

## APPENDIX A

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

Requirement	Yes	No	N/A	Comment
<b>Part 3.4 Schools Specific Development Controls</b>				
<b>3.36 Schools—development permitted with consent</b>				
(1) Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(2) Development for a purpose specified in clause 39 (1) or 40 (2) (e) may be carried out by any person with development consent on land within the boundaries of an existing school.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(3) Development for the purpose of a school may be carried out by any person with development consent on land that is not in a prescribed zone if it is carried out on land within the boundaries of an existing school.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The land to be redeveloped is within R2 Low Density Residential zone which is a prescribed zone. An educational establishment is also permitted with consent under the Cumberland Local Environmental Plan 2021.
(4) Subclause (3) does not require development consent to carry out development on land if that development could, but for this Policy, be carried out on that land without development consent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(5) A school (including any part of its site and any of its facilities) may be used, with development consent, for the physical, social, cultural or intellectual development or welfare of the community, whether or not it is a commercial use of the establishment.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Noted- the school is permitted to be utilised with consent for community or commercial purposes.
(6) Before determining a development application for development of a kind referred to in subclause (1), (3) or (5), the consent authority must take into consideration: (a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 8, and (b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The design quality provisions of Schedule 8 are addressed later within the Appendix A.
(7) Subject to subclause (8), the requirement in subclause (6) (a) applies to the exclusion of any provision in another environmental planning instrument that requires, or that relates to a requirement for, excellence (or like standard) in design as a prerequisite to the granting of development consent for development of that kind.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Subclause 7 and 8 will not apply to the development.
(8) A provision in another environmental planning instrument that requires a competitive design process to be held as a prerequisite to the granting of development consent does not apply to development to which subclause (6) (a) applies that has a capital investment value of less than \$50 million.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(9) A provision of a development control plan that specifies a requirement, standard or control in relation to development of a kind referred to in subclause (1), (2), (3) or (5) is of no effect, regardless of when the development control plan was made.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Council has no development control plan addressing schools.

Requirement	Yes	No	N/A	Comment
(10) Development for the purpose of a centre-based child care facility may be carried out by any person with development consent on land within the boundaries of an existing school.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(11) Development for the purpose of residential accommodation for students that is associated with a school may be carried out by any person with development consent on land within the boundaries of an existing school.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>3.37 Schools—development permitted without consent</b>				
(1) Development for any of the following purposes may be carried out by or on behalf of a public authority without development consent on land within the boundaries of an existing school:				
(a) construction, operation or maintenance, more than 5 metres from any property boundary with land in a residential zone and more than 1 metre from any property boundary with land in any other zone, of:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The development application is limited to the construction of an administration building on site to improve facilities for existing students and staff. The development does not involve any change to site operations or student numbers.
(i) a library or an administration building that is not more than 1 storey high, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) a portable classroom (including a modular or prefabricated classroom) that is not more than 1 storey high, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(iii) a permanent classroom that is not more than 1 storey high to replace an existing portable classroom and that is used for substantially the same purpose as the portable classroom, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(iv) a kiosk, cafeteria or bookshop for students and staff that is not more than 1 storey high, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(v) a car park that is not more than 1 storey high,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) minor alterations or additions, such as:				
(i) internal fitouts, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) alterations or additions to address work health and safety requirements or to provide access for people with a disability, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(iii) alterations or additions to the external facade of a building that do not increase the building envelope (for example, porticos, balcony enclosures or covered walkways),	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) restoration, replacement or repair of damaged buildings or structures,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) security measures, including fencing, lighting and security cameras.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2) However, subclause (1) applies only to development that:				
(a) does not require an alteration of traffic arrangements (for example, a new vehicular access point to the school or a change in location of an existing vehicular access point to the school), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) in the case of development referred to in subclause (1) (a)—does not allow for an increase in:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(i) the number of students the school can accommodate, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) the number of staff employed at the school, that is greater than 10% (compared with the average of each of those numbers for the 12-month period immediately before the commencement of the development).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	



Requirement	Yes	No	N/A	Comment
<p>Development to which section 100B (1) of the Rural Fires Act 1997 applies is not complying development under this Policy.</p> <p>(3) The development standards for complying development under this clause (other than for development referred to in subclause (1) (a) (viii), (ix) or (x)) are set out in Schedule 2.</p> <p>(4) Nothing in this clause authorises the carrying out of development in contravention of any existing condition of the most recent development consent (other than a complying development certificate) that applies to any part of the school, relating to hours of operation, noise, car parking, vehicular movement, traffic generation, loading, waste management, landscaping or student or staff numbers.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The provisions stated at Clause 3.40 do not apply as the proposed works do not relate to minor alterations and additions that are internal to the building. The proposed development is for the construction of an administration building. Development consent is required for the proposed building.</p>
<p><b>3.43 State significant development for the purpose of schools—application of development standards in environmental planning instruments</b></p> <p>Development consent may be granted for development for the purpose of a school that is State significant development even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The development application is not State Significant Development.</p>
<b>Part 3.7 General development controls</b>				

Requirement	Yes	No	N/A	Comment
<b>57 Traffic-generating development</b>				
(1) This clause applies to development for the purpose of an educational establishment:				
(a) that will result in the educational establishment being able to accommodate 50 or more additional students, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	There is no increase in student numbers on site and no change to car parking numbers. In this regard, the proposed development is not considered a traffic generating development.
(b) that involves:				
(i) an enlargement or extension of existing premises, or				
(ii) new premises,				
on a site that has direct vehicular or pedestrian access to any road.				
(2) Before determining a development application for development to which this clause applies, the consent authority must:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) give written notice of the application to Roads and Maritime Services (RMS) within 7 days after the application is made, and				
(b) take into consideration the matters referred to in subclause (3).				
(3) The consent authority must take into consideration:				
(a) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, RMS advises that it will not be making a submission), and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the accessibility of the site concerned, including:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(i) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) the potential to minimise the need for travel by car, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) any potential traffic safety, road congestion or parking implications of the development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) the consent authority must give RMS a copy of the determination of the application within 7 days after the determination is made.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Clause 3.36(6) of the SEPP requires a consent authority to take into consideration the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 8 of the SEPP. The following table outlines how the development has addressed the seven design quality principles:

Schedule 8	
Schools Design quality principles	
There are seven design quality principles that must be considered at Schedule 8 as follows.	
<p><b>Principle 1 - Context built form and landscape</b></p> <p>Schools should be designed to respond to and enhance the positive qualities of their setting, 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>Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites. 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>	<p>The development appropriately responds to the existing built and natural environment on the site.</p> <p>The proposed built form is consistent with the bulk and scale of the buildings on the campus and within the visual catchment of the precinct and will appear as a building in a garden setting.</p> <p>The proposed building replaces 3 existing buildings and will assist with the ongoing development of the campus by allowing all teachers and staff to collocate within one building. The proposed built form is consistent with the bulk and scale of the buildings on the campus and within the visual catchment of the precinct.</p> <p>The works are considered as being compliant with the stated provision.</p>
<p><b>Principle 2 - Sustainable, efficient and durable</b></p> <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>	<p>The proposal has been designed to maximise energy and resource efficiency. The building is designed to promote the principles of passive solar design and natural ventilation through the provision of building form which maximises light penetration and natural ventilation.</p>
<p><b>Principle 3 - Accessible and inclusive</b></p> <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><i>Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours</i></p>	<p>Accessible paths of travel are provided from the site's boundaries to school facilities.</p> <p>The site incorporates appropriate wayfinding signage to assist visitors with identifying key buildings.</p> <p>The existing school is a social hub that contributes to the social wellbeing of the community. Existing buildings on the site are shared with the community to assist with this.</p>
<p><b>Principle 4 -health and safety</b></p>	

<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 regards 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> <p>The incorporation of clearly defined entrance provides a highlight design feature allowing ease of introduction to the entrance of the building as well.</p>
<p><b>Principle 5 - Amenity</b></p> <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 proposed development has been designed to maximize the amenity for the students within the scheme as well as protect and enhance the amenity of adjoining properties.</p> <p>The building has been located to minimise visual impact on surrounding buildings with the provision of adequate landscaping and appropriate setbacks.</p> <p>The new building provides a variety of internal and external learning places that are suitable for various educational opportunities for students.</p> <p>The proposed building adopts well designed spaces with comfortable room dimensions, with positive outlooks.</p>
<p><b>Principle 6 - whole of life, flexible and adaptive</b></p> <p>School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.</p>	<p>The design of the building considers the future needs of the school and the building has been designed to a variety of office and ancillary spaces to support the school and free up existing spaces within the school complex for small learning groups etc.</p>
<p><b>Principle 7 - Aesthetics</b></p> <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 positive impact on the quality and sense of identity of the neighbourhood.</p>	<p>The building incorporates a satisfactory level of finishes that appropriately takes design cues from the surrounding built form both within the school and surrounding land uses.</p> <p>The buildings encourage interaction with the site.</p>