

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSNH-59
DA Number	LDA2019/0436
LGA	City of Ryde
Proposed Development	Consent is sought for early works to ready the site for the construction of the Meadowbank Education and Employment Precinct Schools Project (MEEPPSP).
Street Address	2 Rhodes Street, Meadowbank
Applicant/Owner	New South Wales Department of Education
Date of DA lodgement	12 December 2019
Number of Submissions	Two
Recommendation	Approval
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	Crown development with a CIV over \$5 million. The development has a capital investment value of \$7,660,801.86
List of all relevant s4.15(1)(a) matters	• State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55); • State Environmental Planning Policy (Infrastructure) 2007; • State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017; • Draft State Environmental Planning Policy (Remediation of Land); • Ryde Local Environmental Plan 2014; and • Ryde Development Control Plan 2014.
List all documents submitted with this report for the Panel's consideration	Attachment 1: Conditions of consent
Clause 4.6 requests	N/A

Summary of key submissions	The primary issues raised include: • Increased traffic congestion; and • Lack of existing infrastructure. Note: the matters raised in this submission relate to the SSD application SSD18/9343. A second submission was received from Sydney Water. No issues were raised with the proposal.
Report prepared by	Alicia Hunter
Report date	April 2020

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? **Yes**

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **N/A**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)? **N/A**

Conditions

Have draft conditions been provided to the applicant for comment? **Yes**

Assessment Report and Recommendation

1. EXECUTIVE SUMMARY

The application proposes to undertake early works to ready the site for the construction of the Meadowbank Education and Employment Precinct Schools Project (MEEPSP) on the subject site.

Specifically, the applicant is seeking consent to undertake remediation of contaminated lands on the subject site to make it suitable for future development under a currently proposed State Significant Development (SSD) Application.

The SSD application, SSD18_9343, seeks consent for the construction of a multi-level, integrated school building comprising:

- A primary school wing;
- High school wing;
- Centralised Library;
- Laboratories and workshops;
- Learning hubs;
- Canteens;
- Indoor gymnasium;
- Multipurpose hall;
- Staff workspaces;
- Outdoor learning and play areas;
- Associated landscaping and public domain improvements;,,
- On-site car parking; and
- Ancillary infrastructure.

The subject application was lodged on behalf of the Crown (in this case, Department of Education) and has a Capital Investment Value of \$7,660,801.86, as such, the application is being referred to the Sydney North Planning Panel for determination.

The application was notified and advertised for a period of 14 days ending on 29 January 2020. During the notification period, one (1) submission was received and raised concern with increased traffic congestion upon construction and use of the proposed school and a lack of existing infrastructure required for such development.

The matters raised in this submission primarily relate to the construction and future use of the site concerning to the MEEPSP.

Clause 7 of SEPP 55 states that the consent authority must not consent to carrying out of any development unless it has considered if the land is contaminated and if so whether it is suitable or can be suitable (after remediation) for the proposed use.

Further, Clause 9 of SEPP 55 requires Category 1 Remediation Work as work requiring development consent to be undertaken. As the site is identified as being flood prone and containing a floodway (Category 1) it requires development consent and any remediation work must be undertaken in accordance with:

- The guidelines published under the Contaminated Land Management Act; and
- A Remedial Action Plan (RAP) prepared in accordance with the contaminated land planning guidelines and approved by the consent authority.

A number of contaminants have been identified on the subject site, namely, lead, benzo(a)pyrene and asbestos. Detailed documentation, including a Detailed Site Investigation, a Remedial Action Plan and a Site B Audit Statement submitted as part of this Development Application conclude that the site can be suitable (after remediation) for its future use.

After consideration of the development against section 4.15 of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions, the proposal is considered suitable for the site and is in the public interest. Assessment of the application against the relevant planning framework and consideration of various design matters by Council's technical departments has not identified any fundamental issues of concern.

Consequently this report concludes the proposal to undertake remediation of contaminated lands on the subject site will result in land which is suitable for its future use. This report recommends that consent be granted to this application in accordance with conditions provided in **Attachment 1**.

2. APPLICATION DETAILS

Applicant: New South Wales Department of Education

Owner: New South Wales Department of Education

Estimated value of works: \$7,660,801.86

Disclosures: No disclosures with respect to the Local Government and Planning Legislation Amendment (Political Donations) Act 2008 have been made by any persons.

3. SITE DESCRIPTION & CONTEXT

The subject site is located at 2 Rhodes Street, Meadowbank and legally described as Lot 10 DP 1232584. The site is an irregular shaped allotment, with a primary frontage to Rhodes Street and a total area of 3.3 hectares (ha) shown in the aerial image in Figure 1 below.

The site is bounded by Rhodes Street to the north-east, the Sydney Water site to the north, the TAFE NSW campus to the east and south, and the T1 Northern railway line to the west, shown in the aerial image in Figure 1 below.

The site is undulating in nature and is occupied by a number of significant trees. The site features a central depression at the centre with falls of approximately 14m to both the east and west.

The site is constrained by two (2) easements, a 2.44m and 5.49 wide drainage easement (covered in a concrete channel) and a Sydney Trains easement located along the northern boundary of the site.

The subject site was previously occupied by a number of buildings, car parking areas, sports courts and open spaces areas associated with the adjoining TAFE NSW campus. These buildings and associated structures have been demolished, as shown in Figures 2 and 3 below.

Surrounding development consists of industrial and low density residential development.



Figure 1: Site locality. Subject site outlined in Red. Surrounding properties highlighted in orange.



Figure 2: Looking north across the site



Figure 3: Photo taken standing in the middle of the site looking toward the north-eastern boundary



Figure 4: Photo taken standing in the south-west corner of the site

Figure 5 below indicates the locations the photos have been taken.



Figure 5: Site Plan indicating location images were taken

4. **PROPOSAL**

Consent is sought for early works to ready the site for the construction of the Meadowbank Education and Employment Precinct Schools Project (MEEPSP) on the subject site.

Specifically, the applicant is seeking consent to undertake remediation of contaminated lands on the subject site to make it suitable for future development under a currently proposed State Significant Development (SSD) Application. Those soils impacted by lead will be excavated and removed from the site. Soils impacted by lead in the northern corner of the site will be capped.

Soils impacted by benzo(a)pyrene will be excavated and removed from site, for offsite disposal, in accordance with the relevant waste classification.

Asbestos impacted soils will be excavated to a maximum depth of 1m below ground surface and removed from site, for offsite disposal. In nominated areas where native trees are located, the extent of excavation shall be reduced to

500mm below ground surface. Remaining asbestos impacted soils (toward the western edge of the site) will be capped.

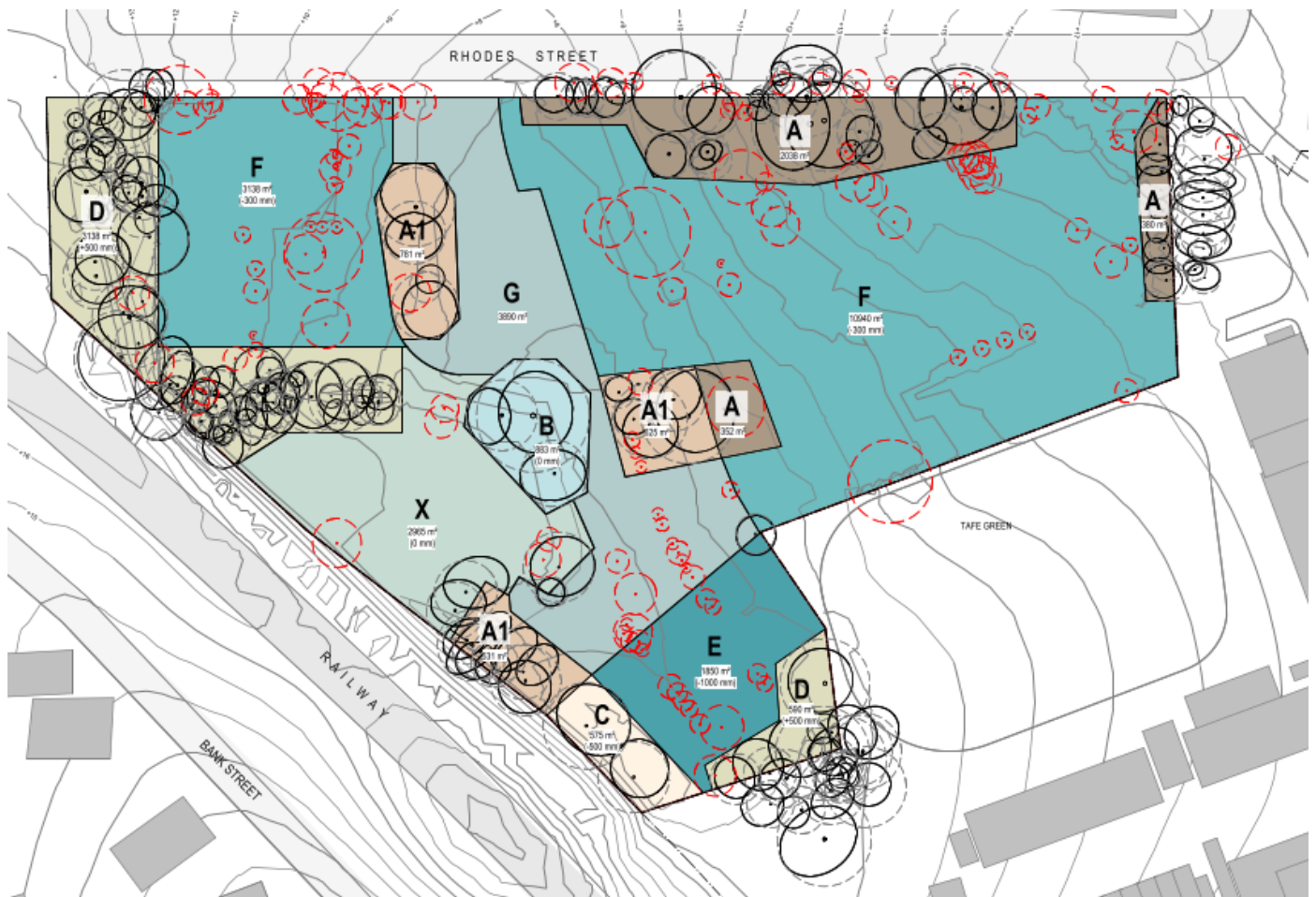


Figure 6: Extract from the Remediation Plan demonstrating the extent of works.

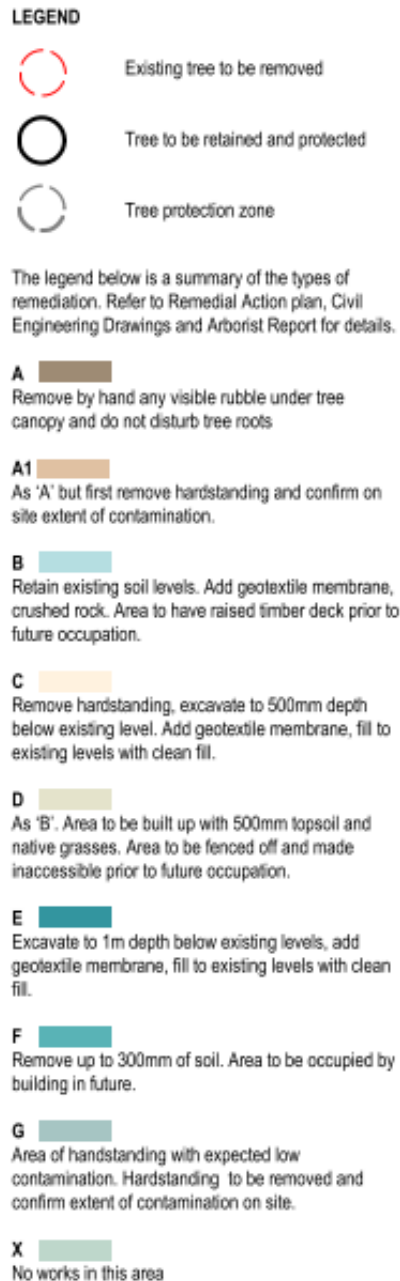


Figure 7: Key, to be read in conjunction with Figure 6.

Further detail regarding the remediation strategy is provided in table 1 shown below.

5. APPLICATION BACKGROUND

The subject development application was lodged on 12 December 2019.

The development application was advertised between 15 January 2020 and 29 January 2020. Two (2) submissions were received.

Following preliminary review of the application additional information was requested by Council on 2 March 2020.

The issues raised/information requested can be summarised as follows:

Landscape:

The applicant was requested to provide an Ecological Report assessing a number of significant trees located on the subject site.

The Applicant provided a response to Council on 16 March 2020 regarding the ecological matters raised.

Council's Landscape Architect has reviewed the additional information provided and is satisfied that the response provided adequately addresses Council's concerns.

Contaminated Land:

Concern was raised by Council's Environmental Health Officer regarding site contamination and as a result requested a peer review of the application by a suitability qualified and accredited person.

However, the applicant advised that an EPA accredited Site Auditor had been engaged to undertake a peer review of all site contamination documentation and prepare a Section B Site Audit Statement to confirm the appropriateness of the Remedial Action Plan and confirm if the land can be made suitable for the proposed development under the SSD Application before any remediation takes place.

Council considered this satisfactory and advised the applicant that upon submission of the Section B Site Audit Statement, Council's Environmental Health Officer will undertake a review, and will consult with the EPA to determine the appropriateness of the documentation provided.

The applicant submitted a Section B Site Audit Statement prepared by Ms Rebeka Hall of Zoic Environmental Pty Ltd to Council on 20 March 2020 detailing that the proposed remediation strategy outlined in the Remedial Action Plan is appropriate.

Council undertook consultation with the EPA on 26 March 2020 to request advice on the appropriateness of the remediation methods chosen by the applicant. The EPA was satisfied that the Site Audit Statement was valid and had no objection to the proposed remediation strategy. The EPA recommended a letter from the Site Auditor be submitted to Council confirming that the most appropriate remediation options had been considered.

Council subsequently wrote to the applicant to further confirm that the most appropriate remediation options had been considered. Council requested that the applicant provide a letter from the Site Auditor providing further clarification of the recommendations and conditions provided in the Site Audit Statement.

Council received a response letter on 2 April 2020. It confirmed that the remediation options provided are the most appropriate way to ensure the site is fit for future use as a school, considering all available remediation options.

Council's Team Leader Environmental Health reviewed this letter and is satisfied that the response provided adequately addresses Council's concerns about the most appropriate remediation options being considered.

Crown Development

As the development is a Crown development, the applicant has agreed to the attached conditions of consent.

6. APPLICABLE PLANNING CONTROLS

The following planning policies and controls are of relevance to the development:

- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy (Infrastructure) 2007;
- Draft State Environmental Planning Policy (Remediation of Land);
- Ryde LEP 2014; and
- Ryde DCP 2014.

7. PLANNING ASSESSMENT

7.1 State Environmental Planning Policy No. 55 – Remediation of Land

The requirements of State Planning Policy No. 55 – Remediation of Land apply to the subject site. In accordance with Clause 7 of SEPP 55, the consent authority must consider if the land is contaminated, is it suitable for the proposed use, and if it is not suitable, can it be remediated to a standard such that it will be made suitable for the proposed use.

Historically, the site formed part of the TAFE NSW Meadowbank Campus, prior to that, Council records indicate the site was used for industrial purposes.

The application was accompanied by a Detailed Site Investigation (DSI), a Remedial Action Plan (RAP) and a Supplementary Contamination Assessment prepared by Alliance Geotechnical.

The DSI indicated that a number of contaminants were identified on site, being lead and benzo(a)pyrene. The DSI concluded that the soils tested were considered unlikely to present a risk to human health, with the exception of the identified concentrations of lead and benzo(a)pyrene. The DSI included a recommendation that a Supplementary Contamination Assessment be undertaken.

As recommended, the applicant undertook a Supplementary Contamination Assessment which concluded:

- The identified contaminants of potential concern in the soils are considered unlikely to cause an unacceptable health risk;
- Fibrous asbestos and asbestos fines, discovered in the soil may present an unacceptable human health exposure risk;
- The extent of the identified lead contamination and benzo(a)pyrene contamination was clearly defined; and
- The extent to the identified asbestos contamination was not adequately defined.

As a result of the discovery of fibrous asbestos, a further Supplementary Asbestos Assessment was undertaken to better understand and determine the actual extent and nature of the asbestos contamination on site. A Supplementary Asbestos Assessment was undertaken and concluded that a final site RAP be updated to include the overall identified contamination risks onsite and outline the appropriate remedial measures to adequately remove the contamination pathway and associated human health exposure risks.

A Remediation Action Plan has been prepared by Alliance Geotechnical which addressed the above issues identified in the DSI, Supplementary Contamination Assessment and the Supplementary Asbestos Assessment. This report has concluded that the site can be rendered suitable for the proposed development subject to the implementation of remediation and validation works in accordance with the Remediation Action Plan. The remediation strategy is detailed in Table 1:

Table 1: Remediation Strategy Proposed

Contaminant	Strategy
Lead Impacted Soils	• Impacted soils (AE01 and AE02) will be excavated and removed from site, for offsite disposal, in accordance with the relevant waste classification; and • Impacted soils (AE03) identified will be capped with 500mm of clean fill (ENM or VENM) and planted with native grasses.
Benzo(a)pyrene Impacted Soils	• Impacted soils (AE04 and AE06) will be excavated and removed from site, for offsite disposal, in accordance with the relevant waste classification; and • It is noted that impacted soils identified within AEC05 will be contained onsite by geotextile membrane with an elevated sealed decking structure over the identified area. This area will be noted on the long-term Environmental Management Plan (EMP).
Asbestos Impacted Soils	• Impacted soils within AEC07 and AEC08 will be excavated to a maximum depth of 0.3m below ground surface and removed from site, for offsite disposal, in accordance with the relevant waste classification and SafeWork Codes of Practice. The remediation contractor will retain transport and disposal records for all wastes removed off site. • Impacted soils within AEC09 will be excavated to a maximum depth of 1m below ground surface and removed from site, for offsite disposal, in accordance with the relevant waste classification and SafeWork Codes of Practice. In nominated areas where native trees are located, the extent of excavation shall be reduced to 500mm below ground surface. The remediation contractor will retain transport and disposal records for all wastes removed off site. The capping strategy within AEC09 of remaining soil material has been prepared in accordance with relevant sections of WA DOH (2009).

Figure 8 demonstrates the areas impacted by lead and benzo(a)pyrene.

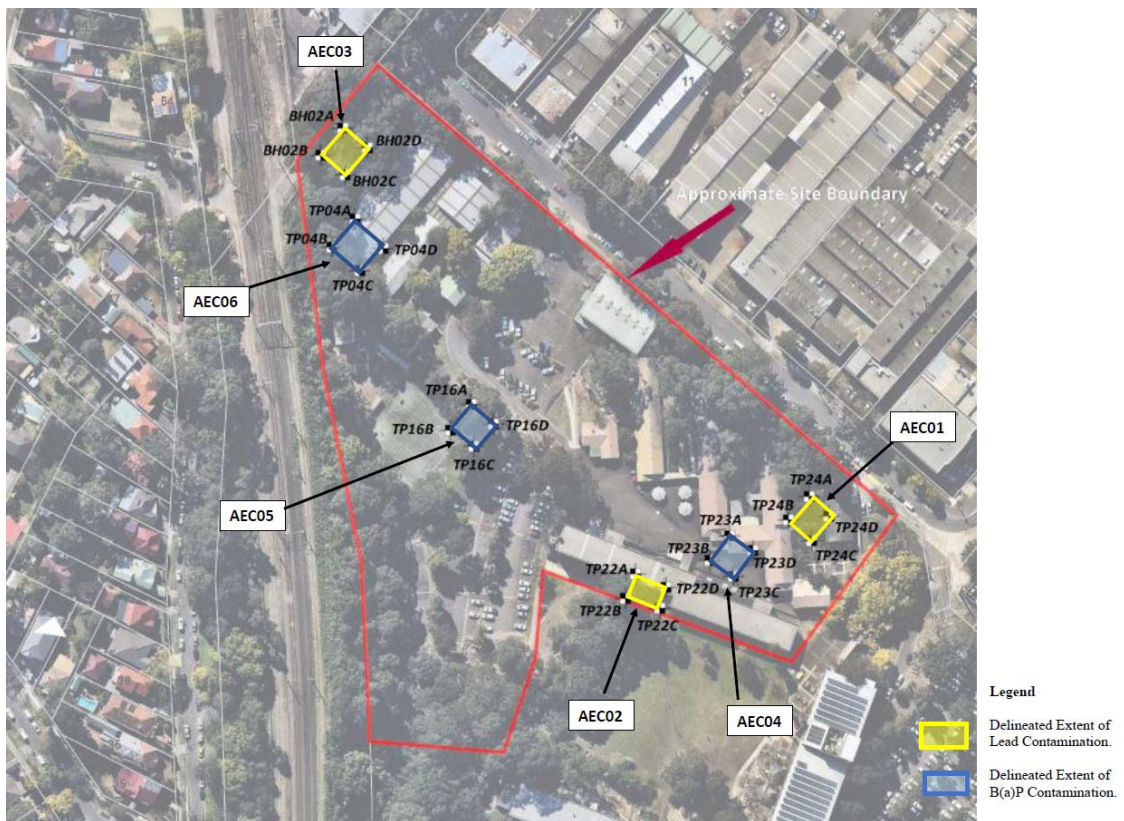


Figure 8: Areas impacted by lead and benzo(a)pyrene.

Figure 9 demonstrates the areas impacted by asbestos contaminants.



Figure 9: Areas impacted by asbestos contaminants.

Since lodgement of the application an amendment to the RAP was provided, as well as a Section B Site Audit Statement and accompanying letter prepared by Rebeka Hall of Zoic Environmental Pty Ltd.

Ms Hall, an EPA accredited Site Auditor was engaged to undertake a peer review of all site contamination documentation and prepare Section B Site Audit Statement to confirm the appropriateness of the Remedial Action Plan and confirm if the land can be made suitable for the proposed development under the SSD Application before any remediation takes place. Further documentation was provided by Ms Hall confirming that the remediation options provided are the most appropriate way to ensure the site is fit for future use as a school, considering all available remediation options.

As noted above, Council undertook consultation with the EPA on 26 March 2020 to request advice on the appropriateness of the remediation methods chosen by the applicant. The EPA was satisfied that the Site Audit Statement was valid and had no objection to the proposed remediation strategy.

Council's Team Leader Environmental Health reviewed this letter and is satisfied that the response provided adequately addresses Council's concerns about the most appropriate remediation options being considered

Appropriate conditions of consent have been recommended. **See Conditions 3 to 5 and 38 to 45.**

The site is considered to be suitable for its future use. Proposed remediation works will ensure the remediation of contaminated land for the purpose of reducing risk to human health or any other aspect of the environment.

7.2 State Environmental Planning Policy (Infrastructure) 2007:

In accordance with Clause 85 of SEPP (Infrastructure) 2007 the application was formally referred to Sydney Trains as the site is adjacent to a rail corridor.

Sydney Trains has reviewed the proposal and has raised no objections subject to appropriate conditions of consent. **See Conditions 22 to 32, 50 to 59 and 65.**

7.2 Draft State Environmental Planning Policy (Remediation of Land)

The Draft State Environmental Planning Policy (Remediation of Land) is proposed to replace SEPP 55. The Draft SEPP is proposed to provide a state-wide planning framework for the remediation of land. The Draft SEPP will maintain the objectives of SEPP 55 and reinforce the requirements of the existing framework.

The site is considered to be suitable for its future use. Proposed remediation works will ensure the remediation of contaminated land for the purpose of reducing risk to human health or any other aspect of the environment.

The proposal is considered to be consistent objectives of Draft State Environmental Planning Policy (Remediation of Land).

7.4 Ryde Local Environmental Plan 2014

The following is an assessment of the proposed development against the applicable provisions from the Ryde Local Environmental Plan 2014.

Clause 2.3 Zone Objectives and Land Use Table

The land is zoned SP2 Infrastructure under Ryde LEP 2014.

The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The objectives for the SP2 Infrastructure are as follows:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To ensure the orderly development of land so as to minimise any adverse effect of development on other land uses.

The proposal complies with the above objectives. It will enable early works to ready the site for the construction of the Meadowbank Education and Employment Precinct Schools Project (MEEPSP).

Clause 5.10 Heritage Conservation

Council records indicate that the site is within the vicinity of the following items of heritage significance listed under Schedule 5 of Ryde LEP 2014:

- i) 'Group of houses' 61-77 Forsyth Street, West Ryde (Item No.151)
- ii) 'House' 24 Maxim Street, West Ryde (Item No.171)
- iii) 'House' 22 Maxim Street, West Ryde (Item No.170)
- iv) 'Maxim Street Heritage Conservation Area' Maxim Street, West Ryde (HCA No.C2)
- v) 'House (Former engineer's residence)' 948 Victoria Road, West Ryde (Item No.1155)

As such, the application was referred to Council's Heritage Advisor who noted the following:

This DA involves the remediation of the contaminated lands on the subject site, which will include removal of contaminated soil and detritus, and remediation of soil. There are no building works proposed and existing trees will be retained.

While the subject site is within the vicinity of a number of items of heritage significance, including the Maxim Street HCA, the proposed remediation works will not result in any physical impacts on the heritage items or HCA and will have a negligible visual impact on the setting and backdrop to those items and areas.

Council's Heritage Advisor concluded that, the proposed remediation works are considered to have a low heritage impact and accordingly it is considered the proposal complies with the objectives of Clause 5.10. An appropriate condition has been recommended regarding the finding of any archaeological material.

See Condition 2.

Clause 6.1 Acid Sulfate Soils

The site is identified as containing Class 5 Acid Sulfate Soils, as such consideration is directed to whether the development will disturb, expose or drain acid sulfate soils and cause environmental damage.

Excavation works relating to the proposal are considered to be minor in nature and are unlikely to result in any disturbance or environmental damage to the watertable on the subject site or the surrounding area.

Clause 6.2 Earthworks

As a result of the removal of contaminated lands on the subject site, a total volume of 5.8m³ of earthworks over an area of 3.3ha is proposed to be undertaken.

The scale and location of the proposed earthworks will not adversely affect the visual quality and amenity values of adjoining properties as the earthworks are localised to the vicinity of the site and are largely required to remove contaminated soils. The proposed earthworks will not change the line of the landscape or affect any existing structures or water bodies.

The minor earthworks are proposed to be undertaken in a way that avoids, remedies or mitigates adverse effects on the environment.

Further, adequate sediment and erosion control measures are proposed as part of this development as are supporting conditions. **See Condition 12.**

Clause 6.3 Flood planning

As identified in the River Catchment flood study approximately 40% of the development site is affected by the 1 in 100 year ARI overland flow path.

Council's Stormwater Engineer has reviewed the proposal and has raised no objections subject to appropriate conditions of consent requiring the submission of a Flood Emergency Evacuation Plan. **See Condition 16.**

Overall, it is considered that the proposal has been designed to minimise the flood risk to life and property associated with the end.

7.5 Any proposed instrument (Draft LEP, Planning Proposal).

None applicable.

7.6 City of Ryde Development Control Plan 2014

The development is subject to the provisions of the Ryde Development Control Plan 2014 (RDCP 2014). The relevant sections of the RDCP 2014 are assessed below:

Part 7.2 – Waste Minimisation and Management

A concept Waste Management Plan has been submitted with the development application. The information satisfies the requirements of this part of the DCP.

Part 8.1 – Construction Activities

The main construction issues relevant to this proposal will be managing water quality by preventing soil erosion, construction noise, dust and the like.

These matters have been reviewed by Council's Senior Development Engineer and have been addressed by way of appropriate conditions of consent. **See Condition 12.**

Part 9.5 Tree Preservation

The proposal is for the remediation of contaminated land on the subject site. No tree removal is proposed.

An Arboricultural Impact Assessment was submitted as part of the application. The assessment included a tree protection plan which recommended measures to ensure the protection of trees on site. Council's Landscape Architect has reviewed this assessment and proposed protection measures has raised no objections subject to appropriate conditions of consent relating to tree protection and retention. **See Conditions 17 to 19 and 46 to 49.**

It is noted that the subject site contains two (2) Critically Endangered Ecological Communities on site, Bluegum High Forest (BGHF) and Sydney Turpentine Ironbark Forest (STIF). A Bio-Diversity Assessment Report prepared by Ecological Australia was submitted as part of the application regarding these communities. Figure 10 demonstrates these species in relation to the site.



Figure 10: Areas shown in yellow indicate species of BGHF, and areas shown in yellow indicate species of STIF.

The Bio-Diversity Assessment Report (BDAR) outlines the measures taken to avoid, minimise and mitigate impacts to the vegetation and species habitat located on the subject site. The BDAR notes that a small amount of vegetation within the site will be directly impacted, being of 0.56 ha of Sydney Blue Gum Forest 0.03 ha of Sydney Turpentine Ironbark Forest (STIF). The report concluded that 9 ecosystem credits are required to offset the 0.59 Ha to be cleared. Council's Landscape Architect reviewed this report and raised no objections subject to appropriate conditions of consent. **See Condition 19.**

Overall, it is considered that the removal of the contaminated soil will not have an adverse impact of the ecological, heritage, aesthetic and cultural significance of the area.

8 **LIKELY IMPACTS OF THE DEVELOPMENT**

Many of the issues associated with the development application have already been addressed in the report and the proposal is considered satisfactory. Conditions are recommended on the draft consent to ensure there are no environmental impacts on both the natural and built environments both on the site and locality. It is considered there will be no social or economic impacts environmental impacts as a result of the proposed development.

9 **REFERRALS**

Sydney Trains: 22 April 2020

Sydney Trains has reviewed the proposal and has raised no objections subject to appropriate conditions of consent. **See Conditions 22 to 32, 50 to 59 and 65.**

Environmental Health Officer: 7 April 2020

Council's Environmental Health Officer has reviewed the proposal and has raised no objections subject to appropriate conditions of consent. **See Conditions 3 to 5 and 38 to 45.** See full discussion under Section 7.1 of this report.

Landscape Architect: 2 April 2020.

Council's Landscape Architect has reviewed the proposal and has raised no objections subject to appropriate conditions of consent relating to tree protection and retention. **See Conditions 17 to 19 and 46 to 49.** See full discussion under Section 7.6 of this report.

Heritage Officer: 26 February 2020

Council's Heritage Advisor has reviewed the proposal and has advised that the proposed remediation works are considered to have a low heritage impact. An appropriate condition has been recommended regarding the finding of any archaeological material. **See Condition 2.** See full discussion under Section 7.4 of the report.

Development Engineer: 12 February 2020

Council's Development Engineer has reviewed the proposal and has raised no objections subject to appropriate conditions of consent. **See Conditions 6 to 9, 12, 36 and 62.**

Stormwater Engineer: 3 February 2020

Council's Stormwater Engineer has reviewed the proposal and has raised no objections subject to appropriate conditions of consent requiring the submission of a Flood Emergency Evacuation Plan. **See Conditions 6 to 8, 14 to 16, 21 and 63 and 64.**

Traffic Engineer: 3 February 2020

Council's Traffic Engineer has reviewed the proposal and has raised no objections subject to appropriate conditions of consent relating to traffic management procedures being implemented. **See Conditions 10 and 11 and 35.**

Civil Investigation Engineer: 3 February 2020

Council's Civil Investigation Engineer has reviewed the proposal and has raised no objections subject to appropriate conditions of consent relating to the protection of existing Council infrastructure. **See Conditions 6 to 9, 20 and 61 and 62.**

Structural Engineer: 20 February 2020

Council's Consultant Structural Engineer has reviewed the proposal and has raised no objections.

10 PUBLIC NOTIFICATION AND SUBMISSIONS

The proposed development was notified and advertised in accordance with Development Control Plan 2014 – Part 2.1, Notification of Development Applications. The period of exhibition extended from 15 January 2020 to 29 January 2020. During this time, two (2) submissions were received.

Submission One (1)

Concern was raised with a lack of infrastructure with regard to the proposed future use of the site as well as the understanding of traffic movements associated with the proposed future use. The submitter also noted that the traffic modelling (undertaken as part of the SSD proposal) were undertaken in a TAFE holiday period, and will not provide an accurate account of movements associated with the site.

The submitter has requested that no further action be taken on the project until these matters have been resolved.

The submitter advised these matters were raised formally as part of the SSD application process.

As this application is for remediation works on the subject site, the abovementioned concerns are not considered to be directly related, and are outside the scope of this assessment.

It is anticipated that as these matters were raised through the formal submission process with the SSD application, they will be adequately addressed in due course.

In addition, the submitter raised concern that the notification period was held over a holiday period. The application was lodged to Council on 12 December 2019. As stated above, the application was notified in accordance with Council policy 15 January 2020 to 29 January 2020. No further comment is considered necessary regarding this matter.

Submission Two (2)

A submission from Sydney Water was received on Wednesday 15 April 2020. Sydney Water raised no objections to the proposal subject to a recommend condition of consent relating to Sydney Water infrastructure. **See Condition 33.**

11 SUITABILITY OF THE SITE FOR THE DEVELOPMENT

As discussed earlier in the report, a number of soil contaminants were found on site. Detailed documentation, including a Detailed Site Investigation, a Remedial Action Plan and a Site B Audit Statement submitted as part of this Development Application conclude that the site can be suitable (after remediation) for its future use.

The proposal is considered to be suitable for the subject site for the reasons contained within the report.

12 THE PUBLIC INTEREST

The various controls contained within RLEP 2014 provide the community with a level of certainty as to the scale and intensity of future development and the form and character of development that is in keeping with the future character envisaged for the zone.

This assessment has found the proposal to be consistent with the scale and intensity of development that the community can reasonably expect to be provided on this site and within the respective zone and is therefore considered, in its current form, to be in the public interest.

13 CONCLUSION

After the consideration of the development against section 4.15 of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions, the proposal is suitable for the site and is in the public interest. Therefore, it is recommended that the application be approved for the following reasons:

1. The proposal is consistent with the objectives of the SP2 Infrastructure under RLEP 2014. The development is also consistent with the development standards in RLEP 2014.
2. The proposal will provide for infrastructure for related uses.
3. The proposal will ensure the orderly development of the land.

As the development is a Crown development, the applicant has agreed to the attached conditions of consent.

14 RECOMMENDATION

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979 the following is recommended:

- A. That the Sydney North Planning Panel grant consent to development application LDA2019/436 to undertake early works to ready the site for the construction of the Meadowbank Education and Employment Precinct Schools Project (MEEPSP) at 2 Rhodes Avenue, Meadowbank subject to the Conditions of Consent in Attachment 1 of this report.

Report prepared by:

Alicia Hunter
Senior Town Planner

Report approved by:

Rebecca Lockart
Senior Co-ordinator - Major Development

Sandra Bailey
Manager Development Assessment