

# SYDNEY WESTERN CITY PLANNING PANEL

## 2 December 2022

<b>SWCPP No.</b>	PPSSWC - 252
<b>DA Number</b>	DA0190/22
<b>Local Government Area</b>	Hawkesbury City Council
<b>Proposed Development</b>	Educational Establishment - Demolition of Existing Carpark & Structures, Proposed Staged Development, Construction of Two Enquiry Hubs, Multi-Purpose Courts and Covered Learning Area (COLA), Internal Refurbishment, Relocation and Addition of Demountable Buildings and an Increase of Student Numbers from 1240 to 1360
<b>Street Address</b>	22 Rifle Range Road SOUTH WINDSOR NSW 2756 (Lot 1 DP 811652)
<b>Applicant</b>	The Planning Hub
<b>Owner</b>	The Trustees of the Roman Catholic Church for the Diocese of Parramatta
<b>Number of Submissions</b>	Three
<b>Regionally Significant Development Criteria (Schedule 6 of SEPP [Planning Systems] 2021)</b>	Capital Investment Value (CIV) in excess of \$30 million.
<b>Cost of Works</b>	Capital Investment Value of \$35,222,000.00
<b>List of All Relevant s4.15(1) Matters</b>	<p><b>Relevant Environmental Planning Instruments: s4.15(1)(a)(i)</b></p> <ul style="list-style-type: none"> <li>- Biodiversity Conservation Act 2016;</li> <li>- State Environmental Planning Policy (Planning Systems) 2021;</li> <li>- State Environmental Planning Policy (Biodiversity and Conservation) 2021;</li> <li>- State Environmental Planning Policy (Resilience and Hazards) 2021;</li> <li>- State Environmental Planning Policy (Transport and Infrastructure) 2021 and</li> <li>- Hawkesbury Local Environmental Plan 2012.</li> </ul> <p><b>Proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s4.15(1)(a)(ii)</b></p> <p>Not applicable.</p> <p><b>Relevant Development Control Plan: s4.15(1)(a)(iii)</b></p> <p>Hawkesbury Development Control Plan (HDCP) 2002 Flood Policy 2020</p>

	<p><b>Relevant 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: s4.15(1)(a)(iia)</b></p> <p>Not applicable.</p> <p><b>Relevant regulations: s4.15(1)(a)(iv)</b></p> <p>Environmental Planning and Assessment (EP&amp;A) Regulation 2021.</p>
<b>Does the DA require Special Infrastructure Contributions conditions (s7.24)?</b>	<b>No. The subject land is not located within the Western Sydney Growth Areas – Special Contributions Area Map and the development is not subject to a Special Infrastructure Contribution.</b>
<b>List all documents submitted with this report for the panel's consideration</b>	<p><b>Attachment 1 – Plans of the Proposal</b></p> <p><b>Attachment 2 – Flood Assessment Report</b></p> <p><b>Attachment 3 – Recommended Conditions of Consent</b></p>
<b>Recommendation</b>	<b>Conditional Approval</b>
<b>Report By</b>	<b>Sanzida Alam – Town Planner</b>
<b>Report Date</b>	<b>2 December 2022</b>

#### **Summary of Section 4.15(1) matters**

Have all recommendations in relation to relevant Section 4.15 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? **Not Applicable**

#### **Conditions**

Have draft conditions been provided to the applicant for comment? **Yes. The applicant confirmed that the conditions are acceptable.**

*Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report*

### **Overview of Report**

#### **1.0 Executive Summary**

The application before the Sydney Western City Planning Panel seeks approval for a staged development to an existing educational establishment known as Bede Polding College. The proposal involves the demolition of an existing carpark and buildings, construction of two inquiry hubs, multi-purpose courts and covered learning area (COLA), internal refurbishment, relocation and additional demountable classroom buildings, and an increase of student numbers to 1360 and associated works at 22 Rifle Range Road, South Windsor.

The subject site is owned by The Trustees of the Roman Catholic Church for the Diocese of Parramatta. The site contains an existing educational establishment being Bede Polding College, a Catholic High School providing

education to children in Years 7 to 12. The school is co-educational and currently has a student population of approximately 1240.

The application is referred to the Sydney Western City Planning Panel for determination as the proposal has a Capital Investment Value (CIV) in excess of \$30 million.

The proposed development is suitably defined as an educational establishment, which is a permissible form of development within the SP2 Infrastructure zone under the Hawkesbury Local Environmental Plan 2012.

The subject site is affected by 1 in 100 year flood level of 17.3m AHD. The proposed alterations and additions to the existing educational establishment have been designed with predicted flood behaviour in mind and seek to minimise risk to occupants through the provision of minimum floor heights and emergency response procedures, minimise impact on flood storage through the siting of buildings, achieving a cut/fill balance and ensuring sub-floor areas are not enclosed with a solid material to allow permeability of flood water. The application is supported by a detailed Flood Assessment Report including an Evacuation Capability Assessment and Flood Emergency Response Plan. Council's Development Engineer has reviewed the supplied report and is supportive of its conclusions.

The Hawkesbury Development Control Plan (DCP) 2002 provides specific numerical parking controls for educational establishments. The supplied Traffic Impact Assessment Report proposes a total of 170 car parking spaces with a shortfall of eight (8) car spaces. The report indicates that the onsite parking is adequate for the day-to-day operations of the facility and the minimal increase of traffic generation will not have any adverse impact of the street network in the immediate locality. Council's Development Engineer has reviewed the supplied report and is supportive of its conclusions.

The proposal is acceptable and is therefore recommended for conditional approval.

#### 1.1 Key Issues

- Flooding
- Traffic and Parking

### **Development Description**

#### 2.0 Description of Proposal

Pursuant to Section 4.12(1) of the Environmental Planning and Assessment (EP&A) Act 1979 (as amended) the application seeks approval for a staged development to an existing educational establishment known as at Bede Polding College, involving the demolition of an existing carpark and buildings, construction of two inquiry hubs, multi-purpose courts and covered learning area (COLA), internal refurbishment, relocation and additional of demountable classroom buildings, and an increase of student numbers to 1360 and associated works at 22 Rifle Range Road, South Windsor.

The two inquiry hubs will be constructed as follows:

- The construction of two new two-storey buildings with provisions of covered links to form part of new year 11 to 12 inquiry hub.
- The construction of three two-storey buildings with provisions of a learning street and covered links to form part of new year 7 to 10 inquiry hub.

The application proposes staged development as below:

##### *Stage 1A*

- Relocation and addition of demountable classroom buildings;
- Demolition of existing carparking spaces and associated covered link;
- Installation of Class A Hoarding to ground floor veranda and the provision of temporary emergency & artificial lighting; and
- Provision of a builder's compound.

#### *Stage 1B*

- Construction of two new two-storey buildings to form part of the new year 11 to 12 inquiry hub, covered links and car park;
- First floor internal refurbishment of an existing building;
- Complete landscaping, civil and external works to immediate periphery of building; and
- Removal of builder's compound, ensuring the completion of carpark and external works prior to handover.

#### *Stage 2A*

- Demolition of existing carpark;
- Demolition of existing building including Block G and E, and the partial demolition of Block F;
- Internal refurbishment of existing building and construction of associated awning;
- Provision of an additional demountable classroom buildings and a temporary Canteen within the Sports Field; and
- Provision of a Builders compound to the northeast boundary

#### *Stage 2B*

- Construction of a three two-storey classroom buildings with provisions of learning street and covered link to form part of the new year 7 to 10 Inquiry Hub;
- The removal of the demountable classroom buildings and temporary canteen after the granting of an occupation certificate for new buildings to allow for construction of new multi purpose courts, change rooms & COLA;
- Complete landscaping, civil and external works to immediate periphery of building; and
- Removal of builder's compound, ensuring the completion of carpark and external works prior to handover.

#### *Stage 2C*

- Provision of a new multi-purpose courts, and
- Completion of all associated external works to site, including the making good of sporting fields following the removal of demountable classroom buildings.

#### *Stage 3A*

- Construction of a new COLA adjoining the proposed multi-purpose courts; and
- Complete landscaping, civil and external works to immediate periphery of building as indicated.

#### *Stage 3B*

- Construction of new change rooms adjoining proposed multi-purpose courts; and
- Complete landscaping, civil and external works to immediate periphery of building as indicated.
- Increase of student numbers from 1240 students to 1360 students.

#### *Associated Works*

- Tree Removal
- Provision of Landscaping.

The applicant has outlined that Stages 1 and 2, each will take approximately six to 12 months construction time with a combined maximum expected duration of 24 months or two years. The final stage 3 will take another six to 12 months to be completed.

Vehicular access is currently provided at seven locations via a number of separate driveways, including one on Mileham Street, one on Tasman Place, two on Colith Avenue and three from Rifle Range Road. The proposed development does not propose to alter the existing access arrangements. No alterations are proposed to existing pedestrian access arrangements provided for Rifle Range Road and Tasman Place.

The submitted Traffic Impact Assessment Report states that the existing number of students is 1240 including 110 Year 12 students and the existing number of full-time staff is 101.

The proposed development will increase the student enrolment capacity to 1360 and full-time staff to 104. This will increase the overall student number by 120 and the full-time staff number by four. A total of 170 car parking spaces will be provided on site.

The submitted Operational Plan indicates that the school facility will operate between 6:00am and 6:00pm, Mondays to Fridays.

Plans of the proposal are included as **Attachment 1**.

The application is referred to the Sydney Western City Planning Panel for determination as the proposal has a Capital Investment Value (CIV) in excess of \$30 million.

The Sydney Western City Planning Panel's reference number for the application is PPSSWC-252, whilst Council's reference number is DA0190/22.

The application was accompanied with the following documents:

- Statement of Environmental Effects, prepared by The Planning Hub dated 31 May 2022,
- Bede Polding Catholic College Flood Assessment, prepared by Water Modelling Solutions dated 14 November 2022,
- Traffic Impact Assessment, prepared by The Transport Planning Partnership dated 25 November 2022,
- Geotechnical Site Investigation, prepared by Crozier Geotechnical Consultants dated 8 November 2021,
- Flora & Fauna Impact Assessment, prepared by SIA Ecological & Environmental Planning Pty Ltd dated 25 January 2022,
- Arboricultural Impact Assessment Report, prepared by Urban Arbor dated 26 May 2022,
- Bushfire Assessment Report, prepared by Building Code & Bushfire Hazard Solutions Pty Limited dated 26 May 2022,
- Acoustic Report, prepared by PKA Acoustic Consulting dated 26 May 2022,
- BCA Capability Statement, prepared by Design Confidence dated 27 May 2022,
- National Construction Code (NCC) 2019 Volume One Amendment 1 Section J Part J1 statement of Compliance, prepared by JHA dated 27 May 2022,
- SEPP (Educational Establishments and Child Care Facilities) 2017: Design quality principles statement, prepared by DTA Architects dated 26 May 2022,
- Access Review Report, prepared by Morris Goding Access Consulting dated 25 May 2022,
- Structural Engineering Design Certificate, prepared by Birzulis Associates Pty Ltd dated 22 November 2021,
- Waste Management Plan dated 7 June 2022,
- Emergency Management Plan prepared by Bede Polding College dated May 2021.

### **Summary Recommendation**

The submitted Flood Assessment Report and bulk earthworks staging plan indicate that there is no adverse impact on the flood storage capacity and flood flow behaviour due to the proposed alterations and additions to the existing school. The submitted Evacuation Capability Assessment and Flood Emergency Response Plan have identified adequate management measures in the event of flood.

The proposed upgrading of the school will result in more resilient buildings and improve the current risk to life through a range of design and emergency planning measures. Council's Development Engineer has reviewed the submitted reports and considered them as satisfactory. The proposal is satisfactory on parking and traffic grounds.

The proposal is acceptable and is recommended for conditional approval.

### **Background**

#### **3.0 Site Description and History**

##### **3.1 Site Description**



Figure 1 – Aerial Photograph of the subject site

The subject site is legally known as Lot 1 DP 811652. Located on the north eastern side of Rifle Range Road the site has five street frontages. The site also adjoins the north western side of Collith Avenue, south eastern side of Mileham Street and south western side of both Tasman Place and Flaschi Place in South Windsor. The property has an area of approximately 5.993Ha.

Vehicular access to the school is provided from Rifle Range Road to the south west, Collith Avenue to the south east, and Tasman Place to the north east. In addition, pedestrian access is off Rifle Range Road and Tasman Place.

The surrounding area includes a mix of land uses primarily consisting of low density residential development, social infrastructure, public and private recreational land uses and rural residential development. The site is located approximately 450m north east of Windsor Leagues Club, 550m south east of Chisholm Catholic School, 650m south east of Collith Avenue Before & After School Care, 1.8km north west of Windsor Park Public School and 2.8km north of Windsor Downs Nature Reserve.

### 3.2 Development History

The following applications have been approved for the subject site:

Application No.	Development Description	Approval Date
D0163/92	Stage 6 Development of Bede Polding School	11/09/1992
D0188/93	Primary school (Temporary) Bede Polding School	2/11/1993
D0067/95	Construction storage room and addition to canteen	11/06/1995
B0911/92	Addition Proposed Stage 6 Building	26/10/1992
B1404/93	Portable Demountable Classrooms	13/12/1993
B0437/95	School storage & extension to canteen	29/06/1995
B0009/96	Satellite dish	19/01/1996
B1548/97	Demountable Classroom	15/01/1998
M0462/01	Shed for storage and animal shelter	29/05/2001
M0535/01	Additions to existing school	29/08/2001
M1025/01	Shade structure	17/10/2001
M0798/98	Additional Carparking	27/01/1999
M0831/98	Relocate a demountable class building	27/01/1999
M0367/99	Extension to existing building	10/04/1999
MA1261/01	Relocation of transportable buildings	28/03/2002
DA0273/02	Relocation of transportable buildings	28/06/2002
DA0296/02	Additions and alterations to the administration building	28/06/2002
DA1003/02	Relocation of transportable buildings	3/03/2003
DA0675/03	Relocation of eleven demountable class rooms	30/09/2003
DA0706/03	School yard awning	24/07/2003

DA0661/04	6.5 metre high silo	20/08/2004
M0535/01A	Delete condition 31 of Development consent MA535/01	3/02/2005
DA0268/05	Additions to existing school	28/04/2005
DA0290/07	Shade cover	27/06/2007
DA0826/10	Educational establishment – alterations and additions	1/04/2011
DA0826/10A	Section 96 Modification to Development Consent No. 0826/10 - Amendment to conditions regarding issue of occupation certificate	9/08/2012
DA0032/22	Signage	12/04/2022

### 3.3 Briefing Report and Site Inspection

A Briefing Report on the subject application was submitted to the Sydney Western City Planning Panel on 15 August 2022. The key issues raised in the briefing report included:

- the clarification of the timeframe involved in each stage of the development,
- the clarification of the impact of flooding on the staged development in particular to the relocation of demountable classrooms at the sports field, which has lower land levels, until the new buildings are completed,
- the requirement of a detailed Flood Emergency Evacuation Plan,
- the requirement of detailed bulk earthworks plans to ensure the amount of flood storage is not impacted,
- the requirement of address the stormwater quality,
- the clarification of the car parking demand for the existing and proposed development.

The panel advised that the application be referred to the State Emergency Service (SES) for their review and comments. A site inspection was recommended to be organised.

A site inspection was undertaken by the Panel members, Council Officers and the applicant on 31 October 2022. The Panel members inspected the site in relation to the proposed new buildings and temporary location of the demountable classroom buildings. The main concern raised by the Panel members related to the level of information contained within the flood evacuation plans. A concise plan for use by the school staff was considered preferable given the likelihood that it would be applied. The Panel further enquired about the evacuation points from the school in the event of different levels of flood events. The Panel's Flood Expert noted that an additional note will need to be incorporated into the evacuation plan to advise that there are no evacuation routes over a certain flood level.

These key issues were discussed with the Applicant and revised documentation has been prepared to address the identified issues. In this regard amended Flood Assessment Report including detailed flood evacuation and emergency management plans, amended bulk earthworks staging plan, stormwater quality assessment, and amended Traffic Impact Assessment report have been submitted to Council for review.

## Assessment

### 4.0 Legislation, Council Policies, Procedures and Codes to Which the Matter Relates

- Chapter 2 'State and Regional Development' of State Environmental Planning Policy (Planning Systems) 2021;
- Biodiversity Conservation Act 2016;
- Chapter 3 'Koala Habitat Protection 2020' and Chapter 9 'Hawkesbury Nepean River' of State Environmental Planning Policy (Biodiversity and Conservation) 2021;
- Chapter 4 'Remediation of Land' of State Environmental Planning Policy (Resilience and Hazards) 2021;
- Chapter 3 'Educational establishments and childcare facilities' of State Environmental Planning Policy (Transport and Infrastructure) 2021;
- Hawkesbury Local Environmental Plan 2012;
- Hawkesbury Development Control Plan 2002; and
- Flood Policy 2020.

### 5.0 Section 4.15 Matters for Consideration

The following is an assessment of the application with regards to the heads of consideration under the provisions

of Section 4.15 of the EP&A Act 1979:

## 5.1 Environmental Planning Instruments

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

Schedule 6 Section 2 of the Planning Systems SEPP establishes the following relevant criteria for 'regionally significant development':

*Development that has a capital investment value of more than \$30 million.*

The application is declared to be regionally significant development under Clause 2.19(1) of the Planning Systems SEPP as the proposal has a CIV in excess of \$30 million.

The Sydney Western City Planning Panel is the determining authority for regionally significant development.

### **Biodiversity Conservation Act 2016**

All development applications are to be assessed against the *Biodiversity Conservation Act 2016* and *Biodiversity Conservation Regulation 2017*. The Biodiversity Conservation Act 2016 facilitates the assessment and ongoing protection of flora and fauna, including threatened species and ecological communities. Further Biodiversity Values (BV) map identifies land with high biodiversity values that are particularly sensitive to impacts from development and clearing.

The subject property contains areas mapped on the Biodiversity Values map located along the south western boundary. The location of the proposed inquiry hubs and multi-purpose courts are outside of this mapped area. Under Hawkesbury Local Environmental Plan 2012, the minimum lot size for the subject site is not specified. It is noted that the subject site contains an area of approximately 5.993Ha. In accordance with Clause 7.2 of the Biodiversity Conservation Regulation 2017 where there is a clearing or modification of native vegetation of 0.5 hectare or more, it will trigger the requirement of Biodiversity Offset Scheme (BOS). Figure 2 shows the area within the subject site as identified in the biodiversity value map.



Figure 2 – Biodiversity values mapping, sourced from the submitted flora and fauna impact assessment report dated 25 January 2022.

The removal of 29 trees and two group of trees is proposed as part of the development. The proposed removal of trees is located outside of the mapped area and will not exceed the area clearing threshold.

A Flora and Fauna Impact Assessment report, prepared by SIA Ecological & Environmental Planning Pty Ltd and dated 25 January 2022, was submitted in support of the application. The report concluded as below:

*'The proposal would remove a small area of lawn comprised of mostly introduced species of grasses and a small number (approximately thirty) of planted, ornamental shrubs and small trees. One larger tree, although not especially large or old, would also be removed. This vegetation does not represent remnant native vegetation and all the species of shrubs and trees to be removed are readily available at plant nurseries.'*

Therefore, it is considered that there will be no significant impact on the existing biodiversity.

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

### Chapter 4 - Koala Habitat Protection 2021

Chapter 4 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 includes Koala Habitat Protection 2021 (Koala SEPP) which commenced on 17 March 2021 and applies to development applications on land over 1 hectare in the local government areas listed in the SEPP.

The SEPP seeks to address the declining status of Koalas in NSW through better conservation and management of Koala habitat as part of the planning and assessment process. The overarching aim of the SEPP is to:

*'encourage the conservation and management of areas of natural vegetation that provide habitat for Koalas to support a permanent free-living population over their present range and reverse the current trend of Koala population decline' (DPIE 2020).*

Removal of 29 trees is proposed as part of this application. The submitted Flora and Fauna Impact Assessment Report examined the vegetation in the adjoining and surrounding areas to establish the local context for vegetation and fauna habitat on the site. No potential habitat for *Phascolarctos cinereus* (Koala) were found on the subject site. Further, no koalas were observed on-site. Therefore, it is considered that the proposal is unlikely to impact on any core koala habitat or potential koala habitat.

### Chapter 9 – Hawkesbury Nepean River

Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (SREP No. 20) has been repealed and consolidated into the Biodiversity and Conservation SEPP.

Chapter 9 of the Biodiversity and Conservation SEPP aims *'to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context'*. This Policy requires an assessment of development applications with regard to the general and specific considerations, policies and strategies set out in the Policy.

The Biodiversity and Conservation SEPP does not outline specific controls or strategies for educational establishments.

The property is located within the Bligh Park residential area and the proposal seeks the expansion of an existing school facility. Section 9.9(17) of the Biodiversity and Conservation SEPP requires Council to consider whether *"the proposed development will be capable of connection to a Sydney Water Corporation Limited or council sewerage system either now or in the future"*. Council is the sewer authority for this area and the existing school facility is currently connected to Council's reticulated sewer system. Council's Waste Management Branch have advised that a trade waste agreement will be required for the proposed relocation of the canteen.

The development is to be serviced by a reticulated sewerage system and the proposed works are not expected to significantly impact upon the environment of the Hawkesbury-Nepean River. The proposal is generally consistent with the objectives and relevant provisions of the Biodiversity and Conservation SEPP.

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

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP No. 55) has been repealed and consolidated into the Resilience and Hazards SEPP.

Clause 4.6(1) of the Resilience and Hazards SEPP outlines a consent authority “*must not consent to the carrying out of any development on land 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”.*

Council's records indicate that the subject school was approved in 1992 and constructed shortly thereafter. The site has a history of educational establishment use and the expansion and continued operation of the facility is considered acceptable having regard to the provisions of the Resilience and Hazards SEPP.

A geotechnical site investigation, prepared by Crozier Geotechnical Consultants and dated November 2021, was submitted in support of the proposed development. Section 6.0 geotechnical assessment of the report states as below:

*‘The ground conditions underlying the site comprised variable cohesive and granular fill to a maximum depth of 0.9m (BH9). Within BH9, asbestos (Chrysotile and Amosite) was detected within the sample. It is understood that no permanent structures are proposed within the vicinity of BH9, and footings will likely be on ground to support temporary teaching blocks during construction only, therefore disturbance of asbestos is not envisaged. If excavations (e.g., service trenches) are proposed within the vicinity of BH9 disturbance of asbestos is feasible and will need to be considered. It is recommended further advice be sought from a geo-environmental consultant to provide further advice regarding the asbestos encountered as well as potential requirements for an Asbestos Management Plan.’*

The report further concluded in that:

*‘Based on the investigation works undertaken it is considered that the risk from the proposed works can be maintained within ‘Acceptable’ levels for all situations provided the recommendations of this report are adhered to.’*

Council's Environmental Health Officer has reviewed the submitted report and recommended appropriate conditions to address this issue. The conditions prepared in support of this report require the preparation of an ‘Asbestos Management Plan’, including testing requirements of soil and buildings prior to and during works for each stage, stop work procedures, to manage any unexpected contamination finds.

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

Chapter 3 of the SEPP (Transport and Infrastructure) 2021 facilitates the effective delivery of educational establishments and early education and care facilities across NSW.

The proposed alterations and additions to the existing school are permitted with consent within the SP2 zoning. The proposed development will be undertaken within the boundary of the subject site.

The proposed development was referred to Transport for NSW for their review and comments in accordance with Clause 3.58 Traffic Generating Development. It is proposed to increase the number of students by 120. A Traffic Impact Assessment Report, prepared by The Transport Planning Partnership, dated 11 November 2022, was submitted. The report assessed the additional traffic generation on the street network due to increase of student numbers. The proposed development is expected to generate an additional 55 vehicle trips in the morning peak hour and an additional 42 vehicle trips in the evening peak hour. The report concluded that the proposed additional student numbers would have a minor impact to the surrounding road network. Further, the proposal includes 170 car parking spaces onsite.

In their letter dated 8 September 2022 TfNSW provided their comments as below:

*'TfNSW has reviewed the submitted documentation and raises no objection to the proposed development as it will likely have negligible impact on the surrounding classified road network and TfNSW infrastructure'.*

Schedule 8 of SEPP provides design quality principles in schools. The applicant submitted a SEPP (Educational Establishments and Child Care Facilities) 2017: Design Quality Principles Statement, prepared by DTA Architects dated 26 May 2022. This statement has demonstrated how the proposed design of the school took into consideration the design quality principles of SEPP. It is considered that the proposed design incorporates flexible learning spaces to promote inquiry based learning and collaboration.

## Hawkesbury Local Environmental Plan 2012

### Clause 2.1 Land Use Zones

The subject property is zoned SP2 Infrastructure under the Hawkesbury LEP 2012. 'Educational establishment' is the purpose shown on the Land Zoning Map.

### Clause 2.3 Zone Objectives and Land Use Table

The objectives of the SP2 Infrastructure zone 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.

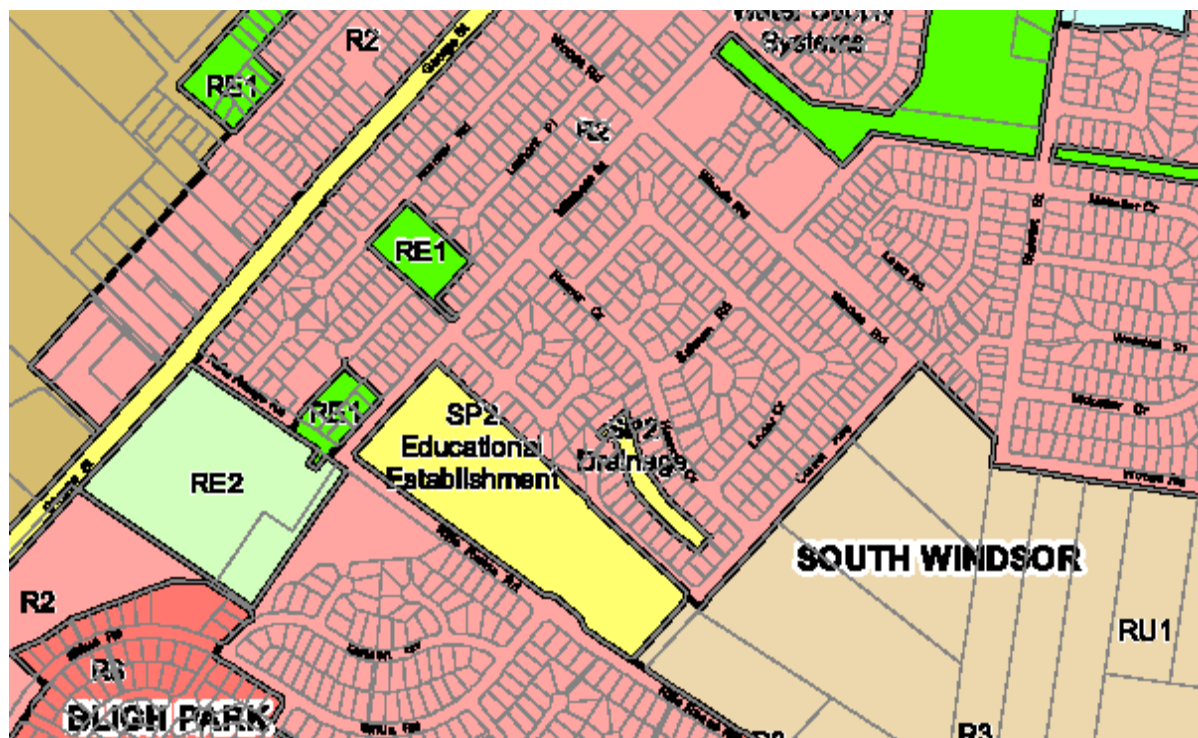


Figure 3 – Zoning Map

The Hawkesbury LEP 2012 provides the following definition for 'educational establishment':

**“educational establishment** means a building or place used for education (including teaching), being—  
(a) a school, or  
(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.”

The proposed development is most appropriately categorised as an educational establishment, which is a permissible form of development as shown on the land zoning map for the purpose of development of the site within the SP2 Infrastructure zone under the Hawkesbury LEP 2012.

The proposed multi-purpose courts and covered learning area (COLA) would be permissible on the basis they are associated with, and ancillary to the educational establishment use.

The proposal satisfies the above definition of an educational establishment and is permissible with Council consent within the SP2 Infrastructure zone.

The alterations and additions to the existing school will provide improved facilities to the existing students. The upgrading of the school will be able to accommodate an additional 120 students. Documentation supplied in support of the application demonstrates that the development will not adversely impact upon the amenity of the neighbourhood with respect to noise, traffic or parking. It is therefore considered that the proposal satisfies the zone objectives of the SP2 Infrastructure zone.

#### *Clause 4.3 Height of Buildings*

Clause 4.3(2) and the associated Height of Buildings Map of the Hawkesbury LEP 2012 do not establish a maximum building height control for the SP2 Infrastructure zone.

The proposed year 7-10 building will have a maximum height of 11.27m at its highest point, and the proposed year 11-12 building would have a maximum height of 10.165m at its highest point. The proposed new buildings are considered to be consistent within the existing context of the school. Adequate setbacks and appropriate screening treatment are provided to windows along the north eastern boundary to ensure adequate privacy towards the rear of the adjoining dwellings.

#### *Clause 5.21 Flood Planning*

Clause 5.21 of Hawkesbury Local Environmental Plan 2012 applies to the development as the land is below the 1 in 100 year flood planning level for the locality which is predicted at 17.3m above Australian Height Datum (AHD). The site is located within the flood storage / flood fringe zone.

A Flood Assessment Report, prepared by Water Modelling Solutions, dated 14 November 2022, was submitted in support of the application. The report describes the design flood behaviour for the subject site as below:

*'Mainstream flooding at the site is driven by the slow movement of water backing up from Rickabys Creek, which cannot drain to the Hawkesbury River when tailwater levels are elevated. As such, the peak flood levels across the site are relatively flat due to the 'bathtub effect'. The depth of flooding varies with the topography – with greater depths (2-4m) in the lower lying western portion of the site (currently used as playing fields), and shallower depths around the existing school buildings'.*

The estimated flood levels and flood velocities for the 20%, 5% and 1% AEP flood events are provided in the detailed flood advice certificate issued by Hawkesbury City Council, dated 20 August 2021 as below:

Flood Event	Approx Flood Level (mAHD)	Estimated Peak Flood Velocities (m/s)
20% AEP	11.1m AHD	Unknown
5% AEP	13.8m AHD	0.1
1% AEP	17.3m AHD	0.3

The report also identified that:

*'Within the Site, the areas most affected by flooding for the 1% AEP local event are the two parking lots to the southeast of the Site; the sports field along the northwest boundary; and the low-lying area between Block F (existing Inquiry Hub to be refurbished) and the proposed Inquiry Hub (Yr 11-12) which forms a flow path for water to drain northeast towards Tasman Place'.*

Figure 4 shows the affectation of the 1 in 100 year flood for the subject site;

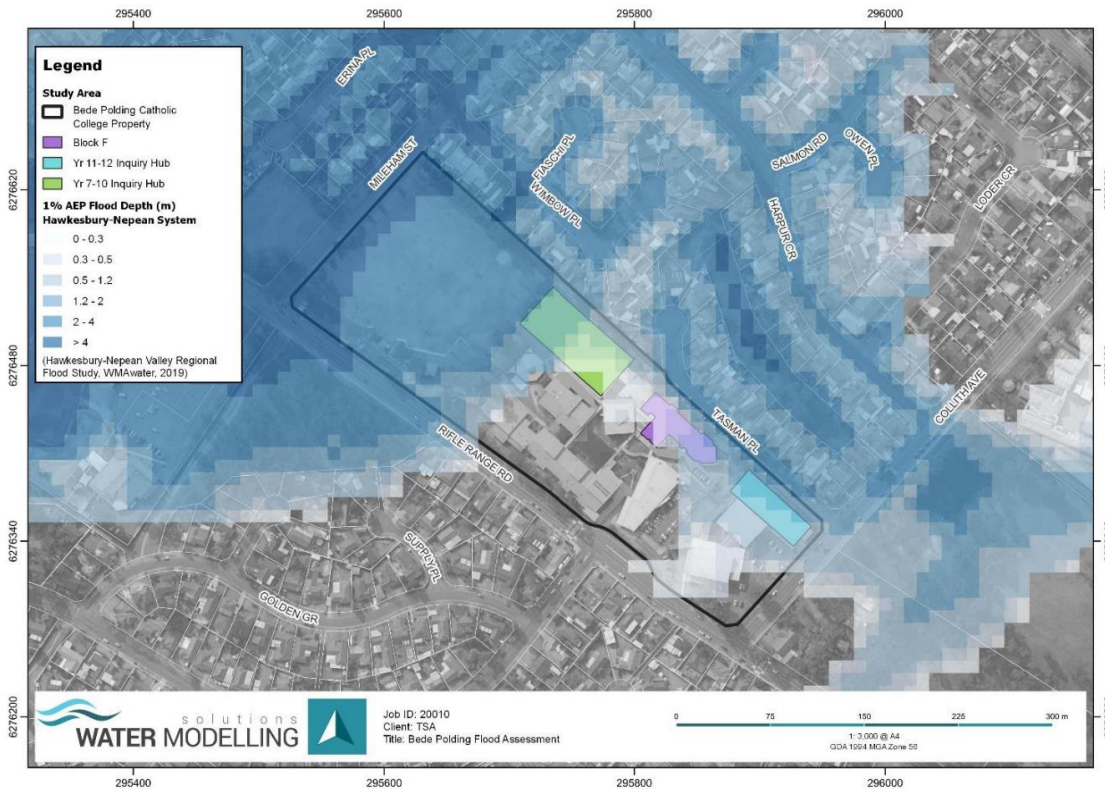


Fig 4 – Hawkesbury Nepean System 1% AEP Flood Depth for the subject site sourced from Hawkesbury – Nepean Regional Flood Study as shown in the submitted Bede Polding Catholic College Flood Assessment, dated November 2022.

Clause 5.21 of HELP 2012 requires Council to consider the following:

- (2) *Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development –*
  - (a) *is compatible with the flood function and behaviour on the land, and*
  - (b) *will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
  - (c) *will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and*
  - (d) *incorporates appropriate measures to manage risk to life in the event of a flood, and*
  - (e) *will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*
- (3) *In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters –*
  - (a) *the impact of the development on projected changes to flood behaviour as a result of climate change,*
  - (b) *the intended design and scale of buildings resulting from the development,*
  - (c) *whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,*
  - (d) *the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.*

The existing floor levels of the two school buildings which are subject to demolition and new construction are at 17.30m AHD to 17.32m AHD. The submitted plans and Flood Assessment Report identify that the proposed new floor levels for the Yr 7-10 inquiry hub and Yr 11-12 inquiry hub buildings will be at 17.42m AHD. The existing demountable classrooms currently located at the north eastern part of the site will be demolished and reconstructed in a form of more resilient buildings.

The submitted Flood Assessment Report provided the following responses against Clause 5.21(2) and 5.21(3):

- *The site is located within the Flood Storage/Fringe area, in which flooding is characterised by slow moving water backing up from Rickabys Ck when the Hawkesbury River level is elevated.*
- *The proposed upgrade to the existing school has been designed with this behaviour in mind, and seeks to minimise risk to occupants through minimum floor level controls and emergency response procedures, and minimise impact on flood storage through well considered siting of buildings, achieving a cut/fill balance, and ensuring sub-floor areas are not enclosed with a solid material.*
- *The proposed development seeks to ensure no detrimental increases in potential flood affectation are caused through the following provisions:*
  - *All floor levels are either outside the 1% AEP flood extent or suspended above the FPL to ensure no net reduction in flood storage occurs;*
  - *A cut/fill balance is achieved to ensure no net reduction in flood storage capacity occurs;*
  - *Proposed building footprints do not encroach on local overland flowpaths within the school.*
- *Rising road access is available from the site, and with appropriate planning it is considered likely that safe evacuation will be available.*
- *A detailed flood emergency response plan have been prepared.*
- *The proposed extension is wholly contained within the existing site and will not encroach on riparian corridors, riverbanks or watercourses.*
- *An increase in rainfall intensity associated with climate change could be expected to increase overland flow depths and durations, however given that the site is largely flood free under current conditions, the proposed extension is not likely to impact on flood behaviour under a future climate change scenario. In relation to mainstream flooding, the developed has been designed to minimise impact on flood behaviour through siting, minimum floor levels (with freeboard above the 1% AEP level) and achieving a cut/fill balance.*
- *The proposed extension is in keeping with the current scale of buildings, whilst delivering the improvements required for safe occupation and amenity of the school community.*
- *The site is not affected by riverine flooding or coastal erosion, and removal or relocation of buildings is unlikely to be necessary due to overland flow.*

The Flood Assessment Report also provided an Evacuation Capability Assessment, Flood Emergency Response Plan, Summary of Flood Management Plan, Emergency Management plan, and Action Plan.

The Flood Assessment Report identifies that the temporary demountable classrooms will be located on ground at or above 14.1m AHD which is above the 5% AEP event and above the July 2022 peak flood level. The demountable buildings are proposed to be used during Stages 1 and 2, which combined have a maximum expected duration of 24 months (2 years). Residual flood risk to the demountable classrooms (i.e. in events that reach above 14.1m AHD at the Windsor Bridge), will be managed through the implementation of a Flood Emergency Response Plan which addresses the emergency procedures for both construction and ultimate development scenarios. Each demountable classroom is to be installed on piers/stumps at a minimum of 0.45 m above ground level.

Council's Senior Development Engineer has reviewed the flood assessment report and the civil engineering plans for bulk earthworks. No objections to the proposed development were raised given that flood storage capacity for the subject site will not be reduced due to the proposed development and there will not be any significant impact on the flood behaviour for the locality. A modified sequence of earthworks was also considered to ensure that no flood storage within the flood planning area is reduced at any time throughout the bulk earthworks stages. Appropriate conditions will be included in the recommendation to reflect this matter.

The submitted Flood Emergency Response Plan (FERP) addressed the following specific actions in accordance with the relevant NSW SES 'Floodsafe' guides:

- preparing for a flood,
- responding when a flood is likely, including evacuation routes and when to leave,
- responding during a flood, including what to do if isolated, and
- recovery after a flood.

The FERP will follow the flood watch issued by Bureau of Meteorology to provide early advice of a developing situation that may lead to flooding. The school will receive the warning from different sources. In light of the

significant flood risk at the site, the recommended trigger for a site evacuation should be when a Flood Watch is issued by the BOM. School will be fully evacuated before the Hawkesbury River level at the Windsor PWD gauge or Windsor Bridge gauge reaches 11.9 m AHD. The school will undertake evacuation in accordance with the Action Plan and School's Emergency Management Plan. Key actions will include:

- Bede Polding College will invoke a communication strategy to ensure all parents are aware of the situation and that the students are safe.
- An appropriate communication will be posted detailing that parents/carers or other family members need to pick up students due to flooding issues, and details of how these pickups are to be managed at the school.
- The School Executive Team (SET) will start preparations by organising potential bus transport, planning evacuation routes, managing relocation of livestock and ensuring utilities are closed down.
- The Principal will issue an Evacuation Order and the school will be evacuated following the evacuation procedures outlined in the school's EMP.

It is also advised that the school is adaptive to switching to remote learning if the school is closed.

It is identified that the school is located nearest the Richmond Road and The Northern Road evacuation routes. In this regard, the Flood Assessment Report identified that:

*'Based on the assessment of the elevations along the Bede Polding access routes to the Richmond Road Regional Evacuation Route, for Hawkesbury River levels lower than 11.9m AHD at Windsor, the access routes remain free of flooding and therefore evacuation can occur. As such, the Effective Warning Time for Bede Polding has been defined as the minimum available warning time before the river levels reach 11.9m AHD. Based on available BOM flood warning lead times and rate of rise for the Hawkesbury River, the Effective Warning Time for Bede Polding has been determined to be a minimum of 17 hours.'*

The application and the submitted Flood Assessment Report have been reviewed by State Emergency Service (SES). In their letter dated 15 November 2022 SES provided the following comments:

*'The projected increase in students is likely to come from homes from within the general area. Therefore, they are likely to have been accommodated within NSW SES evacuation capacity considerations and projected network growth. The small increase in teachers is not likely to result in significant negative impacts on evacuation for the community.'*

SES further commented in that:

*'It is noted that the Flood Emergency Response Plan recommends evacuation of the site upon receipt of a Flood Watch. While this would reduce the evacuation traffic in the broader floodplain, not all Flood Watches result in a Flood Warning. This can cause issues regarding complacency and mistrust in the warnings by the school community. It may be more appropriate to close the school at the end or prior to the commencement of the school day upon receipt of the Initial Flood Warning for Windsor. This would provide sufficient time to make the decision to close the school.'*

Given the findings of the detailed Flood Assessment Report, assessment of the evacuation routes and capacity, and the implementation of the Flood Emergency Response Plan, it is considered that the proposed development complies with the matters for considerations as stated in Clause 5.21(2) and (3). It is considered that the proposed development meets the objective of Clause 5.21(1) in that it will minimise the risk of life and property associated with the use of land, will not impact adversely on flood storage capacity or the flood behaviour, and will be able to ensure safe occupation and efficient evacuation during a flood.

#### *Clause 6.1 Acid Sulfate Soils*

The subject land has been identified as containing Class 5 land on the Acid Sulfate Soils Planning Map. It is considered that the proposed development does not fall within the definition of works contained in Clause 6.1(2) and as such the proposal will not impact the water table.

#### *Clause 6.2 Earthworks*

This clause provides that before granting development consent for earthworks, the consent authority must consider the following matters:

- a) *the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,*
- b) *the effect of the development on the likely future use or redevelopment of the land,*
- c) *the quality of the fill or the soil to be excavated, or both,*
- d) *the effect of the development on the existing and likely amenity of adjoining properties,*
- e) *the source of any fill material and the destination of any excavated material,*
- f) *the likelihood of disturbing relics,*
- g) *the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area,*
- h) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

The application is assessed to be generally compliant with the Clause in that the works are unlikely to result in any detrimental negative impacts in the locality and are limited to those associated with site preparation and service provision, construction of new enquiry hubs and multipurpose courts, and car parking and associated manoeuvring area for which approval is sought.

The proposed car parking area along the south western boundary, as identified Stage 1C, is deleted from the proposal. The bulk earthworks plans are required to be adjusted to reflect this matter. The submitted plans show that Stage 1 (1A and 1B) involves a cut of 1,051m<sup>3</sup> and fill of 1,043m<sup>3</sup>. Stage 2 involves a cut of 1957m<sup>3</sup> and fill of 172m<sup>3</sup>. The projected bulk earthworks volume will be in total of 1,793m<sup>3</sup> cut which will create additional flood storage for the subject site.

#### *Clause 6.4 Terrestrial Biodiversity*

The subject site is mostly cleared and contains a number of scattered trees. The site is partly mapped by the Hawkesbury City Council as having biodiversity significance. The land contains some remnant vegetation along the south western boundary which Council's mapping system identifies as Shale Gravel Transition Woodland. Shale Gravel Transition Woodland (which is also known Cumberland Plain Woodland) is listed as a Critically Endangered Ecological Community under the Biodiversity Conservation Act 2016.

The proposed development proposes to remove a total of 29 trees and two groups of trees. The following trees, as referenced within the Arboricultural Impact Assessment prepared by Urban Arbor dated 26 May 2022, are proposed for removal: Trees 3A, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 68, 74, 75, 76, 77, Group 1 & Group 2.

Those trees are not located within the biodiversity significant mapped area. It is considered that with the implementation of the proper management measures the proposed development is unlikely to have any adverse impact on the existing biodiversity.

A Flora and Fauna Impact Assessment Report, prepared by SIA Ecological & Environmental Planning Pty Ltd and dated 25 January 2022, was submitted in support of the application. The report concluded as below:

*"The proposal would remove a small area of lawn comprised of mostly introduced species of grasses and a small number (approximately thirty) of planted, ornamental shrubs and small trees. One larger tree, although not especially large or old, would also be removed. This vegetation does not represent remnant native vegetation and all the species of shrubs and trees to be removed are readily available at plant nurseries.*

*There would be no significant impact on flora from the proposed development.*

*The proposal would have negligible impact on native fauna. The small area of vegetation to be removed provides habitat for the invertebrates, small reptiles and birds one typically encounters within the urban metropolitan areas of Sydney. No threatened species of fauna would be impacted There would be no significant flora or fauna impacts from the proposed development."*

Council's Ecologist has reviewed the submitted Flora and Fauna Assessment Report and satisfied with the report conclusion that there would be no significant impact on the existing biodiversity.

## Clause 6.7 Essential Services

The proposed development involves alterations and additions to the existing Bede Polding College which has adequate arrangements to the essential services.

The existing school is connected to the reticulated sewerage system owned by Hawkesbury City Council. No alteration is proposed to the existing access arrangements. It is proposed to incorporate an onsite stormwater detention system.

It is therefore considered that the development satisfies the provisions of the Hawkesbury LEP 2012.

### 5.2 Draft Environmental Planning Instruments

Not applicable.

### 5.3 Development Control Plans

#### **Hawkesbury Development Control Plan 2002**

The proposed development is considered to be generally consistent with the relevant provisions of Hawkesbury Development Control Plan (DCP) 2002:

##### Part A Chapter 3: Notification of Development Applications

The application was notified from 20 July 2022 to 3 August 2022 in accordance with Section 3.2.1 of Part A Chapter 3 of the Hawkesbury DCP 2002.

Three submissions were received and are discussed in Section 7 of this report.

##### Part C Chapter 2 – Car Parking and Access

Part C Chapter 2 of the Hawkesbury DCP 2002 outlines specific numerical parking controls for 'Schools and Educational Establishments' as below:

- 1 space for each staff, plus
- space for delivery vehicles and buses, plus
- 1 space per 5 seats or 1 space per 7m<sup>2</sup> of floor area in assembly hall, whichever is greater, plus
- 1 space per 3 year 12 students.

Council records indicate that DA0268/05 approved 161 car parking spaces to be utilised by 84 staff, 1200 students including 213 Year 12 students and a multi-purpose hall of 706m<sup>2</sup>.

A Traffic Impact Assessment report, prepared by The Transport Planning Partnership dated 25 November 2022, was submitted in support of the application. This report states that the site currently provides 144 car spaces to serve the existing 1240 number of students and 101 existing number of full-time staff. Though the previous consent DA0268/05 includes car parking spaces for 213 Year 12 students, the school currently accommodates 110 Year 12 students. No change to the floor area of the existing multi-purpose hall is proposed as part of this application.

The proposed development will increase the overall student number by 120 and the full-time staff number by four. The resultant Year 12 students will be 200 which is less than the previously approved Year 12 student number. The submitted Traffic Impact Assessment report provides a summary of the car parking demand for the existing and proposed staff and student numbers which is detailed in Table 1 below:

Table 1 – Summary of student and staff number

Scenario	FTE Staffing	Year 12 Students	Total Student Population	Car Parking
Approved (DA0268/05)	84	213	1200	161 spaces
Existing Year Provisions	101	110	1240	144 spaces
Proposed (DA0190/22)	105	200 <sup>(1)</sup>	1360	170 spaces

Proposed Difference	+21 FTE Staff	-13 Year 12 Students	+160 students	+9 spaces
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(1) The total student capacity is to increase, however, the year distribution would result in a reduction of the number of year 12 students.

Further, the Traffic Impact Assessment report assessed the car parking requirements for the proposed development as below;

Table 2 – Car parking requirements as per HDCP

Parking type	Proposed change	DCP Parking rate	DCP parking requirement
Staff	+21 employees	1 space for each staff	21
Assembly Hall	No change	1 space per 5 seats or 1 space per 7m <sup>2</sup> of floor area in assembly hall, whichever is greater	0
Year 12 student	-13 students	1 space per 3 year 12 students	- 4.3
Total			17

The report recommended – ‘Based on a proposed increase in 21 FTE staff and reduction in 13 year 12 students. the proposed development expansion is required 17 spaces to satisfy DCP requirements. Therefore, the site is required a total of 178 car spaces which includes 161 spaces as required for approved development and 17 spaces for the proposed expansion.’

The proposed development seeks to increase the capacity of the car park to 170 spaces. There is shortfall of eight car parking spaces as per the Hawkesbury DCP car parking requirements.

It is noted that there is public bus stop servicing four different bus routes within 50m of the school. There is also a bus zone on the eastern side of rifle Range Road where school buses pick up and set down school students. The traffic consultant conducted a survey in relation to the travel mode and travel patterns. The traffic impact assessment report suggests that the proposed number of parking spaces is adequate based on peak parking space occupancy surveys.

The surveys detailed in the report indicate that during current peak usage times the available car parking spaces are not fully occupied. The survey results showed that during peak hour only 64% of parking spaces within the school compound were occupied. The traffic report does not recommend to provide an oversupply of parking spaces as it encourages Year 12 students and teachers to drive to/from school as opposed to traveling sustainably i.e. carpooling, public transport, active travel etc. Instead the report recommends to implement Green Travel Plan initiative which will limit single car travel uses and reduce on-site car parking requirement.

The report concluded as below:

- *‘The Proposal seeks to increase student enrolment capacity by 120 students and increase staff by four FTE staff.*
- *The existing car parks are to be retained for the proposed development. The proposed development results in an increase in 26 spaces from the available car spaces (i.e. a total of 170 spaces).*
- *The proposed scheme is expected to generate an additional 55 vehicle trips in the morning peak hour (about 1 vehicle trip per minute) and an additional 42 vehicle trips in the evening peak hour (about 1 vehicle trip per minute). This would have a minor impact to the surrounding road network.*
- *Green Travel Plan and Workplace Travel Plan is to be implemented on-site with an aim to reduce car share as a mode of travel. Measures proposed as part of the travel plan include:*
  - o *Limiting car parking provision on-site to reduce the opportunity and convenience of driving,*
  - o *Organising a car pool system/registry to assist Staff and parents*
  - o *Organising walking/ cycling groups to promote those living near each other’s to walk and cycle together,*
  - o *Organising cycling classes to teach road safety and safe on-road cycling practices,*
  - o *Provision of secure bicycle parking facilities and end of trip facilities,*
  - o *Develop or use a mobile application which can be used as platform to communicate with parents and students regarding changes in travel plans and conditions e.g. the existing SkoolBag app.*

*Overall, it is concluded that the traffic and parking aspects of the proposed scheme would be acceptable. Regular management and extensive education/consultation with key stakeholders of the school, including staff and parents, would need to be conducted to ensure the success of any proposed green travel strategies/initiatives.'*

Council's Development Engineer has reviewed the supplied documentation and has advised that the onsite parking is adequate for the proposed development.

## Flood Policy 2020

Council has adopted Flood Policy 2020 and associated Schedule of Flood Related Development Controls at its meeting held on 27 October 2020. The principal aim of Flood Policy 2020 is to provide information and associated development controls in relation to the assessment of Development Applications for land located in the area affected by the 1 in 100 year flood event so as to address the requirements of Clause 5.21 *Flood Planning* of Hawkesbury Local Environmental Plan 2012.

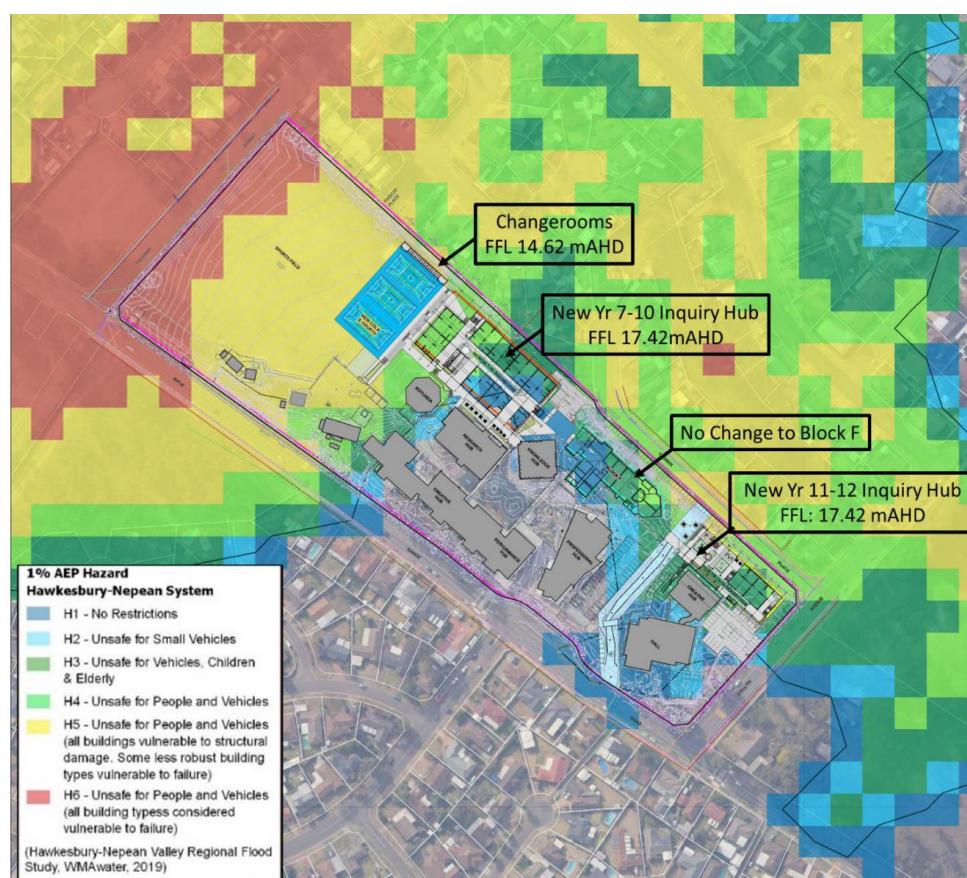


Fig 5: overview of proposed floor levels and hazard categories, sourced from the submitted Bede Polding Catholic College Flood Assessment, dated November 2022.

The proposed Yr 7-10 Inquiry Hub and Yr 11-12 Inquiry Hub will be located within the hazard category of H4 having a depth of 2m of flood water in a 1 in 100 year flood event. The proposed sports ground, COLA and changerooms will be located at Hazard Category H5 land.

The submitted Flood Assessment Report has assessed the proposed construction of Yr 7-10 Inquiry Hub and Yr 11-12 Inquiry Hub against Clause 4.2 of the Flood Policy - *Additions and Alterations to, or the Redevelopment of, existing lawful incompatible development in Hazard Category H4*. The report and submitted plans have identified the following in response to the required controls of Clause 4.2:

- *Parts of the existing development are situated in an area of H4 hazard. The only element of the proposed design within a higher hazard category are the basketball courts and changerooms. It is considered likely that the flood risk to these facilities could be adequately managed.*
- *The proposed development seeks to improve risk to life factors through the following measures:*

- Existing floor levels at the school are at 17.30m AHD - 17.32m AHD. FFLs for the proposed development are at 17.42m AHD, providing additional freeboard above the FPL.
- New buildings to be constructed with flood compatible materials below the FPL.
- An updated Flood Emergency Response Plan has been prepared using the latest available information from the Hawkesbury-Nepean Regional Flood Study (INSW, 2019).
- Bede Polding College caters to senior students only. Increase of student capacity from 1240 to 1360.
- The site is wholly within the flood storage/ flood fringe zone as defined by the Hawkesbury-Nepean Valley Regional Flood Study (INSW, 2019).
- The Yr 7-10 Enquiry Hub design does involve increasing the proportion of the building within the H4 hazard classification. The flood risk is proposed to be managed through the following:
  - Open sub-floor area to allow free flow of flood water and reduce impact on floodplain storage capacity;
  - FFLs at 17.42 m AHD, above the FPL;
  - Flood Emergency Management Plan and stringent closure policy to reduce risk to students and staff.
- All proposed development within the H4 area is at or above the 1% AEP. The sub-floor area at the western end of the 7-10 Enquiry Hub is at approximately 15.60m AHD which is within 2m of the flood planning level.
- All proposed FFLs at 17.42m AHD.
- No non-habitable buildings are proposed within the H4 hazard category.
- The subfloor area beneath the 7-10 Inquiry Hub is proposed to be enclosed with a perforated steel mesh to enclose the sub-floor area, preventing student access whilst enabling flood water to flow through the sub-floor space and minimise impact on flood storage.
- Proposed building floor levels for all structures (except for outdoor changerooms) are at 17.42m AHD, providing adequate space for the storage of goods, valuable possessions or potentially hazardous or polluting materials above the FPL (17.3m AHD).
- No importation of fill is proposed.
- A cut and fill balance has been achieved in the design.
- Buildings are proposed to be constructed of masonry blockwork and concrete below the FPL.
- An Evacuation Capability Assessment has been prepared.
- A Flood Emergency Response Plan has been prepared.

The submitted Flood Assessment Report has assessed the proposed construction of outdoor multi-purpose courts and ancillary changeroom facility against Clause 5.2 of the Flood Policy - *Additions and Alterations to, or the Redevelopment of, existing lawful Incompatible Development in Hazard Category H5*. The report and submitted plans have identified the following in response to the required controls of Clause 5.2:

- Under current conditions, sporting fields and amenities are located within the H5 hazard category. The development of a new changeroom within the H5 hazard category is therefore permissible.
- The proposed changeroom is proposed to minimise impacts of flooding on the building and improve risk to life factors through the following:
  - Masonry/concrete block construction
  - Openings and drainage bungs to minimise impact on floodplain storage and improve cleanout methods
  - Be subject to a Flood Emergency Response Plan and a stringent closure policy to manage risk to life.
- No works proposed in floodway – the site is wholly within the flood storage/fringe.
- The changerooms will be designed to minimise building footprint and impact on floodplain storage. The proposed structure will be subject to review by a structural engineer at Detailed Design phase.
- No increase to residential occupancy is proposed.
- The proposed changeroom will be a new structure, designed to minimise impact to flood storage and improve risk to life factors through the measures identified above.
- The changeroom facility is proposed to have an area of 129.92 m<sup>2</sup>. It will be designed to minimise impact on flood storage through openings in walls/doors to allow flow, made of flood compatible materials and with sufficient drainage bungs and surfacing to enable ease of cleaning following floods. The changerooms will be subject to a stringent operating procedure to ensure they are not in use in the lead up to a flood event until the flood has receded, cleaning has been completed and the facility deemed safe for use.

- *The changerooms are proposed to be on grade with the basketball courts with a level of 14.62m AHD, above the minimum requirement of 14.3m AHD (i.e. 3m below the 1% AEP level, 17.3m AHD).*
- *No importation of fill is proposed.*
- *A cut/fill balance is proposed.*
- *The changerooms will be constructed of concrete and masonry blockwork.*
- *An Evacuation Capability Assessment has been prepared.*
- *A Flood Emergency Response Plan has been prepared.*

The proposed development also includes the temporary relocation of the demountable classrooms within the existing basketball court which has H5 hazard category. The Flood Assessment Report identifies that the temporary demountable classrooms will be located on ground at or above 14.1m AHD which is above the 5% AEP event and above the July 2022 peak flood level. The demountable buildings are proposed to be used during Stages 1 and 2, which combined have a maximum expected duration of 24 months (2 years).

Residual flood risk to the demountable classrooms (i.e. in events that reach above 14.1m AHD at the Windsor Bridge), will be managed through the implementation of a Flood Emergency Response Plan which addresses the emergency procedures for both construction and ultimate development scenarios. Each demountable classroom is to be installed on piers/stumps at a minimum of 0.45 m above ground level.

The submitted responses have been reviewed by Council's Development Engineer and considered to be acceptable. There will be no adverse impact on the flood storage capacity of the site. The proposed development will achieve finished floor level well above the 1 in 100 year flood level. The development will be able to be effectively managed during flood event with the proper implementation of the Flood Emergency Response Plan. The development is designed in a way that will minimise risk to life and property associated with the use of the land.

#### 5.4 Planning Agreements

Not applicable.

#### 5.5 Regulations

These matters have been considered in the assessment of this application. The EP&A Regulation 2021 outlines that the development is to comply with the National Construction Code/Building Code of Australia (BCA) and the Disability (Access to Premises – Buildings) Standards 2010.

An Access Review Report has been prepared in support of the application and demonstrates that the proposed works are capable of satisfying the accessibility requirements of the Disability (Access to Premises – Buildings) Standards 2010, BCA and relevant Australian Standards.

#### 5.6 Likely impacts of the Development, including Environmental Impacts on both the Natural and Built Environments, and Social and Economic Impacts in the Locality

These matters have been considered in the assessment of this application.

#### Acoustic Considerations

The school facility currently operates between 6:00am and 6:00pm, Mondays to Fridays. No alteration to the operating hours is proposed. An Acoustic Report prepared by PKA Acoustic, dated 26 May 2022, was submitted in support of the application. The report assessed the potential noise impacts generated from the proposed works of the school, including student activity and mechanical plant on nearby residential receivers. The report identified as below:

*'PKA has conducted noise calculations that indicate that an increase of less than 0.5 dB would result from the proposed increase of student capacity from 1240 to 1360. This is a marginal difference which is generally considered as imperceptible to general people. As the school is an existing facility and has been operating for more than 30 years, this potential increased noise level is in our opinion not considered an issue.'*

*The proposed teaching hubs are not anticipated to facilitate significantly noise generating activities, and therefore conventional building construction will effectively ameliorate noise impacts to all surrounding receiver locations.*

*Further, schools are widely considered to be a valuable addition to community areas, and as such an allowance is generally given to school in regard to noise emission from schools.*

*At this stage, mechanical equipment has not yet been selected or nominated. For future mechanical noise assessment, noise limits are shown within Table 5-1 of this report.*

*Overall, the car parking capacity is only marginally increased, and will result in imperceptible increases of traffic noise impacts (less than 0.5 dB) at receiver locations.*

*The proposed changes are anticipated to generate an additional 55 vehicular movements per hour during the peak period. Noise calculations indicate that the increased vehicular movements will result in an increase of less than 0.5 dB, which is a marginal difference and is generally considered as imperceptible to general people. - Even in a worst case scenario, the proposed additional vehicular movements will not result in a perceptually increased noise level.'*

Council's Environmental Health Officer has reviewed the submitted acoustic report and considered that the development is capable of operating generally in accordance with the relevant noise criteria. The imposition of a condition is recommended to ensure that the building is designed and plant equipment is selected in accordance with the recommendation of the Acoustic Report.

#### Traffic

A Traffic Impact Assessment report was prepared to assess the likely generation of traffic due to the increase of student numbers and fulltime staff. The report identified that an additional 55 vehicle trips per hour and 42 vehicle trips per hour during the AM and PM peak periods, respectively. The report also provides the AM and PM peak modelling results for the scenarios with and without development traffic for the opening year (2023) at the intersection of Rifle Range Road and George Street. The modelling results indicates that under the post development scenario, the intersection will continue to operate at similar levels of service to existing conditions, that is level of service B (good with acceptable delays and spare capacity at traffic signals and roundabouts; and acceptable delays and spare capacity at 'give way' and 'stop sign').

The proposed development and resultant traffic generation have also been reviewed by Transport for NSW with no objection being raised it being considered that the proposal will have negligible impact on the surrounding main (classified) road network. Council's Development Engineer also assessed the development and raised no objection given the minimal traffic increase on the local street network.

#### Amenity

The submitted architectural plans indicates the proposed setback to the adjacent north eastern and south eastern property boundaries. The new Yr 11-12 Inquiry Hub will have a setback of 8.9m from the north eastern boundary and 9.1m from the south eastern boundary. The new Yr 7-10 Inquiry Hub will have a setback ranges from 8.6m to 18.8m from the north eastern boundary. The amenity blocks adjoining the multipurpose court will have a setback of 6.3m from the north eastern boundary.

The new school buildings have provided adequate setback and appropriate screening to the windows to ensure adequate privacy towards the rear of the adjoining buildings. The new buildings will present a more suitable and positive contribution to the streetscape and will not have any significant privacy, overlooking and overshadowing impact to the adjoining residential properties. The proposed design has incorporated a range of materials and textures such as concrete, timber and prefinished surfaces which will improve the design quality of buildings located on the site.

#### Flood Evacuation

The proposed upgrades at the school will improve the current risk to life through a range of design and emergency planning measures. The flood risk in events at 1% AEP and greater than the 1% AEP in particular will be managed by the adoption of a conservative flood emergency response strategy, whereby the school will be closed and

evacuated well in advance of the onset of flooding (minimum effective warning time has been calculated as 17 hours).

A Flood Emergency Response Plan have been submitted in support of the application, this has been discussed in detail in the section above. The proposed development is also accompanied with an Evacuation Capability Assessment which has identified Richmond Road and The Northern Road as the preferred evacuation routes. It is considered that the Flood Emergency Response Plan will be able to provide efficient evacuation during any flood event minimising the risk to life and property associated with the use of the land.

It is therefore considered that the proposed development will have no significant adverse impacts upon the natural or built environments or negative social or economic impacts upon the locality.

#### 5.7 Suitability of the Site for the Development

These matters have been considered in the assessment of this application.

##### Flooding

Part of the land is located below the adopted 100 year Average Recurrence Interval (ARI) flood event level of 17.3m AHD. The site is located within the flood storage / flood fringe zone. A Flood Assessment Report is submitted which has identified that the Year 7-10 Inquiry Hub and Year 11-12 Inquiry Hub will be located at Hazard Category H4 land. The proposed sports ground, COLA and changerooms will be located at Hazard Category H5 land. Finished floor levels of the two new enquiry hub buildings will be at 17.42m AHD. Open sub-floor area is proposed to allow free flow of flood water and reduce impact on floodplain storage capacity. This matter has been considered in the assessment of this application and has been detailed in the sections above.

##### Biodiversity

The land contains some remnant vegetation along the south western boundary which Council's mapping system identifies as Shale Gravel Transition Woodland. Shale Gravel Transition Woodland (which is also known Cumberland Plain Woodland) is listed as a Critically Endangered Ecological Community under the Biodiversity Conservation Act 2016. This area is also identified as high biodiversity value and mapped on the Biodiversity Values Map.

No works are proposed in this area. The proposed development is contained within the area of the existing school, along north eastern boundary. The subject development proposes to remove 29 trees and two groups of trees. The following trees, as referenced within the Arboricultural Impact Assessment prepared by Urban Arbor dated 26 May 2022, are proposed for removal: Trees 3A, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 68, 74, 75, 76, 77, Group 1 & Group 2 Those trees are not located within the biodiversity significant mapped area. A Flora and Fauna Assessment Report has been prepared in support of the proposal. This report outlines as below:

*'The proposal would remove a small area of lawn comprised of mostly introduced species of grasses and a small number (approximately thirty) of planted, ornamental shrubs and small trees. One larger tree, although not especially large or old, would also be removed. This vegetation does not represent remnant native vegetation and all the species of shrubs and trees to be removed are readily available at plant nurseries.*

*There would be no significant impact on flora from the proposed development.*

The report recommends the implementation of mitigation measures such as tree protection fencing and sedimentation controls to reduce potential indirect impacts on retained vegetation and habitat. The conditions prepared in support of this report address the recommendations of the Flora and Fauna Assessment Report.

The proposed works will not trigger the Biodiversity Offsets Scheme (BOS) as the tree removal will not exceed the relevant threshold for the property, nor will the development impact upon any areas of high biodiversity value mapped on the Biodiversity Values Map.

## Bushfire

Part of the site is bush fire prone. Council's Bushfire Prone Land map identifies the subject property as marginally containing the 30 metre buffer zone from designated Category 2 and 3 Vegetation, therefore, the subject site is considered 'bushfire prone'. A Bushfire Assessment Report prepared by Building Code & Bushfire Hazard Solutions Pty Limited, dated 26 May 2022, was submitted in support of the application. Schools are listed as Special Fire Protection Purpose (SFPP) under section 100b(6(a)) of the *Rural Fires Act 1997*.

As the proposal involves a listed SFPP development on bushfire prone land it is classified as integrated development under section 4.46 of the *Environmental Planning and Assessment Act 1979*. The Development Application subsequently requires a Bushfire Safety Authority from the NSW Rural Fire Service (RFS).

The proposed development has been referred to NSW Rural Fire Service seeking General Terms of Approval. In their letter dated 29 November 2022 NSW Rural Fire Service issued General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under Section 100B of the *Rural Fires Act 1997*, subject to conditions. The conditions include the requirements for asset protection zones, construction standards, water and utility services, landscaping, and emergency and evacuation plan. The conditions listed in the General Terms of Approval has been incorporated in the recommended conditions for this application.

The site is considered suitable for the proposed development.

### 5.8 Public Notification

See Section 7 of this report.

### 5.9 The Public Interest

The matter of public interest has been taken into consideration in the assessment of the application.

The proposed upgrading and extension of the existing school facility is permissible and satisfies the zone objectives of the Hawkesbury LEP 2012. The approval of the application is therefore seen to be in the public interest.

### 6.0 Referrals

#### 6.1 Internal

Engineering – Council's Development Engineer has raised no objection to the proposed access, parking and loading arrangements, and bulk earthworks staging works.

Building – The Building Coordinator is supportive of the development subject to the imposition of conditions requiring compliance with the BCA and Disability (Access to Premises – Buildings) Standards 2010.

Environmental Health – The Environmental Health Officer has reviewed the supplied Acoustic Report and Geotechnical Investigation Report; and has raised no objection to the proposal subject to conditions.

Infrastructure – The property is located within a serviced area and is currently connected to reticulated sewer. Council's Wastewater Technical Officer has reviewed the proposal and raised no objection subject to the imposition of conditions. An application for Tradewaste Agreement will be required.

Parks – The proposal involves the removal of 29 trees and two group of trees on the site. The following trees, as referenced within the Arboricultural Impact Assessment prepared by Urban Arbor dated 26 May 2022, are proposed for removal: Trees 3A, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 68, 74, 75, 76, 77, Group 1 & Group 2. The report provides recommendations for the protection of 60 additional trees and one group of trees to be retained onsite. The Consultant Arborist engaged by Council has reviewed the supplied Arboricultural Report and has supported the removal of the trees given their removal is capable of being offset by the proposed landscape scheme. Council's arborist has raised no objection subject to the recommendations of the report.

Council's Ecologist has also reviewed the submitted Flora and Fauna Assessment Report. It is considered that there are no significant impacts to the proposal and therefore no objections were raised to the proposed development.

## 6.2 External

### *Transport for NSW (TfNSW):*

The land adjoins local roads and a total of 170 spaces are to be provided within the car park. The application was referred to Transport for NSW for comment in accordance with Clause 3.58 of the State Environmental Planning Policy (Transport and Infrastructure) 2021.

In their letter dated 8 September 2022 TfNSW provided their comments as below:

*'TfNSW has reviewed the submitted documentation and raises no objection to the proposed development as it will likely have negligible impact on the surrounding classified road network and TfNSW infrastructure'.*

### *State Emergency Services (SES):*

The application has been referred to State Emergency Service (SES) for their review and comments. In their letter dated 15 November 2022 the SES outlines the principles as set out in the NSW Floodplain Development Manual 2002. It is noted that the proposed upgrades at the school will improve the current risk to life through a range of design and emergency planning measures.

An assessment of the impact of the proposed development on the existing evacuation capabilities has been carried out. Given the adoption of a conservative flood emergency response strategy, whereby the school will be closed and evacuated well in advance of the onset of flooding, the likelihood of caregivers not being able to safely reach the children during a flood is not considered significant.

Further the SES assessed whether the development conflicts with the NSW SES's flood response and evacuation strategy for the existing community, and has provided their comments as below:

*'The projected increase in students is likely to come from homes from within the general area. Therefore, they are likely to have been accommodated within NSW SES evacuation capacity considerations and projected network growth. The small increase in teachers is not likely to result in significant negative impacts on evacuation for the community.'*

### *Endeavour Energy:*

The application was referred to the Endeavour Energy for their review and comments. It is highlighted the following facilities are located within or in close proximity to the subject site:

- *An easement benefitting Endeavour Energy for low voltage and 11,000 volt / 11 kilovolt (kV) high voltage underground cables going to padmount substation no. 15895 and from which there is low voltage underground service conductor going to the customer connection point for the existing premises.*
- *Low voltage and 11 kV underground cables to part of the Tasman Place road verge / roadway.*
- *Low voltage overhead power lines to parts of the Collith Avenue road verge / roadway (including a conductor for a streetlight on a customer owned / private pole on the site).*
- *Low voltage overhead power lines to parts of the Riffle Range Road road verge / roadway for streetlights.*
- *11 kV high voltage (near the corner of Rifle Range Road) and 33,000 volt / 33 kV high voltage overhead power lines, overhead earth cables and overhead pilot cables (carrying protection signals or communications between substations) to the Mileham Street road verge / roadway.*

Endeavour Energy has reviewed the submitted plans. The proposed development / additions do not appear to have a direct impact on the easement. In their letter dated 7 July 2022 Endeavour Energy has granted approval to the proposed development subject to conditions. The conditions received from Endeavour Energy have been included in the recommended conditions.

## NSW Rural Fire Service (RFS):

The proposed development has been referred to NSW Rural Fire Service seeking General Terms of Approval. In their letter dated 29 November 2022 NSW Rural Fire Service issued General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under Section 100B of the *Rural Fires Act 1997*, subject to conditions. The conditions listed in the General Terms of Approval has been incorporated in the recommended conditions for this application.

### 7.0 Public Consultation

#### 7.1 Notification and Submissions

The application was notified from 20 July 2022 to 3 August 2022 in accordance with Section 3.2.1 of Part A Chapter 3 of the Hawkesbury DCP 2002.

Three submissions were received in response to the notification of this application.

Matters raised in the submissions are detailed below in italics, followed by a response by the assessing officer:

- *Location of proposed multi-purpose court, COLA and changerooms – concerns raised about increased noise levels and privacy from No. 20 Wimbow Place South Windsor;*

*Officer's comment:* It is noted that the single storey change room / amenity building has a setback of 6.3m from the rear boundary. The amenity building has a blank blockwork wall with no windows or openings at the rear elevation. It is unlikely that the building will have any adverse privacy impact on the adjoining residence. The multipurpose court provides a setback of 9.9m from the adjacent property boundary. The proposed amenity building is positioned between the multipurpose court and the boundary. This will provide an acoustic buffer and reduce any visual impact.

- *Multiple large windows on the second storey of the Year 7-10 Inquiry Hub Building - Privacy concerns – overlooking into the rear yard and house - from No. 20 Wimbow Place South Windsor.*

*Officer's comment:* The submitted architectural plans show that the external wall of Inquiry Hub 10 (First Floor) is offset 18.8m from No.20's rear boundary. The windows located on the north-western facade are not orientated towards No.20's rear boundary and overlook the multi-purpose courts and playing field beyond. The glazing edge of the closest window located in the north western facade is offset 21.45m from the shared boundary. Sightlines are oblique and at a significant distance from the shared boundary. Further, it is noted that a large shed exists on the property at No.20 and is located midway along the length of the properties rear boundary. Any perceived sightlines from the Year 7-10 Inquiry Hub building will be obscured by the shed

- *Casting shadow will directly impact the dwelling with the afternoon sun being eliminated and concerns mould may manifest in shaded areas – from No. 19 Wimbow Place South Windsor.*

*Officer's comments:* The submitted shadow diagram shows shadow impact assessment on the 21st of June between the hours of 9am to 3pm. This diagram illustrates solar access to the rear yard of No.20 is maintained and no impact of overshadowing occurs.

- *The proposal would create an intrusive element looking into the dwelling – from No. 19 Wimbow Place South Windsor*

*Officer's comments:* The submitted architectural plans show that the external wall of Inquiry Hub 10 (First Floor) is offset 18.8m from No.19's rear boundary. The windows located on the north-western facade are not orientated towards No.19's rear boundary and overlook the multi-purpose courts and playing field beyond. No glazed windows from learning spaces interface with the rear yard at No.19. A non-fire isolated stair is positioned against the side wall of Inquiry Hub 10 with its primary function to provide emergency egress. The stair is offset 13.6m from the rear boundary at No.19. Existing Eucalypt trees located on the school property boundary, interfacing with the rear yard at No.19, will provide significant screening, and together with proposed landscaping any visual sightlines will be mitigated.

- *The operational noise from the school will create a nuisance and impact health - from No. 19 Wimbow Place South Windsor.*

**Officer's comments:** The existing site has been operating as a school for last 20 years. Basketball courts are currently offset 6.2m from the rear property boundary at No.19 and currently generate noise periodically throughout the day. The proposed Year 7-10 Inquiry Hub building is positioned adjacent to the rear property boundary at No.19. The Inquiry Hub building contains learning settings (classrooms) that are low noise generating, far less than the noise generated by the existing basketball courts. In addition, an acoustic report was submitted with the application that confirms that subject to conditions the application is acceptable from a noise perspective.

- *The dwelling has solar panels on the entire north facing side of the roof. Of an afternoon the new construction height will cast a shadow resulting in the loss of generated power that is expected, leading to higher household running costs - from No. 19 Wimbow Place South Windsor.*

**Officer's comments:** The submitted shadow diagram shows that there is no overshadowing impact on No. 19 Wimbow Place.

- *Students at the school will be capable of throwing objects at the occupants in the dwelling, the premises and dwelling can be maliciously damaged - from No. 19 Wimbow Place South Windsor.*

**Officer's comments:** The applicant was contacted regarding this matter and the response received is as below; *'The existing school currently operates adjacent to the property at No. 19. Catholic Education Diocese of Parramatta are not aware of any existing issues of object throwing from the existing playground area to the property at No.19. The proposed Year 7-10 Inquiry Hub building will reduce any potential overthrowing concerns that may currently exist as the proposed building does not have windows interfacing with the rear boundary at No. 19. Whilst not relevant to this concern, all proposed first floor operable windows are louvered, providing a clear aperture opening of only 100mm, thus eliminating the opportunity to throw objects. The school's operational management policy aims to ensure all neighbours and their properties are respected'.*

- *The local street network will become congested due to the proposed increase of the students. Senior students park in the local streets – concern from a general resident.*

**Officer's comments:** Council's Development Engineer has raised no objection to the development on traffic or parking grounds. The issue of parking is discussed in the earlier section of this report. Adequate car parking spaces are provided within the school compound. The school authority is currently implementing Green Travel Plan initiatives which aims to reduce single vehicle car trips and encourage carpool system and/or bicycle uses.

### **Financial Implications**

Clause 2.7 of the Section 7.12 Contributions Plan 2015 provides an exemption from the payment of Section 7.12 (formerly known as Section 94A) Contributions where the proposal involves "educational establishments". The proposal is therefore be exempt from the payment of development contributions.

### **Conclusion**

The application has been assessed having regard to the heads of consideration under Section 4.15 of the EP&A Act. The application is considered to represent a satisfactory form of development and is recommended for approval subject to standard building and development conditions included under the recommendation section of this report.

### **Recommendation**

**That the Sydney Western City Planning Panel as the consent authority pursuant to Clause 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979* (as amended) approve Development Application No. PPSSWC - 252 / DA0190/22 for an Educational Establishment - Demolition of Existing Carpark & Structures, Proposed Staged Development, Construction of Two Enquiry Hubs, Multi-Purpose Courts and Covered Learning Area (COLA), Internal Refurbishment, Relocation and Addition of Demountable Buildings and an Increase of Student Numbers from 1240 to 1360 of Lot 1 DP 811652, known as 22 Rifle Range Road, South Windsor, subject to the conditions included as Attachment 3.**

## **Attachments**

Attachment 1 – Plans of the Proposal

Attachment 2 – Flood Assessment Report

Attachment 3 – Recommended Conditions of Consent

## **Reasons for Decision**

The Sydney Western City Planning Panel has determined that the application be approved on 2 December 2022 on the following grounds:

1. The proposed development is permissible and is consistent with the provisions of the Hawkesbury Local Environmental Plan 2012.
2. The proposal is generally consistent with the relevant planning instruments, Hawkesbury Development Control Plan 2002 and policies that apply to the development.
3. Council's Development Engineer has raised no objection to the development on flooding, traffic or parking grounds.
4. The proposed development maintains existing access and egress arrangements for the educational establishment.
5. The proposal was notified in accordance with the Hawkesbury Development Control Plan 2002 and the received submissions were considered in the assessment of the application.

## **Attachments**

### **Attachment 1 – Plans of the Proposal**

## **Attachment 2 – Flood Assessment Report**

### **Attachment 3 – Recommended Conditions of Consent**