
Statement of Environmental Effects Report

Amended Development Application to Camden Council

Proposed School- Byron Anglican College

s.83B Staged Development Application

Lot 48 DP 8979 & Lot 50C DP 8979

No.50 Heath Road & No. 26 Byron Road

prepared by



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for

Sydney Anglican Schools Corporation

October 2015

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Signed:	

***Amended Development Application
for staged, new school campus
No.50 Heath Road & No. 26 Byron
Road, Leppington, NSW
October 2015***

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ATTACHMENT A:

Architectural plans of school campus

ATTACHMENT B:

NSW Office of Water advice

ATTACHMENT C:

Survey of site

1. INTRODUCTION

1.1 Overview

This Statement of Environmental Effects (SEE) is submitted to Camden Council in support of an Amended Development Application (DA) for the establishment of a new school campus at No. 50 Heath Road and No. 26 Byron Road, at Leppington, situated in South-West Sydney, in the Camden local government area.

Outline Planning Consultants Pty Ltd have prepared this SEE report on behalf of the Sydney Anglican Schools Corporation (SASC), the owners of the above land. Refer Figures 1 & 2.

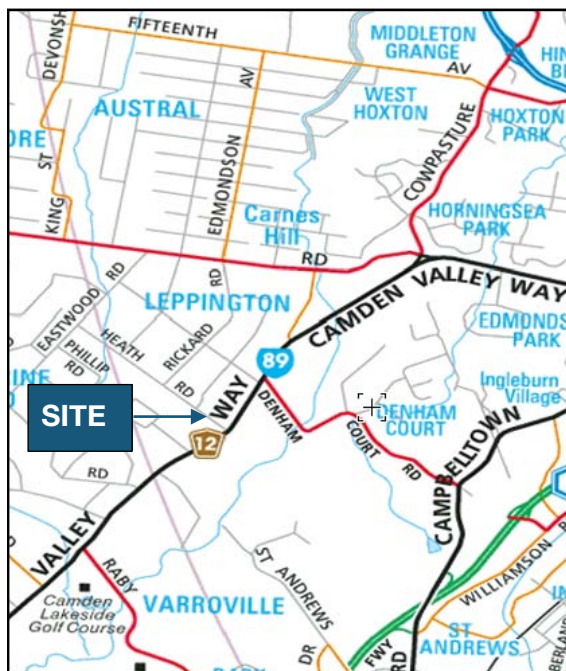


FIGURE 1: Location of subject site and surrounding lands

(source: streetdirectory.com.au online map)

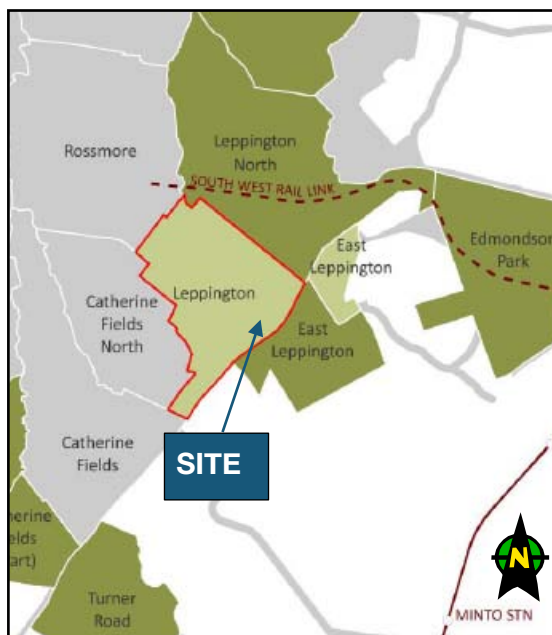


FIGURE 2: Location of Leppington & other growth areas on Sydney's SW fringes

(source: Dept. Planning & Environment 2014 *Leppington Precinct Planning Report*)

In summary, Staged Development Consent is sought from Camden Council for the following:

- Development consent for Stage 1, comprising demountable school classrooms and allied uses, including car parking, access and landscaping.
- For later stages of the school, a concept (master plan) consent is sought pursuant to section 83B of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Works associated with these, later stages of the overall school development will be subject to a future DA and consent process. A concept consent provides certainty for future growth and expansion of the school, the later stages also including provision for a new high school.

1.2 Amended Development Application: background

The original development application (DA) for the staged school development was lodged with Camden Council on 5 June 2015. The accompanying amended application constitutes a planning and design response to the contentions and/or actions by the Department of Planning & Environment, Camden Council and the NSW Rural Fire Service following lodgement of the DA and, as such, can be considered within the ambit of clause 55 of the *Environmental Planning and Assessment Regulation 2000*.

Refer Sections 1.8 and 1.8 of this SEE report and Outline Planning Consultants letter dated 7 October 2015, accompanying this amended DA, for further details, including architects drawings in Attachment A.

A consent for “staged” development will provide a defined framework against which future stages can be assessed. Once this concept consent has been obtained for the later stages of the school, the SASC can then proceed with confidence in preparing detailed designs for other school buildings and facilities for each successive stage of the school. These details will be the subject of separate development application(s).

The development scheme that forms the basis of this DA is the result of detailed technical and environmental investigations.

This SEE report describes the site and its environs, the proposed development and includes an assessment of the proposal in terms of the matters for consideration as listed under Section 79C(1) of the *Environmental Planning &*

Assessment Act 1979 (EP&A Act). The application is also considered in terms of local planning controls and with the provisions of State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure), the latter which applies, inter alia, to the planning and development of schools in New South Wales.

This Statement concludes that there will be no significant adverse environmental impacts arising from the proposal, having regard for the relevant sections of the EP&A Act.

It is thus recommended that the development application be approved subject to appropriate conditions.

1.3 The Sydney Anglican Schools Corporation

Established in 1947, the Sydney Anglican Schools Corporation (SASC) currently operates 19 schools with approximately 11,000 students spread from preschool to Year 12 throughout the metropolitan Sydney area, the south coast and regional NSW.

The Sydney Anglican Schools Corporation is committed to providing high quality facilities for its students. Facilities provided are comparable to those provided in newly built State schools, tailored to suit the schools own particular teaching philosophies. Within South West Sydney, the SASC operates schools at the following locations:

- Thomas Hassall Anglican College, at Middleton Grange. An Anglican School for boys and girls from Prep to Year 12. Current enrolments 1,550 students.

■ Mamre Anglican School, at Kemps Creek.
An Anglican School for boys and girls from
Prep to Year 10. Current enrolments 210
students.

■ Oran Park Anglican College, at Oran Park.
An Anglican School for boys and girls from
Prep to Year 7. Current enrolments 155
students.

■ Wollondilly Anglican College, at Tahmoor.
An Anglican School for boys and girls from
Prep to Year 12. Current enrolments 700
students.

There has continued to be a strong interest
expressed by the general public in enrolling
students in the SASC schools.

The schools help to serve the needs of the
surrounding populations throughout
metropolitan Sydney. The Corporation Schools
are structured to be accessible and affordable to
as many students as financially possible.
Enrolment is open to all students and fees are
kept as low as possible. The school aim is to
provide a very high quality education in a caring
Christian environment.

The Corporation is also committed to opening
new schools, in particular in new growth areas
of Sydney. The Corporation's most recent newly
established school is Oran Park Anglican
College which is situated adjacent to the new
Oran Park town centre development in the
south-west of Sydney.

The Leppington site represents a further
commitment of the SASC to the establishment
of new schools in the fast-growing SW sector of
Sydney.

1.4 Benefits of the proposed new school

The proposal will result in positive educational,
environmental, social, and other benefits,
summarised below:

Planning, environmental benefits

■ The proposed new school complies with
relevant local planning objectives, controls
and guidelines.

■ The proposed new school accords with the
general thrust of the planning principles as
outlined in the recently revised draft
Leppington Precinct Plan, applicable to the
site, which now proposes to rezone the
north-west portion of the site RE1 public
recreation. The school is strategically located
opposite a major playing field. The
Department of Planning & Environment notes
that the relocation of the RE1 zoned public
open space area will “...enable a more
efficient design for the school”.

■ The DA provides certainty as regards future
use of uses on this site and on adjoining
lands.

■ The proposed school is situated on land
that is free of any significant development
hazards.

■ The development has been carefully
designed and sited to minimise impacts on
downstream riparian areas, and the
environment generally.

■ Development proposed on site accords
with good urban design principles and school
planning principles as outlined in SEPP
Infrastructure.



Social, economic benefits

■ The new school meets the relevant educational needs of the local and regional community and provides for educational facilities, commensurate with anticipated demand, educational standards and relevant school building requirements.

■ The design of the new school will create quality places and outcomes. The new school has been designed and buildings sited so as to minimise significant adverse impacts on surrounding amenity in the locality.

1.5 Structure of the report

This report is divided into five subsequent sections.

■ Section 2 examines the context of the proposed school campus site.

■ Section 3 describes the proposed school, as amended.

■ Section 4 assesses the planning context of the proposed school and prevailing planning instruments.

■ Section 5 analyses the environmental effects of the proposed school based on the requirements of s.79C(1) of the EP&A Act. This includes an assessment of the compliance of the proposal with prevailing planning controls and guidelines, including *State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure)*. It also addresses clause 16 of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

■ Section 6 concludes the statement of the environmental effects.

1.6 Documents relied on

To assist in the preparation of this Statement of Environmental Effects, SASC has engaged the consultants listed below to assist Outline Planning Consultants Pty Ltd prepare this report. Refer to accompanying Table 1.1.

These specialist consultants have provided the necessary advice in their respective fields of expertise on environmental, engineering and design issues associated with the proposed development, including amendments. Outline Planning Consultants have relied on the advice of these specialists in preparing this SEE report.

Table 1.1: Project Team

Issue	Specialist Consultant
Architecture	Butler & Co. Pty Ltd
Town Planning	Outline Planning Consultants Pty Ltd
Traffic & Parking	McLaren Traffic Engineering
Acoustic	Koikas Acoustics
Odour	Todoroski Air Sciences
Contamination / Salinity	Martens & Associates Pty Ltd
Ecology	Dominic Fanning, Gunninah
Geotechnical	Martens & Associates Pty Ltd
Wastewater	Martens & Associates Pty Ltd
Bushfire	Australian Bushfire Protection Planners
Landscape	Siteplus Pty Ltd
Engineering Works & Drainage	Siteplus Pty Ltd
Surveyor	Vince Morgan Surveyors Pty Ltd



[NOTE: In most cases, the specialist consultants have provided updated and revised reports addressing the amended DA. These are to be read in conjunction with earlier reports where no updates have been required.]

1.7 Consultation with Camden Council

A pre-lodgement meeting was held at Camden Council offices on 10 March 2015 with Council and SASC representatives. The advice provided by Council and issues raised during the meeting have been addressed in this report.

The design of the school has been amended to reflect comments from Council in advice dated August 2015. These comments have also been addressed in the various (revised) specialist reports and in this SEE report. Refer also to Outline Planning Consultants letter dated 7 October 2015, accompanying this amended DA, for further details.

1.8 Referral authorities

NSW Rural Fire Service

Land either side of existing tree stands on the site and surrounds is mapped as bushfire prone or bushfire buffer.

As such, the development constitutes “Integrated Development” under the EP&A Act. The approval of the NSW Rural Fire Service (RFS) is required.

In order to comply with comments from the RFS dated 4 August 2015 regarding bushfire requirements applicable here, school buildings have been moved a minimum of 30m away from the wooded area on the Council-owned land fronting Byron Road.

RMS

State Environmental Planning Policy (Infrastructure) 2007 sets out in Schedule 3 those traffic generating developments that need to be referred to the RMS. Under Schedule 3 of the SEPP a development application for an educational establishment proposing 50 or more students is required to be forwarded to the RMS. The proposed development activates this trigger.

NSW Office of Water

No defined watercourse runs through the site. As such, the proposed development does not trigger the need for any “Integrated Development” approvals under the Water management Act 2000. This has been confirmed by the NSW Office of Water- refer Attachment B.

Sydney Water

In addition to the above agencies, a meeting was held with Sydney Water on 13 May 2015 to discuss the future provision of sewer to the site and interim waste management measures proposed (ie.pump-out) pending connection to a reticulated service.

NSW Department of Planning & Environment

Importantly, the overall design of the development, as lodged with Council on 5 June 2015, was predicated on and had regard for the future zoning of the central portion of the site as RE1 Public Recreation, proposed by the Department of Planning & Environment in the draft Precinct Plan (Indicative Layout Plan) for Leppington, as exhibited between November 2014 and February 2015.

Since then, and following lodgement of the June 2015 DA the Department of Planning & Environment have agreed on a revised Indicative Layout Plan affecting the site, now proposed for gazettal in late 2015.

The revised ILP for the school site involves relocating the proposed (and enlarged) RE1 Open Space zone to the north-west corner of the school site, leaving the remainder of the site available to accommodate future school uses.

As a consequence of the above, the amended DA design provides for a playing field and sports courts being moved closer to the centre of the site, necessitating removal of much (but not all) of the existing woodland. The master plan does, however, involve further new plantings of trees elsewhere on the school site- with some existing trees retained where practicable- in order to provide an attractively landscaped school campus.

The car park originally proposed in the north-west corner of the site has also be relocated to the central (south-eastern) portion of the site.

The northern access point connecting the school car park to the proposed northern road has also been relocated, with the car park entry point moved.

Additionally, the car park in this part of the school site has been set back an additional 8m from the local road now proposed along the south-eastern boundary of the school site.

2.SITE ANALYSIS

2.1 Site description

The land the subject of this application is at Leppington and comprises the following parcels of land owned by SASC:

- No.50 Heath Road, comprising Lot 48 in Deposited Plan 8979: Area of 4.047ha.
- No.26 Byron Road, comprising Lot 50C in Deposited Plan 8979: Area of 2.63ha.

Overall, the site of the proposed school campus has a total land area of 6.677ha. Excluding the 1.7ha of land now proposed to be rezoned RE1, this reduces the potentially developable portion of the site to less than 5.0ha. Refer Figure 3.

Currently the site accommodates two rural dwellings on Lot 48 and two rural dwellings on Lot 50C. The majority of the area of these land parcels is cleared, with the exception of a stand of trees in the northern portion of Lot 48. The site also has a frontage to Heath Road on its south-west boundary and Byron Road on its north-west boundary. Refer Attachment C.

A small pocket of Council-owned land is wedged between lot 48 and 50C, on the southern side of Byron Road.

Land adjoining the site to the south, at No.30 Heath Road and comprising Lot 49A in Deposited Plan 8979, is owned by the Anglican Church Property Trust, a related entity. This parcel of land does not form a part of this DA.

The subject site comprises undulating land.

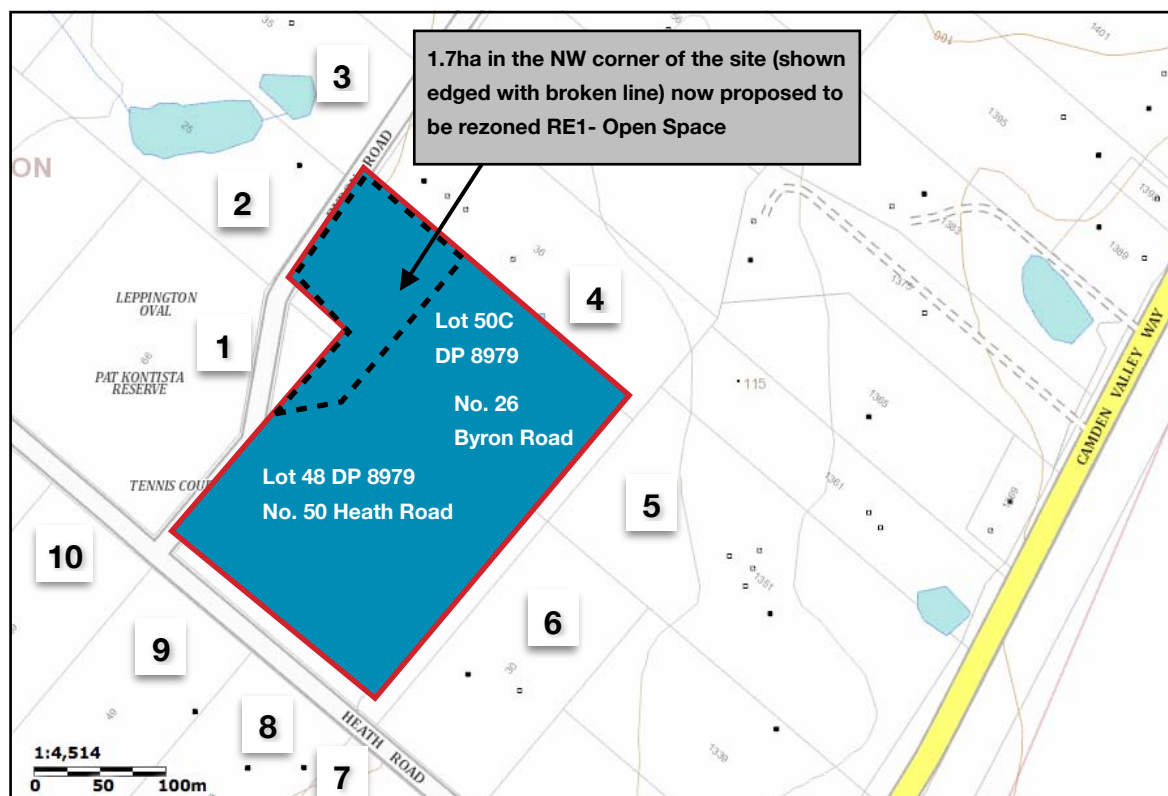


FIGURE 3: Location of site- refer also to Table 2.1 (surrounding residences/land uses)

(source: LPI Six Maps)



2.2 Regional context

Western Sydney, and in particular South-West Sydney- which includes Leppington- is fast becoming the epicentre of population growth and economic growth in Sydney. For over a decade now Western Sydney has a combined population of at least 10% of Australia's total population.

As the population grows the need for extra schools also grows. Government at all three levels would appear supportive of new schools commencing to meet changing demographic needs.

2.3 Local context & streetscape

The land owned by SASC is located within the local government area of Camden Council, within the rural area of Leppington. Camden Valley Way, an arterial road serving the south-west of Sydney, is located approximately 300 metres to the south-east of the site.

The site is adjoined by rural smallholdings development with a park and sports oval (Leppington Oval) lying to the north west, on the opposite side of Byron Road. Refer Figure 4.

To the south of Heath Road, opposite the site, are a number of rural dwellings, including small scale horticultural activities and intensive agriculture (greenhouses), the latter use on Lot 2 DP 556930, to the south west of the site

The closest rural residential dwellings to the subject site are set out in the following Table 2.1.

Table 2.1: Surrounding Residences

Existing residence/use (Refer also to Figures 3 & 4 for locations)	Setback from site boundary (approx.)
1. Pat Kontista Reserve on the other side of Byron Road (no residence)	NA
2. Residence on Lot 44C DP 8979, NW of Byron Road	40m from boundary of site
3. Residence on Lot 44B DP 8979, NW of Byron Road	125m from boundary of site
4. Residence on Lot 50B DP 8979, Byron Road, north of and adjoining the site	3m from boundary of site, with next nearest residence 26m away
5. Residence on Lot 23, Camden Valley Way, east of and adjoining the site	160m from boundary of site
6. Residence on Lot 49A DP 8979 SE of and adjoining the site	14m from boundary of site [NOTE 1]
7. Residence on Lot 1 DP 210459 south of site, on opposite side of Heath Road	45m from boundary of site
8. Residence on Lot 22 DP 776219 S of site, on opposite side of Heath Road	84m from boundary of site
9. Residence on Lot 21 DP 776219 SW of site, on opposite side of Heath Road	75m from boundary of site
10. Residence on Lot 2 DP 556930 SW of site, on opposite side of Heath Road	145m from boundary of site [NOTE 2]

NOTE 1: Owned by the Anglican Church Property Trust. Both parties have been working together to jointly plan for the ultimate development of their properties, seeking to maximise the benefits associated with allowing common use of facilities, including car parking areas. The current concept plan adopted by the parties provides for a common car parking area, positioned between the proposed church and the proposed school buildings.

NOTE 2: Estimated distance from what appears to be a residence. Greenhouses nearest the street frontage.

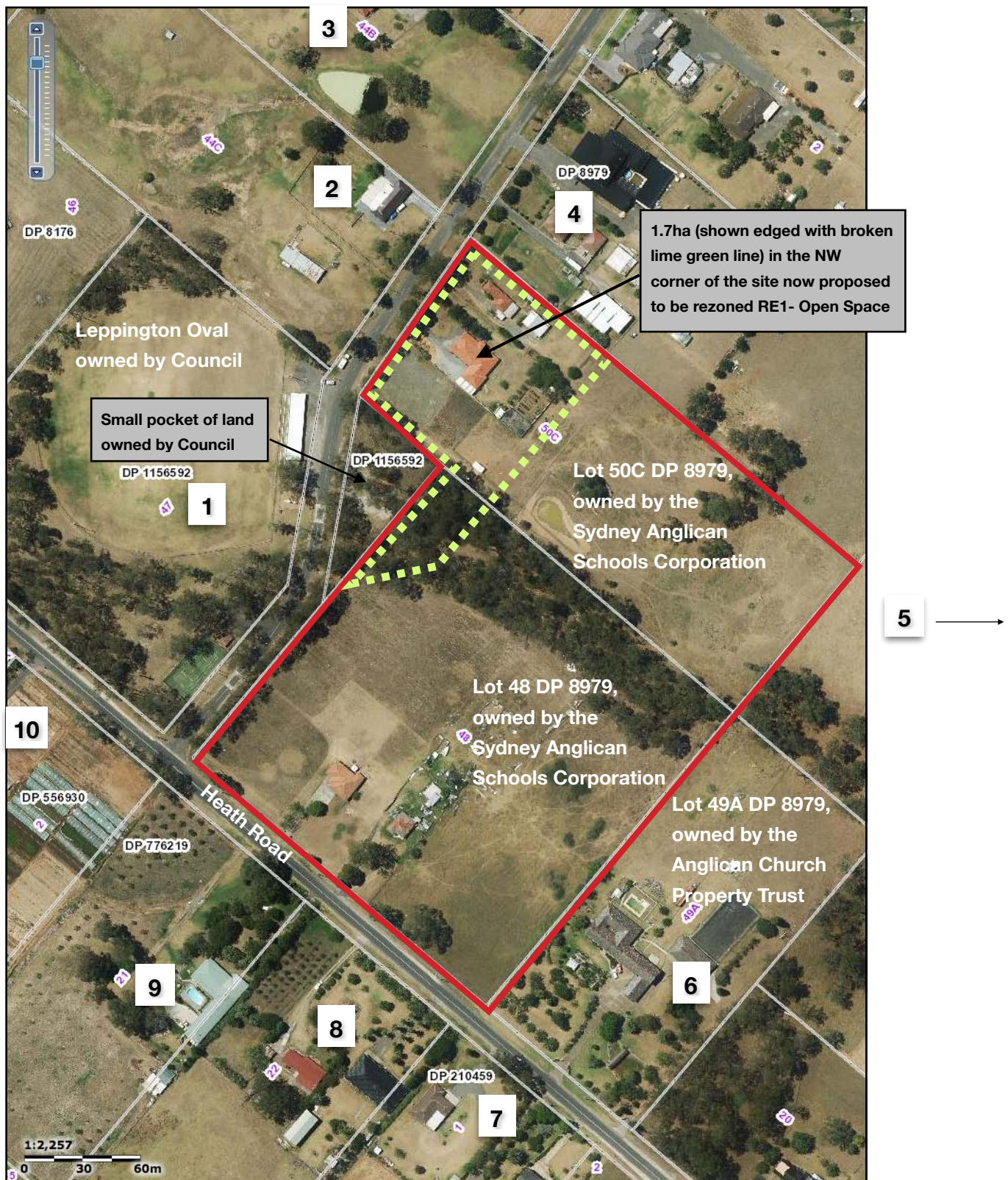


FIGURE 4: Aerial photograph of site and surrounds- refer also to Table 2.1 & Figure 3

(source: LPI Six Maps)



The Leppington area is earmarked for rezoning to residential and other urban uses. In the short-medium term it will undergo a significant transition from rural residential (existing land use) to urban residential (future land use), once rezoned. The locality is planned for urban release later in 2015.

The site is well located in terms of its proximity to the Leppington neighbourhood centre, being a distance of less than 500 metres from that neighbourhood centre. It is also only just over a kilometre from the larger proposed Leppington North Commercial Centre.

In addition, the school site is on the eastern side of Byron Road which separates it from a large Council active recreation site on the western side of Byron Road, which also fronts Heath Road. This relationship with Council recreation areas is identified as very appropriate for a school.

There are a number of public education sites proposed to be zoned as SP2 Educational Establishment as a part of the Leppington draft Precinct Plan. These are all located within reasonable proximity to the site, within the Leppington precinct. These proposed new public school sites are situated at:

- Park Road on the northern side of that road and located about 500 metres from the site.
- On the western side of Rickard Road, also fronting Heath Road, located about 650 metres from the subject site.
- North of the site fronting Ingleburn Road and also having a frontage to Byron Road, about 500 metres from the site.

The Leppington locality is currently semi-rural in character, comprising a mixture of rural housing and rural land uses. Most natural vegetation within the neighbouring area has been largely cleared, except for scattered pockets of natural vegetation. The clearing appears to have occurred in order to make way for either agricultural or for rural residential uses.

The desired future character for the area is reflected in its designation as a future urban release area in the South West Growth Centre of Sydney, and reflected also in the current Leppington draft master-planning exercise. The north-west corner of the school site is now proposed to be rezoned for open space purposes- a compatible use with a school.

2.4 Site Features

Topography

The landform within the School site forms the upper part of a shallow valley. The ground surface encountered on the subject site is slightly undulating and typically slopes down to the north-west dropping in elevation from RL 109.5m AHDm, in the north-east corner of the site, down to RL 99.0m, near the intersection of Heath Road and Byron Road. Refer survey of the site in Attachment C.

The subject site lies at the top end of a catchment area that drains to the north west. The site contains relatively flat grades from 2% in the west corner of the site, and between 2-5% over the remainder with a small, slightly steeper section (5-10% gradient) near the north east corner of Lot 50C.

Water drains through the site from the more elevated lands to the east, however, flows are intermittent only.

Drainage, flooding

The site is relatively level with a slight fall towards the north-west generally towards Byron Road and towards a small watercourse which passes through the adjoining Council playing field site on the other side of Byron Road.

There are no defined watercourses running through the site, however, there is an overland drainage path running through the centre of the site. Council's Flood Certificate issued for both lots indicates minimal flooding, with small patches only subject to 1:100 or higher flood flows. Refer also to Flood Study undertaken by consulting engineers Siteplus, accompanying this amended application.

Flora and fauna

The flora and fauna on the site has been assessed by Dominic Fanning, Gunninah, the Gunninah report accompanying this DA. The findings of these investigations are summarised below.

The the subject land at Leppington has already been entirely modified, over a long period. Like most such sites in this part of the Sydney Metropolitan Area, the subject land has long been cleared and used for agricultural purposes.

Lot 50C is essentially entirely cleared of native vegetation, and has been used for rural purposes. It also has no biodiversity conservation values. Lot 48 has predominantly been cleared and been used for agricultural purposes. There is a band of native trees along the northeastern boundary – extending to Byron Road and thence westerly to a highly disturbed band of trees around the playing field on the west side of Byron Road. The vegetation in the northeastern part of Lot 48 is also highly

disturbed – with a native tree canopy but a highly degraded under-storey. There are moderate to high levels of weed infestation in the under-storey along the small drainage feature, and moderate to high levels of introduced grasses and pasture weeds in the under-storey of the drier woodland.

Lot 50C Byron Road does not possess any vegetation of any biodiversity conservation value. The vegetation in the northeastern part of Lot 48 is highly disturbed – with a native tree canopy of predominantly young regrowth trees over a highly degraded under-storey. The trees here have been identified as comprising a threatened Shale Hills Woodland, which is a vegetation community under the *Threatened Species Conservation Act 1995* (TSC Act) Vegetation Community classification.

However:

- These trees are recognised as being in a poor condition.
- The Growth Centres SEPP was accorded Biodiversity Certification by the then Minister for Climate Change and the Environment on 14 December 2007. These Certified lands have been determined to not require further analysis or assessment with respect to threatened biota pursuant to the TSC Act or EP&A Act. Thus, no further consideration of threatened species issues is necessary for the clearing of any vegetation on lands that had been 'Certified'. This approach was intended inter alia to provide certainty in both development and biodiversity conservation outcomes, and a strategic 'up-front' determination of what lands should be protected. Refer Figure 16.

■ These trees are not connected in any meaningful way to any other native vegetation in the vicinity.

■ These trees could be removed in any case, given the Biodiversity Certification currently applying to the Leppington urban release area.

Geology, soils & contamination potential

Geology, Soils

The Penrith 1:100,000 geological Series Sheet 9030 indicates that the site is underlain by Bringelly Shale which comprises claystones, laminates and sandstones. The NSW Environment and heritage eSPADE website identifies the site as having soils of the Blacktown soil landscape. On site investigations by Martens & Associates consulting engineers found residual silty clay soils, underlain by low to medium plasticity stiff clays up to depths of 1.6m, with shale rock below. A preliminary site classification of 'H1' should be adopted for design purposes. The site is considered to pose negligible instability risk.

Groundwater

Groundwater was not observed in the on site test bores by Martens & Associates.

Salinity

The Leppington Precinct as a whole is considered to have moderate salinity potential, although areas along the Kemps Creek and Scalabrini Creek have high salinity potential.

The Salinity controls in the Camden Growth Centres DCP (which does not currently apply to the site) are based on a high risk of salinity

across the Precinct, and require higher construction standards and management measures unless applicants can demonstrate that less stringent salinity controls would be adequate.

On site investigations by Martens & Associates consulting engineers found sub-surface soil to be non-saline to lightly saline, with slightly to moderately saline soils in the southern and western parts of the site- the latter previously used for market gardens.

Contamination potential

A Stage 2 contamination assessment was carried out by Martens & Associates found contamination at a number of stockpiles on the site. No contamination was encountered in areas previously worked for market gardens. The site can be made suitable for the proposed school uses subject to appropriate site remediation.

Bushfire

The Camden Council's Bushfire Prone land Map shows a band of category 2 vegetation and bushfire buffer zone generally running through the centre of the site and along a part of the Byron Road street frontage. The assessment by Australian Bushfire Protection Planners concludes that the current mapping does not accurately reflect vegetation that could be lawfully designated on a Bushfire Prone Land map. The bushfire consultant finds none of the site should be classified as bushfire prone land. In any case, the management regime proposed will ensure that the potential for being classified as bushfire prone land is removed or managed. This also removes the need for any asset protection zones pursuant to the planning document entitled *Planning for Bushfire Protection 2006*.



PHOTO 1 (above): Existing rural dwellings in the northern section of the site. View from Byron Road, looking south. These buildings are proposed to be retained and converted to school-related uses.



PHOTO 2 (above): Leppington Oval, to the north-west of the site.



PHOTO 3 (above): View from within the site (on Lot 48) looking SW back to Heath Road.



PHOTO 4 (above): View looking SE along Heath Road near Byron Road intersection. The site is on left hand side of photograph. Properties on the opposite of the Heath Road are generally well screened from view, with generally screened/obscured views towards the proposed school site.



PHOTO 5 (above): View looking SE from within the treed area that runs through the centre of the site. This vegetated area has been subject to the dumping of rubbish, visible in the photograph. It is proposed that this treed area will be cleared, with existing trees retained where possible, complemented by additional new plantings.

Visual

The site is located within a visual landscape comprising cleared land with rural residences, with pockets of vegetation interspersed throughout the landscape.

Views of the site from residences to the south-west, on the opposite side of Heath Road, are generally screened or obscured from view by intervening vegetation or topography. To the west is a sports field and tennis court, also screened from view by intervening vegetation. Unobstructed views of parts of the site are available from the north-east and from the south-east. These views are broken up by the stand of trees that runs through the central portion of the site. Views of the northern and southern parts of the site are possible from sections of Heath Road and from Byron Road proximate to the site. Other than the above, there are no prominent viewing locations over the site. Other than the treed area in the centre of the site, the site possesses no other distinctive visual features. Refer to photographs.

Archaeological potential

No potential identified in the predictive modelling used in the Department of Planning & Environment's *Leppington Precinct Planning Report* dated 2014- refer Figure 5-7.

2.5 Local road network

Roads and traffic issues have been addressed by McLaren Traffic Engineering in their report which accompanies this DA. The local road network serving the area in the vicinity of the site comprises Heath Road, the major east-west road in the Precinct, and Camden Valley Way, currently the major north-south transport corridor serving the Precinct.

2.6 Services provision

Required services such as electricity, town water and telecommunications are available to the site. The existing residences on the site have their own septic systems. Any development on the site will require a separate on-site wastewater treatment, pending connection to a reticulated sewer system.

2.7 Other site features

Other site features, as set down in recent Council Section 149 Certificates, include the following:

- The site is affected by the flooding controls of Council.
- The land is not reserved for acquisition.
- The land is not affected by mine subsidence.
- The land is not affected by any proposed road widening or realignment.
- The land is not affected under the Contaminated Land Management Act, 1997.
- The land is not a heritage item, nor has any heritage significance.
- The land does not comprise critical habitat.

Council's s.149 Planning Certificates issued over the Development Site, dated 15 August 2014, also states that it is not affected by any government policies that restrict the development of the land because of the likelihood of landslip, tidal inundation, subsidence, acid sulphate soils or any other risk.

3. AMENDED DEVELOPMENT

3.1 Amended DA staged school development

Overview

The original DA for the staged school development was lodged with Camden Council on 5 June 2015. Following lodgement of the DA, advice has been received from the Department of Planning & Environment, Camden Council and the NSW Rural Fire Service regarding the DA and/or the future zoning of the site.

The accompanying revised DA drawings and amended application constitutes a planning and design response to the contentions and/or actions raised by these government agencies.

The two components of this development application are as follows:

■ **Stage 1:** Development consent is sought for the first stage of the proposed school, with a capacity of 100 students and 9 staff. Refer Figures 5 & 6. Approval is sought for all works proposed in this stage.

■ **Later stages of the school:** Concept (master plan) consent is sought for the later stages of the overall school development, which includes a new high school. It is anticipated that the final school should accommodate a total of approximately 894 students and 82 staff. Refer Figures 7-10 and Figures 13-& 14.

The later stages of the development the subject of the Staged Development Application includes expanded car parking, provision of sports fields, and additional buildings housing permanent primary school buildings and a high school, including associated facilities such as library and gymnasium. The revised design of the proposed school is illustrated in the plans accompanying this development application, prepared by Butler & Co. Pty Ltd Architects and Siteplus Pty Ltd.

The “staged” development component of this development application will provide certainty for SASC and will enable future growth and expansion of the school generally for buildings and facilities up to Year 12. It will also assist Council and the community at large in better understanding the overall future development of the site for school-related purposes, including the existing vegetated area that runs through the central portion of the site.

The school is proposed to be a staged development, commencing in 2016 with an approved primary school, then growing in successive stages to provide for the commencement of a high school.

Clause 55 Amendment of DA

This amended development application, comprising a Staged Development Application pursuant to the provisions of Section 83B of the Environmental Planning and Assessment Act 1979, is to be considered within the ambit of clause 55 of the *Environmental Planning and Assessment Regulation 2000*.

Clause 55 enables any application to be amended or varied with the agreement of the consent authority at any time prior to determination.

In this regard, reference is made to Council advice dated 15 September 2015, confirming that Council is happy to accept the amendments as proposed, as a revision to the current DA.

Summary of Design Amendments to the June 2015 DA

In summary, and in response to the actions/contentions raised by the above government agencies, the revised DA drawings include the following design amendments:

■ Removal of car parking, playing field and other uses from north-west portion of the site:

The recent decision by the Department of Planning & Environment to relocate the proposed RE1 zone to the north-west corner of the school site has entailed a design response, moving all proposed school uses away from this part of the site to other parts of the site.

■ Relocation of proposed school open space to central portion of site:

The central portion of the site now accommodates the proposed school playing field and sports courts.

■ **Woodland impacts:** The revised scheme now shows uses including playing field and sports courts moved closer to the centre of the site, necessitating removal of much (but not all) of the existing woodland. The master plan involves further new plantings of trees.

■ Relocation of proposed school car parking spaces to central/SE portion of site:

The school car park previously earmarked for the Byron Road frontage, in the north-west portion of the site, has been moved to the south-east side of the campus.

■ Setback of school car park from proposed new local road shown in ILP:

The revised ILP for the school site shows a new 16m wide local road running along the south-east side of school site. The car park in this part of the school site has been set back by 8m from the property boundary, to account for this proposed local road. [NOTE: This local road was not previously shown in the exhibited ILP for Leppington]

■ Revised design of access point to school car park from proposed new local road:

As requested by Camden Council in advice dated August 2015, the access point of the school car park to the northern local road has been revised accordingly, moved 30m to the north and with a 10m offset to a future planned (local road) intersection.

■ **Bushfire setback:** As a consequence of advice from the RFS, school buildings have been moved a minimum of 30m away from the wooded area on the Council-owned land fronting Byron Road.

The size of the revised RE1 zone has increased from about 1.1ha to 1.7ha, reducing the area potentially available for development on the site.

The positioning, overall design, size and location of the remainder of the school buildings has been generally maintained in the amended application. No increase is sought in student numbers. The main access to the school site is still proposed to be from Heath Road. The general location of the car parking areas within the school site is maintained.

The following table provides an overview of the key statistics for the amendments sought.

Table 3.1 Amended DA- Overview of Key Statistics

Element	Original DA Proposal	Amended DA Proposal
Site Area (with nett developable area in brackets)	6.677ha (5.577ha after deducting 1.1ha of land then proposed to be rezoned RE1 Public Recreation under draft ILP for Leppington precinct)	6.677ha (5.0ha approx. after deducting approx. 1.7ha of land now proposed by NSW Dept Planning & Environment to be rezoned RE1 Public Recreation.)
Site frontages	Total frontages to existing roads (Byron Road and Heath Road) of 417m approx.	Revised frontages to existing roads (Byron Road and Heath Road) of 316m approx. (the NW corner of the site, with a frontage to Byron Road, now proposed for RE1 public open space)
Student Numbers Proposed	100 students in Stage 1, with up to 894 students (final concept)	No change
School Buildings Stage 1 & Concept DA	Approx. 744m ² of floor space proposed in Stage 1 ie for Primary School and Prep School buildings. No floor area nominated for later stages, however proposed building footprints clearly shown.	No change in floor space or number of buildings in Stage 1 with two (2) buildings deleted from overall school concept (in NW of the school site). Buildings have been relocated in revised concept, to account for advice from RFS & Dept. Planning & Environment.
Car Parking	30 car spaces, bus bay proposed in Stage 1. Concept shows 191 car parking spaces + drop-off area (Byron Road) + bus bay (Heath Road)	31 car parking spaces + 3-4 drop-off spaces + bus bay in revised Stage 1 design. Car parking has been relocated from RE1 area in NW corner to central portion of site. Overall concept provides for a total of 166 spaces + drop-off area (Byron Road) + bus bay (Heath Road)
School Playing Areas	Originally all of the northern and central part of the site proposed for open space, including central woodland area	With loss of NW corner of the school site to revised (larger) RE1 area, open space has been relocated to central part of the site, requiring tree removal (to be offset by additional new tree plantings)

3.2 Proposed Stage 1

This part of the development application seeks consent for the following development/ works, including:

- Site works comprising engineering works. Refer Siteplus engineering plans.
- Installation of Modular Design Range (MDR) demountable school buildings for primary and preparatory school, for a total of 100 students.
- Car parking areas comprising drop off and pick up zone fronting Heath Road, and internal car park/drop/off areas accessed from Heath Road and from Byron Road.
- Wastewater pump-out facility near the Heath Road frontage.
- Retention of existing dwelling fronting Heath Road, nearest the Byron Road intersection.
- Sports court and soccer field in the central portion of the site.
- Ancillary landscaping and school play spaces and facilities around the school site. Almost all of the existing woodland area is to be removed, supplemented by additional on-site landscaping.

Refer to DA plans 1428-DA 01-6 prepared by Butler & Co. Architects, and to the landscaping plans accompanying this development application, prepared by Siteplus Pty Ltd.

No consent is required for the demolition of the existing dwelling that is within the curtilage of Stage 1- already the subject of an approval from Camden Council to demolish DA 10/2015 Demolition of existing dwelling and adjacent metal sheds.

MDR school buildings proposed

Schools utilise the convenience of modular designed building range (MDR) structures- which includes “portable” or “demountable” descriptors- to create classroom spaces, in particular for schools during times of establishment.

MDR school buildings were installed in one out of every seven public schools in Australia as a part of the Commonwealth Government's \$16.2 billion Building the Education Revolution (BER) Primary Schools for the 21st Century school rebuilding programme.

Today, MDR buildings in schools in New South Wales provides for a modern, affordable, energy-efficient design built with sustainable and responsibly-manufactured materials, fully compliant with NSW Education requirements. They are typically one storey in height, constructed on permanent piers and foundations and coming with the same fixtures and fit-outs as standard school buildings. The buildings are time and energy-efficient, being constructed off-site and transported to a site for installation. The MDR classrooms typically come complete with verandahs, quality finishes and insulation. Because the school buildings are portable, they can be quickly installed on site. All buildings would be built to NSW Department of Education standards.

- Footings and services are established for each building.
- The demountable buildings are trucked to the site- each building built off-site and provided with insulation, services, windows and the like, prior to delivery to the site.

- Each demountable building is then transferred by crane to the building site and lowered into position.

Refer architectural plans and diagrams, prepared by Butler & Co. Architects, accompanying this development application and Figure 5.

Floor area

The gross floor area for the buildings in Stage 1 comprises the following:

- 563m² (approx.) for the three (3) primary school classrooms and administration facility. A large corridor is proposed within the core of this building complex. Includes toilets.
- 181m² (approx.) for the preparatory school building. Includes toilets and access ramps and excludes decks.

Setbacks and building footprints

The proposed primary school buildings achieve a minimum setback of 20 metres from Heath Road.

Hours of operation

The general hours of operation for the school for all stages will be between 7.00am and 9.00pm (source: as required in Section 4.4.3 of *Camden Growth Centre Precincts Development Control Plan*).

However, teaching hours will generally be between 9.00am and 3.00pm Monday to Friday, with students generally arriving by 8.00am and leaving by 4.00pm. Out-of-hours use of the playing field and sports courts is anticipated.

Deliveries and service vehicles generated by this development are to be limited to 7.00am to 5.00pm.

Deliveries and service vehicles are to be scheduled to access the site outside of peak am and peak pm school pick-up times, to minimise conflict between vehicle modes and pedestrians.

Building height, setbacks

The Stage 1 buildings are single storey free standing demountable buildings. External finishes will comprise Colorbond metal roofs, with walls constructed of Epoxy painted fibre cement– refer coloured elevations in the DA drawings prepared by Butler & Co. Architects, accompanying this application.

Landscaping

Figure 6 illustrates the proposed landscape design treatment. Appropriate plantings are proposed, to enhance the rural (and future urban) landscape and to comply with *School Facilities Standards* landscaping requirements.

Access and parking

SASC will apply to Camden Council for an approval under Section 138 of the Roads Acts for any kerb realignment works, if required, on Heath Road. A new entry and exit is proposed for the Stage 1 primary school comprising:

- Bus bay along the Heath Road frontage and drop off/pick up areas internal to the site.
- Car parking and pick-up/drop off zone accessing Heath Road.

The primary school provides for 30 spaces, which are in excess of the number of car parking spaces required under the provisions of Council's DCP 2011. The proposed parking spaces are proposed in a car park area located along the south-eastern boundary of the site

adjoining the boundary of land owned by the Anglican Church Property Trust.

Disabled access can be provided in accordance with the *Disability Discrimination Act 1992* and with *Australian Standard AS 1428* parts 2, 3 and 4 inclusive.

Fencing

The development application proposes an appropriate type of fencing, commonly used for schools, that is suitable for security purposes.

Stormwater

Refer detailed stormwater plans provided by Siteplus Pty Ltd, which accompany this development application.

Ecologically sustainable design

In the interests of protecting neighbourhood amenity and the environment generally, the proposed development incorporates various sustainability features, as follows:

- All external lighting is to incorporate full cut off shielding, that is, all lights are to incorporate solid opaque shielding to below the level of the light source with no diffusers or lenses projecting below the shielding. All under eaves or awning lights are to be fully recessed.

- No amplified music is to occur in outdoor spaces.

The proposed development will include a range of best practice measures to meet the following Water Sensitive Urban Design (WSUD) objectives:

- Utilisation of available rainwater using on-site tanks.

- Minimisation of impacts on downstream receiving waters.

- Safe conveyance of stormwater.

- Integration of water management measures with landscape design into the proposed development.

Student Numbers

The proposed Stage 1 development seeks approval for a total of 100 students.

Site works

Management of site works

The site will be appropriately secured and fenced during earthworks, clearing and construction work to ensure there are no unacceptable impacts on the amenity of adjoining properties. The site will be remediated where required, in accordance with the plan prepared by Martens & Associates, consulting engineers, which accompanies this DA.

A more detailed construction management plan will be submitted to the relevant authorities upon the appointment of a building contractor to carry out the works and prior to any works commencing on site.

The construction works will be carried out as follows:

- Hours of work will be restricted to 7:00 am to 5:00 pm Monday to Friday, 7:00 am to 4:00 pm Saturdays with no work allowed on Sundays and public holidays.

- During the carrying out of site works, the site will be fully enclosed to prevent unauthorised access. A new security fence/hoarding will be installed around the work

areas, to achieve an appropriate level of security.

■ All material handling during the demolition and excavation works will be carried out within the confines of the site.

■ Dust control measures to be implemented.

■ All construction access to the site will be through the nominated driveways for the duration of the works.

■ Prior to commencement of any works, dilapidation reports of adjacent properties and Council's footpath and road will be carried out, where required.

■ A traffic management plan will be prepared for each stage of the construction generally in accordance with the principals of the transport/ traffic report, prepared by McLaren Traffic Engineering, accompanying the Staged Development Application.

■ Heath Road will be used as the main means for construction vehicles to access and leave the site.

■ Portable toilet facilities are to be used during demolition and excavation works where access is not available to existing serviced dwellings on the site.

■ Provision of waste and recycle bins at strategic location on site. Construction waste bins to be also provided. Bins to be removed from the site on a regular basis.

■ Compliance with authorities requirements for waste (including contaminated waste) disposal and site amenities and safety.

■ On site treatment of stormwater run-off. Refer to Siteplus engineering plans for details.

■ All material handling during any demolition and/or excavation works will be carried out within the confines of the site.

■ Compliance with authorities requirements for waste disposal, site amenities and safety.

Erosion and sedimentation control

Erosion and sediment control measures are to be implemented during the carrying out of any on-site road works. The basis for all control measures are the principles of the "Blue Book" (*Managing Urban Stormwater – Soils and Construction*) by NSW Department of Housing). Refer to plans prepared by consulting engineers Siteplus Pty Ltd, which accompany this DA.

Erosion and sedimentation control will minimise the amount of sediment that would enter the downstream environment. This would minimise the impact on flora and fauna and help to maintain biodiversity in the local area. Mitigation measures will also include:

■ Temporary sediment ponds are proposed on site to accept stormwater runoff from all proposed works areas.

■ A Shakedown Pad will be installed at the entrance to the development area.

■ Minimising the area of disturbance during construction and the adopting of the following construction practices:

- Sediment controls are installed.

- Minimise the area of soils exposed.

- Conserve topsoil for re-use on site, where possible. Identify and protect proposed stockpile locations.

- Preserve existing undisturbed stands of vegetation not earmarked for development or disturbance.

- To control surface water flows through the development construction site in a manner that:

- Diverts clean run-off around disturbed areas. and minimise surface run-off.

- Disturbed areas promptly rehabilitated.

- Trap sediment on site.

- Carry out regular monitoring and maintenance of erosion and sediment control measures and rehabilitation works until the site is stabilised (includes landscaping).

Traffic control

A traffic control plan for construction will be prepared prior to works commencing on site.

Construction Sequencing Stage 1

The likely sequence of pre-construction and construction activities to be undertaken are set out below, summarised in the following:

- Equipment and machinery transferred to site. Includes establishment of site compounds and facilities.

- Construction of protective/construction fencing and establishment of erosion and sedimentation control measures.

- Fencing of areas not to be disturbed by construction activities and clearing/earthworks and building works. Includes the installation of drainage measures.

- Construction of Stage 1 primary school school building, drainage, and other associated works.

- Landscaping (grass) around completed school building, disturbed areas etc. once building works are completed. Includes clean up and restoration of disturbed areas following the completion of construction and remedial plantings.

Construction activities will be managed to minimise the potential for generation of waste. Security fencing is to be provided around the perimeter of the development area during the demolition, excavation and construction period.

Before commencement of works on the site, a detailed Construction Management Plan will be prepared to outline final management procedures.

Where there is a need to remove any identified materials from the site that contain contaminated material, it will be disposed of to a licensed waste facility suitable for the classification of the waste. The site is to be remediated in accordance with the remediation action plan prepared by Martens & Associates and which forms a part of this development application.

Aboriginal sites

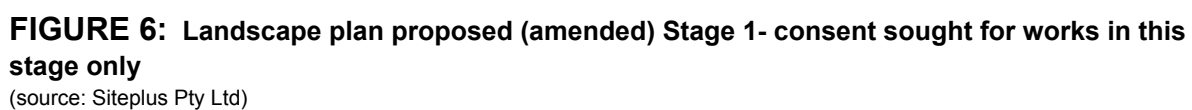
The site has been used for market gardens in the past. In the unlikely event of any Aboriginal object (including evidence of habitation or remains) being discovered during the course of site works:

- All excavation or disturbance of the area must stop immediately in that area, and

- The Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the *National Parks and Wildlife Act 1974*.



(source: Butler & Co, Architects)



3.3 Concept master plan

The second component of this (amended) development application seeks approval for the concept concept plan component of the Staged Development of the school, in accordance with Section 80(4) and 83B of the *Environmental Planning & Assessment Act, 1979* (EP&A Act). Refer Figure 7. In effect, this part of the development application may be considered as the overall intended master plan for the site.

Through the use of a Staged Development Application/plan the SASC, Council, and the community can have confidence that the subject site can be developed in a coordinated and appropriate manner in the future.

Approval is sought for the following concept components:

■ **Future school expansion.** The plans show indicative building locations and envelopes for buildings and other works associated with later stages of the school development (ie. beyond Stage 1). This includes the expansion of the primary school and establishment of a new high school, accommodating a total of 894 students. [NOTE: The first stage development application is for 100 students.] The concept plans show a new Junior School (replacing the temporary primary school building proposed in Stage 1), gymnasium, library, and high school building complex. The existing demountable classrooms proposed in Stage 1 are to be converted to an administration building.

■ **Landscaping, sports courts.**

■ **Additional car parking, access.**

For further details, refer to the plans and diagrams prepared by Butler & Co. Architects, accompanying this development application. The consent for “staged” development will provide a defined framework against which future stages can be assessed.

Any consent for this stage will not authorise the carrying out of these conceptual aspects of the staged development unless consent is subsequently granted following further more detailed development applications for specific works pursuant to s.83B(3) of the EP&A Act.

These designs will be the subject of separate, and more detailed, development application(s).

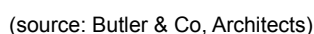
The next stage will be for SASC to progressively seek approval for the detailed design and staged construction of the Years 5-12 school buildings, open space, and any required additional site car parking.

Building envelopes

Development consent is sought for the indicative building envelopes/footprints for the future stages of the school, as illustrated in the diagrams prepared by Butler & Co., Architects, accompanying this development application.

Figures 8 & 9 illustrate how the proposed school additions would look and function. The proposed primary school additions and new high school achieve a minimum setback of 20 metres from the Heath Road frontage, with a 30m setback for school buildings nearest the small Council serve on the Byron Road frontage.

The indicative heights of buildings shown in the concept master plan would be generally 6.6m above ground at the 2 storey eaves and up to 10m at the ridge.



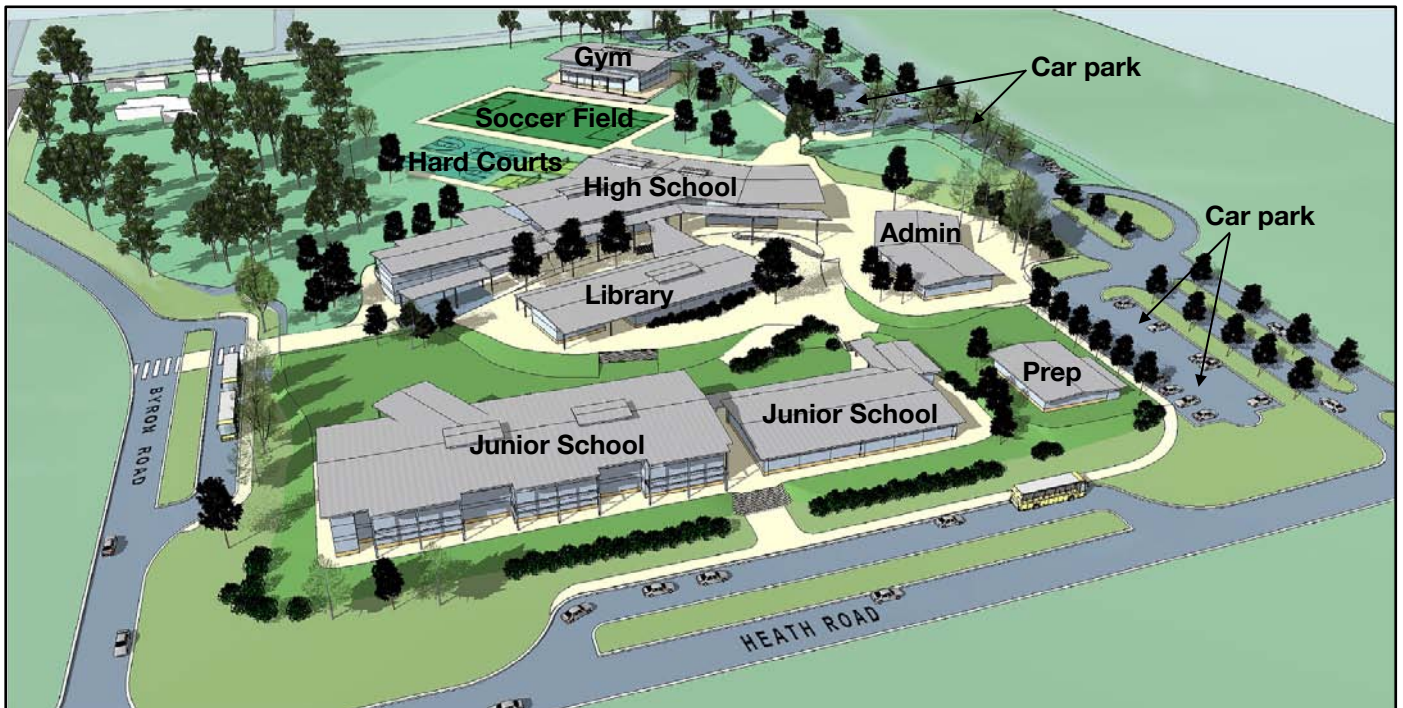


FIGURE 8: Concept Master Plan- View from the South

(source: Butler & Co, Architects)

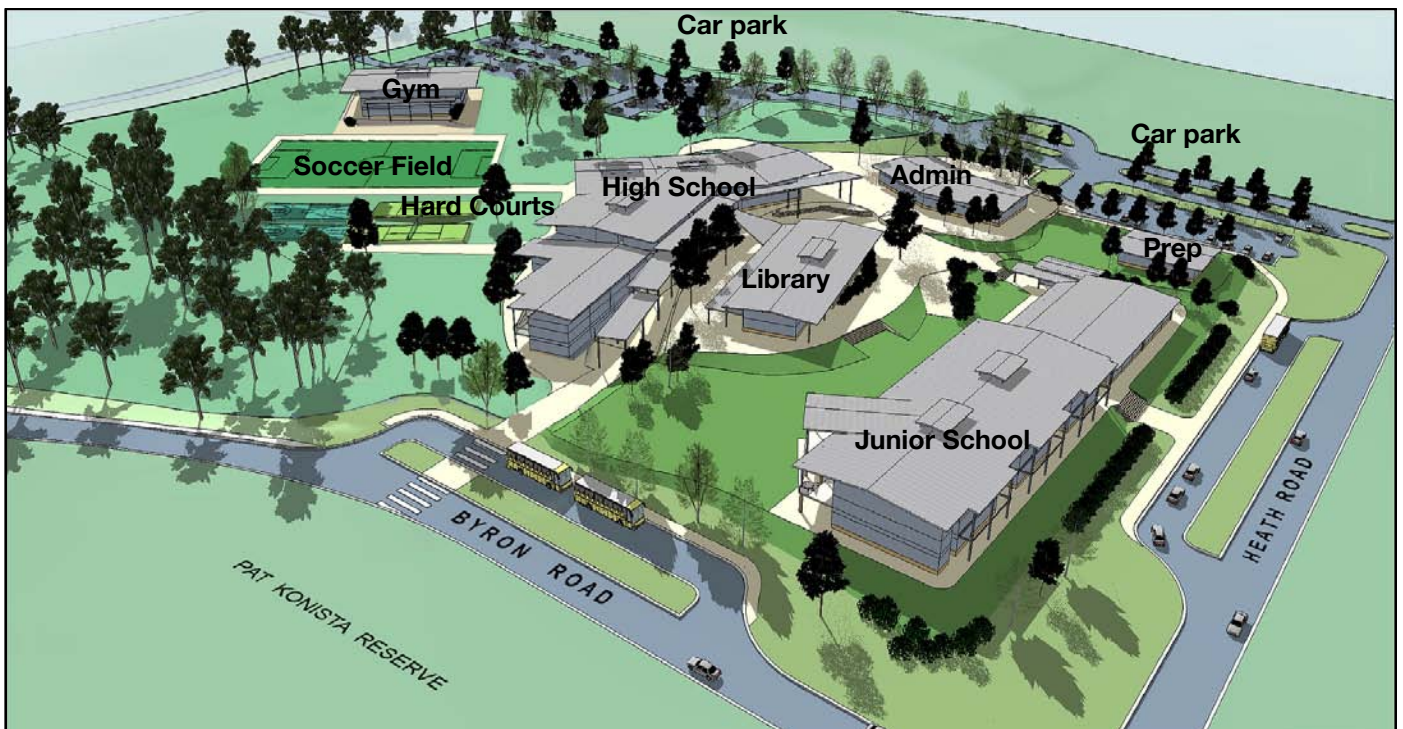


FIGURE 9: Concept Master Plan- View from the West

(source: Butler & Co, Architects)

The indicative heights of the Gymnasium building would be about 9m above ground level at the eaves and maximum of 12m at the ridge. [NOTE: Any consent for these buildings would be subject to a further DA and compliance with the height limits, if any, applicable at the time]

Building materials

The indicative materials to be employed in the alter stages of the school campus would be as follows:

EXTERNALLY:

■ **Roofs** - Colorbond metal with Section J insulation.

■ **Walls** - Brick, aluminium and glass windows and some coloured fibre cement cladding – all to Section J requirements.

INTERNALLY:

■ **Floors** – Carpet tiles on concrete slabs.

■ **Ceilings** - acoustic tiles under beams and purlins.

■ **Walls** - plasterboard with sound absorbing pinboards.

[NOTE: Final details to be provided in later development applications]

Landscaping concept

Indicative landscaping and playing fields are shown on the accompanying plans, prepared by Siteplus Pty Ltd. Most open space area will be grassed, in order to provide outdoor playing areas for students. Future school development can be integrated with open space areas within the overall proposed expanded school development, having regard to siting, use and access to such spaces.

Refer Figure 10.

The landscape concept provides an appropriate amenity to the subject site and surroundings, achieving an appropriate relationship between buildings and landscaping.

Concept car parking & access

The concept parking system proposed under the school master plan meets the following objectives:

■ To provide on-site parking for staff, students, visitors and delivery vehicles, which is easily accessible and has regard to pedestrian safety.

■ All car parking and servicing generated by the proposal is met on-site. A total of 166 dedicated on-site parking spaces are provided in the overall concept, with additional parking provided in the parent drop-off areas 914 additional spaces). The bus areas have a capacity for 4 buses at any one time.

The concept shows additional car parking for later stages of the school campus, comprising a progressive extension of the car park along the common boundary with neighbouring Lot 49A, owned by the Anglican Church Property Trust , as far north as local road shown in ILP for Leppington (as revised). The SASC and the Anglican Church Property Trust have been working together to jointly plan for the ultimate development of their properties, seeking to maximise the benefits associated with allowing common use of facilities, including car parking areas. The current concept plan adopted by the parties provides for a common car parking area, positioned between the proposed church and the proposed school buildings.

Refer Figure 11.



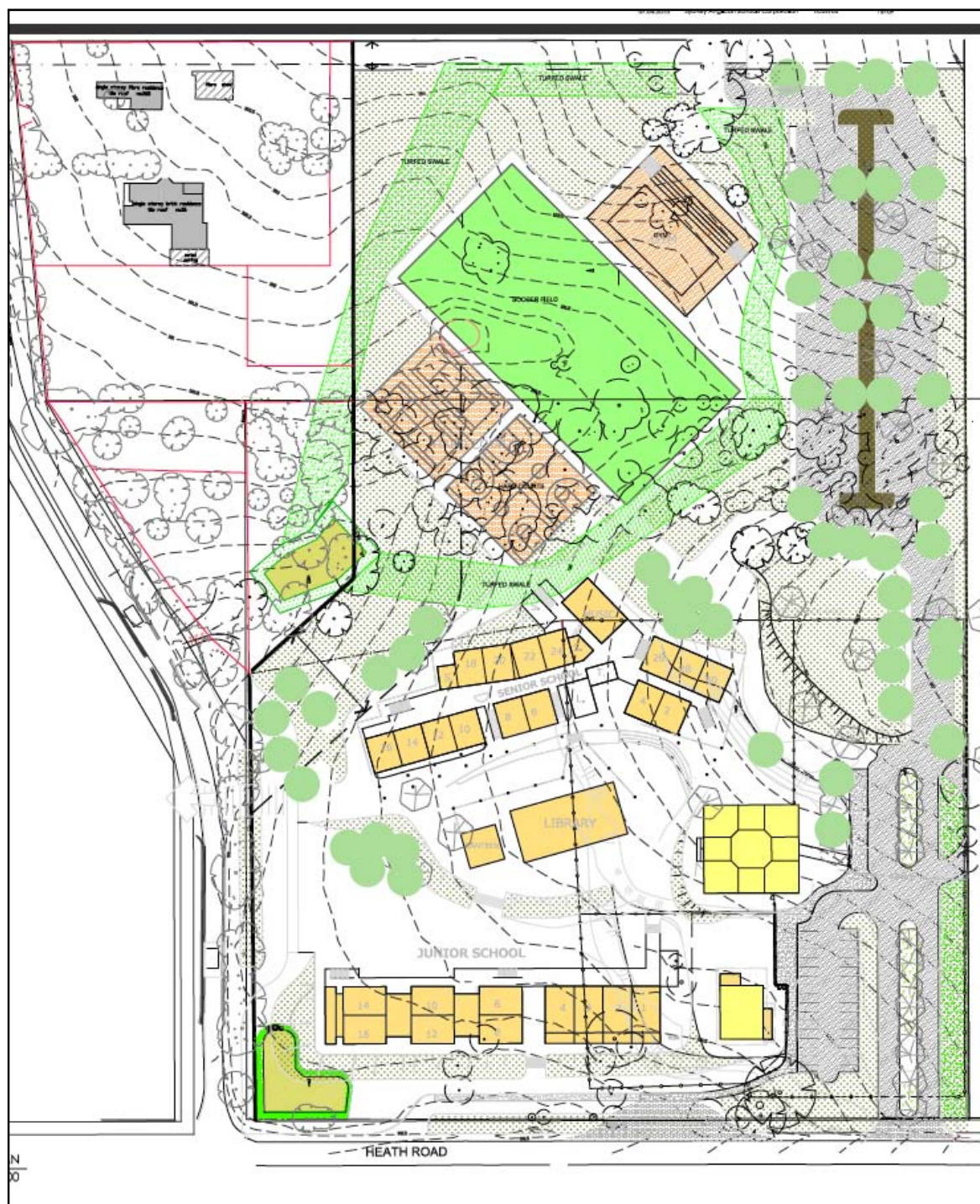


FIGURE 10: Landscape plan Staged Development- concept approval only sought
(source: Siteplus Pty Ltd)



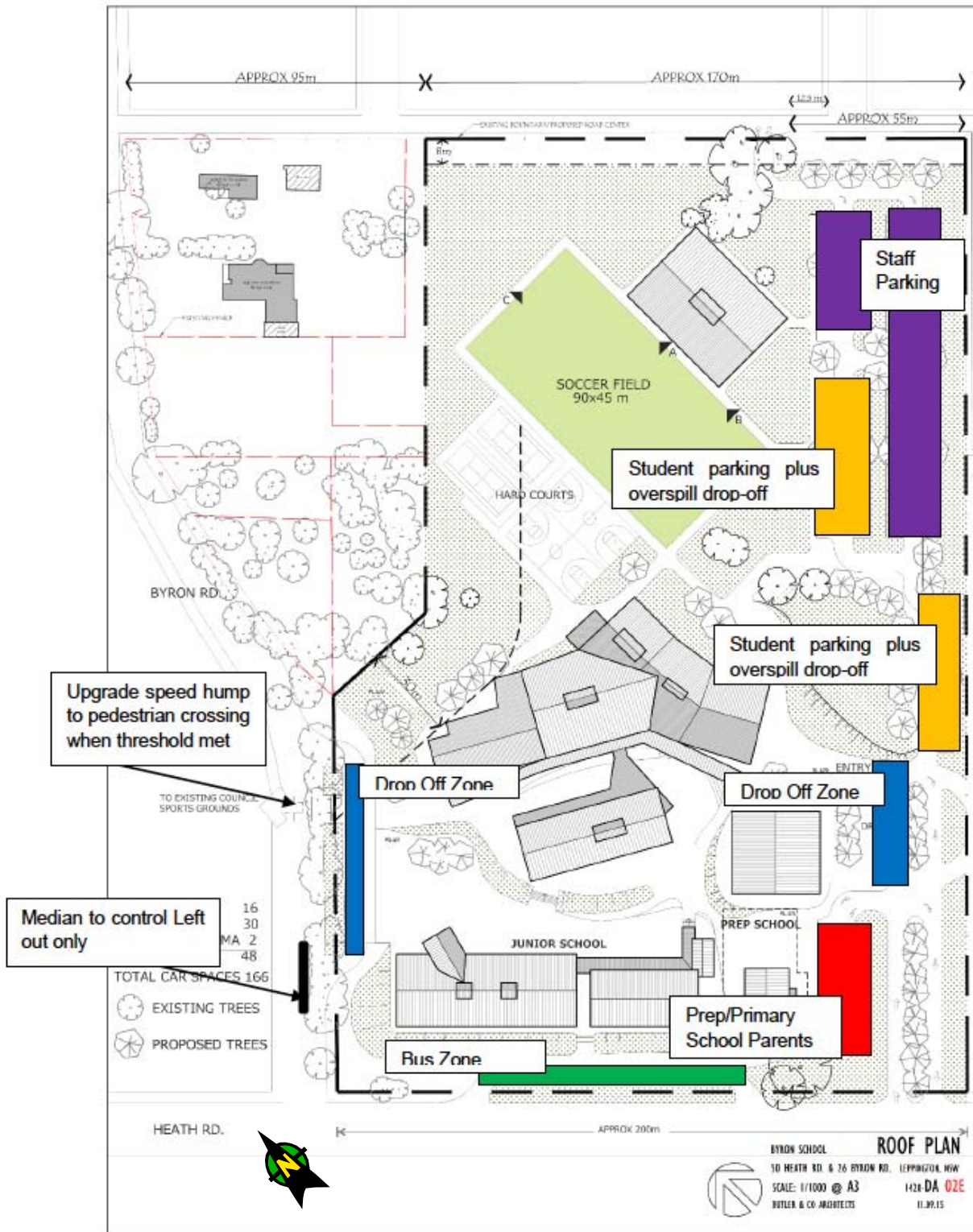


FIGURE 11: Car parking proposed concept master plan— concept approval only sought
(source: McLaren Traffic engineering)

4. STATUTORY PLANNING

4.1 Overview

NSW planning framework

The NSW planning and assessment framework is established by the EP&A Act, which sets out requirements for the development approvals process.

It also provides for the making of environmental planning instruments (EPIs) and Ministerial orders, which in turn determine the relevant planning approval pathway for development in the state. In this regard, the Department of Planning & Environment has decided to amend the ILP for the school site, relocating the proposed RE1 open space zone from a corridor in the central portion of the school site to the north-west corner of the school site instead.

A development application (DA) may be amended or varied by the applicant, at any time before the application is determined, but only with the agreement of the Council.

The amended application responds to the relocated RE1 zone and responds to comments made by Council and the RFS to the original DA lodged in June 2015. As such, the amended DA can be considered within the ambit of clause 55 of the *Environmental Planning and Assessment Regulation 2000*. In this regard, in advice dated 15 September 2015, Council has confirmed that it is happy to accept the amendments as proposed, as a revision to the current DA.

Staged development

This application for the Project is being lodged for assessment and determination as a Staged Development Application under sections 80(4) (5) and section 83B of the EP&A Act. Section 80(4) allows for consent to be given to a development excluding a certain part, or to a part of a development, or a specified part or aspect of a development. Section 80(5) relevantly allows the imposition of a condition that a specified part or aspect of a development be the subject of another development consent.

Section 83B allows the lodgement of staged development applications.

A Staged Development Application is different to a normal Development Application for a proposal in that it is to be carried out in stages.

As set down in section 83B(1) of the EP&A Act, a staged development application is one that sets out a concept proposal for the development of a site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent development applications.

The relevant provisions of s.83B of the EP&A Act are set out below:

“ 83B Staged development applications

(1) For the purposes of this Act, a staged development application is a development application that sets out concept proposals for the development of a site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent development applications. The application may set out detailed proposals for the first stage of development.

(2) A development application is not to be treated as a staged development application unless the applicant requests it to be treated as a staged development application.

(3) If consent is granted on the determination of a staged development application, the consent does not authorise the carrying out of development on any part of the site concerned unless:

(a) consent is subsequently granted to carry out development on that part of the site following a further development application in respect of that part of the site, or

(b) the staged development application also provided the requisite details of the development on that part of the site and consent is granted for that first stage of development without the need for further consent.

(4) The terms of a consent granted on the determination of a staged development application are to reflect the operation of subsection (3)."

A Staged Development Consent does not authorise the carrying out of development on the site, except in one of the following two circumstances, as described in section 83B(3) of the EP&A Act:

■ Consent is granted to the first stage of the Project, in which case that stage may be developed in accordance with conditions of consent [NOTE: This application seeks consent for Stage 1 of the school development] ; and

■ A subsequent development application for development on the site is granted consent, in which case that development may be

developed in accordance with the conditions of consent.[NOTE: This applies to the other stages of the school project the subject of this development application].

This application sets out detailed proposals for works in the first stage of the school development, with a concept consent sought for the later stages of the overall school development.

Importantly, the overall development application responds to those matters that are critical to the assessment of the proposal as a whole). Thus, the location and carrying capacity of the car parking areas proposed are described in some detail.

Likewise, the application provides details regarding the location and proposed use of the school buildings proposed in all stages, including the footprints and indicative envelopes of the proposed buildings.

Any Staged Development Consent will include a condition requiring the need for consent for each successive stage the overall school development as described in the Staged Development Application. Detailed plans of the later stages of the proposed school would be lodged at this time, and these would need to be consistent with the details submitted with the initial Staged Development Application.

4.2 Local planning controls

Under the provisions of Camden Local Environmental Plan (LEP) 2010 all of the site and surrounds is zoned RU4 Primary Production Small Lots. Refer Figure 12. Educational establishments (ie. schools) are permissible uses under this zoning.

By reference to the the above LEP the following provisions are relevant:

■ The land has no heritage significance [source: Camden Local Environmental Plan (LEP) 2010 Heritage Map - Sheet HER_015].

■ A building height limit of 9.5m applies [source: Camden Local Environmental Plan (LEP) 2010 Height of Buildings Map - Sheet HOB_015].

■ A minimum lot size of 2ha applies [source: Camden Local Environmental Plan (LEP) 2010 Lot Size Map - Sheet LSZ_015].

■ The land is not subject to Schedule 1 of the Camden LEP 2010, in terms of additional permitted land uses.

■ The land is not a declared Urban Release Area for the purposes of the Camden LEP 2010.

■ The land is bushfire prone in part.

Camden Development Control Plan 2011 also applies to the local government area.

The other relevant provisions of the LEP, as well as the relevant DCP, are considered in further detail in Section 5 of this SEE report.

4.3 State planning controls

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

The State Government's Metropolitan Strategy guides development and growth within the Sydney metropolitan region over the next 25-30 years. It identifies growth centres on the outer fringes of Sydney.

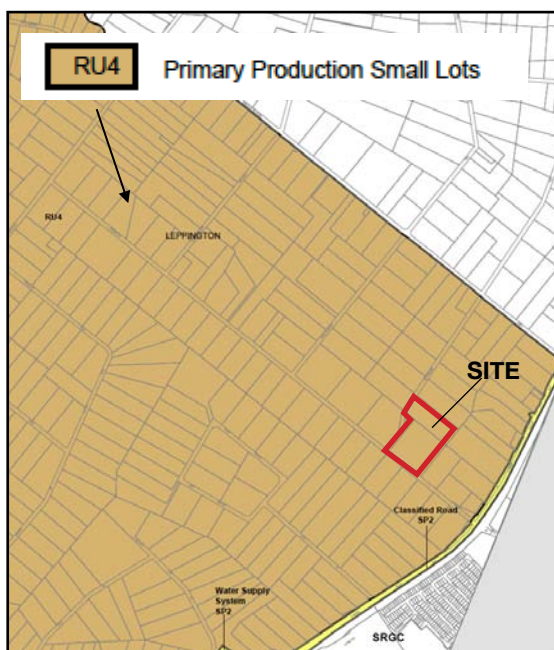


FIGURE 12: Existing zoning of site and surrounding locality- all zoned RU4

(source: excerpt Camden LEP 2010 Land Zoning Map - Sheet LZN_015)



The subject site is located within the South West Growth Centre Precinct Boundary (source: State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre Land Application Map Sheet LAP_008).

It forms a part of the Leppington Precinct, which is located wholly within the Camden Local Government Area (LGA).

State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (the Growth Centres SEPP) is the primary statutory plan governing the release and rezoning of land in the Growth Centres. The Leppington Precinct has a planned overall capacity for approximately 7,190 dwellings and a population of around 23,680 people. Parts of the Precinct will have access to essential water, sewer and electricity infrastructure in mid 2016. (source: Department of Planning and Environment June 2014 *Leppington Precinct Planning Report*).

Leppington Precinct: Open Space

The open space network proposed in the Leppington Precinct Planning Report and draft Precinct Plan for Leppington includes the following:

- 22.5ha of active open space, including 4 sporting fields.
- 34ha of “passive open space adjacent to riparian corridors” (page ix of the *Leppington Precinct Planning Report*).
- Provision for district open space outside of the Leppington Precinct (page 67 of the *Leppington Precinct Planning Report*).

Leppington Precinct: Planning for Schools

The draft Leppington Precinct Plan proposes four new primary schools and one K-12 school “located within walking distance to the sports fields, on collector roads to enable bus access.” (page ix of the *Leppington Precinct Planning Report*). Refer Figure 10 showing the location of the three nearest proposed schools. In this regard, the proposed SASC school is strategically located on land adjoining one of the proposed major playing fields, with a frontage to the major east-west road serving the precinct, namely, Heath Road.

However, one shortcoming of the precinct planning process is that only government school sites are identified, not non-government schools, as evidenced by the following statement in the Precinct planning report:

“School sites are all located on existing roads and have been determined in close consultation with Camden Council and the Department of Education and Communities.” (page 49 of the *Leppington Precinct Planning Report*).

The Plan also avoids locating schools on lands that are “too steep” (page 11 of the *Leppington Precinct Planning Report*).

Draft Leppington Precinct Plan

The adoption of any final precinct plan for Leppington will require an amendment to SEPP (Sydney Region Growth Centres) 2006 to establish the zoning and planning controls for the Precinct.

The Leppington precinct has yet to be released for urban development, the draft precinct plan only recently exhibited for public comment between November 2014 and February 2015. As such, there are no specific precinct controls prescribed under Part 2 of the Growth Centres SEPP are currently applicable. Refer Figures 13 & 14.

This is because the Leppington Precinct has not yet been declared by the Minister as being released for development. At present it is not located within a land use zone identified under the Metropolitan Strategy. However, the proposed development will need to be assessed against the considerations of Clause 16 of the Growth cCentres SEPP.

The site is identified in the recently exhibited draft Precinct Plan (Indicative Layout Plan) for the Leppington Precinct as forming a part of a residential area, with a recreational area proposed along the north-eastern flanks of Lot 48. The draft precinct plan shows a 9m height limit applying to the site.

The exhibited ILP plans are illustrated in accompanying Figures 13 and 14. Since exhibition, the Department of Planning & Environment has decided to relocate the RE1 zone to the north-west corner of the school site. Refer Figure 15.

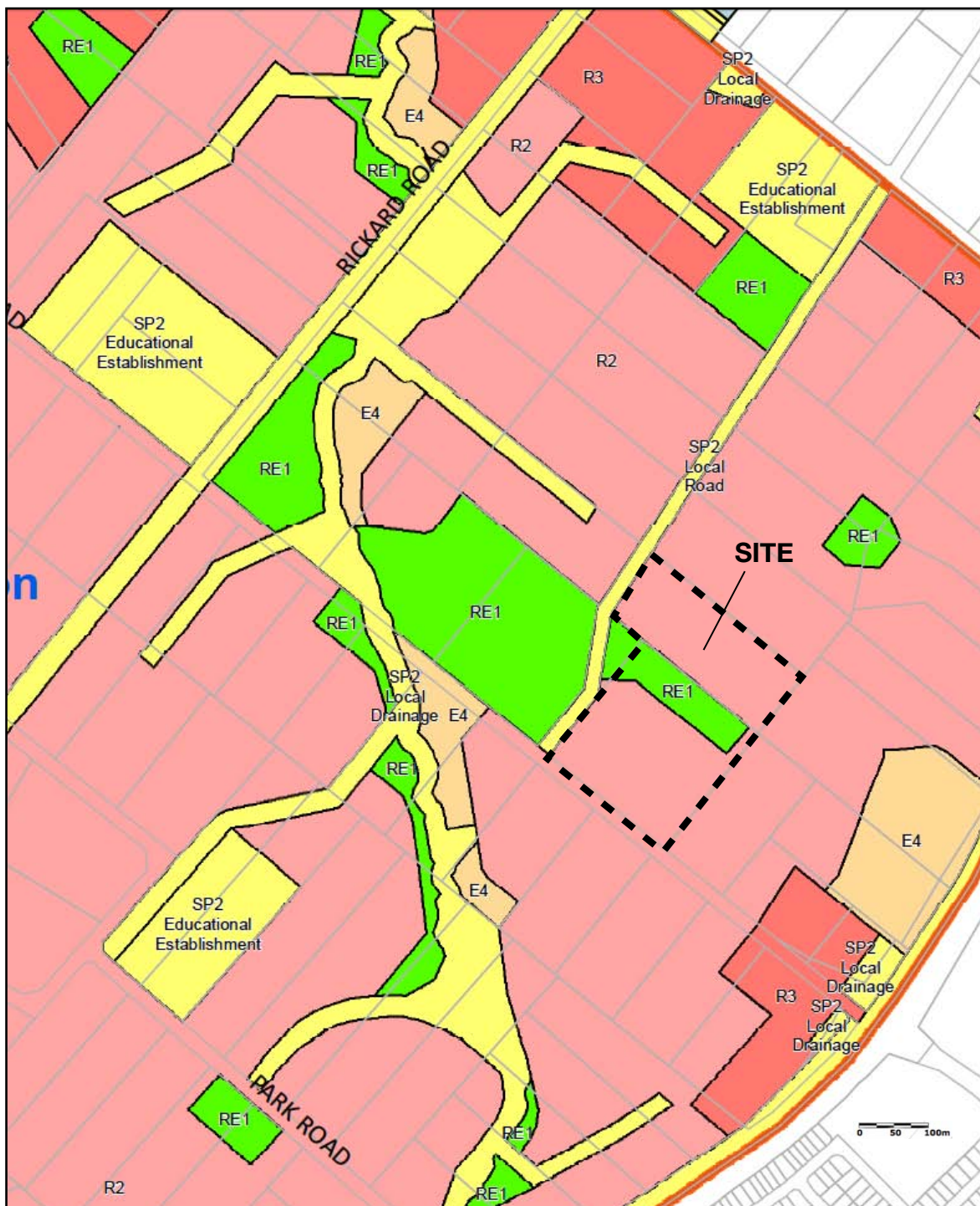


FIGURE 13: Excerpt draft zoning plan for Leppington Precinct for site and surrounds (as exhibited)



Note proximity to other (government) schools sites & nearness to playing fields/open space

(source: proposed (draft) zoning plan accompanying draft Precinct Plan for Leppington, as exhibited by NSW Dept. Planning & Environment Nov 2014/February 2015— *Leppington Precinct South West Growth Centre Land Zoning Map*)

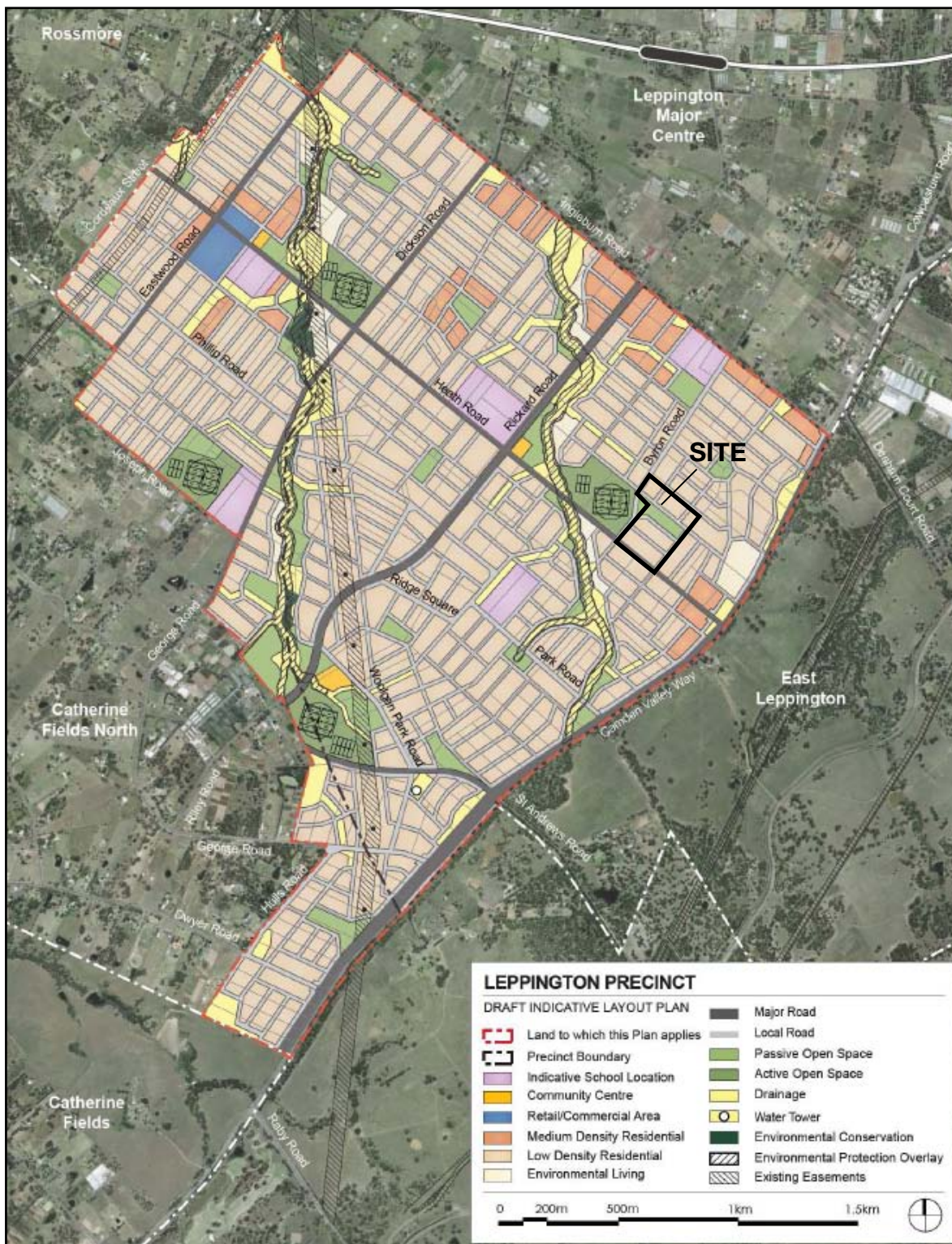


FIGURE 14: Excerpt Draft Indicative Layout Plan for Leppington Precinct (as exhibited)

(source: as exhibited by NSW Dept. Planning & Environment Nov 2014-Feb 2015)



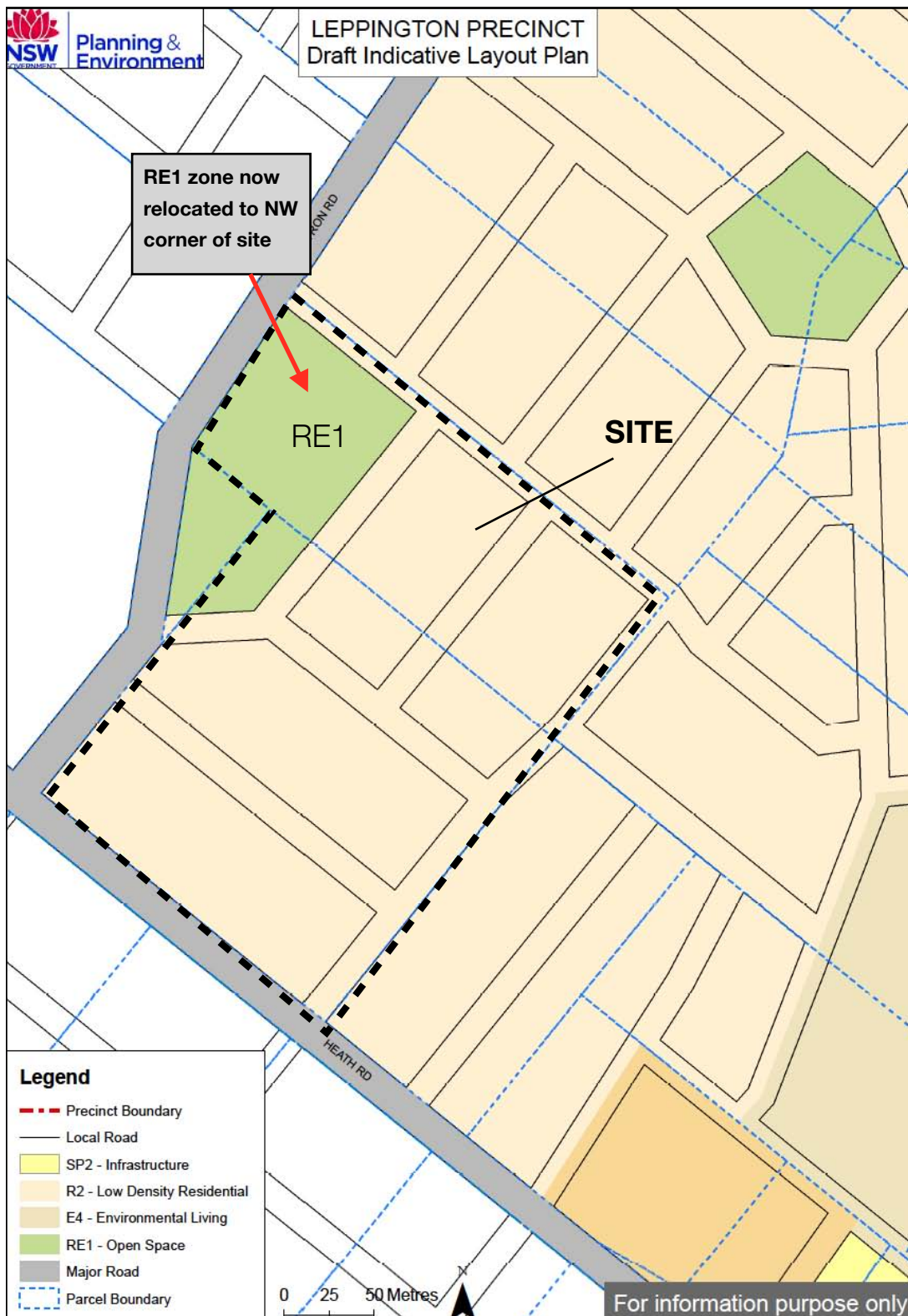


FIGURE 15: Revised Indicative Layout Plan for Leppington & School Site

(source: NSW Dept. Planning & Environment as furnished by Camden Council July 2015)



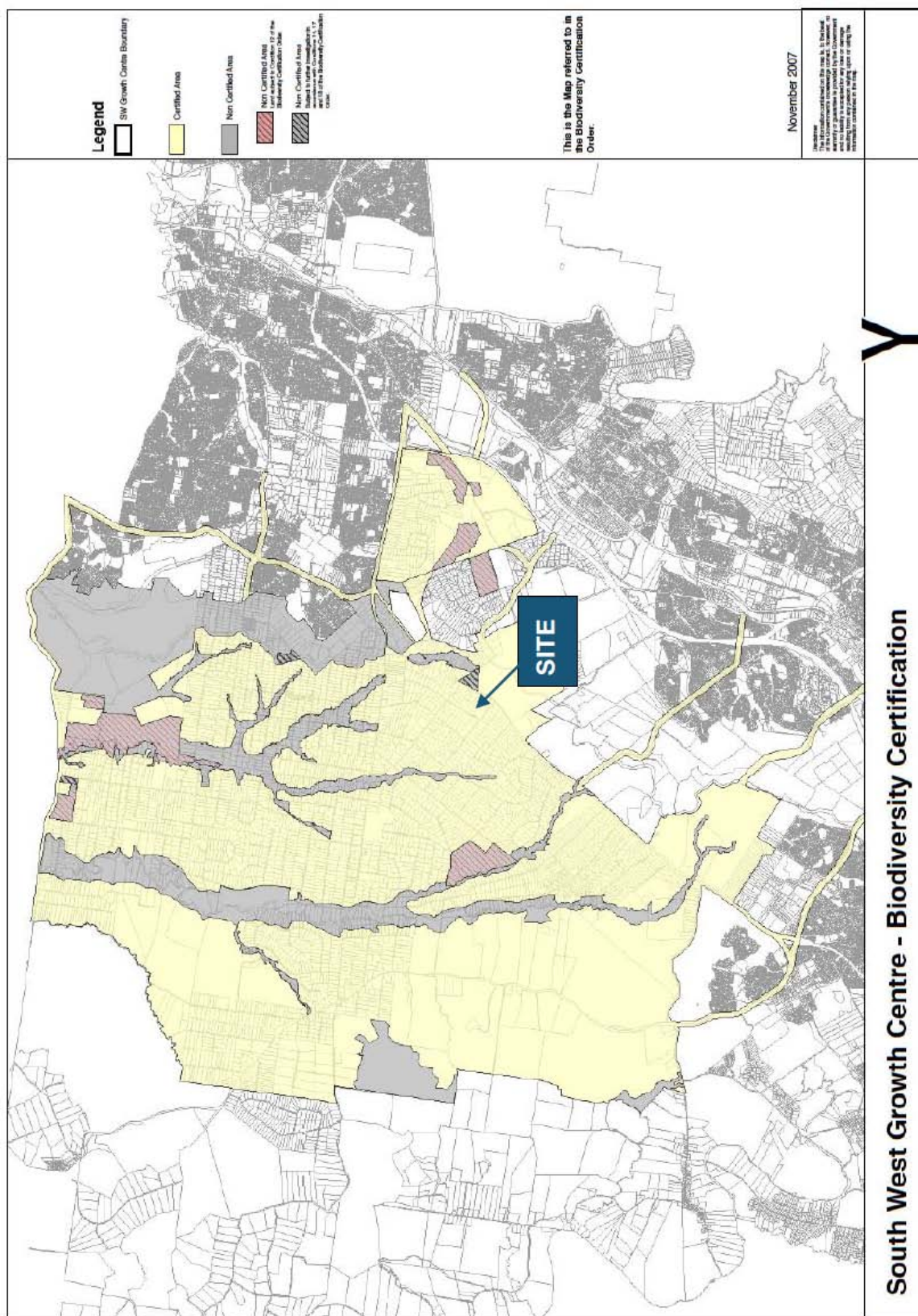


FIGURE 16: Biodiversity Certification applying to Leppington Precinct

(source: Order to confer biodiversity certification on the State Environmental Planning Policy (Sydney Region Growth Centres) 2006) signed by Verity Firth, M.P. Minister Assisting the Minister for Climate Change, Environment and Water (Environment) dated 11 December 2007

In advice dated 15 July 2015 the Department of Planning & Environment advised that it had resolved to recommend to the Minister that the Indicative Layout Plan for the school site be amended, with the designated RE1 public open space area to be relocated to the north west corner of the SASC site, to adjoin the existing Council owned triangular shaped land parcel that is also to be zoned public open space. Refer to copy of advice in Outline Planning Consultants covering letter dated 7 October 2015, accompanying this amended DA.

The Department's advice also reflected the following:

■ Acknowledgement of the willingness of the Sydney Anglican Schools Corporation and the Anglican Church Property Trust, the latter being owners of the adjoining land at 30 Heath Road, to work with Camden Council and the Department to relocate the RE1 zone to another part of the school site.

■ Recognition that the vegetation in the central portion of the school site *"...is on certified land which means that it does not have to be retained..."* and that *"it is worthy of retention if possible..."* [NOTE: The amended DA provides for relocated school active open space and parking areas in this part of the school site, however, existing stands are retained wherever possible, supplemented by additional new plantings.]

■ Recognition given to the fact that the exhibited RE1 zone *"would sever the site and limit the integration of components of the school"*.

■ That the relocation of the RE1 zoned public open space area will *"...enable a more efficient design for the school"*.

■ Acknowledgement that the Sydney Anglican Schools Corporation wishes to discuss with Council the future co-sharing of the proposed RE1 open space area.

Additional Commentary on Leppington precinct planning process & proposed school

The recent advice by the Department of Planning & Environment gives recognition to the proposed use of the site for a school.

This is not recognised in the *Leppington Precinct Planning Report*. The following comments are made on the above proposed draft zoning/layout plan for Leppington, as they affect the site and the proposed school:

■ The SASC has identified the subject site for a school campus for similar, if not the same, locational factors as those used to determine the location of government schools (ie. near a major playing field, occupying a corner location, with good access to a collector road- Heath Road).

■ Having regard for the above, a school use is ideal for providing usable open space and achieve the planning objective outlined in the *Leppington Precinct Planning Report*, namely: *"A number of the local parks have been expanded to provide more useable space....."* (page 9 of the *Leppington Precinct Planning Report*).

■ Retention of the woodland vegetation found on the site *as native vegetation* is not required, given the Biodiversity Certification currently applying to the Leppington urban release area. Refer Figure 16.

■ Allowing the school to be established on the site will not have any significant adverse effect on the overall structure of the draft precinct plan as it affects the site and surrounds. [NOTE: In fact, the recently revised ILP for the school site gives recognition to the future use of the site as a school]. The surrounding lands can still be developed for the purposes intended, notwithstanding the fact that some of the proposed local roads will no longer be required to run through the site. Minor revisions only need be effected- if at all- to the local road system in order to accommodate the proposed school use. The same applies to the land owned by the Anglican Church Property Trust, which owns neighbouring Lot 49A DP 8979. The location of one proposed local road is to be used as a common car park area for both the proposed school and the proposed church. This land is proposed to be developed for the purposes of a church and associated facilities, not residential development. Schools and churches form an important part of the social fabric of any new community.

Camden Growth Centre Precincts Development Control Plan

When the precinct plan for Leppington is finally adopted and gazetted the general provisions of Camden Growth Centre Precincts Development Control Plan will also apply, as well as specific controls for the Leppington precinct. [NOTE: this could involve reflecting any amendment of the exhibited version of the precinct plan]. Currently these DCP provisions do not apply to the site. Discussed later in this SEE report.

Detailed provisions of Growth Centres SEPP

Schedule 1 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre provides savings provisions, relating to development applications lodged before the date of gazettal of any amendment to this SEPP. It states as follows:

*"Schedule 1 Savings and transitional provisions
1 Application of amendments made by State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Housing Diversity) 2014*

An amendment made to this Policy by the State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Housing Diversity) 2014 does not apply to development for which an application for development consent was lodged before the commencement of the amendment."

Clause 16 of the Growth Centres SEPP Clause 16 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre is particularly pertinent to a consideration of any development on the subject site, where a DA has been lodged prior to any gazettal of a precinct plan for Leppington.

This clause applies to land within the growth centre where a precinct plan is yet to be made law. It states:

*"16 Development applications in growth centres
—matters for consideration until finalisation of precinct planning for land*

(1) Until provisions have been specified in a Precinct Plan or in clause 7A with respect to the development of the land, consent is not to be granted to the carrying out of

development on land within a growth centre unless the consent authority has taken into consideration the following:

- (a) whether the proposed development will preclude the future urban and employment development land uses identified in the relevant growth centre structure plan,*
 - (b) whether the extent of the investment in, and the operational and economic life of, the proposed development will result in the effective alienation of the land from those future land uses,*
 - (c) whether the proposed development will result in further fragmentation of land holdings,*
 - (d) whether the proposed development is incompatible with desired land uses in any draft environmental planning instrument that proposes to specify provisions in a Precinct Plan or in clause 7A,*
 - (e) whether the proposed development is consistent with the precinct planning strategies and principles set out in any publicly exhibited document that is relevant to the development,*
 - (f) whether the proposed development will hinder the orderly and co-ordinated provision of infrastructure that is planned for the growth centre,*
 - (g) in the case of transitional land—whether (in addition) the proposed development will protect areas of aboriginal heritage, ecological diversity or biological diversity as well as protecting the scenic amenity of the land.*
- (2) This clause does not apply to land zoned under Part 3."*

Considered in detail in Section 5 of this SEE report.

Biodiversity certification

A Biodiversity Certification Order was granted over the Leppington Precinct, signed by the Minister for Climate Change and the Environment on 14 December 2007. This certification, which includes the SASC site, essentially suspends the application of the Section 5A of the NSW EP&A Act 1979, which deals with the assessment of impacts on threatened species listed on the NSW *Threatened Species Conservation Act 1995* (TSC Act), over the Leppington release area. Refer accompanying Figure 16.

State Environmental Planning Policy (Infrastructure) 2007

The applicable state environmental planning policy (SEPP) is State Environmental Planning Policy (Infrastructure) 2007, which applies to infrastructure projects throughout the State, including schools.

The SEPP assists the NSW Government, local councils and the communities they support by simplifying the process for providing infrastructure in NSW, in this case, school infrastructure.

Importantly, and notwithstanding the powers relied on in this application under s.96 of the EP&A Act, schools are a permissible use under clause 28(2) of the SEPP, which states:

"(2) Development for any of the following purposes may be carried out by any person with consent on any of the following land:

- (a) development for the purpose of educational establishments—on land on which there is an existing educational establishment,*
- (b)"*

State Environmental Planning Policy (Infrastructure) 2007 sets out in Schedule 3 those traffic generating developments that need to be referred to the RTA where development consent is sought.

Under Schedule 3 of the SEPP a development application for an educational establishment proposing 50 or more students is required to be forwarded to the RMS (formerly RTA). The SEPP provides that Council shall not determine the application until it has received a representation from the RMS. Division 17 and in particular, clause 104 of State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure) applies to the application because it is an educational establishment with 50 or more students and therefore traffic generating development. In accordance with clause 104(3) (b), a consent authority must take into consideration:

“(i) any submission that the RTA provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, the RTA advises that it will not be making a submission), and

(ii) the accessibility of the site concerned, including:

(A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and

(B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and

(iii) any potential traffic safety, road congestion or parking implications of the development.”

Refer to accompanying traffic report, prepared by McLaren Traffic Engineering.

Complying development under State Environmental Planning Policy (Infrastructure) 2007 allows a maximum building height of 12m.

State Environmental Planning Policy No 55– Remediation of Land

SEPP 55 introduces state-wide planning controls for the remediation of contaminated land. It states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals.

A phase 2 contamination assessment was undertaken by Martens & Associates over the site. Their report, including remediation plan, forms a part of the development application.

State Environmental Planning Policy (Infrastructure) 2007

The provisions of this SEPP apply to the proposal as the total investment value is in excess of \$5 million.

In accordance clause 13b(1)(a) of the SEPP the application is “regional development” with the determining authority for the application being the Joint Regional Planning Panel (Sydney West). The application will thus need to be referred to the Joint Regional Planning Panel (Sydney West) for determination.

Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment

The REP, which is deemed SEPP, aims to protect the water quality of the Georges River and its tributaries and the environmental quality of the whole catchment. The plan establishes a consistent approach to planning and development within the catchment and aims to ensure that development has minimal impact on the Georges River Catchment generally.

4.4 Integrated development approvals

Under existing planning law approvals may need to be obtained from other Government agencies, in addition to obtaining a development consent from Camden Council. If this is the case, an “integrated development” application pursuant to s.91 of the EP&A Act will be required.

Table 4.1: “Integrated development” checklist

Approval Body	Relevance to Application
s.58 Heritage Act 1977	Not Applicable
s.90 National Parks and Wildlife Act	Not Applicable
ss 89, 90, 91 of the Water Management Act 2000	Not Applicable
s 100B Rural Fires Act	Applicable
S. 144, 201, 205 and 219 Fisheries Management Act	Not Applicable- no marine impacts likely
Roads & Traffic Authority s. 138 Roads Act 1938	Not applicable- no RMS approval required

Where the development is integrated development, s.91A(3) of the EP&A Act gives the consent authority (in this case, Camden Council) power under that Act to impose any conditions that an approval body could impose as a condition of its approval.

Even though there is a very wide power to impose conditions, the power of the council to impose any condition nominated by the other government agencies is limited to only those conditions that nevertheless fairly and reasonably relate to the proposed development and are for a purpose related to the relevant powers of that particular agency under the integrated development provisions of the EP&A Act.

Where a consent authority receives notification from an approval body that the approval body would not grant approval- the consent authority is obliged to refuse the development consent (EP&A Act s 91A(4)). For the purposes of determining such an integrated development application, the consent authority has no further discretion.

Section 91(3) of the EP&A Act provides that developments which also require consent under Section 138 of the Roads Act 1993 are not integrated development if the council is both the development consent authority under the EP&A Act and the relevant Roads Authority providing consent under the Roads Act- which is the case here.

Approval will be required from the NSW Rural Fire Service. This is because the proposed school buildings is partly within a designated bush fire prone area.[NOTE: Notwithstanding the advice of bushfire consultant in Section 2.4 of this SEE)

4.5 Other planning controls & guidelines

Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) requires approval of the Commonwealth Minister for the Environment for actions that may have a significant impact on matters of national environmental significance. Matters of national environmental significance under the EPBC Act include the following:

- World Heritage properties.
- Ramsar wetlands.
- Threatened species or ecological communities listed in the EPBC Act.
- Migratory species listed in the EPBC Act.
- Commonwealth marine environment.
- Nuclear actions.

The subject site is not affected by any relevant triggers under the Commonwealth EPBC Act.

Threatened Species Conservation Act 1995 (NSW) (TSC Act)

The TSC Act requires that regard be had in the planning and development approval process to the potential for adverse impacts upon threatened fauna and flora, and their habitats. The TSC Act modifies the EP&A Act by imposing a requirement on a consent authority to determine “...whether there is likely to be a significant effect on threatened species, populations or ecological communities, or their habitats.”

Eight factors are listed in s 5A of the EP&A Act. Eight factors are listed in s 5A of the EP&A Act.

The TSC Act is suspended by virtue of the Biodiversity Certification Order issued by the relevant Minister in 2007.

As such, there is no statutory requirement for the proposed development to be assessed in terms of impacts on threatened species listed on the TSC Act.

5. PLANNING ASSESSMENT

5.1 Overview

This Staged Development Application requires approval under Part 4 of the EP&A Act. The procedures for assessment of a development application are set out in Part 4, Division 2, which includes section 79C(1) and section 83B.

This report has been prepared pursuant to the EP&A Act and the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation 2000), and reviews the relevant environmental planning instruments and guidelines that apply to the subject application. It also assesses the potential environmental impacts of the proposed new school with particular reference to the relevant heads of consideration listed under Section 79C(1) of the EP&A Act 1979 comprising:

“(a) the provisions of:

- (i) any environmental planning instrument, and*
- (ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
- (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for the development,

(d) any submissions made in accordance with this Act or the regulations,

(e) the public interest.”

In terms of environmental impacts, this application considers the likely impact of the future stages of the school on the environment, as well as for the first stage of the development. The above heads of consideration, as well as the objects of the EP&A Act 1979, are considered in the following.

5.2 Objects of the EP&A Act

In accordance with Section 5 of the EP&A Act, the objectives of the Act are:

“(a) to encourage:

- (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- (ii) the promotion and co-ordination of the orderly and economic use and development of land,*
- (iii) the protection, provision and co-ordination of communication and utility services...*
- (v) the provision and co-ordination of community services and facilities, and*
- (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats...”*

The proposed development is considered to be consistent with the objects of the EP&A Act 1979 for the following reasons:

■ The proposed development will accommodate a proven demand for a new school campus. The school is one of a number of new Anglican schools proposed by the Sydney Anglican Schools Corporation (SASC) to service the perceived demand for educational facilities in the rapidly growing South West sector of Sydney.

■ The proposal will result in the orderly and economic use of the land for school purposes- a use permitted under the local zoning controls.

■ The subject site has a capacity and a strategic location to enable the development of the site as a school, as detailed in this SEE report. The school site is well served by planned public transport and is located within easy access to surrounding retail, commercial and community facilities associated with the planned Leppington and East Leppington town centres.

■ There will be no significant adverse impacts on the environment or the amenity of the neighbourhood resulting from the proposed school development.

■ Educational establishments have long been accepted as being compatible land uses within rural or residential areas and they provide a valuable educational resource that serves local community needs.

■ The proposed development will require the orderly provision of services to the site, to enable the land to be developed for the proposed school.

■ The proposed development will provide local employment opportunities in association with the use of the site as a school.

5.3 Section 79C assessment

The following is an assessment of the environmental effects of the proposed development.

The assessment includes only those matters under Section 79C(1) that are relevant to the proposal.

It reviews the relevant environmental planning instruments and development control plans that apply to the site subject to the development application.

Camden Local Environmental Plan (LEP) 2010

The Camden LEP 2010 is the comprehensive environmental planning instrument applying to the site.

The Stage 1 development is only one storey in height. This height complies with the existing height limit applicable.

The compliance of the proposed school development with relevant provisions of the Camden LEP 2010 are considered in the following Tables 5.1 and 5.2.

Table 5.1: Compliance checklist clause 1.2 of Camden LEP 2010

Camden LEP 2010 Aims of Plan (Clause 1.2)	Compliance
(2)(a) Retains valued traditional qualities, character and scenic landscapes while providing for sustainable urban growth	Achieves a balance between allowing a school and retaining significant landscape features found on the site
(b) new communities to planned and developed in an orderly, integrated and sustainable manner and contribute to the social, environmental and economic sustainability of Camden,	The site is to be developed in an orderly manner. This school campus will form an important part of the social infrastructure of the Leppington community
c) to ensure natural assets within Camden are protected and enhanced	Revised RE1 zoning means that most trees found on site will need to be removed. However, additional on-site plantings proposed
(d) to minimise the impact on existing and future communities of natural hazards such as bush fires and flooding	Bushfire risks to be managed. The site will have appropriate drainage measures in place
(f) to ensure that the economic, employment and educational needs of all existing and future residents of Camden are appropriately planned for,	Quality education services provided to meet the needs of existing and future residents of Leppington
(i) to protect and restore the environmental values of land, including waterways and riparian land, as part of the natural systems	The existing woodland does not have any significant environmental values-subject to Biodiversity Certification. Appropriate drainage measures in place

The use of the site as a school is permissible in accordance with the provisions of the Camden LEP 2010. The proposal also complies with the following relevant objectives of the RU4 Primary Production Small Lots zone:

- It enables a compatible use to be established on the site. In principle, schools being a compatible use in rural areas.
- Schools generally have a minimal risk for the potential for land use conflicts.

The following table summarises the compliance of the proposed school with other relevant provisions of the Camden LEP 2010.

Table 5.2: Compliance with other relevant provisions of Camden LEP 2010

Camden LEP 2010 provisions	Compliance
Clause 4.3 Heights of buildings (9.5m)	Complies. All buildings in Stage 1 are one storey in height. All future buildings to comply with maximum building height requirements applicable at the time
Clause 4.4 Floor space ratio	Not applicable
Clause 5.4 Controls relating to miscellaneous permissible uses	Schools are not listed under this clause of the LEP
Clause 5.6 Architectural roof features	Not applicable to the stage 1 application- all buildings being one storey in height
Clause 5.9 Preservation of trees or vegetation	Most woodland trees to be removed - an unavoidable, but on balance, satisfactory outcome arising from Dept Planning decision to relocate RE1 zone. Additional tree plantings proposed to be integrated into the overall school campus

Camden LEP 2010 provisions	Compliance
Clause 6.2 Public utility infrastructure	Complies. Infrastructure can be provided to service the proposed school, including water and temporary onsite wastewater disposal, pending connection to reticulated sewer
Clause 6.3 Development control plan	Not applicable. Applies only to urban release areas as prescribed by the LEP
Clause 7.1 Flood planning	Complies. Refer to Siteplus engineering report
Clause 7.4 Flood planning	Complies. No detrimental impacts arise from the proposed development

Further details regarding the above issues canvassed in Table 5.1 and 5.2 above are addressed in the specialist reports prepared by:

- Siteplus Pty Ltd: services, earthworks and drainage/flooding, erosion and sedimentation.
- Martens & Associates Pty Ltd: wastewater, salinity, and contamination.
- Gunninah: trees and vegetation.
- Australian Bushfire Protection Planners Pty Ltd: bushfires.
- Koikas Acoustics: acoustic amenity.
- McLaren Traffic Engineering: traffic and parking.
- Todoroski Air Sciences: odours.

These reports accompany and form a part of the development application, supplementing or updating those lodged in June 2015. These specialist reports address many of the issues contained in the following assessment.

Camden Development Control Plan (DCP) 2011

The Camden Development Control Plan (DCP) 2011 applies to the Camden local government area. Educational establishments comprise advertised development pursuant to clause A2.3 of the DCP.

The DCP does not stipulate specific guidelines for educational establishments the Camden LGA. It does, however, provide further details for development as they relate to erosion and sedimentation, earthworks, odours, salinity management, water management, trees and vegetation, riparian corridors, waste management, bushfires, flooding, acoustic amenity and car parking and access.

These issues have been addressed in detail in the specialist reports accompanying this development application and in the mitigation measures contained in Section 3 of this SEE report.

These relevant provisions of the Camden DCP 2011 are summarised in the accompanying tables below.

Table 5.3: Compliance Camden DCP 2011 Objectives Part A

Camden DCP 2011 Part A- Objectives	Compliance
1 Camden LGA retains its valued heritage qualities and scenic landscapes whilst providing for sustainable urban growth	No heritage values identified on the site. The school will contain extensive open space areas- considered to be to the longer term benefit of the visual amenity of the Leppington urban release area

Camden DCP 2011 Part A- Objectives	Compliance	Camden DCP 2011 Part A- Objectives	Compliance
2. New communities are planned and developed in an orderly, integrated and sustainable manner	The proposal aims to develop a school campus over time in an orderly, integrated and sustainable manner	7. New development is designed and located to ensure the health, safety and security of people and property in Camden LGA	The proposal is for a school. The school will contain various security measures for the safety of students attending the school
3. Stresses from development on the natural environment are minimised and overall improvements to the natural systems in Camden LGA are achieved	Proposed removal of most of the woodland area, as a result of the relocated RE1 zone. This woodland has a low environmental value. This has been done in order to improve open space provision in Leppington. Further plantings are proposed.	8. Identified and potential Aboriginal and European heritage places are conserved and respected	No known sites
4. New developments are integrated with existing and planned transport systems and promote sustainable transport behaviour in Camden LGA	The site is well positioned in terms of access to designated future sub-arterial (Heath Road) and collector (Byron Road) roads	9. The economic, employment and education needs of all existing and future residents of Camden LGA are appropriately planned for	Satisfied. The proposed development is for a school.
5. Appropriate housing opportunities are provided for all existing and future residents of Camden LGA at all stages of their life cycle	Not applicable to the school DA	10. The recreation and social needs of existing and future residents are appropriately planned for	8. The social needs of the area will be met in part by way of provision of educational facilities. the school is also well placed and/or designed to provide for recreational facilities for students, both on-site and off-site
6. New developments deliver upon the desired future character of the places in Camden LGA	The proposed school will integrate well with the planned future urban character of Leppington	11. New developments are planned and constructed to contribute to the social, environmental and economic sustainability of Camden LGA	Satisfied. Schools provide a valuable educational resource that serves local community needs, and contribute to the local economy. The proposed school will contribute to the attainment of these objectives

Table 5.3: Compliance Camden DCP 2011 Part B

Camden DCP 2011 Part B	Compliance
B1.1 Erosion and Sedimentation	Appropriate erosion, sediment and dust measures are proposed
B1.2 Earthworks	The proposal aims to minimise cut and fill. Earthworks are proposed to be minimised, to facilitate the construction of the proposed school development. Clean fill only to be used on site.
B1.3 Salinity Management	The proposed development is to be constructed to be salinity resistant
B1.4 Water Management	Detailed stormwater plans are submitted in support of the proposed development
B1.8 Environmental and Declared Noxious Weeds	Noxious weeds to be removed and the site appropriately managed
B1.9.4 Waste Management Plan	A waste management plan (WMP) to be approved prior to construction
B1.12 Contaminated and Potentially Contaminated Land Management	Contamination report submitted with DA, prepared by Martens & Associates. Only a few localised contamination "hotspots" found on the site. Consequently, and with appropriate management, the site is considered to be suitable for intended school uses

Camden DCP 2011 Part B	Compliance
B1.16 Acoustic Amenity	B1.9.4 An acoustic report has been prepared by Koikas Acoustics in support of the DA. The report demonstrates that with appropriate management there will be no adverse noise impacts from the proposed development
B2 Landscaping	A landscape plan, prepared by Siteplus Pty Ltd, is provided with the DA. Sufficient details of the landscaping proposed as part of the Stage 1 & overall development has been provided
B5.1 Off-Street Car Parking Rates and Requirements	Fully compliant rate of provision for Stage 1 and overall scheme. Functional spatial layout proposed for all parts of the school campus, including drop-off and pick-up areas. Acceptable access provided

The above provisions of the DCP are thus satisfied.

State Environmental Planning Policy No. 55 Remediation of Land

The provisions of *State Environmental Planning Policy (SEPP) 55 – Remediation of Land* apply to the land. SEPP 55 provides state-wide planning controls for the investigation and remediation of contaminated land with the goal of reducing the risk of harm to human health and the environment.

Clause 7(1) of SEPP 55 requires Council not to grant consent to any development unless:

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

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

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

Camden Council's *Management of Contaminated Lands Policy* also reflects the provisions of SEPP 55 and sets out a framework for the management of contaminated land within the Camden Local Government Area. A Stage 1 and a Stage 2 investigation of the site was undertaken by Martens & Associates, consulting engineers. It found a limited number of contamination “hotspots” on the site- mainly sites where waste has been dumped in the past. A site remediation and validation report has been prepared, outlining protocols for removal of contaminated material.

Martens & Associates concludes that, subject to the above, the requirements of *State Environmental Planning Policy No.55 Remediation of Land* will be satisfied and the land can be made suitable for use as a school.

Deemed State Environmental Planning Policy No. 20 Hawkesbury/Nepean River

The aims and objectives of this policy will not be prejudiced by this development and there will be no likely detrimental impacts upon the Hawkesbury/Nepean River system.

■ Appropriate soil erosion measures will be implemented during construction to minimise impacts in this regard.

■ There is no direct impact on the Hawkesbury-Nepean River given the location of the works and the water quality control measures proposed on site.

■ The development will not give rise to any significant adverse impact on any existing watercourse or riparian land further downstream. [NOTE: the site does not front any designated watercourse]. Stormwater and water quality management strategies to protect downstream riparian areas form a key part of the proposal. These have been prepared by consulting engineers Siteplus Pty Ltd and form a part of the submitted development application documentation.

State Environmental Planning Policy (Sydney Region Growth Centres) 2006

The site is located within the future growth centre of Leppington. No precinct plan has been gazetted to date over the land.

Schedule 1 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 South West Growth Centre provides savings provisions, relating to development applications lodged before the date of gazettal of any amendment to this SEPP. It states as follows:

*“Schedule 1 Savings and transitional provisions
1Application of amendments made by State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Housing Diversity) 2014] An amendment made to this Policy by the State Environmental Planning Policy (Sydney Region Growth Centres) Amendment (Housing Diversity) 2014 does not apply to development*



for which an application for development consent was lodged before the commencement of the amendment.”

The Draft Precinct Plan for Leppington has only been recently prepared and exhibited.

It is not clear what future amendments, if any, that may be made to the draft plan following the public exhibition process (which finished in February 2015) prior to gazettal.

Clause 16 of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* South West Growth Centre is pertinent to any consideration of this development under this SEPP. This clause applies to land within the growth centre where a precinct plan is yet to be made law- as is the case here. It states:

“16 Development applications in growth centres —matters for consideration until finalisation of precinct planning for land:

“(1) Until provisions have been specified in a Precinct Plan or in clause 7A with respect to the development of the land, consent is not to be granted to the carrying out of development on land within a growth centre unless the consent authority has taken into consideration the following:

(a) whether the proposed development will preclude the future urban and employment development land uses identified in the relevant growth centre structure plan,

(b) whether the extent of the investment in, and the operational and economic life of, the proposed development will result in the effective alienation of the land from those future land uses,

(c) whether the proposed development will result in further fragmentation of land holdings,

(d) whether the proposed development is incompatible with desired land uses in any draft environmental planning instrument that

proposes to specify provisions in a Precinct Plan or in clause 7A,

(e) whether the proposed development is consistent with the precinct planning strategies and principles set out in any publicly exhibited document that is relevant to the development,

(f) whether the proposed development will hinder the orderly and co-ordinated provision of infrastructure that is planned for the growth centre,

(g) in the case of transitional land—whether (in addition) the proposed development will protect areas of aboriginal heritage, ecological diversity or biological diversity as well as protecting the scenic amenity of the land.”

The development is to be assessed against the considerations set out in Clause 16 of *State Environmental Planning Policy (Sydney Growth Centres) 2006* (Growth Centres SEPP), summarised in the table below.

Table 5.4: Growth Centres SEPP Clause 16 considerations

Growth Centres SEPP clause 16 considerations	Compliance
(a) whether the proposed development will preclude the future urban and employment development of the land uses identified in the relevant growth centre structure plan	The use of the site as a school has been duly recognised by the Dept Planning & environment in recent correspondence and in the revised ILP for the site. Schools are an essential part of the urban fabric of any urban area. Schools have the capacity to integrate with residential zones. The proposed school, if developed, will not preclude the development adjoining land for residential development.

Growth Centres SEPP clause 16 considerations	Compliance	Growth Centres SEPP clause 16 considerations	Compliance
(b) whether the extent of the investment in, and the operational and economic life of, the proposed development will result in the effective alienation of the land from those future land uses	The use of the site as a school has been duly recognised by the Dept Planning & Environment in recent correspondence and in the revised ILP for the site. The proposed school use represents a significant capital investment. The location of the school on both a planned sub-arterial road (Heath Road) and collector road (Byron Road) means that there is appropriate access to the site for both public transport and vehicle access, without compromising the planned local road network. The development allows for future road upgrading, if required. The proposal is to retain wooded land on the site for school purposes. As such, the land indicated the draft Precinct Plan as RE1 zoned land need not be set aside as public open space.	(d) whether the proposed development is incompatible with desired land uses in any draft environmental planning instrument that proposes to specify provisions in Appendix 1 or Clause 7A (of the Growth Centres SEPP)	The use of the site as a school has been duly recognised by the Dept. Planning & Environment in recent correspondence and in the decision to relocate the RE1 zone over the site. This most recent decision overrides any earlier exhibited draft precinct Plan and ILP scheme that may have applied to the school site. The proposal is thus considered to be compatible with future desired land uses in the Leppington urban release area.
(c) whether the proposed development will result in further fragmentation of land holdings	No fragmentation of land is proposed. In fact, the proposal will involve the future amalgamation of land for the purpose of a school. The Dept. Planning recognises that the revised RE1 zoning enables the more efficient design of a school on the site	(e) whether the proposed development is consistent with the precinct planning strategies and principles set out in any publicly exhibited document that is relevant to the development	Refer to the above. The proposal would appear to be consistent with these precinct planning principles

Growth Centres SEPP clause 16 considerations	Compliance
(f) whether the proposed development will hinder the orderly and co-ordinated provision of infrastructure that is planned for the growth centre	The staged and orderly provision of infrastructure to the school is proposed. Most services are already available, with the exception of reticulated sewer. The school buildings have been appropriately set back from the road network.
(g) in the case of transitional land – whether (in addition) the proposed development will protect areas of aboriginal heritage, ecological diversity or biological diversity as well as protecting the scenic amenity of the land	The site is not “transitional land” for the purposes of clause 3 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006.

Based on the above, and the assessment contained in Section 4.3 of this SEE report, the proposal is considered to be not inconsistent with the matters as set out in Clause 16 of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

The recent decision by the NSW Department of Planning & Environment to give recognition to the proposed school in an amended ILP for the site also confirms this conclusion.

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 commenced on 1 January 2008. Generally, the aim of SEPP (Infrastructure) 2007 is to improve the regulatory efficiency of infrastructure and the provision of school services, including both government and non-government schools.

Clause 32 of the SEPP requires local councils, like Camden Council, to consider the provisions of this state planning policy where any development application for a school is lodged, and to take into consideration relevant NSW Government School Facilities Standards.

These standards prevail over any local council controls. The relevant standards in terms of all stages of the school development are considered below:

School Facilities Standards-Landscape Standard-Version 22 (March 2002).

The landscaping complies with the following aspects of the NSW Government's School Facilities Standard (“SFS”)- Landscape Standard (Version 22), in particular:

- The landscaping will identify entrances to the school site from the Heath Road and Byron Road frontages. Refer Siteplus landscape plans accompanying this application.
- The landscape design creates an attractive and distinctive school environment. New tree plantings are proposed on the school site, to provide a scale to new buildings and shade in an otherwise immature new environment.

- Much of the site is to be retained as open space, thus enhancing the visual impact of the school when viewed from neighbouring lands.
- The landscaping identifies areas for play and movement, as well as for entries and access routes.
- Judicious use of shade trees and covered outdoor learning areas (COLAs) within the school site.
- Appropriate species of trees to be used, avoiding trees that have the potential to generate allergies, irritation, toxicity or safety concerns. The landscape design restricts the number of trees prone to limb or fruit drop.
- Around the new buildings the disturbed area will be turfed and planted out.
- The scheme provides for suitable surfaces and plant materials to support the intended function of open spaces.
- The plantings will allow sufficient natural light to school buildings.
- The school landscape minimises the potential for erosion. Areas of high use are to be paved.
- Provision of zones for various playing activities.
- Provision passive recreation and quieter activities, including bush walks (through the retained forest on the site).
- Outdoor areas, both general recreation and sport, are provided for both the primary and secondary schools proposed on the site individually and combined as needed. The landscape plan provides for sports courts

and sealed outdoor play areas. In later stages, an indoor sports hall (gym) is to be provided.

- A games field (soccer field) is proposed, along with tennis courts. For other major sporting events it is proposed to utilise Leppington Oval on the northern side of Byron Road. Leppington Oval has been identified for this purpose in the SEPP for the Leppington urban release area and in the *Leppington Precinct Planning Report*. It is common practice for both Government and Non-Government schools to use nearby facilities for sporting activities, and an important locational factor for schools generally. The NSW Board of Studies's "*Registered and Accredited Individual Non-government Schools (NSW) Manual*" (October 2014) sets out the requirements of the Minister for school buildings and facilities. The manual does not require sporting fields, but it does require outdoor and indoor recreational areas. These recreational facilities have been provided within the proposed school campus.

School Facilities Standards-Design Standard-Version 1 (May 2006).

The proposed development is to comply with the Building Code of Australia (BCA) as stated in the Design Standard Version 1 (May 2006).

All development within the school campus will be undertaken in accordance with the BCA, including fire access and the Building Code of Australia Section 'J' for Energy Efficiency.

In addition, the new school will comply with the above SFS requirements including the following:



■ Sensitive siting of school buildings The school buildings avoid visual dominance or overshadowing of other neighbouring properties, with all larger school buildings well set back from side boundaries. (SFS Design 01 Site Factors).

■ The school facilities are within easy access of car parking and bus drop-off and pick-up areas (SFS Design 01 Site Factors).

■ Provision for disabled access (SFS Design 01 Site Factors).

■ Adoption of ESD features in the design of school buildings generally (SFS Design 02 ESD). Refer to Section 3 of the SEE report for further details in this regard.

■ Use of natural light in the design of school buildings (SFS Design 03 Sun Control).

■ Good circulation between school buildings (SFS Design 08 Circulation).

■ Good provision of floor space within school buildings (SFS Design 10 Critical Dimensions for School Buildings).

■ Design of school buildings with regard to bushfire (SFS Design 10.3 Bushfire Protection).

■ Design of school buildings with regard to acoustics (SFS Design 11 Sound).

■ Design of school buildings with regard to BCA (SFS Design 16 Building Code of Australia).

■ Design of school buildings with regard to disabled access (SFS Design 19 Access for People with Disabilities).

■ Design of school buildings with regard to fabric, opening, finishes, services, installations and fittings (SFS Design 20-80).

■ Design of school with regard to site development generally (SFS Design 90.02), use of landscaping (SFS Design 90.04), site facilities (SFS Design 90.05.05) and access generally (SFS Design 90.06-7).

■ Design of school with regard to demountable school buildings (SFS Design 90.05.08-09).

■ Design of school with regard to groundworks and retained trees and vegetation (SFS Design 90.06.01, 92.01), earthworks (SFS Design 90.06.02), drainage (SFS Design 90.06.03).

School Facilities Standards-Specification Standard-Version 1 (May 2006)

This provides that all proposed development requiring the grant of consent is to comply with relevant sections of the Australian Standards as stated in the Specification Standard-Version 1 (May 2006).

In this regard, all proposed development on the school campus will include acoustic measures to satisfactorily mitigate noise impacts on neighbouring properties. Refer assessment by Koikas Acoustics dated September 2015, accompanying this amended DA.

It should be noted that, in any case, only government schools are required to fully comply with the above *School Facilities Standards*.

In terms of other the *School Facilities Standards-Specification Standard-Version 1* (May 2006) the school will comply, in particular with regard to the following:

- Provision of school office (PS602).
- Provision of toilets (PS603).
- External lighting is provided generally in accordance with the Department of Education's Facilities Standards Reference 63.01.

Traffic generation provisions of SEPP

The SEPP sets out in Schedule 3 those traffic generating developments that need to be referred to the RMS in the case of any DA lodged for a school.

This application will need to be referred to the RMS pursuant to the provisions of this SEPP.

Any planning agreements (Section 79C (1)(a)(iii)(a))

There is no planning agreement that has been entered into under section 93F, or any draft planning agreement that Amity College has offered to enter into under section 93F.

The regulations (Section 79C (1)(a)(iv))

Prescribed conditions required by the *Environmental Planning and Assessment Regulation 2000* will be addressed by way of conditions. The proposal has also been assessed against clause 7(4) of Schedule 2 of the EP&A Regulations. The proposed development is consistent with the five accepted principles of ESD, as described below.

Precautionary principle

The proposed development is supported by traffic, parking, bushfire, environmental and other studies which conclude that there are no environmental constraints that would preclude the proposal.

No additional mitigation measures are required.

Integration principle

The integration principle states that decision-making processes should effectively integrate both long-term and short-term economic, environmental and social considerations. The development will occur in stages, with consent sought in this application for Stage 1 works.

The overall design of the school for Stage 1 and future stages is such that they have the capacity to accommodate the school uses and student numbers, as proposed, without detrimental impacts arising and with the future provision of teaching and educational facilities at the school firmly in mind.

The proposal has regard for the fact that Leppington is shortly to be released for urban development. The proposed school will form an important part of the social infrastructure of this urban release area, contributing to the provision of education services for the community without causing significant impact to the environment.

Intergenerational equity

This principle holds that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.



The Staged Development Application is planned to accommodate future generations of students wishing to attend the school.

In so doing, it contributes to the provision of education services for the community without causing significant impact to the environment.

Biological diversity

The basis of this principle is that the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making.

In general terms, however, it is worthwhile to note that the proposed development of the subject site at Leppington is located on a highly modified site. It is assumed that the development of the site will be undertaken in an environmentally sound and appropriate manner – utilising current ‘best practice’ construction and environmental protection methods.

The proposed school development at Leppington will impose no significant or relevant adverse impacts upon the natural environment in general. Although most of the trees in the band of woodland through the centre of the site are to be removed, that woodland is highly weed-infested and degraded, and provides only limited resources for native biota.

Furthermore, the loss of vegetation from the subject site has been taken into account, and offset, through the Biodiversity Certification process for the South West Growth Centre.

The proposed school development project at Leppington will not adversely affect the natural environment to any noticeable or relevant extent, and will not adversely affect any relevant habitat or resources for any threatened biota.

Valuation & pricing of environmental resources

Under this principle, improved valuation, pricing and incentive mechanisms as well as environmental factors should be included in the valuation of assets and services.

In the case of this Staged Development Application, this principle has been satisfied in that it incorporates an appropriate level of management and performance into the cost of development. In addition, the level of waste will be appropriately managed during the construction and the operation of the proposed school campus development.

No other matters of relevance are raised in regard to the proposed modification.

S. 79C(1)(b) Impact on the environment

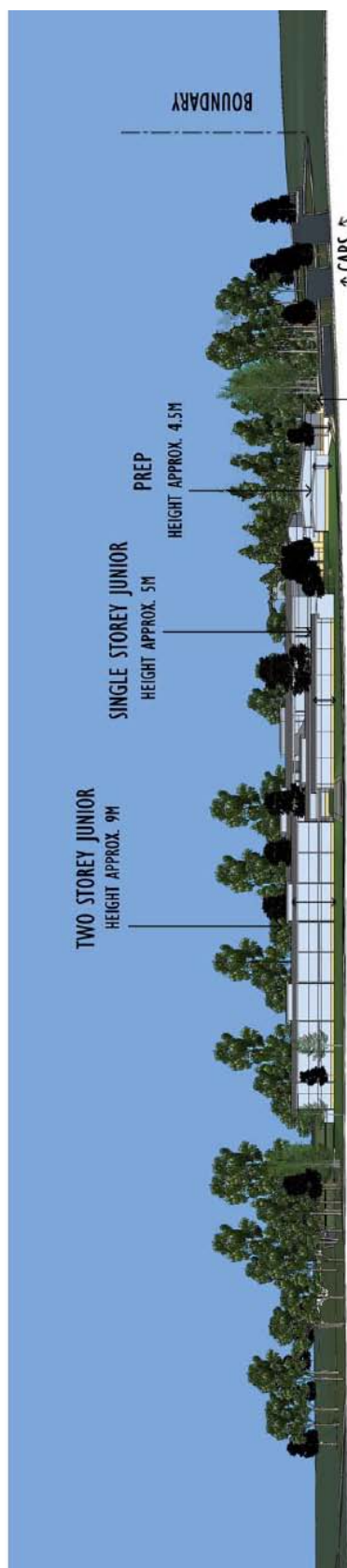
Context, Views

The potential visual impact of the Stage 1 development is minimal, given the one-storey buildings and landscaped areas proposed.

Refer Figures 8, 9 and 17.

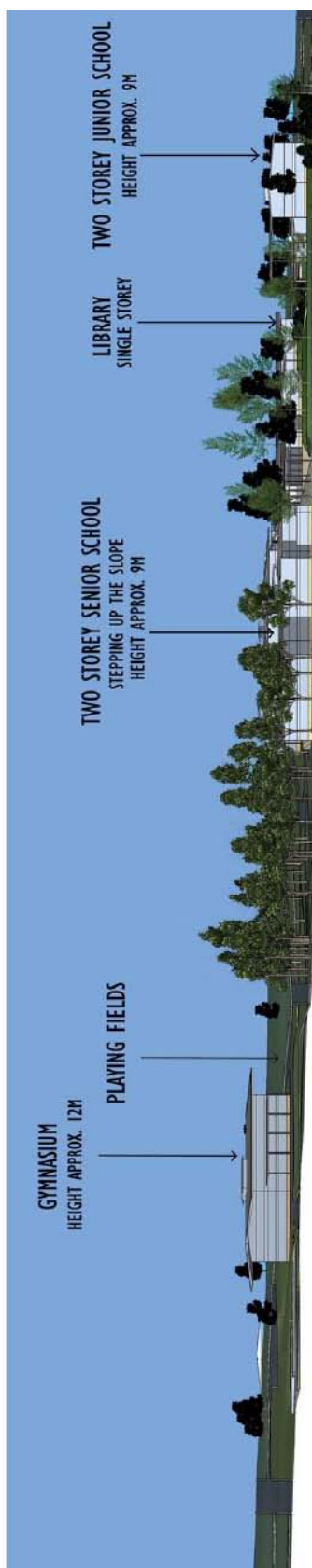
Details of the overall built form are shown in the 3D imaging provided with this application- refer Figures 8 and 9.

From these figures and from Figure 17 it can be seen that the buildings envisaged for the site will be sited such that they are “tucked into” the landscape, rather than being a dominant visual element.



MATERIALS
ROOF- COLORBOND METAL- GREY
WALLS- FACE BRICKWORK
GLAZING
SOME COLOURED PANELLING

SOUTH ELEVATION TO HEATH ROAD



WEST ELEVATION TO BYRON ROAD

BYRON SCHOOL ELEVATIONS
50 HEATH RD. & 26 BYRON RD. LEPPINGTON, NSW
SCALE: NOT IN A SCALE 1428- DA06- REV B
BUTLER & CO ARCHITECTS 02.10.2015

FIGURE 17: Proposed Elevations School Concept Plan

(source: Butler & Co, Architects)

The larger, taller single buildings proposed, comprising Gymnasium is well set back from Byron Road and from Heath Road. The built form of this building is not intrusive on the existing streetscape. In the future, once the area is eventually developed for urban residential development, the building will be separated from development to the north-east by a road (to the north-east) and by the proposed church development on adjoining land land owned by the Anglican Church Property Trust.

The visual impact of the proposed development is also satisfactorily reduced by virtue of the proposed spacing of school buildings on the site, with the main part of the school campus providing open areas for play and for movement situated between the primary (Junior) and the high (Senior) schools.

As the Leppington area is progressively developed for urban purposes, open space areas- like those proposed on the school site- will form a welcome relief to the future urban landscape.

In particular, the northern part of the site, currently earmarked for urban residential development, will, instead, be largely devoted to school open space uses, effectively creating a much larger “green wedge” in the landscape than what is currently envisaged in the draft Precinct Plan for Leppington.

Views from surrounding residences are considered in the following:

- From the north, views of school buildings from dwellings on the opposite of Byron Road will be screened by existing trees and low-rise school buildings retained near the street frontage. Beyond these buildings, the dominant view will be of open playing fields.

- From the north-east, views will be possible of existing low-rise buildings fronting Byron Road, and open playing fields in the centre of the site.[NOTE: the lands to the north-east are proposed to be rezoned for urban residential use, with a road separating the proposed school from these future residential lands. The views from these lands, once developed, should be a pleasant vista].

- From the south-east, views will be possible of the school buildings and playing fields, interspersed with new landscaping. Much of this view will be had from land owned by the Anglican Church Property Trust, a related entity, currently proposed to be developed for the purpose of a new church. The two uses are seen as complementary uses.

- From the south-west, on the opposite side of Heath Road, views of the school site from existing residences are substantially screened from view by intervening vegetation. The Elevation (Figure 17) prepared by Butler & co. Architects show that the visual impact of the school building complex is tempered by the topographic setting and scale and setback of the proposed school buildings from Heath Road, as well as by vegetative plantings.

- Views from the local council oval, located to the north-west of Byron Road, would be screened to a large extent by intervening vegetation.

In summary, the visual impact of the Stage 1 development and overall concept are satisfactory.

The visual bulk of the proposed buildings will largely be screened and/or broken up by plantings when viewed from Heath Road and Byron Road.

The buildings proposed will not cause any loss of privacy, amenity or sunlight.

The design integrates school buildings with landscaping and play areas to provide a good urban design outcome for the site.

The scale, massing, height and bulk of the proposed building envelopes is appropriate for the site and its context.

Given the above, it is considered that it would not contribute in any meaningful way to causing adverse impacts on adjoining properties, such as loss of privacy, sunlight or acoustic privacy.

Siting and design

The overall appearance of the development will be consistent with that of a modern school. School buildings set back a minimum of 20m from the Heath Road street frontage. All other school building are set back even greater distances from local streets, with landscaped formal and natural open space areas surrounding the school buildings.

The proposed development, whilst of a scale (mass) significantly greater than that of likely future residential development on lands to the north, south or to the east, is appropriately set back from the its boundaries of the site so as to visually reduce its impact.

Overshadowing

There will not be any overshadowing of neighbouring residential properties arising from this application.

Privacy, amenity

The proposal is unlikely to cause any negative impacts on the privacy of the adjoining properties, with adequate land buffering on all sides. All activities associated with the proposed school, including student play areas, will be sufficiently clear from property boundaries to prevent any loss of existing privacy.

Flora and fauna

[NOTE: A Biodiversity Certification Order was granted over the Leppington Precinct, including the site. The effect of this is to essentially suspends the application of any assessment of impacts on threatened species listed on the NSW Threatened Species Conservation Act 1995.]

Potential flora and fauna impacts were assessed by F Dominic Fanning of Gunninah, summarised in the following:

■ "... the band of woodland through the centre of the subject site is highly modified and degraded – with the understorey layers being dominated by introduced plant species and weeds. There are few relevant or significant habitat features or resources for native fauna present in the woodland band – with no hollow-bearing trees, few logs and no areas of rock outcropping. Urban rubbish is present at a few locations – interestingly providing the only suitable sheltering habitat for the Cumberland Plain Land Snail."

■ "The ... the woodland in its current condition is regarded as of only marginal value for the Cumberland Plain Land Snail – because of the high densities of weeds present."

■ *"In general terms, thesubject site at Leppington is located on a highly modified site. It is assumed that the development of the site will be undertaken in an environmentally sound and appropriate manner – utilising current 'best practice' construction and environmental protection methods."*

■ *"The proposed school development at Leppington will impose no significant or relevant adverse impacts upon the natural environment in general. Although most of the trees in the band of woodland through the centre of the site are to be removed, that woodland is highly weed-infested and degraded, and provides only limited resources for native biota. Furthermore, the loss of vegetation from the subject site has been taken into account, and offset, through the Bio Certification process for the South West Growth Centre."*

■ *"The proposed school development project at Leppington will not adversely affect the natural environment to any noticeable or relevant extent, and will not adversely affect any relevant habitat or resources for any threatened biota. ... it is a basic assumption of this Report that development of the proposed school will be undertaken in an environmentally sound manner – utilising current 'best practice' measures to avoid the imposition of impacts on any element of the natural environment on the site or in the vicinity."*

■ *"Furthermore, there is no requirement for any offsets for the removal of vegetation from the subject site –because of the Certification of the land pursuant to the Growth Centres SEPP BioCertification means that the required offsets have already been taken into account." 0*

Acoustic Impacts

The proposed siting and orientation of uses has been designed to ensure that the amenity, including acoustic privacy, of surrounding residents, are protected. The development will incorporate acoustic attenuation to both enhance the acoustic properties within the proposed school and prevent unreasonable noise impacts on the adjacent properties.

The existing hours of operation are consistent with those normally expected of a school.

Refer to accompanying acoustic report by Koikas Acoustics, accompanying this application. They conclude as follows:

"We conclude, that given the recommendations and noise control measures outlined in this report are implemented, it is expected that the noise [from the school] will not adversely impact on surrounding residential premises. In addition, traffic noise impacts are also not expected to impact residents based on the data provided. All acoustic requirements stated in section 3 of this report have been adequately addressed and satisfied for the school development at Lot 48 DP 8979 & Lot 50C No.50 Heath Road and No. 26 Byron Road, Leppington."

Noise management and attenuation measures form a part of this proposal- refer to Section 3 of this SEE for details.

Disabled Access

Sufficient access is proposed to the site for a range of persons (including those within wheelchairs) and is considered to satisfy the obligations of the development with respect to the obligations of the school with respect to the Disability Discrimination Act prevailing.



Traffic and parking

The proposed development provides off-street parking in accordance with relevant requirements. The proposed access and internal circulation and manoeuvring arrangements are capable of providing for safe and efficient vehicular movements. The proposed development is capable of accommodating the additional traffic projected to be generated to and from the school site in a safe and efficient manner.

The *Camden Growth Centre Precincts DCP 2014 – Table 4-12* stipulates the following car parking requirements for schools:

1 space per staff member Plus
1 space per 100 students Plus
1 space per 5 students in Yr 12 (based on estimated capacity for year 12 students to be specified in the Development Application)

Traffic, access and car parking have been addressed by McLaren Traffic Engineering, their reports dated 1 October 2015 accompanying this development application. Their conclusions are summarised below:

Stage 1:

■ *“The proposed development exceeds Council’s parking requirements with a safe and convenient provision.”*

■ *“.. the Stage 1 development will have little to no impact on surrounding intersections during the AM and PM peak periods.”*

“In view of the foregoing, the proposed Stage 1 school development is supportable on traffic, parking and safety grounds. The off-street parking provision is proposed to be 31 parking

spaces plus 3-4 drop off spaces and will be subject to further certification at construction certificate stage.”

Concept master plan:

“The proposed masterplan for Anglican High School & Primary School consisting of approximately 894 students and associated learning, administration and sports facilities is supportable on traffic and parking grounds subject to the recommendations below.

- ❑ *On-site car park layout to comply with AS2890.1-2004 requirements.*
- ❑ *Provide 40km/h speed zones signs & pavement marking on all approaches to the school in accordance with the RMS “School Zones” requirements.*
- ❑ *Install pedestrian crossings across Heath Road and Byron Road when warranted by the pedestrian and vehicle volumes.*
- ❑ *Install median on Byron Road opposite the drop-off bay exit driveway.*
- ❑ *Incorporate footpath extensions as part of the pedestrian crossings.*
- ❑ *Provide adequate bus bays for the demand with compliant design (6.5m nominal width).*
- ❑ *Provide driveway crossings or access gates for emergency vehicles.*
- ❑ *Provide parking, circulation roads and driveways according to Section 3.2.”*

Heritage

The site the subject of the proposal does not contain any items of known heritage significance.



Bushfire

The site is mapped in part as being bushfire prone land. The assessment by Australian Bushfire Protection Planners concludes that none of the site is bushfire prone land. However, as a precautionary measure a 30 metre wide Defendable Space setback has been provided to the Senior School buildings. Refer Figures 5& 7, 18.

The bushfire assessment by Australian Bushfire Protection Planners Pty Limited concludes as follows:

“ An approval is being sought from Camden Council for the construction of the Leppington Anglican School on Lot 48 in DP 8979, Heath Road and Lot 50C in DP 8979 Byron Road, Leppington.

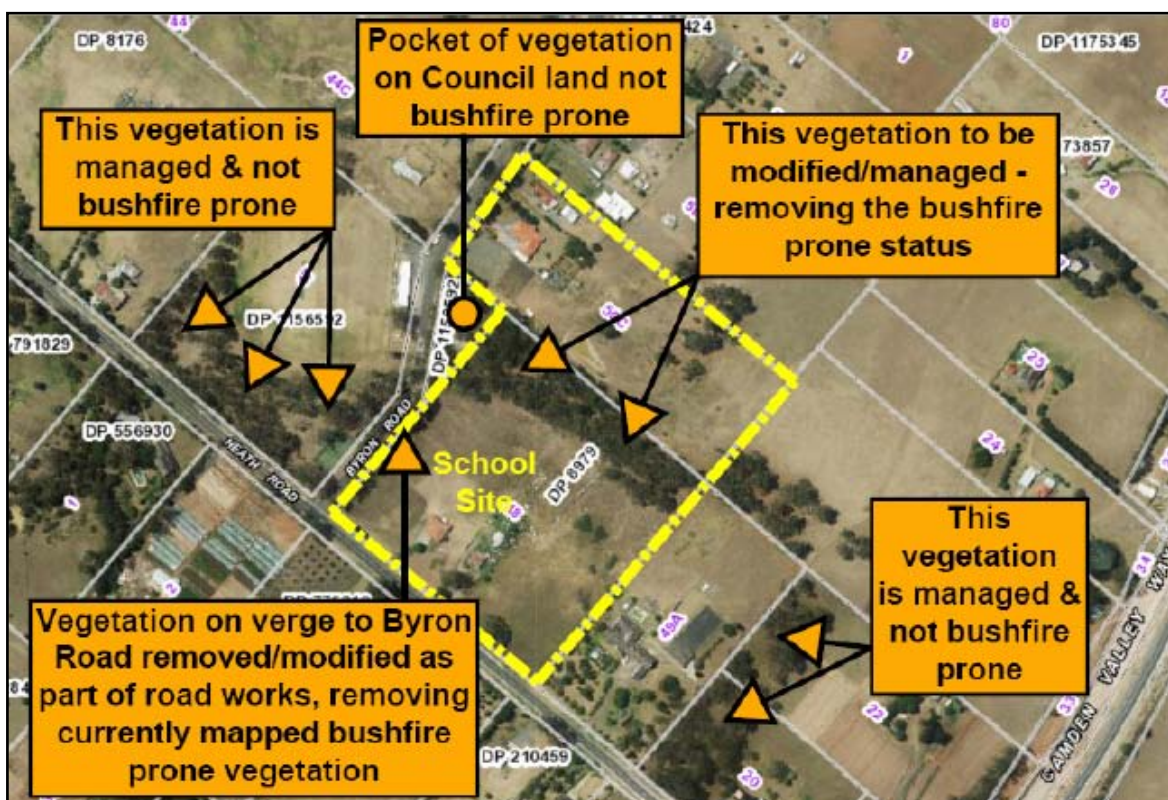


FIGURE 17: Assessment of bushfire risk

(source: Australian Bushfire Protection Planners Pty Limited)

In any case, the management regime proposed will ensure that the potential for being classified as bushfire prone land is removed. This also removes the need for any asset protection zones pursuant to the planning document entitled *Planning for Bushfire Protection 2006*.

This report has examined the accuracy of the Camden Council Bushfire Prone Land Map and found that the map incorrectly records the extent of the Category 2 Bushfire Prone Vegetation on the land to the northwest and east of the future school. The mapped bushfire prone vegetation is in fact a remnant tree canopy with a managed grassy understorey. This vegetation is not bushfire prone.

The modification/management of the mapped Category 2 Bushfire Prone Vegetation currently located in the school site will remove the bushfire prone vegetation status of this vegetation and the reconstruction of Byron Road will remove the existing unmanaged vegetation within the road verge adjoining the south-western boundary of the school site.

The only unmanaged vegetation within 100 metres of the school site will be the small triangular pocket of vegetation on the Council land to the east of Byron Road. This vegetation, due to the area being less than one [1] hectare and the vegetation being located more than 100 metres from other unmanaged bushfire prone vegetation is NOT bushfire prone.

Therefore, the proposed school site will not be located within a bushfire prone area and the implementation of bushfire protection measures, including the provision of Asset Protection Zones and bushfire construction standards to the future school buildings is not required. However, as a precautionary measure, a 30 metre wide Defendable Space has been provided to the future Seniors School buildings.

Access and water supplies for structural fire-fighting operations will need to be addressed in the design of the School."

Utilities

The proposed development is currently serviced with utility services including the provision for the supply of reticulated town water, telecommunications and drainage.

The land is not presently sewered, however, Sydney Water is currently planning for supply in the next few years.

In the interim, reliance is to be placed on a pump-out waste system, pending connection to a reticulated sewerage system. Refer to accompanying report from Martens & Associates for details.

Stormwater

Stormwater and drainage can be satisfactorily managed on site relying on existing infrastructure. Refer to accompanying plans and report prepared by consulting engineers Siteplus Pty Ltd.

Contamination

A Stage 2 contamination assessment carried out by Martens & Associates (accompanying this application) found contamination at a number of stockpiles on the site. No contamination was encountered in areas previously worked for market gardens. The assessment concluded that the site can be made suitable for the proposed school uses subject to appropriate site remediation. A remediation plan also accompanies the application.

Odours

As requested by Council in August 2015, an odour assessment has been undertaken by Todoroski Air Science, their report accompanying this amended DA.

The focus of this report considers the potential for air quality (odour) impacts which may occur upon the users of the proposed school development due to nearby poultry operations and to determine whether this is likely to result in any adverse impacts upon users at the proposed school site.

The NSW criteria for acceptable levels of odour range from 2 to 7OU (odour unit), with the more stringent 2OU criteria applicable to densely populated urban areas and the 7OU criteria applicable to sparsely populated rural areas. The report notes that wind directions during critical times are generally from the school site towards nearby poultry farms, rather than from the farms towards the school site.

The odour report concludes as follows:

"This report has assessed the potential air quality (odour) impacts associated with the proposed development of a school at 50 Heath Road, Leppington.

The modelling used established odour emission estimates in a detailed air dispersion modelling analysis to predict the likely odour levels which may be occurring in this area. The results indicate that odour levels ranging from 2 to 3 OU are likely during all hours however during the proposed school operational hours odour levels ranging from 1 to 2 OU would occur.

Detailed analysis of the modelling results confirms that odour levels would be highest at the Project site under poor dispersion conditions which typically occur during night-time periods.

Thus the assessment finds that the Project site would not experience adverse odour impacts during the school operational hours from 7am to 9pm.

It is also noted that this assessment shows the cumulative impact of all of the poultry farms, however the rezoning of the Leppington Precinct of the South West Growth Centres of Sydney would make it likely that there would be fewer poultry operations in future and more residential use of the surrounding land.

This indicates that odour levels are more likely to decrease than increase in future.

It is concluded that there would be no adverse odour impacts if this [school] Project is approved." (p 21 of odour report)

Social and economic impact in the locality

The proposed development will have a positive social impact in that it allows for the establishment of a school which will form an important part of the Leppington Precinct's social infrastructure.

Schools have the capacity to integrate with residential areas. In fact, schools can underpin the functioning and success of residential areas generally.

Schools are an essential part of the urban fabric of any urban centre.

It will have a positive social impact in the locality in that the number of students enrolled will continue to meet the projected demand for school placements in the local/regional catchment.

It will not give rise to any detrimental impacts in terms of safety or security of the locality or of the school. The school campus is already provided with adequate security arrangements.

Suitability of the site for the development (Section 79C (1)(c))

Having regard to the characteristics of the site and its location, the proposed development is considered appropriate in that:

- The site is strategically located next to an existing sports field on undulating ground with street access to a major road (Heath Road).
- The site is of a suitable size for the provision of the school facilities for the student population proposed.

- The school use is generally compatible with surrounding uses and impacts on amenity have already been successfully mitigated.

As a general comment, school uses are generally considered to be compatible with residential zones and commonly provide the most comfortable “fit” for this essential community service.

Section 79C(1)(d) – any submissions made in accordance with the EP&A Act or EP&A Regulation

Submissions received following public notification of the application (if required) are a matter for Council to consider. The development has been carefully designed and sited to minimise impacts on the local area generally.

Section 79C(1)(e) The public interest

The proposed development seeks the consent of Camden Council for a new school campus on the site. The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, and applicable environmental planning instruments, Development Control Plans and policies. Based on the above assessment, the proposed development is consistent with the public interest.

Disclosure of political donations

The NSW Government introduced *The Local Government and Planning Legislation Amendment (Political Donations) Act 2008 (NSW)*. This disclosure requirement is for all members of the public relating to political donations and gifts. The law introduces disclosure requirements for individuals or entities with a relevant financial interest as part of the lodgement of various types of development proposals and requests to initiate environmental planning instruments or development control plans.

Outline Planning Consultants have been advised that no relevant donation for the purposes of this Act has been made.

Public interest generally

The proposed development seeks to establish a new school on the site. The project aims to provide modern, efficient and functional school for the effective delivery of education to the proposed new school campus and surrounding school catchment.

The proposed school takes account of the following considerations, including:

- The recent decision by the NSW Department of Planning & Environment to amend the intended Precinct Plan and ILP for the school site, and decision to relocate the proposed RE1 Open Space zone to the north-west corner of the school site. The Department has advised that this decision was necessary because the exhibited RE1 zone “..would sever the site and limit the integration of components of the school” and that a relocated RE1 zone will “...enable a more efficient design for the school”.

■ Teaching functions and facilities, as well as public, staff and pupil access needs.

■ Installation of appropriate site infrastructure and services. Adequate parking and access arrangements are proposed to absorb the student/staff population proposed.

■ Noise attenuation measures are proposed to ensure that the proposal will not result in any adverse noise impacts.

■ Ensuring acceptable visual impacts will ensue.

With the site land use, management and mitigation measures proposed, it is concluded that the proposal will not result in any significant adverse environmental impacts, and is therefore not contrary to the public interest.

The public is also served in providing an appropriate number of school placements in this locality, thus addressing the needs of the community.

The proposed development offers disabled access, thus satisfying the Disability Discrimination Act's obligations for equitable and dignified access for people with disabilities.

The approval of the application is in the public interest given the development's consistency with the relevant planning considerations as prescribed under s.79C of the *Environmental Planning and Assessment Act 1979*. On this basis, the proposal provides net positive outcomes and can be considered to be in the public interest to proceed.

6. CONCLUSION

This is an amended application for a Staged Development Application, seeking concept approval for the overall future development of the Leppington site, with consent sought for works/development in Stage 1 of the school project. It is made pursuant to the provisions of clauses 83A to 83D of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Clause 83B includes a definition of a staged development application as follows:

“(1) For the purposes of this Act, a staged development application is a development application that sets out concept proposals for the development of a site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent development applications. The application may set out detailed proposals for the first stage of development.”

Approval of a staged development consent does not authorise the carrying out of development/works, without consent being subsequently granted following a further development application in respect of that part of the site (clause 83B(3)). Therefore, a development application for any subsequent stage of the concept proposal will need to be submitted to Camden Council for determination.

Clause 83D(2) requires that further development applications in respect of the site must be consistent with the consent granted on the

determination of the staged development, while it remains in force.

Any Staged Development Application can provide the requisite details of the development on that part of the site and consent can be granted for that first stage of development without the need for further consent at clause 83B(3)(b).

This application seeks consent for works/buildings in Stage 1 of the proposed school campus development.

Overall, the staged DA will provide a coordinated and appropriately considered framework with which to proceed with the staged development of the Leppington site for the purposes of a school.

The recent decision of the NSW Department of Planning & Environment to amend the intended Precinct Plan and ILP for the school site also is of critical significance, as it confirms the suitability of the site for school purposes in overall, strategic planning terms.

Approval of the amended DA will provide development certainty for the SASC and a degree of certainty to Camden Council and surrounding land owners with regard to future school development on the site.

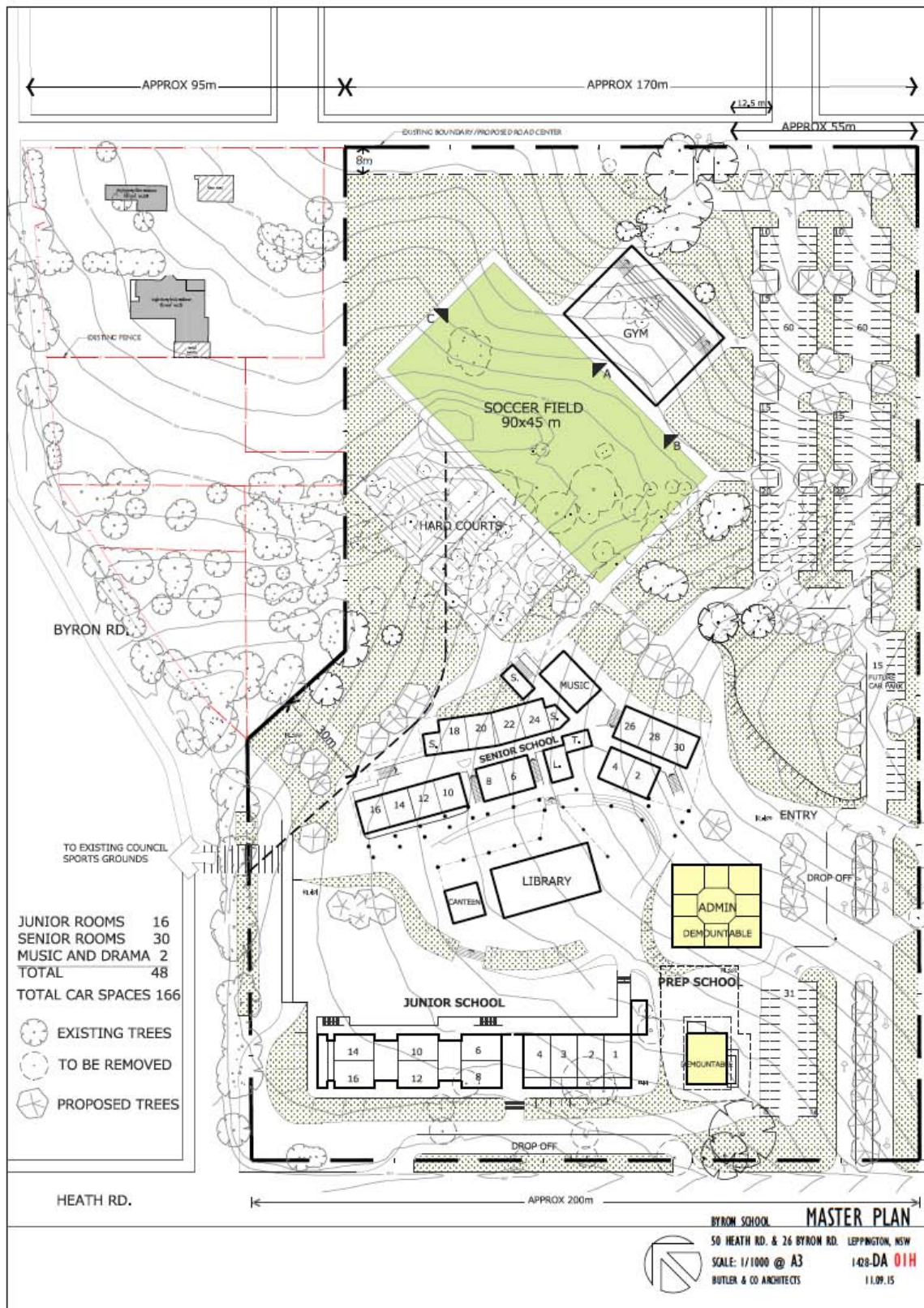
In light of the significant merits of the proposal and the absence of any significant adverse environmental impacts, it is recommended that consent be granted for the proposed (amended) school development, subject to appropriate conditions.

ATTACHMENT A:

Architectural plans of school campus







ATTACHMENT B:

NSW Office of Water advice



Jeremy MoriceTo: Gary Peacock
Re: Proposed school

10 March 2015 9:45 am

JN

Hi Gary,

My apologies for the delay in providing a response to your email.

I have reviewed the site and information you provided regarding the proposed school. I confirm that the site is not located within Waterfront Land as defined by the Water Management Act 2000.

An Integrated Development referral will not be required to the NSW Office of Water and no further assessment by this agency is necessary.

Regards,

Jeremy Morice | Water Regulation Officer
NSW Department of Primary Industries | NSW Office of Water
Level 0 | 84 Crown Street | Wollongong NSW 2500
PO Box 53 | Wollongong NSW 2520
T: 02 4224 9736 | F: 02 4224 9740 | E: jeremy.morice@dpi.nsw.gov.au
W: www.dpi.nsw.gov.au | www.water.nsw.gov.au

On 24 February 2015 at 15:42, Gary Peacock Outline <gpeacock@outline.com.au> wrote:

Mr Jeremy Morice
Water Regulation Officer
DPI Office of Water

Tel: 02 4224 9736

Dear sir,

Our clients, the Sydney Anglican Schools Corporation (SASC), propose a new school to be established on land within the Leppington area.

I am writing to you as you have been involved in the recent review of the draft Leppington Precinct Plan. Our client's land forms a part of this precinct.

The subject land comprises the following:

■ No.50 Heath Road, comprising Lot 48 in Deposited Plan 8979, owned by SASC. This parcel of land has an area of 4.047ha.

■ No.26 Byron Road, comprising Lot 50C in Deposited Plan 8979, owned by SASC. This parcel of land has an area of 2.63ha.

A review of LPI topographic maps shows that the land has no identified watercourses running through the site, nor are there any such watercourses nearby, such identified watercourses shown commencing downstream of some dams on land on the opposite of Byron Road, to the north west- refer to accompanying diagram. The aerial photos show a clearly defined watercourse below this feature. Refer to accompanying aerial photograph.

I would be grateful if you could advise whether or not any "integrated development" provisions of the EP&A Act 1979 are triggered by virtue of the above development proposal.

If you have any queries or require further particulars please do not hesitate to contact the writer.

Kind Regards

Gary Peacock
Managing Director
OUTLINE PLANNING CONSULTANTS PTY LTD



ATTACHMENT C:

Survey of site



