

Assessment against planning controls: section 4.15, summary assessment and variations to standards

# 1 Environmental Planning and Assessment Act 1979

## 1.1 Section 4.15 'Heads of Consideration'

Heads of Consideration	Comment	Complies
a. The provisions of: i. Any environmental planning instrument	The proposal is considered to be consistent with the relevant environmental planning instruments, including: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021,</li> <li>State Environmental Planning Policy (Industry and Employment) 2021,</li> <li>State Environmental Planning Policy (Planning Systems) 2021,</li> <li>State Environmental Planning Policy (Precincts - Central River City) 2021,</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021,</li> </ul> State Environmental Planning Policy (Transport and Infrastructure) 2021.	Yes
ii. Any proposed instrument that is or has been the subject of public consultation under this Act	SEPP (Sustainable Buildings) 2022 is to come into effect on 1 October 2023. Savings and transitional provisions state that the Policy does not apply to a development application submitted but not finally determined before the commencement of the Policy.	N/A
	The draft Environment State Environmental Planning Policy was exhibited between October 2017 and January 2018 and seeks to simplify the NSW planning system and reduce complexity without reducing the rigour of considering matters of State and Regional significance. The State Environmental Planning Policy effectively consolidates several State Environmental Planning Policies including State Environmental Planning Policy 19 Bushland in Urban Areas, State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011, Sydney Regional Environmental Plan No. 20 - Hawkesbury-Nepean River (No. 2 – 1997) and Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment and removes duplicate considerations across Environmental Planning Instruments.	Yes. This proposal is not inconsistent with the provisions of this draft State Environmental Planning Policy
	The draft Remediation of Land State Environmental Planning Policy was exhibited from January to April 2018 with the intent that it repeals and replace State Environmental Planning Policy 55 - Remediation of Land (SEPP 55) in relation to the management and approval pathways for contaminated land. SEPP 55 has since been repealed and its provisions were consolidated into the State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 4.	Yes. This proposal is not inconsistent with the provisions of this draft State Environmental Planning Policy. An unexpected finds protocol will

Heads of Consideration	Comment	Complies
	<p>However, Chapter 4 of this new policy does not include the changes that were exhibited in 2018 and those provision are still under review.</p> <p>The draft Remediation of Land State Environmental Planning Policy will:</p> <ul style="list-style-type: none"> <li>• Provide a state-wide planning framework for the remediation of land.</li> <li>• Maintain the objectives and reinforce those aspects of the existing framework that have worked well.</li> <li>• Clearly list the remediation works that require development consent.</li> <li>• Categorise remediation work based on the scale, risk and complexity of the work.</li> <li>• Require environmental management plans relating to post remediation, maintenance and management of on-site remediation measures to be provided to Council.</li> </ul>	be a condition of consent
iii. Any development control plan	Despite SEPP (Transport and Infrastructure) 2021 overriding the application of any development control plan, consideration has been given to the relevant provisions of Blacktown City Council Growth Centre Precincts Development Control Plan 2018 and found to be acceptable.	Yes
iv. a) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4,	No related planning agreement.	N/A
v. the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	<p>The additional matters for consideration identified in Part 4, Division 1 of the Regulations 2021 relevant to this application are:</p> <ul style="list-style-type: none"> <li>• Clause 63 - Temporary structures - the consent authority must consider whether sufficient fire protection, structural capacity and ground stability are sufficient for the proposed use.</li> <li>• Clause 66A - Council related development applications - the consent authority must consider an adopted Conflict of Interest Policy in determining the application.</li> </ul> <p>The relevant matters have been considered in the assessment of the application. In accordance with the Council adopted Conflict of Interest Policy the application has been independently assessed for determination by the Regional Planning Panel.</p>	Yes
b. The likely impacts of the development, including environmental impacts on both the	The proposal will have a positive social impact in the community by providing locally accessible school facilities without resulting in any significant detrimental impact to the natural environment.	Yes

Heads of Consideration	Comment	Complies
natural and built environments, and social and economic impacts on the locality		
c. The suitability of the site for the development	The location of the site, immediately opposite the permanent school site location is appropriate in providing a consistent and identifiable school precinct. The cleared nature of the site allows for ease of development. Whilst flood prone, appropriate measures can be required through condition to ensure the safety of students and teachers.	Yes
d. Any submissions made in accordance with this Act, or the regulations	The application was advertised for a period of 14 days between 27 June to 11 July 2023. No submissions were received.	Yes
e. The public interest	The development will provide a temporary school to cater for the growing population in the Marsden Park/ Melonba area until such time as the permanent school facilities are completed (estimated to be the beginning of 2026 school year). As the need for the school already exists the public interest is well served by its provision.	Yes

## 2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Summary comment	Complies
The site has been cleared and contains no trees and no habitat for any endangered species of flora or fauna. There are 62 street trees on Galah Street in proximity to the site of which 37 are proposed to be removed and replacement planting provided. An Aborigicultural Assessment prepared by GHD and Dated 18 July 2023 concluded that the trees, all of which are Rough-barked Apple ( <i>Angophora floribunda</i> ) with the exception of one Spotted Gum ( <i>Corymbia maculata</i> ) were planted in 2019 and are not indigenous to the immediate area. The assessment stated that there was no evidence of fauna use of the assessed trees observed. The land is identified as Biodiversity Certified Land and as such a standalone biodiversity assessment is not required.	Yes

## 3 State Environmental Planning Policy (Industry and Employment) 2021

Summary comment	Complies
<p>A 4.34m x 1.68m sign structure accommodating a 1.68m x 1.04m digital sign is proposed adjacent to the main entry to the school. Chapter 3 of SEPP (Industry and Employment) requires a consent authority to be satisfied that proposed signage satisfies the objectives of the chapter and the criteria specified in Schedule 5 of the SEPP.</p> <p>The signage is consistent with the objectives and assessment criteria by:</p> <ul style="list-style-type: none"> <li>being compatible with the desired amenity and visual character of the area,</li> </ul>	Yes

Summary comment	Complies
<ul style="list-style-type: none"> <li>providing effective communication by identifying the school at its main entry location,</li> <li>being of appropriate quality and design compatible with the building height and form,</li> <li>not impacting safety of road users and pedestrians,</li> <li>not requiring vegetation removal and being generally below future tree canopy, and</li> <li>subject to conditions requiring illumination complies with the relevant Australian Standard will not detrimentally affect residential amenity or road safety.</li> </ul>	

#### 4 State Environmental Planning Policy (Planning Systems) 2021

Summary comment	Complies
<p>The Sydney Central City Planning Panel is the consent authority for development carried out by or on behalf of the Crown and/ or on Council owned land where the capital investment value is over \$5 million.</p> <p>As this development application has a capital investment value of \$15.094 million, Council is responsible for the assessment of the development application and determination of the application is to be made by the Panel.</p>	Yes

#### 5 State Environmental Planning Policy (Precincts - Central River City) 2021

Summary comment	Complies
<p>The site is situated in the Marsden Park Precinct being one of the North West Growth Centre precincts under the SEPP.</p> <p>The site is zoned SP2 (Infrastructure) identified for Local Drainage under SEPP (Precincts - Central River City) 2021. Notwithstanding, the SP2 zone is a prescribed zone pursuant to Section 3.34 of SEPP (Transport and Infrastructure) 2021. Under Section 3.36(1) of SEPP (Transport and Infrastructure) development for the purpose of a school within a prescribed zone is permissible with development consent.</p> <p>The proposed school is consistent with the zone objective to provide for infrastructure to the community.</p> <p>Part 3.5 of the SEPP provides development controls for flood prone land requiring a consent authority to take into consideration:</p> <p>a) whether or not the development will adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties</p> <p>As the demountable buildings are elevated on piers there would be no adverse effect on flood behaviour affecting other properties up to a 0.2% (1:500 year) AEP event at which point the flood level is reaching the bottom of the building. At such time most of the surrounding area would also be experiencing similar flood inundation.</p> <p>b) whether or not the development will alter flow distributions and velocities to the detriment of other properties or the environment of the floodplain</p> <p>As with (a) above impacts would only occur in a 0.2% (1:500year) AEP event or worse.</p>	Yes

Summary comment	Complies
<p>c) whether the development will enable safe occupation of the flood prone and major creeks land</p> <p>A Flood Emergency Response Plan has been provided demonstrating that safe occupation of the site can occur for all localised flooding events up to the PMF and that at least 15-hour warning would be provided in a regional flood event providing sufficient evacuation time.</p> <p>d) whether or not the development will detrimentally affect the floodplain environment or cause avoidable erosion, siltation, salinity, destruction of riparian vegetation or a reduction in the stability of the riverbank/watercourse</p> <p>The suspended structure form of development ensures minimal impact to the floodplain environment.</p> <p>e) whether or not the development will be likely to result in unsustainable social and economic costs to the flood affected community or general community, as a consequence of flooding</p> <p>The development is unlikely to result in any unreasonable costs noting the structures are to be built of flood compatible materials.</p> <p>f) whether or not the development is compatible with the flow conveyance function of the floodway</p> <p>As per (a) and (b) above.</p> <p>g) whether or not the development is compatible with the flood hazard,</p> <p>With the implementation of the Flood Emergency Response Plan and having regard to the temporary (2 year) nature of the school the development is considered compatible with the flood hazard.</p> <p>h) in the case of development consisting of the excavation or filling of land, whether or not the development -</p> <ul style="list-style-type: none"> <li>(i) will detrimentally affect the existing drainage patterns and soil stability in the locality, and</li> <li>(ii) will significantly impact on the likely future use or redevelopment of the land, and</li> <li>(iii) will adversely impact on the existing and likely amenity of adjoining properties, and</li> <li>(iv) will minimise the disturbance of relics, and</li> <li>(v) will adversely impact on any watercourse, drinking water catchment or environmentally sensitive area.</li> </ul> <p>No significant excavation or fill is proposed to occur in association with the development. Where minor levelling of land is to occur, it will not have any detrimental impacts.</p> <p>Part 4 of Appendix 11 contains principal development standards for the Precinct. None of these are applicable to this development (i.e. there is no height, FSR, minimum lot size or density control for this land).</p> <p>Under Clause 6.1 of Appendix 11 the consent authority must not grant consent to development in this precinct unless it is satisfied that any public infrastructure that is essential for the proposed development is available or adequate arrangements have been made to make that infrastructure available when required. The applicant has advised that adequate arrangements have been made as part of this development to make public utility infrastructure available including the supply of water, electricity and the disposal and management of sewage.</p>	

## 6 State Environmental Planning Policy (Resilience and Hazards) 2021

Summary comment	Complies
<p>Chapter 4 - Remediation of Land aims to provide a state-wide planning approach to the remediation of contaminated land.</p> <p>Clause 4.6 requires a consent authority to consider whether the land is contaminated and if it is suitable or can be remediated to be made suitable for the proposed development, before granting of development consent.</p> <p>A Preliminary Site Investigation Assessment was undertaken by Martens Environmental Science and Engineering on behalf of NSW Department of Education. Soil sampling was taken from 14 borehole locations across the site and subsequently tested for contaminants. In all locations results indicated that the level of contamination was either below the reporting level or below the site assessment criteria. The report concluded that based on the findings, potential contamination risk to human and ecological receptors was low and no further investigation was required for the proposed temporary school use of the site. It was recommended that should unexpected finds be encountered during site works they should be investigated by a qualified environmental consultant and that any soil removed from the site is to undergo a formal waste classification assessment. Council's Environmental Health Officer concurs with the findings and endorsed the recommendation that any unexpected finds be investigated.</p> <p>The site is therefore considered suitable for a temporary school in accordance with the requirements of Clause 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021.</p>	Yes

## 7 State Environmental Planning Policy (Transport and Infrastructure) 2021

Summary comment	Complies
<p>Chapter 3 of SEPP (Transport and Infrastructure) aims to facilitate the effective delivery of educational establishments and early education and care facilities across the State.</p> <p>The subject site is zoned SP2 Infrastructure under State Environmental Planning Policy (Precincts - Central River City). Clause 3.36 of SEPP (Transport and Infrastructure) 2021 permits development for the purpose of a school to be carried out with consent on land within a prescribed zone. Clause 3.34 of the SEPP includes SP2 (Infrastructure) as a prescribed zone thereby enabling the development to occur with consent.</p>	Yes
<p>Clause 3.36(6) requires the consent authority to take into consideration:</p> <ol style="list-style-type: none"> <li>the design quality of the development when evaluated against the principles set out in Schedule 8 of the SEPP. See 7.1 below.</li> <li>whether the development enables the use of the school facilities to be shared with the community.</li> </ol> <p>The application indicates that it is not intended to provide community use of the temporary school facilities. Whilst shared use of school facilities is desirable and encouraged by the SEPP it is reasonable for it not to be required in this instance considering the temporary nature of the school, being for a maximum of 2 years, and the opportunity for shared use of facilities once the permanent school opposite is operational.</p>	<p>Yes</p> <p>Acceptable considering the temporary school use and potential for shared use of facilities once the permanent school is operational</p>

Summary comment	Complies
Clause 3.58 of the SEPP requires the consent authority to consider any comments received from Transport for NSW as well as traffic and pedestrian movement and safety. Transport for NSW raised no objection to the temporary school subject to the implementation of school zone speed limit restrictions. Relocation of the proposed pedestrian crossings was also recommended to be offset from main pedestrian entries and intersections. The matter was considered by the Local Traffic Committee at its meeting of 8 August 2023 which deferred its decision until the applicant consults with TNSW to resolve the final location of the pedestrian crossing. It is intended to return the matter to the Local Traffic Committee in September 2023. A condition of consent is recommended to ensure final approval is obtained from the Local Traffic Committee and Council prior commencement of works.	

## 7.1 Design quality principles

The proposed development is consistent with the 7 design quality principles, as set out below.

Principle	Control	Comment
<b>1 Context built form and landscape</b>	<p>Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate.</p> <p>Landscaping should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites.</p> <p>School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and protect the special visual qualities and natural environment of the area and located and designed to minimise the development's visual impact on those qualities and that natural environment.</p>	The development satisfactorily responds to the existing built and natural environment on the site. The single storey, demountable buildings are individually of a scale non-inconsistent with the massing of the new dwellings in the vicinity of the site. As the development is of a temporary nature, the utilitarian built form is considered acceptable.
<b>2 Sustainable, efficient and durable</b>	<p>Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.</p> <p>Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.</p>	The demountable buildings, connected by walkways and located around a central courtyard playground provide good natural light penetration and cross flow ventilation. The demountable building form minimises excavation and the use of concrete. The modular, prefabricated structures are intended for reuse at other school sites following their deployment from Marsden Park providing a sustainable and efficient use of resources. The finishes of the buildings are to standard Department of Education

Principle	Control	Comment
		requirements developed over many years for durability and amenity.
<b>3 Accessible and inclusive</b>	<p>School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.</p> <p>Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.</p>	<p>The temporary school has been designed with ramp access throughout and accessible toilets ensuring appropriate access and facilities for all.</p> <p>The easily identifiable entries, wayfinding routes and signage ensures ease of movement to and through the site.</p>
<b>4 Health and Safety</b>	<p>Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.</p>	<p>The proposal has had regard to CPTED principles and provides delineation through a combination of landscaping, fencing and signage to the 'public' areas of the site when the school is operating.</p>
<b>5 Amenity</b>	<p>Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood.</p> <p>Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.</p> <p>Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.</p>	<p>The temporary school has been designed around a central, well oriented playground and incorporates a covered outdoor learning area, general and specialist learning spaces, multipurpose hall, library and staff facilities.</p>
<b>6 Whole of life, flexible and adaptive</b>	<p>School design should consider future needs and take a whole-of-lifecycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.</p>	<p>The temporary school will feature modular demountables that are reusable and have ample opportunities for reuse elsewhere when no longer required on this site. The various indoor and outdoor spaces provide for flexible and adaptive use.</p>
<b>7 Aesthetics</b>	<p>School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood.</p> <p>The built form should respond to the existing or desired future context, particularly positive elements from the site and surrounding neighbourhood, and have a</p>	<p>The single storey structures are oriented to the internal courtyard playground but provide acceptable presentation to the street with identifiable entry points, low scale, and screening vegetation. Grey ('Windspray' or similar) wall cladding ensures an inoffensive street presentation.</p> <p>The design aesthetics are acceptable for school development of a temporary nature (limited to 2 years).</p>



Principle	Control	Comment
	positive impact on the quality and sense of identity of the neighbourhood.	

## 8 Central City District Plan 2018

Summary comment	Complies
<p>While the Act does not require consideration of District Plans in the assessment of development applications, the Development Application is consistent with the following overarching planning priorities of the Central City District Plan:</p> <p><b>Infrastructure and Collaboration:</b></p> <ul style="list-style-type: none"> <li>N1: Planning for a city supported by infrastructure.</li> </ul> <p><b>Liveability:</b></p> <ul style="list-style-type: none"> <li>N3: Providing services and social infrastructure to meet people's changing needs.</li> <li>N4: Fostering healthy and socially connected communities.</li> <li>N6: Creating and renewing great places.</li> </ul>	Yes

## 9 Blacktown Local Strategic Planning Statement

Summary comment	Complies
<p>The Blacktown Local Strategic Planning Statement outlines a planning vision for the City over the next 20 years to 2041. The Blacktown Local Strategic Planning Statement contains 18 Local Planning Priorities based on themes of Infrastructure and collaboration, Liveability, Productivity, Sustainability and Implementation.</p> <p>The Development Application is consistent with the following priorities:</p> <ul style="list-style-type: none"> <li>LPP1: Planning for a city supported by infrastructure.</li> <li>LPP3: Providing services and social infrastructure to meet people's changing needs.</li> <li>LPP4: Respecting heritage and fostering healthy, creative, culturally rich and socially connected communities.</li> <li>LPP6: Creating and renewing great places and centres.</li> </ul>	Yes

## 10 Blacktown Development Control Plan 2010

Summary comment	Complies
<p>Although clause 3.36(9) State Environmental Planning Policy (Transport and Infrastructure) 2021 specifically excludes the application of DCPs in the assessment of an application for a school made under the SEPP the relevant provisions of the DCP have been considered and the proposal found to be compliant.</p>	Yes

### 10.1 Assessment against DCP

Control	Proposal	Complies
<b>Part 4.4.3 – Educational establishments and places of worship</b>		
6 Car parking Table 4-11 Specific land use requirements	400 students 35 staff	Yes

Control	Proposal	Complies
For primary and secondary schools 1 space per staff member Plus 1 space per 100 students	40 spaces  Separate space is also available for delivery and waste vehicles.	
<p>4.4.3.1 Objectives</p> <p>a. To ensure appropriate provision and equitable distribution of education, establishments and places of public worship within the Precinct.</p> <p>b. To ensure that buildings are not out of character with the type, height, bulk and scale of surrounding buildings.</p> <p>c. To encourage the appropriate location of facilities to create community focal points, centres of neighbourhood activity and enhance community identity.</p> <p>d. To mitigate the impacts of noise, privacy, increased traffic and nuisance on surrounding residential development.</p> <p>e. To foster iconic and landmark building design within each Precinct</p>	<p>The land is directly opposite the permanent Marsden Park High and Melonba Public school site that has been part of the Indicative Layout Plan for the precinct for several years</p> <p>Single storey buildings.</p> <p>The location of the temporary school opposite the permanent school site provides a consistent and identifiable school precinct into the future.</p> <p>The closest residential development on the opposite side of Rakali Parade is separated from the site by the street with staff facilities being the main uses facing Rakali Parade. The internal orientation of the school buildings to the courtyard minimises the impacts of noise and privacy intrusion to neighbouring properties. The impacts from the development are not likely to be any different to that of other educational establishment of the size proposed.</p> <p>The school will be a temporary use of the site. The future permanent school will be designed having regard to the uniqueness of the precinct.</p>	Yes
<p>4.4.3.2 Controls</p> <p>Educational establishments are preferably to be located on land with frontage to a collector road. Corner sites are preferred</p>	The location of the site is chosen for its proximity to the future permanent school site. It is a corner location ensuring buffering to neighbouring properties.	Yes
<p>4.4.3.2 (3) In assessing applications, Council will consider the following:</p> <ul style="list-style-type: none"> <li>the privacy and amenity of adjoining developments;</li> </ul>	The location of buildings around and oriented to a central courtyard minimises the privacy and amenity impacts to neighbouring properties and the single storey	Yes

Control	Proposal	Complies
<ul style="list-style-type: none"> <li>• the need and adequacy for provision of buffer zones to surrounding residential development;</li> <li>• urban design;</li> <li>• location;</li> <li>• the size of the land where the development is proposed;</li> <li>• traffic generation and the impacts of traffic on the road network and the amenity of nearby residents;</li> </ul>	<p>scale and setbacks ensures no significant overshadowing occurs. Conditions are recommended to ensure construction and operational noise complies with relevant standards.</p> <p>The site adjoins open space land and drainage reserve to the north and west with the future permanent school site to the east. The closest residential development on the opposite side of Rakali Parade is separated from the site by the street with staff facilities being the main uses facing Rakali Parade. The design and site location ensures appropriate buffers to neighbouring residential properties.</p> <p>The single storey, demountable buildings are of a scale non-that sits comfortably in the context of the site and provide an acceptable presentation to the street with identifiable entry points, low scale, and screening vegetation. Grey ('Windspray' or similar) wall cladding ensures an inoffensive street presentation.</p> <p>As the development is of a temporary nature, the utilitarian built form is considered acceptable.</p> <p>The 16,560m2 site is of sufficient size to cater for a school of 400 high school students and enables an area of 4,179m2 of play space on site.</p> <p>A Traffic and Accessibility Impact Assessment prepared by TTW Consulting Engineers and dated 15 June 2023, identified that surrounding intersections within the local road network currently operate at a Level of Service A. TTW estimate that approximately 97 additional trips would be generated by the temporary school and that such an increase is not expected to have any significant impact on the operation of the surrounding intersections and road network. Council's</p>	

Control	Proposal	Complies
<ul style="list-style-type: none"> <li>• the availability of parking;</li> <li>• the scale of buildings and their capacity; and</li> <li>• hours of operation and noise impacts.</li> </ul>	<p>Senior Traffic Engineer reviewed the report and concurs with the findings.</p> <p>Forty on-site parking spaces are proposed, 2 of which are accessible spaces which exceeds the requirement of 39 spaces. In addition a drop-off and pick-up zone is proposed along the Galah Street frontage of the site.</p> <p>The single storey scale of the temporary school catering for 400 students is considered appropriate.</p> <p>The proposed hours of operation are reflected in the conditions of consent and are considered reasonable for a school. Noise impacts are unlikely to be beyond what is expected of a school of such size.</p>	
<p>4.4.3.2 (4) A traffic and transport report/statement are to accompany the Development Application addressing the impact of the proposed development on the local road system and defining car parking requirements. Note: Due to the high level of traffic generation and peak nature of traffic volumes accessing these types of land uses, assessment of traffic impacts and pedestrian requirements is required and mitigation measures may need to be incorporated in the design. Such measures may include pedestrian crossings, speed control devices, pedestrian refuges on streets to which the development fronts and the provision of bus and drop off bays. School zones will require additional safety measures such as school crossings, 40 km/h school speed zones and flashing lights in accordance with RTA requirements.</p>	<p>A Traffic and Accessibility Impact Assessment prepared by TTW Consulting Engineers and dated 15 June 2023, found the likely traffic impacts associated with the proposed development to be acceptable. Parking provision satisfies DCP requirements. Works within the public domain including provision of a drop-off layby, raised pedestrian crossings and associated signage have been supported by the Local Traffic Committee. At the time of writing this report the minutes of the meeting were still to be endorsed by Council.</p> <p>In accordance with Transport for NSW requirements a 40km/hr school zone will apply on adjoining roads</p>	Yes
<p>4.4.3.2 (5) A landscape plan and associated documentation is to be submitted with the Development Application identifying existing vegetation and community plant species and/or existing design elements of the site layout, and the proposed landscaping treatment of the development.</p>	<p>A landscaped plan has been submitted with the development application. This pertains to landscaping associated with the temporary school. The site contains no vegetation, however removal and replacement of 37 street trees is proposed to accommodate the layby.</p>	Yes

Control	Proposal	Complies
4.4.3.2 (7) For certain uses, the provision of overflow parking may be necessary particularly where such developments incorporate halls used for social gatherings. Overflow parking areas could be provided on open grassed areas and need not be formally sealed or line-marked. Proposed overflow parking areas are to be clearly shown on plans submitted with the Development Application.	This is a temporary use. There is considered no need for overflow parking. The surrounding street network is considered capable of accommodating the larger, infrequent out of hours school activities such as parent teacher nights.	Yes
4.4.3.2 (8) Development must be designed to minimise the possibility of noise disturbance to the occupants of adjoining or neighbouring dwellings.	The closest residential development on the opposite side of Rakali Parade is separated from the site by the street with staff facilities being the main uses facing Rakali Parade. The internal orientation of the school buildings to the courtyard minimises the likely impacts of noise intrusion to neighbouring properties.	Yes
4.4.3.2 (9) Development must be designed to minimise the possibility of noise to the occupants of adjoining or neighbouring dwellings.	As above	Yes
4.4.3.2 (10) Where it is likely that a development may cause an adverse noise impact on nearby residential areas, an acoustic report will be required to be submitted to council with the development application.	A Noise and Vibration Impact Assessment prepared by Acoustic Studio and dated 15 June 2023 was submitted with the application and considered in assessment.	Yes
4.4.3.2 (11) Development must comply with DECCW noise guidelines in clause 4.2.9.	The acoustic report concludes that the development is satisfactory in this regard, subject to minimal conditions. The clause is more related to ensuring that future dwellings opposite or adjacent to non-residential uses have their own noise attenuation measures provided (such as double glazing, internal layouts etc).	Yes
4.4.3.2 (12) Where appropriate, buffers should be put in place to limit noise impacts on the surrounding area.	The zoning of surrounding land effectively creates a suitable buffer to 3 side of the land.	
4.4.3.2 (13) Sources of noise such as garbage collection, machinery, parking areas and air conditioning plants are sited away from adjoining properties and screened/ insulated by walls or other acoustic treatment. Noise levels are not to exceed specified limits at the most affected point of the property boundary.	The vehicular access to the car park, garbage collection and loading area for the temporary school is located opposite the permanent school site. The intermittent and infrequent use of this area for those purposes is unlikely to unreasonably impact nearby residents for any extensive period.	

Control	Proposal	Complies
4.4.3.2 (14) The general hours of operation for places of public worship and educational establishments are between 7 am and 9 pm.	The school hours is proposed to operate between the hours of 8:40am and 3:00pm with school administration and cleaning between 7:00am and 6:00pm. Occasional extracurricular activities would conclude by 9:00pm.	Yes
4.4.3.2 (15) Variation to the approved hours of operation may be approved by council subject to other requirements or a merit assessment.	Noted	N/A