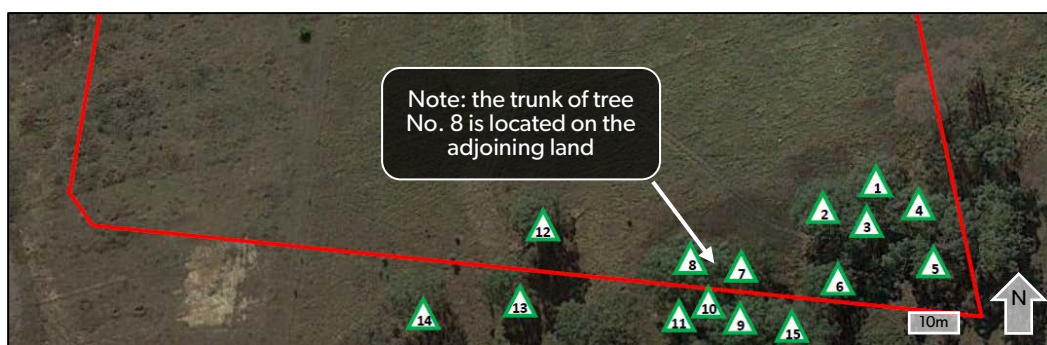


Figure 15 | Tree location plan (Base source: Applicant's RtS 2019)

Following exhibition of the EIS, the Department requested that the proposal include additional tree planting to assist with the Government's goal to plant an additional five million trees in Greater Sydney. The Applicant submitted a revised landscape plan in the RtS which included additional tree planting, including 25 trees with a mature height of up to 12 metres and 30 trees with a mature height of between 15 and 25 metres. The revised tree planting plan is shown in **Figure 16**.



Figure 16 | Revised tree planting plan (Base source: Applicant's RtS 2019)

Council, in its submission to the RtS, requested that the proposal include street tree planting along Farmland Drive, which the Applicant accepted in SRtS1.

The Department notes that the site is largely cleared and that fifteen trees on and immediately adjacent to the site can be retained subject to appropriate tree protection. The Department has recommended conditions that require tree protection measures to be implemented during the works in accordance with the findings and recommendations of the Arboricultural Impact Assessment.

The Department acknowledges the increased tree planting proposed by the Applicant in the RtS and the Applicant's acceptance of the provision of street tree planting in the SRtS1. The Department considers that the planting of 55 trees and associated shrub and groundcover planting on the site, along with street tree planting in Farmland Drive, would improve the biodiversity of the site. It would also provide an attractive landscape setting for staff, contribute to the amenity of the local neighbourhood and students, and improve tree cover in accordance with Government objectives.

The Department recognises the concerns raised by Endeavour Energy in relation to the planting proposed near the proposed electrical substation on the Farmland Drive frontage of the site. The Department considers that this can be addressed through a recommended condition of consent.

The Department has recommended conditions that require:

- evidence to be provided to the Certifier, including amended landscape plans if necessary, that the landscape plans include planting:
 - along the Farmland Drive frontage that matches the landscaping depicted in the renders included in SRtS1.
 - around the proposed electrical substation in consultation with Endeavour Energy.
- street tree planting be undertaken along Farmland Drive in consultation with Council.
- submission of an operational landscape management plan prior to the commencement of Stage 1 operation that sets out arrangements for the ongoing maintenance of landscaping.
- ongoing maintenance of the landscaping in accordance with the approved plans.

6.2 Traffic and parking

6.2.1 Existing conditions

The site currently has access to Farmland Drive to the north of the site. This is a partially-constructed local east-west road that originates at Alex Avenue to the east and currently terminates immediately north of the site. Alex Avenue currently functions as a main north-south collector road connecting the Alex Avenue Precinct to Schofields Road to the north and Burdekin Road to the south, which provide access to the wider road network. It is envisaged that the function of Alex Avenue would revert to a local road when Pelican Road, a new north-south collector road proposed immediately to the west of the site, is constructed. The local road network is shown in **Figure 17**.

Farmland Drive and other nearby local roads have unrestricted parking on both sides of the street.

The nearest bus stop is located on Alex Avenue approximately 800 metres walking distance from the site which provides access to the 732 bus route that runs from Rouse Hill to Blacktown. The Schofields railway station is approximately 1.5 kilometres walking distance (via available pathways) to the south-west of the site.



Figure 17 | Local road network (Base source: Google Maps 2019)

6.2.2 Construction traffic and parking

A Preliminary Construction Traffic Management Plan included in the EIS advised:

- construction vehicle traffic volumes were not available at the time of preparing the plan, however it was not expected that construction traffic would significantly affect traffic operations as:
 - the local road network is not heavily trafficked given that the area is still under development, with intersections performing at acceptable levels with minimum delays and moderate degrees of saturation.
 - construction workers are expected to travel outside of peak periods, given the proposed construction hours.

- heavy construction vehicles would access site via Schofields Road, Alex Avenue and Farmland Drive. Where vehicles do not turn around within the site or at the end of Farmland Drive, they would egress via Hyde Street, Heathland Avenue and Antonia Parade (see **Figure 18**).
- appropriate traffic management would need to be implemented during works to protect pedestrian movements on local streets during construction, particularly given the low level of pedestrian infrastructure.
- a temporary works zone may need to be implemented on the southern side of Farmland Drive at the front of the site to control parking in the area, subject to Council approval.
- impacts from construction worker parking would be limited as:
 - parking would be made available for construction workers on site where space is available.
 - use of public transport and car-pooling would be encouraged.
 - observations indicate that on street parking is relatively low, meaning that local streets have some capacity for parking during construction works.

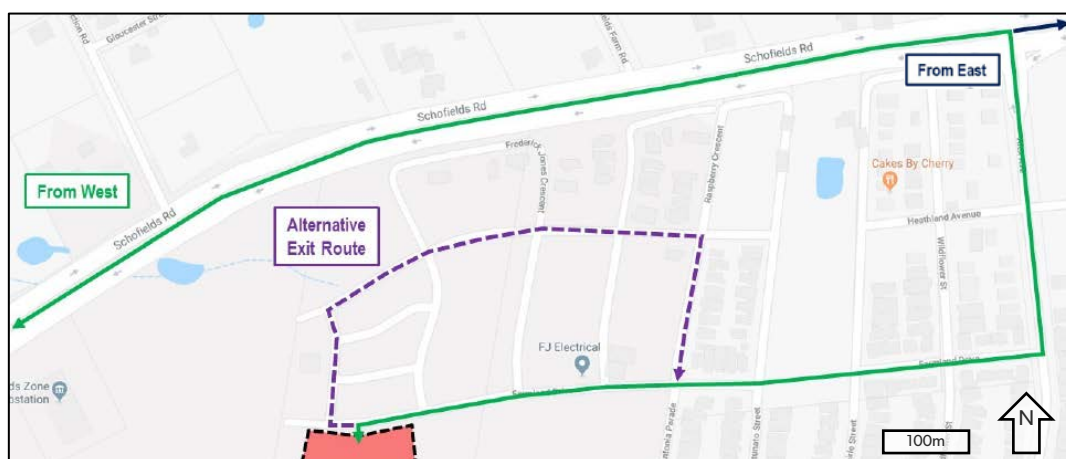


Figure 18 | Heavy construction vehicle routes (Source: Applicant's EIS 2019)

Council and TfNSW did not make any comments in relation to construction traffic in their submissions to the EIS. TfNSW (RMS) noted that appropriate traffic arrangements should be implemented during construction through a Construction Traffic Management Plan.

The Department notes that the inclusion of pre-fabricated building components in the construction of the development would reduce the number of vehicle movements to the site and assist in minimising the impacts of the proposal.

The Department has reviewed the Preliminary Construction Traffic Management Plan and is satisfied that construction traffic would be adequately managed during construction subject to the preparation of a detailed Construction Traffic Management Plan prior to the commencement of work. This would detail more specific construction management measures to ensure that impacts on the surrounding street network are minimised. The Department has recommended a condition requiring adequate arrangements to be put in place to minimise impacts from construction worker parking.

6.2.3 Operational traffic

A Transport Impact Assessment (TIA) was submitted with the EIS and updated in the RtS that assessed the impacts of the proposal on operational traffic. A supplementary TIA and traffic

information was also provided with SRtS2. The TIA examined the future impact of the proposal in 2026, when development of the Alex Avenue Precinct has progressed and traffic is at its projected levels. The TIA also assumed the construction of Pelican Road immediately to the west of the site and extension of Farmland Drive as planned in the Alex Avenue Precinct Indicative Layout Plan.

The TIA estimated traffic generation having regard to the student and staff numbers and:

- trip generation rates and mode share of student trips identified in previous strategic studies of school transport operations.
- the mode share of staff trips using 2016 census data for people employed in primary education.
- an estimation of the trip distribution based on the location of other primary schools and expected residential densities in the surrounding area.

Overall, the TIA found that:

- approximately half of students would travel to the school by car and half by foot.
- approximately 87% of staff would travel to the school by car and 4 per cent by foot or public transport (the remaining 9% accounts for staff that may not be travelling to work on a given day).
- majority (approximately 80%) of trips would travel to the school from within the Alex Avenue Precinct, with 60% coming from medium to high density residential areas proposed to the west and south-west of the school and 40% coming from lower density residential areas to the east.
- only 20% of trips would pass through the future Schofields Road / Pelican Road / Junction Road intersection to the north-west of the site.
- the proposal would generate 670 vehicle trips in the morning peak (7am to 9am) and 530 vehicle movements in the afternoon peak (4pm to 6pm).

The impact of the proposal on the future intersection of Schofields Road / Junction Road / Pelican Road in 2026 was considered through a SIDRA analysis. This modelled the future Level of Service (LoS) with and without the estimated school traffic. The analysis found that the addition of school traffic would result in a slight reduction of LoS from B (good) to C (satisfactory) in the morning peak but no change to in the afternoon peak (LoS C). As LoS C represents satisfactory intersection performance, the TIA concluded that the proposal would not result in significant detrimental impacts on traffic operations and that the future road network would capacity to accommodate the proposal.

Council in its submission to the EIS noted that the proposal would be likely to increase traffic congestion on Farmland Drive and other nearby local roads, but no mitigation measures were included in the TIA to ameliorate the impacts. Council also advised that Pelican Road and the extension of Farmland Drive should be constructed prior to opening of the school. TfNSW recommended that a Traffic and Parking Management Plan, Green Travel Plan and Road Safety Audit be prepared to reduce and manage traffic impacts and consider pedestrian safety.

In response to above comments and queries raised by the Department, the Applicant provided an updated TIA in the RtS which considered the impacts of the proposal on the future operation of Farmland Drive. This conservatively the estimated future traffic levels, having regard to traffic projections for nearby east-west roads and considered the performance of the future intersection of

Farmland Drive / Glacier Street which would accommodate the exit of the proposed drop-off / pick-up area. The movements examined and trip distribution considered is shown in **Figure 19**.

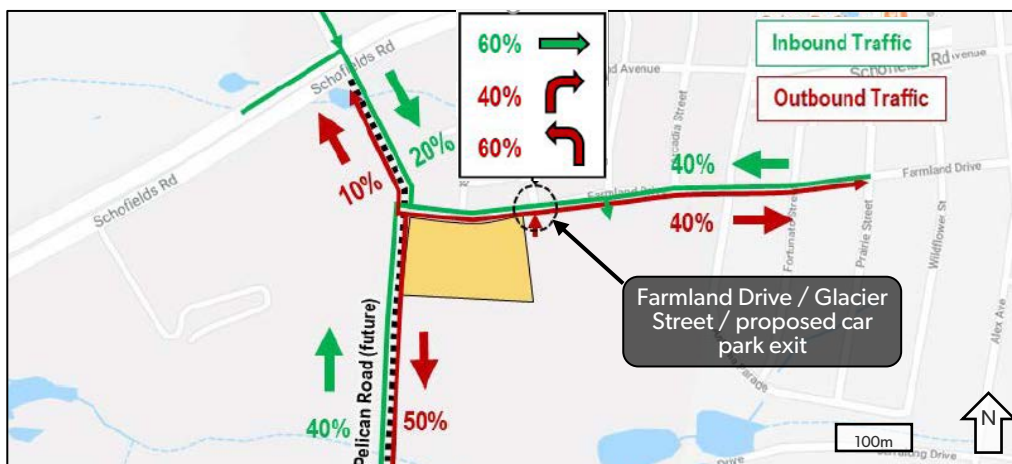


Figure 19 | Trip distribution (Base source: Applicant's RtS 2019)

The analysis found that the intersection of Farmland Drive / Glacier Street and the exit of the proposed car park and drop-off / pick-up area would operate with an LoS of A (good operation) in both morning and afternoon peaks. On this basis, the TIA concluded that the proposal would not result in any significant detrimental impacts on the performance of Farmland Drive or the surrounding local road network.

The Department has considered the comments made in Council and agency submissions and all information provided by the Applicant. Based on the traffic modelling provided by the Applicant, the Department is satisfied that the Applicant has demonstrated that the future local road network could reasonably accommodate the additional traffic generated by the development. Implementation of appropriate measures in a detailed Green Travel Plan, including the early implementation of a walking school bus (**Section 6.2.4**), would reduce the traffic generated by the proposal and the impact on surrounding roads.

The Department notes that the road network surrounding the site is incomplete and acknowledges the Applicant's advice that works to construct Pelican Road and extend Farmland Drive are underway and should be completed in August 2020. The Department also acknowledges Council's recommendation that Pelican Road and the extension of Farmland Drive should be constructed and dedicated to Council prior to the commencement of operation of Stage 1. The Department agrees with Council's advice and considers that the completion of these works would provide for the orderly and safe operation of the school, including for the accommodation of bus services as discussed in **Section 6.2.4**. The Department has therefore recommended conditions that require that Pelican Road and the extension of Farmland Drive have been constructed and dedicated to Council prior to the commencement of operation of Stage 1.

The Department has also recommended a condition that the Applicant prepare a detailed Green Travel Plan which would set out comprehensive measures to encourage use of alternative modes of transport to the school and reduce reliance on private vehicular trips. It would also include specific

targets to be achieved and ongoing monitoring and revision of the plan, including prior to the commencement of Stage 2 operations.

The Department has also recommended conditions to require the preparation of an Operational Transport and Access Management Plan and Operational Waste Management Plan prior to the occupation of the proposed buildings. These plans would include measures to minimise the number of service vehicles trips to the site, set out clear hours for deliveries /collections to be undertaken and provide arrangements to ensure that vehicles enter and exit the site in a forward direction. These plans would also need to be reviewed at the same stages as the Green Travel Plan.

6.2.4 Operational parking and drop-off / pick-up

The proposal involves the shared use of a 100 space car park proposed in the Council recreation reserve to be constructed on land east of the site. Proposed management arrangements envisage that 80 of these spaces are nominated for school staff use during school hours, leaving 20 spaces for public users of the recreation reserve. A 50 metre drop-off / pick-up area is also proposed within the reserve to provide space for up to eight vehicles to drop-off / pick-up students.

A four space special needs drop-off / pick-up and accessible parking area is proposed in the north-east corner of the site with access off the shared use car park. This would also provide access for service vehicles. A bus bay would be provided on Pelican Road, currently under construction immediately west of the site.

See **Figure 20** for a plan showing the location of the shared use car park and drop-off / pick-up area within the proposed Council recreation reserve, the special needs drop-off / pick-up area within the site and proposed bus bay on Pelican Road. See **Figure 21** for a plan showing the indicative layout of the shared car park and drop-off / pick-up area.

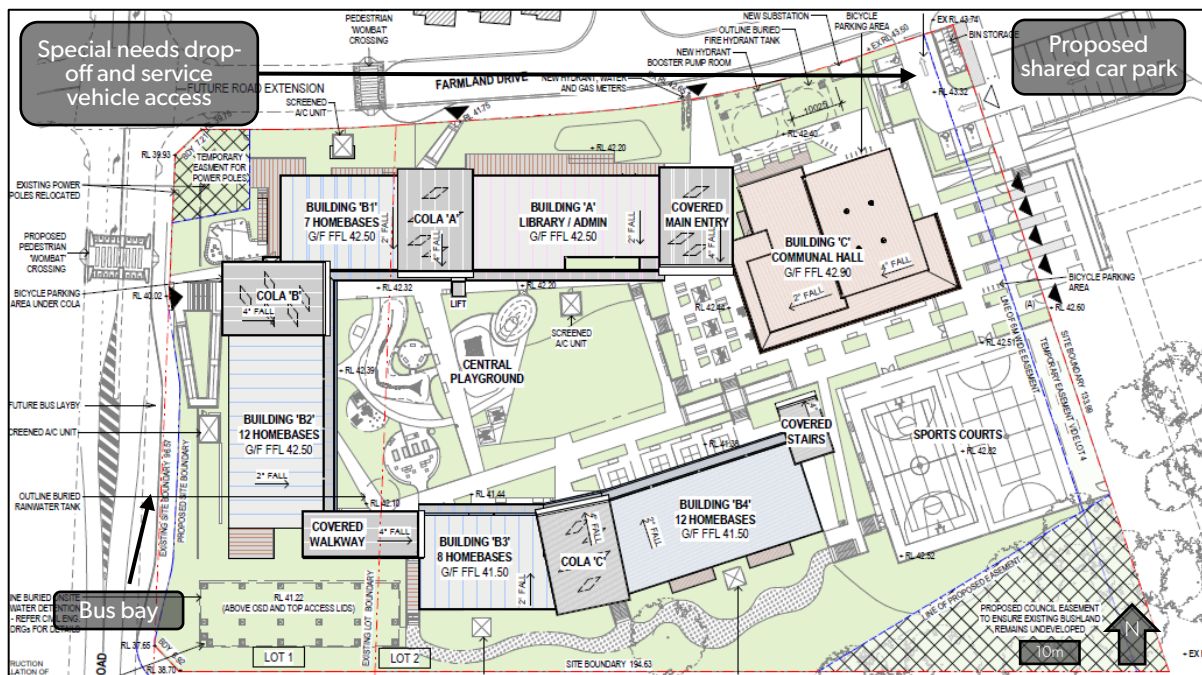


Figure 20 | Bus bay and on site drop-off / pick-up area (Bases source: Applicant's SRtS2 2020)

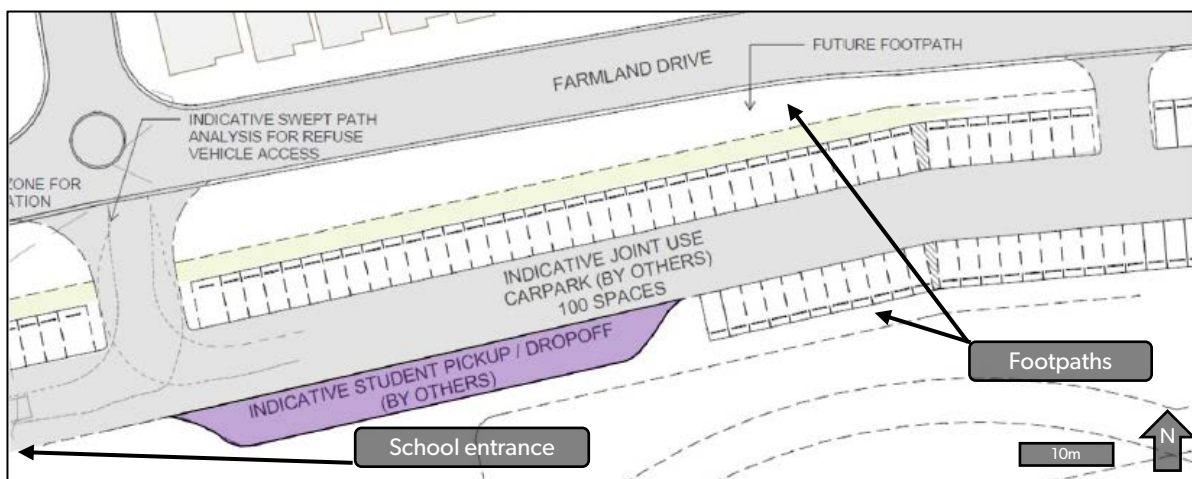


Figure 21 | Indicative layout of shared use carpark and drop-off / pick-up area (Base source: Applicant's RtS 2019)

Council, TfNSW and the Department raised concerns / made comments in relation to the original parking and drop-off / pick-up proposals set out in the EIS and RtS, as arrangements for the shared use car park and timing of construction of Pelican Road were not clear at the time.

In response to those comments, the Applicant confirmed in SRtS2 that:

- a joint use arrangement had been established with Council for the provision of the shared use car park and drop-off / pick-up area.
- the special needs drop-off / pick-up area has been relocated within the site to provide for all vehicles to enter and exit the site in a forward direction as requested by Council.
- a temporary car park and drop-off / pick-up area would be provided on site if the shared use car park was not available for use at the opening of Stage 1. This would provide 32 parking spaces for staff and five spaces for drop-off / pick-up of students for Stage 1 operations until the shared use car park was constructed. See **Figure 11** in **Section 2.1** for a plan of the temporary car park.
- a shorter bus bay would to be provided in Pelican Road following consultation with Council, along with the provision of a temporary turning area, if the construction of Pelican Road does not immediately allow for buses to turn around.

Parking

The Blacktown City Council Growth Centre Precincts Development Control Plan July 2018 provides that one parking space should be provided per 100 students and per staff member. Based on the number of students and staff proposed at full capacity (1000 students and 70 teachers), 80 parking spaces should be provided. The proposed 80 parking spaces to be reserved for school use within the shared use car park to the east of the site would meet this requirement and provide satisfactory parking arrangements for the proposed school.

If the shared use car park is not constructed at the opening of the school, the proposal includes the provision of a temporary car park on site that would cater for the initial Stage 1 operations accommodating up to 600 students and 22 staff. Based on the Blacktown City Council Growth Centre Precincts Development Control Plan July 2018 requirements, 28 spaces should be provided. As 32

spaces would be provided in the temporary car park, these arrangements would exceed these requirements.

The Department has recommended conditions requiring the provision of the temporary car park if the shared use car park has not been completed for commencement of Stage 1 operation. In addition, the Department has recommended conditions requiring evidence to be provided of the construction of the shared use car park prior to the commencement of Stage 2 operations. Details of a joint use agreement that has been entered into, which sets out appropriate arrangements for the ongoing shared use and management of the parking, would also be required.

Drop-off / pick-up

The TIA included an assessment of the capacity of the proposed permanent drop-off / pick-up area to cater for the anticipated demand. This considered demand during peak drop-off / pick-up times based on the projected number of trips and several likely dwell times. It found that the proposed eight space drop-off / pick-up area could accommodate demand in the morning and afternoon peaks where shorter dwell times were assumed. However, where longer dwell times were considered, it found that demand would exceed capacity, particularly in the PM peak, which would result in queuing for an available space. The TIA noted in relation to these findings:

- the assessment assumed the simultaneous release of students at 3pm whereas before and after school activities, variance in school attendance, staggering of student release times and measures to encourage students to walk to school would mean that demand would likely be lower than that predicted.
- some queuing would be acceptable as it would be accommodated within the off street drop-off / pick-up and parking area and would not necessarily impact traffic flows on Farmland Drive.
- management of the drop-off / pick-up area by school staff would enhance the smoothness of traffic flow and ensure that parents do not dwell in the drop-off / pick-up area.
- a queueing assessment could be undertaken following commencement of operations to inform ongoing management of drop-off / pick-up arrangements.

The Department has considered the information provided in the TIA and accepts the factors that would mitigate the impacts of the drop-off / pick-up area. Subject to recommended conditions, the Department is satisfied that the proposed permanent drop-off / pick-up arrangements, including the offsite shared use drop-off / pick-up area in the proposed Council recreation reserve and the on-site special needs drop-off / pick-up area, would cater for the demand generated by the proposal.

The Department has recommended conditions requiring the preparation and implementation of a detailed Green Travel Plan and Operational Traffic and Access Management Plan for Stages 1 and 2 operations to encourage more sustainable modes of travel and minimise impacts on the local road network. This includes a review of the performance of the drop-off / pick-up areas within 12 months of the commencement of Stage 1 and Stage 2 operations, and implementation of additional measures where required to improve performance and mitigate any impacts on the local road network. The Department has also recommended a condition that requires the design of the on-site special needs

drop-off / pick-up area complies with relevant Australian Standards and provide for one-way traffic-flow in accordance with Council's requirements.

A five space temporary drop-off / pick area is proposed on site if the offsite parking and drop-off / pick-up area has not been constructed for Stage 1 operations. While the TIA did not include an assessment of the temporary facility, the provision of the five spaces proposed would represent an approximate 60 per cent provision of the eight spaces proposed in the permanent facility. As the Stage 1 operations (600 students) comprise 60% of the final (Stage 2) operations (1000 students), the temporary drop-off / pick area would represent an acceptable provision in proportion to the scale of the Stage 1 operations.

On this basis, it is considered that the temporary facility would adequately cater for demand during the Stage 1 operations. The Department has recommended conditions requiring the provision of the temporary drop-off / pick-up area if the shared use car park has not been completed for commencement of Stage 1 operation. In addition, the Department has recommended conditions requiring evidence of the construction of the shared use car park prior to the commencement of Stage 2 operations. The Department has also recommended conditions requiring the preparation and implementation of a detailed Green Travel Plan and Operational Transport and Access Management Plan for Stage 1 and Stage 2 operations.

Bus Bay

Following submission of SRtS2, the owner of Lot 4 DP1244925 raised concerns that the design of the bus bay proposed on Pelican Road would detrimentally impact upon the proposed permanent access to the submitter's property and that the Applicant had not consulted with the objector in relation to the proposal.

The Department acknowledges the objector's concerns and notes that TfNSW and Council did not raise concerns in relation to the design or location of the bus bay and that the bus bay would not permanently obstruct the future permanent access and services easement to the adjoining land Lot 4.

The Department notes that the final detailed design and construction of the bus bay is required to be undertaken to the satisfaction of Council as a future public road, along with the remainder of Pelican Road and associated infrastructure. As detailed in **Section 6.2.3**, the Department has recommended conditions that require Pelican Road to be constructed and dedicated to the satisfaction of Council prior to the operation of Stage 1.

Pedestrian safety

A walking school bus is proposed at opening of the school to encourage students to walk to school from the surrounding residential areas. This forms one of several measures proposed in the Green Travel Plan to encourage more sustainable forms of travel to the school.

Following exhibition of the EIS, the Department raised queries regarding how the proposal would ensure safe pedestrian access to the site, including the safe operation of the walking school bus, given the lack of footpath infrastructure in the Alex Avenue Precinct. In response, the Applicant

advised in its RtS that the provision of street infrastructure is a Council responsibility and is in the process of being provided in the Precinct. The Applicant noted that a review could be undertaken of pedestrian infrastructure prior to commencement of operations to inform arrangements for the walking school bus.

Discussions with Council representatives confirmed that pedestrian infrastructure is generally provided by the developer of the subdivision following the construction of buildings on lots. In new urban areas in Blacktown City Council LGA, this generally includes the provision of footpaths on both sides of the street.

In SRtS2, the Applicant confirmed that it would construct a footpath along the Farmland Drive and Pelican Road frontages of the site and advised that Council would construct a footpath along the Farmland Drive frontage of the proposed Council recreation reserve to the east of the site as part of the proposed adjoining shared use carpark. The Applicant also confirmed that it would install pedestrian crossings on Pelican Road and Farmland Drive once Pelican Road and the extension to Farmland Drive have been constructed.

The Department recognises that local street infrastructure is a Council responsibility and that it would not be reasonable to require the Applicant to provide public infrastructure not directly required to support the proposed development. The Department notes that the provision of a footpath along Farmland Drive from the site to Antonia Parade would ensure the provision of a safe path of pedestrian travel along Farmland Drive from Antonia Parade. This is particularly important given that Farmland Drive would accommodate the bulk of vehicular and pedestrian traffic to the school.

The Department has recommended conditions requiring the Applicant to construct a footpath along the frontages of the site prior to the operation of Stage 1.

The Department has recommended conditions for the preparation of a pedestrian infrastructure assessment to document the available pedestrian infrastructure and inform arrangements for the walking school bus, and for the outcome to be considered in the preparation of the detailed Green Travel Plan. On this basis, the Department is satisfied that appropriate arrangements would be put in place to provide for the safety and amenity of residents, road users, students and staff.

6.2.5 Bicycle parking and end-of-trip facilities

The proposal includes the provision of bicycle parking with capacity for 56 bicycles. This is to be provided in three areas adjacent to the main entrances of the site. The proposal also includes the provision of a shower / change facility for staff within Block A.

The Blacktown City Council Growth Centre Precincts Development Control Plan July 2018 does not include bicycle parking requirements for educational establishments. The Department supports the provision of bicycle parking and end-of-trip facilities on site. These combined with the implementation of Green Travel Plan measures should encourage increased travel to the site by bicycle.

The Department has recommended conditions requiring the provision of the proposed bicycle parking and end-of-trip facilities, including the preparation and implementation of the Green Travel Plan to

encourage sustainable travel to the school. Given the number of bicycle parking spaces proposed (56) in the context of the number of students to be accommodated in the school (1000), the Department has recommended conditions that require the demand for bicycle parking to be reviewed as part of the regular review of the Green Travel Plan and that additional bicycle parking be provided where demand exceeds the number of spaces provided.

6.3 Other Issues

The Department's consideration of other issues is provided at **Table 4**.

Table 4 | Summary of other issues

Issue	Discussion	Findings / Recommended Conditions
Future land use conflict	<p>Concerns were raised in one of the public submissions in relation to the impact of the proposal on ongoing access to and the future development of Lot 4 DP1244925.</p> <p>The Applicant provided the following advice in response to these concerns:</p> <ul style="list-style-type: none"> the access and services easement along the eastern boundary of the site that provides legal access to Lot 4 is temporary and is only required until Pelican Road is constructed which is currently underway. the temporary easement would be fenced off and kept clear for use by the owner of Lot 4 during Stage 1 construction works. suitable arrangements would be put in place to protect the temporary easement in accordance with the terms of the easement. This would include temporary school access arrangements and landscape treatments to ensure the safe movement of staff, students and visitors to the school. Access to the school would be limited to the pedestrian entry to Farmland Drive. the permanent access and services easement for Lot 4 to the south of the proposed school site would be able to be 	<p>The Department acknowledges the concerns raised by the public submitter and the advice provided by the Applicant and Council.</p> <p>To ensure that the temporary access and service rights are maintained to Lot 4 during Stage 1 construction works, the Department has recommended conditions that require Stage 1 construction works to be managed to comply with the provisions of the temporary access and services easement.</p> <p>The Department notes the Applicant's proposals for maintenance of the temporary easement during Stage 1 operations (in accordance with the terms of the easement) in the event that Pelican Road and the extension to Farmland Road are constructed prior to opening of the school. However, as set out in Section 6.2.3, the Department has recommended conditions that the operation of Stage 1 must not commence until Pelican Road and the extension to Farmland Road</p>

constructed under the terms of the easement as a local road once Pelican Road has been constructed. Suitable arrangements would be put in place to ensure that there is no conflict between the operation of the local road and any future expansion of the school onto the southern portion of Lot 1 DP1244925 owned by the Applicant.

- any rezoning of Lot 4 and the relationship between Lot 4 and the adjoining proposed recreation reserve is not for consideration in this application.

Council recommended that the temporary access and services easement be extinguished prior to the commencement of operation of Stage 1.

are constructed and dedicated to Council. Construction of these roads would enable the permanent access and service arrangements to be made available, in accordance with the terms of the easement, off Pelican Road so as to allow the extinguishment of the temporary easement prior to the operation of Stage 1.

The Department agrees with Council that extinguishment of the temporary easement would provide for the orderly and safe operation of Stage 1. Accordingly, the Department has recommended a condition that requires the temporary access and services easement to be extinguished prior to the commencement of operation of Stage 1, in accordance with the terms of the easement and any legal agreement entered into by the parties subject to the easement.

The Department has also recommended a condition that the design and construction of a road over the permanent access and services easement be undertaken to the satisfaction of Council and in accordance with the terms of the easement and any legal agreement entered into by the parties subject to the easement.

Subject to the above conditions, the Department is satisfied that suitable arrangements would be put in place to manage any potential land use conflicts between the proposed

school and a future development of the adjoining Lot 4.

The Department notes that any future expansion of the school into the southern portion of Lot 1 would only proceed after a separate assessment process. That process would consider the impacts on surrounding land including Lot 4, and consider the safe future operations of the school at that time.

Stormwater and flooding	<p>The EIS included a Stormwater Management Report and Flood Risk Assessment which concluded that:</p> <ul style="list-style-type: none">• the site is not subject to flooding based on the available flooding information.• overland flow paths are to be maintained across the site to cater for a 100 year average recurrence interval.• a piped stormwater drainage system would collect concentrated flows across the site and drain this into a bioretention basin in the south-west corner of the site. The basin would then discharge overland in the south-west corner of the site and run overland to the creek to the south of the site.• on site detention is not proposed as the site is catered for in a regional basin provided downstream of the site. <p>Council's submission to the EIS raised objections to the proposal based on the failure of the proposal to either provide on-site detention or make a financial contribution to the offsite detention provided by Council downstream of the site. Council also advised that it did not support the proposed discharge point as the on-site drainage should discharge</p>	<p>The Department has considered the information provided by the Applicant and comments of Council and the public submitter.</p> <p>The Department is satisfied that the Applicant has demonstrated that the site is not affected by significant flooding.</p> <p>The Department is also satisfied that appropriate stormwater arrangements are now proposed including on-site detention and discharge to Council's nominated discharge point.</p> <p>The Department has recommended a condition requiring the finalisation of the design of the stormwater management system for the development including incorporation of on-site detention and water quality measures in accordance with relevant standards and guidelines and to Council's satisfaction.</p>
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to Council's existing and future stormwater drainage system.

The public submission raised concerns about the proposed stormwater drainage design and impacts on access to, and the development potential of, Lot 4 DP1244925 to the south of the site.

The Applicant provided revised advice and the following amendments in SRtS2:

- the replacement of the bioretention swale with an on-site detention tank that would be delivered under a separate planning pathway (see **Section 2.4**).
- stormwater to be discharged to the drainage reserve to the south through the southern portion of Lot 1 owned by the Applicant with drainage located outside of the site to be provided under a separate planning pathway (see **Section 2.4**).

As a result of the changes, drainage works included in this application only includes pits and pipelines to carry stormwater from the proposed buildings and landscape areas to the on-site detention facility.

Council advised that it did not have any further objections following the submission of SRtS2 subject to conditions of consent to finalise the design of the proposed drainage system.

Noise and vibration

An Environmental Noise and Vibration Impact Assessment (ENVIA) was included in the EIS (and updated in the RtS and SRtS1) which examined the acoustic and vibration impacts of the proposal and included background noise monitoring undertaken in accordance with EPA guidelines.

Construction Noise and Vibration

The ENVIA found that Interim Construction Noise Guideline (ICNG) Noise Affected Noise

Construction Noise and Vibration

The Department has reviewed the ENVIA (as amended), considered

Management Levels would be exceeded at noise sensitive receivers to the north of the site at times during the works. It also found that Highly Noise Affected Noise Management Levels would be exceeded for brief periods when the loudest plant is operating at the northern boundary of the site. The ENVIA however anticipated that construction noise could be managed to minimise any adverse impact on the community.

The ENVIA also found that there would be no significant sources of vibration involved in the construction works and that vibration levels would comply with the relevant criteria determined using EPA and international guidelines.

The ENVIA proposes construction works would occur during:

- 7am to 6pm Monday to Friday.
- 7:30am to 3:30pm Saturday.

These times include longer hours on Saturdays than the standard hours set out in the ICNG, including an extra half an hour in the morning and two and a half hours in the afternoon.

In its submission to the EIS, EPA recommended conditions to minimise noise impacts including the implementation of intra-day respite periods and limiting the construction works to standard hours.

The Applicant responded to EPA comments in the RtS, noting that the modest extension to construction hours proposed on Saturdays is reasonable because:

- there are no residential receivers to the east, south or west of the site.
- the residential receivers to the north are separated from the site by road.

the comments made by EPA and notes that the Applicant no longer seeks extended construction hours.

The Department is satisfied that appropriate noise and vibration management measures would be implemented as set out in the ENVIA and recommended by the EPA by way of recommended conditions. This includes compliance with standard hours of construction.

- only quieter construction activities are envisaged as the proposal incorporates pre-fabrication of buildings and earthworks are not proposed under the SSD application.

In response to the RtS, EPA reiterated its recommendation for standard construction hours in the absence of a strong justification otherwise.

The Applicant confirmed in the updated ENVIA provided in SRtS1 that extended construction hours were no longer sought and that standard construction hours may be imposed as conditions of consent.

Operational Noise

The ENVIA assessed the operational noise levels of the proposed school having regard to the Noise Policy for Industry (EPA, 2017). The assessment considered noise impacts from student noise within classrooms and outside play areas, mechanical plant and equipment, use of the public address system, traffic generation and waste removal. The ENVIA concluded that operational noise levels would be acceptable and within the relevant criteria.

In its submission to the EIS, EPA raised queries regarding the location and extent of noise monitoring undertaken to determine background noise levels. The Department also raised queries regarding the assessment of community uses of the school facilities.

The updated ENVIA included in the RtS responded to the EPA and Department comments, including additional noise monitoring and an assessment of community use of school facilities. This confirmed that the proposal would operate within the relevant noise criteria except for short exceedances

Operational Noise

The Department has reviewed the ENVIA and considered the comments made by the EPA. It is considered that satisfactory measures can be implemented to reduce adverse operational noise impacts on neighbours and manage any potential land use conflicts. Accordingly, the Department has recommended conditions requiring the following mitigation measures:

- incorporation of mitigation measures recommended in the ENVIA and by the EPA.
- preparation of an Out of Hours Event Management Plan.
- short term noise monitoring be undertaken to confirm noise levels and identify any further mitigation required.

during outdoor play. The updated ENVIA included the following recommendations:

- that the doors to the school hall be closed when amplified music is played.
- a detailed assessment be undertaken of mechanical equipment when determined in the detailed design.
- speakers associated with any outdoor public address system be designed and installed to minimise noise spill to adjacent properties.

In response to the RtS, EPA noted that the updated ENVIA included significantly lower background noise levels than those provided in the EIS. It also noted that the updated ENVIA included errors in the intrusiveness and amenity noise trigger levels. The EPA recommended corrected project noise trigger levels, noise monitoring and other mitigation measures to be applied through conditions of consent.

The further updated ENVIA included in SRtS1 corrected background noise levels and incorporated the project noise trigger levels recommended by the EPA. This was referred to EPA which recommended revised project noise levels to be imposed through conditions of consent.

Aboriginal cultural heritage	<p>An ACHAR was included in the EIS which was prepared in accordance with the relevant guidelines and incorporated consultation with Aboriginal communities.</p> <p>The ACHAR advised:</p> <ul style="list-style-type: none"> • the western portion of the study area was subject to previous assessment and was included in an Aboriginal Heritage Impact Permit issued to a previous developer of 	<p>The Department has reviewed the ACHAR and is satisfied that the proposal has considered Aboriginal cultural heritage in conjunction with interested Aboriginal parties and in accordance with relevant guidelines.</p> <p>The Department has recommended conditions to give effect to the recommendations of the ACHAR,</p>
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the land in 2014. This expired on 11 September 2019.

including the implementation of unexpected finds procedures.

- there are no Aboriginal cultural heritage sites listed in the above Aboriginal Heritage Impact Permit or in the Aboriginal Heritage Information Management System that are located within the subject site, although 94 registered sites are located within the general vicinity of the subject site.
- field studies, including 31 test pits were undertaken which uncovered three artefacts, resulting in the identification of two new Aboriginal sites of potential archaeological deposit which have been lodged for registration with Aboriginal Heritage Information Management System.
- overall, the two sites are considered to be of low significance and the proposal would result in their complete loss which cannot be avoided.
- in accordance with recommendations of a number of the registered Aboriginal parties, it is proposed that the artefacts be reburied on within natural ground areas in the south east corner of the site.

The ACHAR recommended a range of mitigation measures to protect Aboriginal cultural heritage, including:

- the Applicant complying with any relevant conditions of the existing Aboriginal Heritage Impact Permit which affects part of the site.
- an unexpected finds procedure be prepared and implemented where Aboriginal artefacts or remains are uncovered during construction works.
- the Applicant to continue to inform the registered Aboriginal parties on the

ongoing management of the two Aboriginal cultural heritage sites on the subject site.

EES Group did not make any comments in relation to Aboriginal cultural heritage in its submission to the EIS or RtS.

Non-Aboriginal heritage	<p>The EIS included a Statement of Heritage Impact and Historical Archaeological Assessment (Heritage Statement) which noted that:</p> <ul style="list-style-type: none"> no items on State Heritage Register are located on or within proximity to the site. no items of local heritage significance on or within proximity to the site listed in the State Environmental Planning Policy (Sydney Region Growth Centres) 2006. there may be archaeological material present within the study area related to the historical use of the land for pastoral and agricultural purposes, but these do not have heritage significance. the impacts of the proposal are considered to be acceptable subject to the implementation of an unexpected archaeological finds procedure. 	<p>The Department accepts the findings and recommendations of the Heritage Statement and concludes that the proposal would not have detrimental impacts on heritage items.</p> <p>The Department has recommended a condition setting out procedures to be implemented if unexpected archaeological relics are found on site.</p>
Bush fire	<p>The EIS included a Bushfire Assessment as part of the site is mapped as bush fire prone land in the Blacktown Bush Fire Prone Land Map.</p> <p>The Bushfire Assessment noted:</p> <ul style="list-style-type: none"> only the northern portion of the site is mapped as bush fire prone land due to it being located within 100 metres of a patch of remnant woodland to the north-west of the site. However, this area of vegetation has been / will be largely removed by residential development and the construction of Pelican Road. 	<p>The Department has considered the information provided by the Applicant in the EIS and RtS and the advice of the NSW RFS.</p> <p>The Department is satisfied that the proposal incorporates appropriate bush fire protection measures in accordance with Planning for Bush Fire Protection 2006.</p> <p>The Department has recommended conditions requiring the bush fire protection measures to be</p>

- whilst the riparian corridor to the south of the site is mapped as a bush fire hazard, the 100 metre buffer zone around the corridor does not affect the site.
 - the proposal complies with the asset protection zone requirements of Planning for Bush Fire Protection 2006 (NSW RFS).
 - only three buildings in the north-west corner of the site are required to be constructed to BAL-12.5 bush fire standards. The future removal of the vegetation to the north-west of the site means that this could be revised in the future.
 - access and services comply or can be provided to comply with Planning for Bush Fire Protection 2006.
- implemented as part of the development.

The NSW RFS in its submission to the EIS advised that the existing grassland hazard adjacent to the site had not been dealt with sufficiently within the Bushfire Assessment and should be updated to demonstrate how the proposal would provide minimum setbacks to achieve radiant heat levels of 10 kilowatts per square metre or less at the proposed buildings.

The Applicant responded to the NSW RFS comments in the RtS which included a supplementary letter from the bushfire consultant that prepared the Bushfire Assessment in the EIS. This advised that the proposal included a 10 metre asset protection zone to the adjoining grassland hazard in compliance with Planning for Bush Fire Protection 2006.

The RtS was referred to the NSW RFS which provided the recommended conditions in **Section 5.5.**

Site contamination	<p>A Preliminary Site Investigation and Detailed Site Investigation were included with the EIS. These advised:</p> <ul style="list-style-type: none"> the site has low to moderate potential for contamination because of fill material, history of agricultural / grazing use and general use of pesticides. site investigations identified that surface soil quality was suitable for use as a school and did not reveal any results that would warrant further investigation. overall, the site is suitable for the proposed use. <p>The EPA noted the results of the investigations in its submission to the EIS, and recommended an unexpected finds procedure be prepared for the site and that the proposed works do not result in change in contamination risk of the site.</p>	<p>The Department has reviewed the information provided in the EIS and is satisfied that the Applicant has adequately demonstrated that the site is suitable for the use as a school as required by State Environmental Planning Policy No. 55 – Remediation of Land.</p> <p>The Department has recommended conditions to:</p> <ul style="list-style-type: none"> require an unexpected contamination finds procedure to be prepared for the site and that the proposed works do not result in change in contamination risk of the site. require a Site Audit Statement be issued prior to the commencement of Stage 1 operations. require the Applicant to consult with SafeWork NSW if any asbestos waste is to be handled and / or disposed of. comply with the <i>Protection of the Environment Operations (Waste) Regulation 2014</i>.
Utilities	<p>The EIS included a Site Infrastructure Overview Report. This concluded that water, sewerage, gas, electricity, and communications services are generally available to the site subject to appropriate extension and augmentation in accordance with the requirements of the suppliers.</p> <p>Sydney Water and Endeavour Energy did not object to the proposal, advising that existing water, sewerage and electricity services are available to the site and that the Applicant</p>	<p>The Department is satisfied that the required utilities are available to the site. These will be required to be connected prior to the occupation of the proposed buildings subject to the requirements of the relevant supply bodies.</p> <p>The Department has recommended conditions to ensure that all utilities are available prior to operation.</p>

would need to lodge the appropriate requests for the supply of these services.

Sediment, erosion and dust control	<p>A preliminary Construction Management Plan and Sediment and Erosion Control Plan were included with the EIS. Proposed measures would contain sediment within the site and prevent soil erosion, including the diversion of clean runoff away from work areas and collection and treatment of sediment affected runoff before being discharged from the site. Measures were also proposed to control dust, such as watering down of roads and stockpiles, covering of haulage trucks and stockpiles, and monitoring of weather conditions on site.</p> <p>The EPA recommended that appropriate sediment, erosion, and dust control measures be implemented during works to minimise the impacts of the proposal.</p>	<p>The Department has recommended conditions requiring the preparation of a final detailed Construction Environmental Management Plan prior to the commencement of construction works on the site. This must set out all reasonable measures to prevent adverse impacts on surrounding landowners and the environment.</p>
Waste	<p>The EIS included a Construction Waste Management Plan and Operational Waste Management Plan. These plans assessed the waste quantities, storage, and management procedures to be carried out during demolition, construction and operation of the project.</p> <p>The EPA recommended that the Applicant be required to identify and implement feasible and reasonable opportunities for re-use and recycling of waste. The EPA also recommended that waste collection not be undertaken outside of the hours of 7:30am to 6pm Monday to Friday to minimise impacts on neighbours.</p>	<p>The Department is satisfied that appropriate arrangements could be put in place to manage waste so that the proposal would not result in adverse impacts on the local environment and to maximise opportunities to re-use and recycle materials.</p> <p>The Department has recommended conditions to ensure that appropriate waste handling and management arrangements are implemented during construction and operation of the development.</p>
School identification signs	<p>The proposal includes the installation of one school identification sign on the eastern elevation of the school hall that would be visible from Farmland Drive adjacent to the main school entrance.</p>	<p>The Department is satisfied that the proposed sign is appropriate (see Appendix B) and would not detract from the amenity of the area.</p>

Social Impacts	<p>The EIS included consideration of the social impacts of the proposed development. This concluded that the proposal would have substantial positive social benefits as it will meet the growing demand in the area and provide a high quality public educational facility.</p>	<p>The Department has considered the assessment undertaken as part of the EIS and is satisfied that the proposal would have a positive social impact. The proposal would assist in meeting the educational needs of a growing area and would not displace any existing community facilities. The proposal would also offer community use of the school sports facilities outside of school hours.</p> <p>The Department has recommended conditions requiring the preparation of an Out of Hours Event Management Plan and conditions limiting the hours of use of the school facilities. These measures would ensure that any potential land use conflicts would be appropriately managed.</p>
Development contributions	<p>In its submission to the EIS, Council advised that the development should make development contributions for the provision of infrastructure in accordance with the applicable Riverstone and Alex Avenue Precincts contributions plan. This included contributions to water cycle management facilities and traffic and transport management items including the signalisation of the future intersection of Pelican Road and Farmland Drive.</p> <p>In the EIS, the Applicant recognised that the development would normally be subject to development contributions as the contributions plan did not include exemptions for public development.</p> <p>However, the Applicant advised that the proposal provides important social and</p>	<p>The Department has considered the relevant development contributions plan and the Applicant's request that the development be exempt from making a contribution.</p> <p>The Department considers that a full exemption can be supported in this instance as the development would not directly generate a need for an upgrade in infrastructure and would provide significant public benefit to community.</p>

community infrastructure and would not generate additional demand for Council services or infrastructure. In addition, the Applicant referenced the guidance provided in Planning Circular D6 that generally seeks to limit the scope of development contributions applied to public infrastructure projects, including educational facilities. The Applicant therefore requested that development contributions not be imposed on the development.

Council did not make any further comments in relation to development contributions in its response to the RtS and SRtS1.

Public interest	<p>The proposal would benefit the community by delivering a new school that would provide facilities for up to 1000 students. The proposal would provide contemporary teaching and learning facilities with adaptable and collaborative learning spaces that would improve educational outcomes. The proposal would also provide direct investment in the area of \$43.9 million to support more than 300 construction jobs and 70 operational jobs. The proposal includes the planting of a minimum 55 locally occurring canopy trees, which would contribute to the setting of the school, immediate locality and the wider community and compatible with the NSW Government's aims to increase tree canopy and green cover.</p>	<p>The Department is satisfied that the proposal would be in the public interest. Overall, the Department considers that the proposal would have acceptable environmental impacts subject to recommended conditions of consent.</p>
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7. *Evaluation*

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

The proposal is consistent with the objects of the EP&A Act (including ESD) and the State's strategic planning objectives for the site set out in the Greater Sydney Regional Plan - A Metropolis of Three Cities, and the Greater Sydney Commission's Central City Plan, as it would provide new school infrastructure in an accessible location and includes opportunities to co-share facilities with the community.

The proposal is suitable for the site and the impacts of the proposal are considered satisfactory on balance in the context of the benefits for the local community. The Department considers that the proposed form, scale and design of the proposed school buildings are appropriate to the site and its context. Planting of a minimum 55 locally occurring canopy trees would contribute to the landscape setting of the school, immediate locality and the wider community. The Department also considers that appropriate access and parking arrangements have been proposed that would satisfactorily accommodate staff and student travel to the school whilst avoiding significant impacts to the local road network.

The proposal is in the public interest as it would provide public benefits including:

- provision of new educational facilities to meet the needs of a growing area.
- investment of \$43.9 million to deliver 340 new construction jobs and 70 operational jobs.



8. *Recommendation*

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

- **considers** the findings and recommendations of this report;
- **accepts and adopts** all the findings and recommendations in this report as the reasons for making the decision to grant consent to the application;
- **agrees** with the key reasons for approval listed in the notice of decision;
- **grants consent for** the application in respect of SSD-9368; and
- **signs** the attached development consent and recommended conditions of consent (see **Appendix C**).

Prepared by:

Jason Maslen

Team Leader

School Infrastructure Assessments

Recommended by:

Karen Harragon

Director

Social and Infrastructure Assessments



9. *Determination*

The recommendation is: **Adopted** by:

21/5/2020

David Gainsford

Executive Director

Infrastructure Assessments



Appendices

Appendix A - List of Documents

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

1. Environmental Impact Statement
<https://www.planningportal.nsw.gov.au/major-projects/project/10036>
2. Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/10036>
3. Applicant's Response to Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/10036>
4. Applicant's Supplementary Response to Submissions 1
<https://www.planningportal.nsw.gov.au/major-projects/project/10036>
5. Applicant's Supplementary Response to Submissions 2
<https://www.planningportal.nsw.gov.au/major-projects/project/10036>

Appendix B - Statutory Considerations

Environmental Planning Instruments (EPIs)

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

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

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

Compliance with Controls

SRD SEPP

Table B1 | SRD SEPP compliance table

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

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

Infrastructure SEPP

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

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

Education SEPP

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

Clause 42 of the Education SEPP states that development consent may be granted for development for the purpose of a school that is SSD even though the development would contravene a development standard imposed by this or any other EPI under which the consent is granted.

Clause 57 of the Education SEPP requires traffic generating development that involves the addition of 50 or more students to be referred to Transport for NSW (Roads and Maritime Services) (TfNSW (RMS)). The application was referred to TfNSW (RMS) in accordance with this clause.

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

Table B2 | Consideration of the Design Quality Principles

Design Principles	Response
Principle 1 - context, built form and landscape	The proposal responds to its context by locating the proposed school buildings on the existing and proposed frontages of the site, orientating the main school entrance to the proposed shared use car park and drop-off / pick-up area to the east of the site and incorporates a two-storey built form that reflects the scale of the surrounding development.
Principle 2 - sustainable, efficient and durable	The proposal includes ecologically sustainable development measures (Section 4.4.3).

End-of-trip facilities have been considered in the proposal and a Preliminary Green Travel Plan has been prepared which encourages sustainable travel modes (**Section 6.2**).

Principle 3 - accessible and inclusive	<p>The proposal has been designed to be accessible and inclusive through the provision of accessible paths of travel from the site boundaries up to and around the school buildings.</p> <p>The proposal incorporates wayfinding signage identifying key areas within the school assisting visitors to navigate the site.</p>
Principle 4 - health and safety	<p>The proposal has considered Crime Prevention Through Environmental Design principles. The proposal would clearly delineate the pedestrian entrances into the school to allow the management of visitors to the site.</p>
Principle 5 - amenity	<p>The proposal provides a variety of internal and external learning places for both formal and informal educational opportunities.</p> <p>The design of the proposed buildings seeks to maximise natural light and ventilation to the indoor areas of the school, while the landscaping and covered outdoor areas provide ample shaded areas for students and staff use.</p> <p>The setbacks of the proposed buildings from sensitive residential properties on the northern side of Farmland Drive would assist in reducing excessive noise generated from within the school buildings.</p>
Principle 6 - whole of life, flexible, adaptable	<p>The buildings would allow for long term flexibility through the provision of flexible formal and informal learning areas to maximise opportunities as technology changes.</p>
Principle 7 - aesthetics	<p>The proposal seeks to present the school buildings to the existing and proposed frontages of the site while maintaining areas around along these frontages within the centre of the building to retain allow for the provision of new landscaping which would maintain enhance the landscape character of the site.</p>

SEPP 55

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The EIS included a Preliminary Site Investigation and Detailed Site Investigation which concluded that the site is suitable for the use as a school.

The Department has considered the EIS and advice provided by the Environmental Protection Authority and is satisfied that the site is suitable for the use as a school as required by SEPP 55 (**Section 6.3**).

SEPP 64

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

The application includes the installation of one school identification sign on the eastern elevation of the school hall visible from Farmland Drive adjacent to the main entrance to the school. The EIS included an assessment of the proposed sign against provisions of Schedule 1 of SEPP 64.

An assessment of the sign against Schedule 1 of SEPP 64 is provided in **Table B3**.

Table B3 | SEPP 64 Schedule 1 Compliance Table

Schedule 1 – Assessment Criteria	Compliance
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 sign comprises a simple school identification sign that would be appropriately placed within the context of the proposed buildings.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed sign is consistent with what would be expected for a school in a residential location.
Special areas	
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposal would not detract from the visual amenity of surrounding residential areas.
Views and vistas	
Does the proposal obscure or compromise important views?	The proposed sign would not obscure or compromise any view.
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed sign would not dominate the skyline nor would it reduce the quality of any vistas.
Does the proposal respect the viewing rights of other advertisers?	The proposed sign would not compromise the viewing rights of other advertisers.
Streetscape, setting or landscape	
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	Yes.

Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Yes.

Does the proposal reduce clutter by rationalising and simplifying existing advertising? Not applicable.

Does the proposal screen unsightliness? Not applicable.

Does the proposal protrude above buildings, structures or tree canopies in the area or locality? No.

Does the proposal require ongoing vegetation management? No.

Site and building

Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? Yes.

Does the proposal respect important features of the site or building, or both? Yes.

Does the proposal show innovation and imagination in its relationship to the site or building, or both? The proposed sign has been appropriately located to fit in with the design of the proposed buildings.

Associated devices and logos with advertisements and advertising structures

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

Illumination

Would illumination result in unacceptable glare? No.

Safety

Would the proposal reduce the safety for any public road? The proposed sign would not affect road safety.

Would the proposal reduce the safety for pedestrians or cyclists? The proposed sign would not affect pedestrian or cyclists' safety.

Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?

The proposed sign would not obscure any sightlines from public areas.

Under clause 8 of SEPP 64, consent must not be granted for any advertising sign application unless the proposal is consistent with the objectives of the SEPP and with the assessment criteria which are contained in Schedule 1. The Applicant has provided an assessment of the proposed signage against the provisions of Schedule 1 of SEPP 64. The Department has considered the proposed sign against the same assessment criteria and found it to be acceptable.

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

Draft Remediation SEPP

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

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

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

Draft Environment SEPP

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

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

Growth Centres SEPP

The Growth Centres SEPP aims to enable the establishment of vibrant, sustainable and liveable neighbourhoods that provide for community well-being and high quality local amenity, provide for the orderly and economic provision of infrastructure in and to growth centres, and protect and enhance land with natural and cultural heritage value across the North West Growth Centre. Appendix 4 of the Growth Centres SEPP sets out specific provisions for the Alex Avenue Precinct.

The Department has consulted with Blacktown City Council throughout the assessment process and considered all relevant provisions of the Growth Centres SEPP and matters raised by Council in its assessment of the development (**Section 6**). The Department concludes the development is consistent with the relevant provisions of the Growth Centres SEPP. Consideration of the relevant clauses of the Growth Centres SEPP is provided in **Table B4**.

Table B4 | Consideration of the Growth Centres SEPP

HLEP 2013	Department Comment/Assessment
Clause 2.3 Zone objectives	The proposal is consistent with the objective of the SP2 Infrastructure zone to provide for infrastructure and related uses.
Clause 4.3 Building height	The site is not subject to a building height control.
Clause 4.4 Floor Space Ratio	The site is not subject to a floor space ratio control.
Clause 5.6 Architectural roof features	The proposal is consistent with the requirements of the clause as the site is not subject to a building height control.
Clause 5.9 Preservation of trees or vegetation	The proposal is consistent with the objectives of the clause as it does not include the removal of trees or other significant vegetation.
Clause 5.10 Heritage conservation	The proposal is consistent with the clause as it has given consideration to potential Aboriginal cultural values of the site (Section 6.3).
Clause 6.1 Public utility infrastructure	The proposal is consistent with the requirements of the clause as the proposal includes the provision of essential utilities infrastructure required to support the development.
Clause 6.4 Development controls – native vegetation retention areas	The proposal is not shown identified as a native vegetation area in the Native Vegetation Protection Map.
Clause 6.5 – Development controls – existing native vegetation	The proposal is consistent with the objectives of the clause as it does not include the removal of trees or other significant native vegetation.

Other policies

In accordance with clause 11 of the SRD SEPP, development control plans do not apply to SSD. Notwithstanding this, the objectives of relevant controls under the Blacktown City Council Growth Centre Precincts Development Control Plan July 2018, where relevant, have been considered in **Section 6** of this report.

Appendix C - Recommended Instrument of Consent