



STATEMENT OF ENVIRONMENTAL EFFECTS

New two (2) storey classroom building

WILLIAM CAREY CHRISTIAN SCHOOL

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Contents

1	Introduction	6
1.1	Commission	6
1.2	Overview of Proposed Development	6
1.3	Purpose of this Statement	6
1.4	Objectives of the Development	7
1.5	Consultation	7
1.6	Development Approval History	8
2	The Site and Context	10
2.1	Site Description	10
2.2	Site Context and Surrounding Development	12
3	Proposed Development	13
3.1	Summary of Proposed Development	13
3.2	Description of Works	13
4	Statutory Requirements	18
4.1	Environmental Planning & Assessment Act 1979	18
4.2	Rural Fires Act 1997	19
4.3	Water Management Act	23
4.4	National Parks and Wildlife Act 1974	24
4.5	Biodiversity Conservation Act 2016	25
4.6	Environmental Planning and Assessment Regulation 2021	25
4.7	State Environmental Planning Policies	26
4.8	Liverpool Local Environmental Plan 2008	30
4.9	Draft Environmental Planning Instruments	33
4.10	Liverpool Development Control Plan (DCP) 2008	33
4.11	Development Contributions Plan	38
4.12	Strategic Context	38
5	Environmental Planning and Impact Assessment	39
5.1	Flooding	39
5.2	Stormwater Management	43
5.3	Bushfire	44
5.4	Flora and Fauna	44
5.5	Soil and Geology	45
5.6	Air and Microclimate	45
5.7	Built Form and Visual Amenities	46
5.8	Noise and Vibration	47
5.9	Waste Management	49
5.10	Heritage	49
5.11	Social and Economic Impacts	49
5.12	Crime and Safety	49
5.13	Traffic, Transport and Accessibility	50
5.14	Suitability of the Site for the Development	50
5.15	The Public Interest	51

6	Conclusion	52
7	Glossary and Abbreviations	53

Figures

Figure 1	Site Location with the location of the works identified in red (Source: NSW Planning Portal)	10
Figure 2	Aerial photograph of the site with the location of the works identified in red (Source: Nearmap dated 28 January 2025)	11
Figure 3	Location of the works with the location of the new building identified in red (Source: Nearmap dated 28 January 2025)	11
Figure 4	Proposed site plan with new two (2) modular building identified in orange (Source: Marathon Modular)	13
Figure 5	Proposed ground floor plan (Source: Marathon Modular)	14
Figure 6	Proposed northern elevation (Source: Marathon Modular)	15
Figure 7	3D Photomontage of the proposed building (Source: Marathon Modular)	15
Figure 8	Proposed landscape plan (Source: Studio 151 Landscape Architecture)	16
Figure 9	Proposed Stormwater Management Plan (Source: Birzulis Associates)	17
Figure 10	Bushfire Prone Land Map (Area of works marked in red (Source: ePlanning Spatial Viewer)	20
Figure 11	Plant Community Types (Source: SEED seed.nsw.gov.au)	25
Figure 12	Extract of Zoning Map showing the location of the proposed modular building in red (Source: ePlanning Spatial Viewer)	33
Figure 13	Extract of flood mapping (area of works marked in red) (Source: Liverpool Council ePlanning)	39
Figure 14	PMF Existing Conditions Flood Depth and Extent (Source: Stantec)	40
Figure 15	PMF Proposed Conditions Flood Depth and Extent (Source: Stantec)	40
Figure 16	PMF Existing Conditions Flood Velocity (Source: Stantec)	40
Figure 17	PMF Proposed Conditions Flood Velocity (Source: Stantec)	40
Figure 18	PMF Existing Conditions Flood Hazard (Source: Stantec)	41
Figure 19	PMF Proposed Conditions Flood Hazards (Source: Stantec)	41
Figure 20	Section through the new building showing the finished floor levels (Source: Marathon Modular)	41
Figure 21	PMF Water level differences (Source: Stantec)	42
Figure 22	Proposed Post Development Catchment Plan (Source: Birzulis Associates)	44
Figure 23	Extract of Environmentally Sensitive Land Map (area of works identified in red (Source: ePlanning Spatial Viewer)	45
Figure 24	Landscape Calculation Plan (Source: Marathon Modular)	46
Figure 25	3D model of the proposed two (2) storey building (Source: Marathon Modular)	47
Figure 26	Location of affected receivers and noise logger locations (Source: Northrop)	48

Table

Table 1	Development Consents	8
Table 2	Matters for Consideration under Section 4.15	19
Table 3	Assessment against Division 1 of Part 3 of the EP&A Regulation	26
Table 4	State Environmental Planning Policy (Resilience and Hazards) 2021	27
Table 5	State Environmental Planning Policy (Transport and Infrastructure) 2021	27
Table 6	State Environmental Planning Policy (Biodiversity and Conservation 2021)	29
Table 7	Assessment against Liverpool Local Environmental Plan 2008	31
Table 8	Liverpool Development Control Plan 2008	34

Appendices

- A. Architectural Plans (Marathon Modular)
- B. Site Survey (Beyond Measure Surveys)
- C. Design Quality Principles (Marathon Modular)
- D. Landscape Plan (Studio 151 Landscape Architecture)
- E. Civil and Stormwater Plans (Birzulis Associates)
- F. Stormwater Management Report (Birzulis Associates)
- G. BCA Statement (Anthony Protas Consulting)
- H. Fire Engineering Report (Lote Consulting)
- I. Access Compliance Statement (Urban Pathways)
- J. Section J Report (Building Sustainability Assessments)
- K. Bush Fire Assessment (Bushfire Planning and Design)
- L. Bush Fire Safety Authority (NSW Rural Fire Service)
- M. Acoustic Report (Northrop)
- N. Flood Impact Assessment (Stantec)
- O. Flood Emergency Response Plan (Stantec)
- P. Letter from SES dated 5 November 2024 (NSW State Emergency Service)
- Q. Response to SES (Stantec)
- R. Geotechnical Investigation Report (JK Geotechnics)
- S. Waste Management Plan (William Carey Christian School)
- T. Aboriginal Heritage Due Diligence Assessment (DA-144/2024) (Artifact)
- U. Ecological Impact Assessment (DA-144/2024) (Narla Environmental)
- V. EDC Report (MDA Australia)
- W. NABERS Embodied Emissions Materials Form (MDA Australia)

1 Introduction

1.1 Commission

EPM Projects has been engaged by William Carey Christian School, Prestons (WCCS / the school), to prepare a Statement of Environmental Effects (SEE) for a proposed two (2) storey school building at 38-44 Bumbera Street, Prestons (the Site).

This SEE accompanies a Development Application (DA) to Liverpool City Council (Council). The Site is zoned R2 – Low Density Residential (the R2 zone), RE1 – Public Recreation (the RE1 zone), and SP2 – Infrastructure (the SP2 zone) under the *Liverpool Local Environmental Plan 2008* (LLEP 2008), with the works only located on the part of the site zoned R2.

Educational establishments are permitted with consent in the R2 zone under the LLEP 2008. Additionally, Part 3.4 of the State Environmental Planning Policy (Transport & Infrastructure) 2021 (T&I SEPP) identifies the R2 zone as a 'prescribed zone' for the purpose of school development, further confirming that educational establishments are permissible with consent.

1.2 Overview of Proposed Development

The proposed development involves the construction of a new two (2) storey modular building on the western portion of the Site, positioned between existing Blocks G, D, and E. The building accommodates two (2) science laboratories on the ground floor and four (4) classrooms on the first floor. A new walkway at the first floor links the new building with the Block G.

The development does not alter the approved overall student capacity of 1,430 students and 183 staff, as granted under DA-144/2024 on 16 September 2024.

The proposed school modular building has an overall height of 7m above ground level, which complies with the maximum permitted building height of 8.5m under the LLEP 2008. Additionally, the proposal complies with the applicable maximum floor space ratio (FSR) of 0.6:1, with the overall site FSR being 0.12:1.

1.3 Purpose of this Statement

The purpose of this report is to provide Council and relevant NSW State Government Agencies all pertinent information necessary to assess the subject development proposal and to determine the DA in accordance with section 4.16 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2021* (the Regulation). The proposed development is assessable pursuant to Part 4 of the EP&A Act.

The proposed development is nominated as "Integrated Development" under Section 4.46 of the EP&A Act as the DA requires:

- A control activity approval pursuant to Section 91 of the Water Management Act 2000 (WM Act). The proposed development involves works within 40m of the watercourse 'Cabramatta Creek', mapped under Water Management (general) Regulation 2018. Therefore, it requires concurrence from DPE - Water.
- A Bush Fire Safety Authority (BFSA) under section 100B of the Rural Fires Act 1997 (RF Act) as the site is identified as bushfire prone land and the development is classified as development for a 'special fire protection purpose'. A BFSA was issued by NSW Rural Fire Service (RFS) on 7 January 2025 (**Appendix L**).

The proposed development has an estimated development cost (EDC) of more than \$5 million, therefore the consent authority for the DA is the Sydney Western City Planning Panel (SWCPP).

1.4 Objectives of the Development

On 16 September 2024, DA-144/2024 was approved to increase the overall student capacity the school to 1,430 students and staff to 183, along with the provision of additional 223 car parking spaces.

The proposed development aims to enhance the school's facilities by constructing a new school building to provide additional amenities and educational spaces that support the increased student and staff capacity. This development will further accommodate the school's operational needs by delivering modern, purpose-built learning environments.

1.5 Consultation

On 15 February 2023, WCCS met with Council for a formal Pre-DA meeting (PL-7/2023). During the meeting, preliminary plans for the new building and to increase in student and staff numbers with provision of additional car parking space were discussed. Council was generally supportive of the concept. Notwithstanding, WCCS was required to comprehensively address traffic, flooding, bushfire, noise management, and environmental impacts.

WCCS adopted a two-phase approach:

- Phase 1: Secure approval for increased student and staff capacity, address traffic concerns, and provide additional car parking spaces. This was approved under DA-144/2024 in September 2024.
- Phase 2: Seek approval for the construction of the new school building, completing the overall concept.

Council supported this staged approach. This DA (Phase 2) has now been prepared in line with the written advice received earlier from Council.

The school originally sought to undertake the proposed two (2) storey classroom building as 'development permitted without consent' under Part 5 of the EP&A Act. In accordance with the requirements under Chapter 3 of the T&I SEPP, written notification of the proposed development was provided as follows:

- Notification to State Emergency Service (SES) on 15 October 2024
- Notification to Liverpool City Council on 24 October 2024

No feedback during the 28-day notification period was received from Council. On 5 November 2024, feedback was received from SES (**Appendix P**). A response to the feedback from SES has been prepared (**Appendix Q**).

In addition, an application was made to the RFS on 24 October 2024 for a BFSA under section 100B of the RF Act. The BFSA was issued by RFS on 7 January 2025 (**Appendix L**).

On 22 November 2024, the EP&A Regulation and T&I SEPP was amended. As a result of these amendments, registered non-government schools are no longer public authorities for the purposes of development permitted without consent under section 3.37 of the T&I SEPP on land within a prescribed zoned. Therefore, as the Review of Environmental Factors (REF) has not been determined by this date, the only planning pathway available for the works is a Development Application (DA) to Council.

1.6 Development Approval History

A review of Liverpool City Council's DA Tracker and a GIPA application undertaken in February 2023 have identified the following previous development consents for the site (**Table 1**)

Table 1 Development Consents		
Date Approved	DA Description	Relevant Conditions
16/12/1986	DA 350 86 / BP 659 87 - Erection of school development	5. 48 carparking spaces to be provided
14/12/1988	DA 856 88 / BP 2066 88 - Erection of a portable school building to be used as a temporary classroom for a period of five years	
29/08/1989	BP 735 89 - Class IXB school class rooms	
18/01/1990	BP 1853 89 - Class IXB Library - school classrooms	
31/05/1991	BA 500 91 - Class IXB school	
4/11/1993	DA 611 93 - Additions to existing school consisting of classrooms, gymnasium and oval	17. 79 car parking spaces to be provided
5/04/1994	DA 2570 93 - Class 9b gymnasium and classrooms	
13/10/1994	DA 544 95 - Class 9b Classrooms	
21/09/1994	DA 198 95 - Additions to an educational establishment	6. All parking areas shown on plans referred to in condition 1 (Dwg No. 611.1 & 611.14) must be used solely for this purpose
3/07/1996	DA 716 96 - Extension to existing school and new classrooms, specialist rooms, store and staff rooms	6. Student cap: 1150 28. 79 off street carparking spaces to be provided
18/12/1996	DA 609 96 - Cleaning and redevelopment of existing dam for the purpose and use as a wildlife sanctuary	
3/10/1996	DA 345 97 - Proposed class 9b school buildings	
11/08/1999	DA 3600 99 - Erection of two class room buildings and extension to existing classrooms	
16/05/2003	DA 1333 03 - Extension to existing school and new classrooms	
5/09/2005	DA 1217 05 / DA 265 2006 - Extension to school including staff room, class rooms and toilet block 1	
26/05/2009	DA 874 2009 - New entry to existing dwelling within school grounds and associated driveway crossing from Mullenderree Street	
26/11/2009	CDC 92 2010 - Additions to school to include new language classrooms	
22/03/2010	DA 948 2010 - Single storey building to be used for vocational education and trainign (vet) and associated fit-out	

Table 1 Development Consents		
Date Approved	DA Description	Relevant Conditions
17/12/2009	DA 667 2010 - Alterations and additions to existing multi-purpose hall and library	
11/12/2012	DA 1749 2012 - Erection of signage for school	
24/08/2017	DA 513 2009 MOD - Prep increase in student and staff	Increase the student numbers in prep places from 45 to 60 students. Increase the staff numbers from five to six
16/09/2024	DA 144/2024 – Increased student numbers from 1,228 to 1,430 and increased staff number form 158 to 183 FTE and additional onsite carparking space 223.	



Figure 2 Aerial photograph of the site with the location of the works identified in red (Source: Nearmap dated 28 January 2025)

The proposed works are located on Lot 50 DP 1082480. A part survey has been prepared by Beyond Measure Survey (**Appendix B**)

The site of the new two (2) storey building is located within the courtyard between Blocks D, E and G (**Figure 3**). The existing courtyard is partially concreted and partially grassed with limited vegetation.



Figure 3 Location of the works with the location of the new building identified in red (Source: Nearmap dated 28 January 2025)

2.2 Site Context and Surrounding Development

The site adjoins Camden Valley Way to the south. East of the site is the low-density residential suburb of Prestons, comprising residential development predominantly consisting of one (1) and two (2) storey dwellings. West of the site is Cabramatta Creek with the former Sydney Bazaar site on the other side. This site is currently subject to extensive siteworks to facilitate a new residential subdivision. To the south of Camden Valley Way is Edmonson Park, which is a newly developing urban release area.

3 Proposed Development

3.1 Summary of Proposed Development

The new two (2) -storey modular building comprises science labs, classrooms, storage, changerooms, and accessibility features such as ramps and external staircases to integrate with the existing school infrastructure for improved accessibility. The development also includes associated site preparation works and landscaping.

Architectural Plan have been prepared by Marathon Modular (**Appendix A**). is an extract of the proposed site plan.

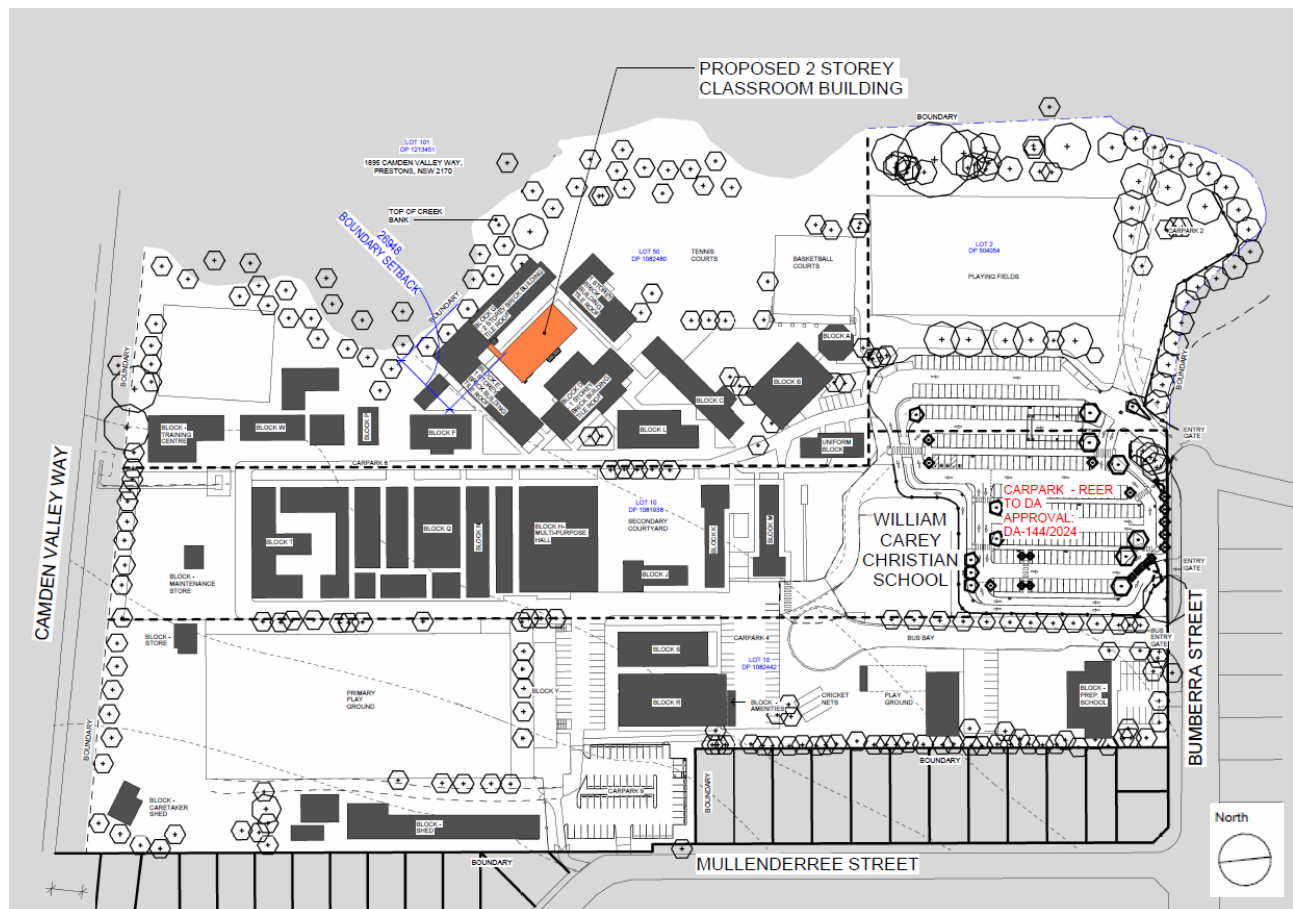


Figure 4 Proposed site plan with new two (2) modular building identified in orange (Source: Marathon Modular)

3.2 Description of Works

3.2.1 Demolition

The proposed new school modular building will be located between existing Blocks D, E, and G on a relatively flat, hard-surfaced area with some open grassland. Therefore, minimal site preparation and earthworks are required with no tree removal, the location and position of the new modular building ensures no impact on existing trees.

Minor demolition works are required to facilitate the new development including:

- Demolition of the concrete ramp at the front of the Block G lift
- Removal of part of the roof of Block G to accommodate the new walkway.

3.2.2 New Two Storey Building

The new two (2) storey modular building comprises:

- Ground floor:
 - Two (2) Science Labs
 - One (1) storage room and one (1) Comms room
 - Seven (7) student amenities including one (1) accessible and two (2) ambulant facilities
- First Floor:
 - Four (4) General Learning Areas (GLAs)
 - New ramp link with Block G

Circulation spaces are located on the north-eastern side of the building.

The new building has a total gross floor area (GFA) of 649m² (comprising a GFA of 304m² on the ground floor and 345m² on the first floor) and has a maximum building height of 7.95m.

Figure 5 is an extract of the proposed ground floor.

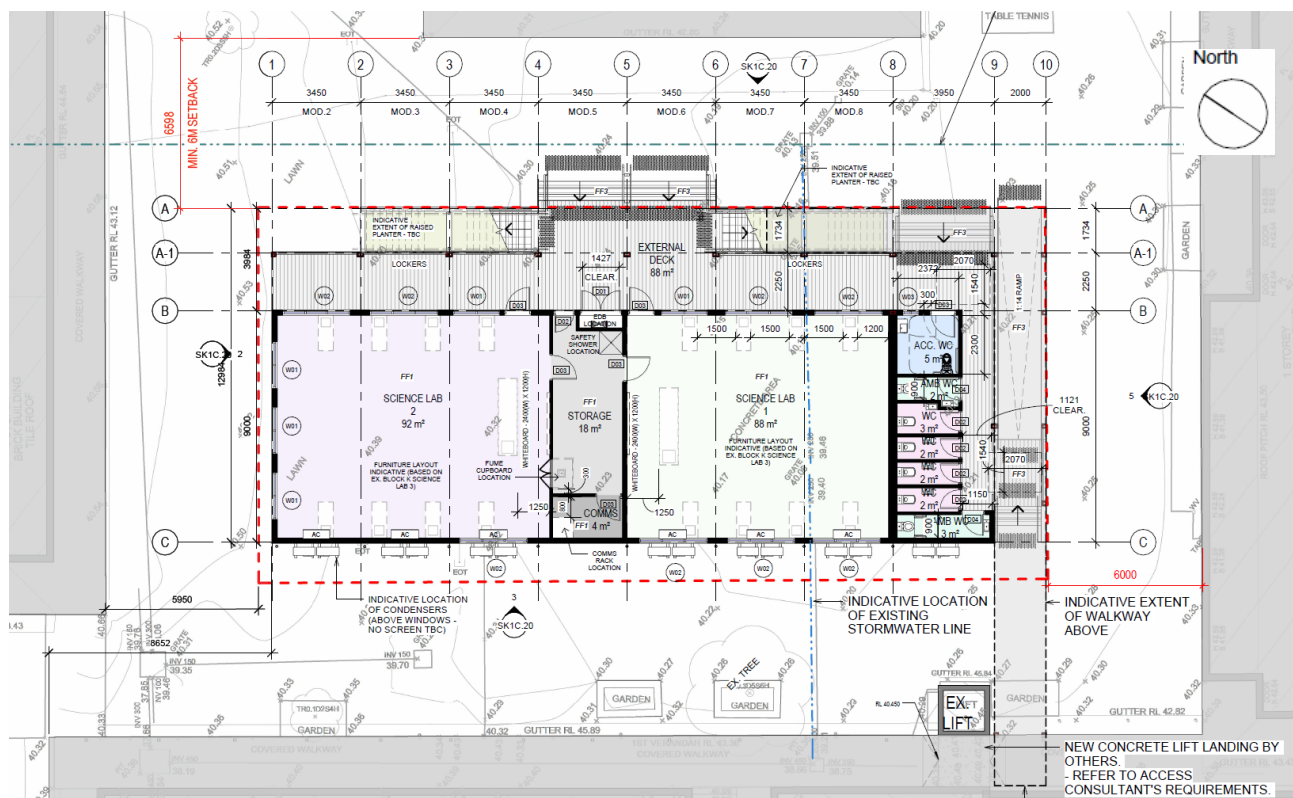


Figure 5 Proposed ground floor plan (Source: Marathon Modular)

The proposed building utilises modular construction techniques, with the major building components constructed off-site and craned into place. The off-site manufacturing provides benefits through a standardised approach that maximum design efficiencies and reduces construction impacts on an operational school environment.

External finishes comprise CFC cladding in two (2) colours 'Shale Grey' to the ground floor and 'Deep Ocean' to the first floor (**Figure 6**). The two-tone creates visual interest. All finishes have been chosen as they are robust and easy to maintain.



Figure 6 Proposed northern elevation (Source: Marathon Modular)

Figure 7 is a 3D photomontage of the proposed two (2) storey building.



Figure 7 3D Photomontage of the proposed building (Source: Marathon Modular)

3.2.3 Landscaping

Landscape plans have been prepared by Studio 151 Landscape Architecture (**Appendix D**). The proposed landscaping comprises:

- New mass planting within raised planters beneath the new external stairs
- New concrete paving
- Make good of existing turf

The landscape has been designed in accordance with the requirements of Planning for Bushfire Protection 2019 (PFBP) and comprises a mix of species suitable for shaded habitats.

An extract of the proposed landscape plan is provided as **Figure 8**.

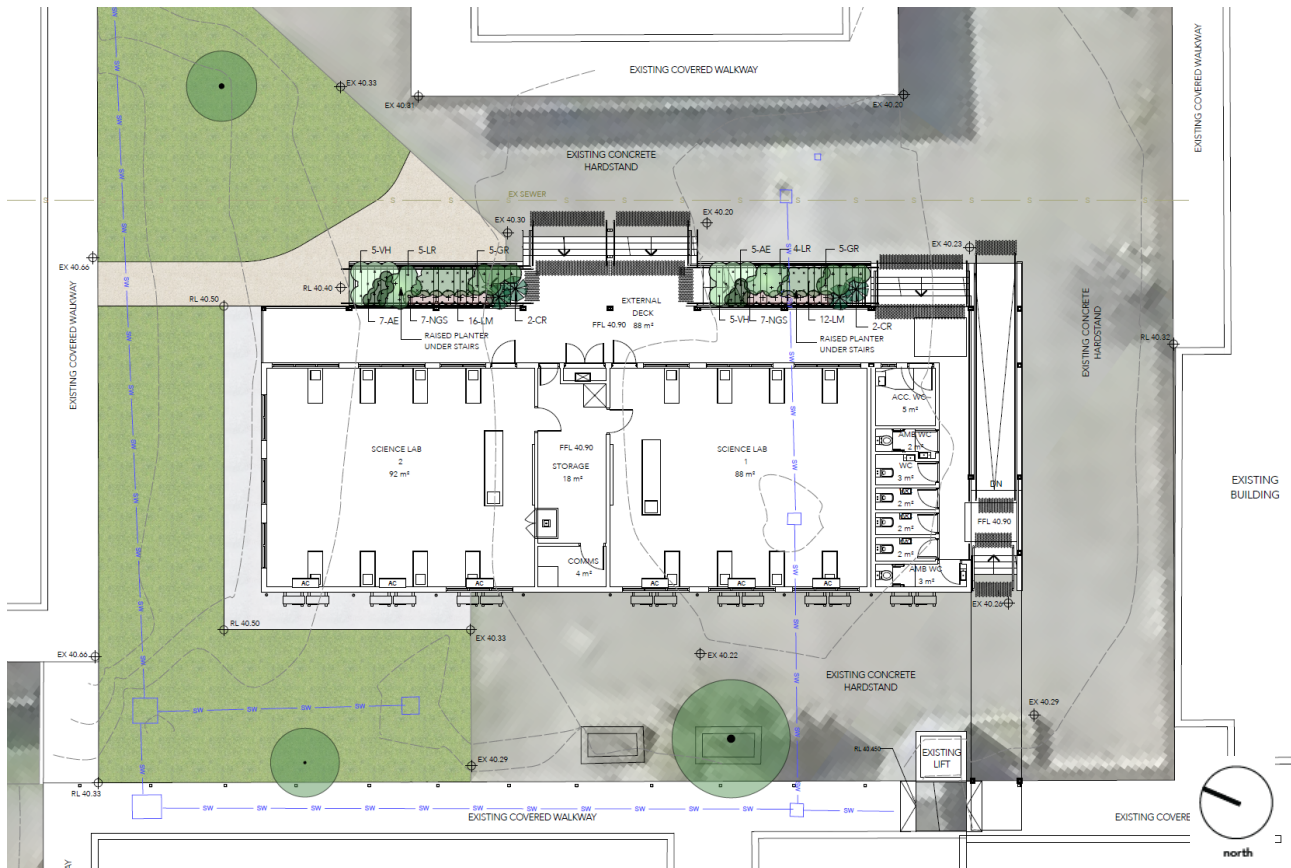


Figure 8 Proposed landscape plan (Source: Studio 151 Landscape Architecture)

3.2.4 Traffic and Parking

On 16 September 2024, DA-144/2024 was approved for a new car park and an increase in student and staff numbers. This DA does not propose any changes to the traffic and parking arrangements approved under this DA.

3.2.5 Services and Utilities

Due to the current use of the site as school, the site is well connected with the services and utilities. Notwithstanding, the existing utility services including water, electricity and sewerage will be utilised with the upgrades as needed to support the proposed development of a new school building. The proposed development will ensure uninterrupted and safe utility access throughout the development on the site.

3.2.6 Civil and Stormwater Management

During construction, appropriate sediment and erosion controls measure will be implemented and maintained by the applicant's contractors. The measures shown in the Erosion and Sediment Control Plan prepared by Birzulis Associates (**Appendix E**) are intended to be a minimum treatment only as the constructed will be required to modify and stage the erosion and sediment controls measure to suite the construction program, sequencing and techniques.

As described in the Civil and Stormwater Plans (**Appendix E**) and Stormwater Management Report (**Appendix F**), it is proposed to connect the new building to the School's existing stormwater management system. New pits and pipes have been located to suit the new building layout, with stormwater collected from downpipes and hard surfaces and directed to a new 7m³ on-site detention tank located to the adjacent to the western corner of the new building (**Figure 9**).

The Stormwater Management System has been designed in accordance with the requirements of the Liverpool Development Control Plan 2008. A DRAINS model has been prepared to demonstrate that the rate of post-development discharge is less than or equal to the pre-development discharge for the site.

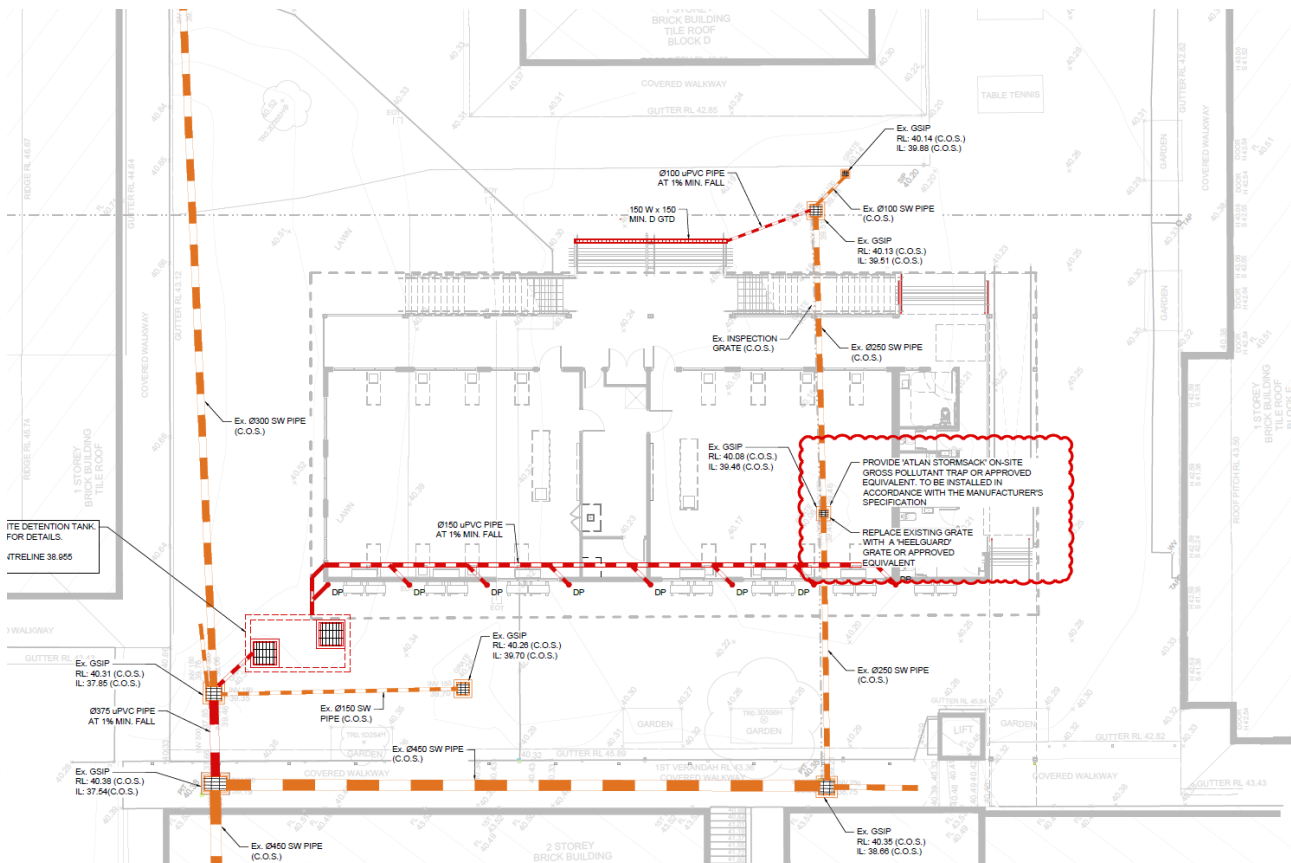


Figure 9 Proposed Stormwater Management Plan (Source: Birzulis Associates)

3.2.7 Operations

No changes to the school's existing operations are proposed, which are generally between 8:40am and 3:10pm, Monday to Friday during school term.

3.2.8 BCA and Access

A Building Code of Australia (BCA) Compliance Statement has been prepared by Anthony Protas Consulting (**Appendix G**) that confirms that the proposed development complies or is readily capable of complying with the relevant requirements of the BCA 2022. As the site contains bushfire prone land and the development triggers the requirements of Specification 43 of the BCA, a Fire Engineering Report has been prepared by Lote Consulting (**Appendix H**) that details the proposed fire safety strategy for the proposed development. The Fire Engineering Report concludes that performance-based fire engineering can be undertaken to address any variations from the BCA deemed-to-satisfy provisions.

A Disability Access Compliance Statement has been prepared by Urban Pathways that provides a compliance assessment against the relevant accessible design criteria including the Disability (Access to Premises – Buildings) Standards 2010, BCA 2022 and relevant Australian Standards (**Appendix I**). The Disability Access Compliance Statement concludes that the proposed development is capable of compliance with the deemed-to-satisfy provisions of the BCA subject to the recommendations of the consultant.

A Section J Report has been prepared by Building Sustainability Assessments to provide a preliminary assessment against the relevant provisions of Section J of the BCA (**Appendix J**).

4 Statutory Requirements

The following statutory instruments, documents and matters have been considered in this SEE:

- *Environmental Planning and Assessment Act 1979* (EP&A Act)
- *Rural Fires Act 1997* (RF Act)
- *Water Management Act 2000* (WM Act)
- *National Parks and Wildlife Act 1974* (NPW Act)
- *Biodiversity Conservation Act 2016* (BC Act)
- *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation)
- *State Environmental Planning Policy (Planning Systems) 2021* (PS SEPP)
- *State Environmental Planning Policy (Transport and Infrastructure) 2021* (T&I SEPP)
- *State Environmental Planning Policy (Resilience and Hazards) 2021* (R&H SEPP)
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (B&C SEPP)
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Liverpool Local Environmental Plan 2008* (LLEP 2008)

The applicable provisions from each of the above are considered below.

4.1 Environmental Planning & Assessment Act 1979

4.1.1 Objectives of the Act

Planning and development in NSW is controlled and regulated via the EP&A Act. The objectives of the EP&A Act are as follows:

- (a) *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) *to promote the orderly and economic use and development of land,*
- (d) *to promote the delivery and maintenance of affordable housing,*
- (e) *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) *to promote good design and amenity of the built environment,*
- (h) *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) *to provide increased opportunity for community participation in environmental planning and assessment.*

This SEE outlined the proposed development and its consistency with the above objectives.

4.1.2 Evaluation

Section 4.15(1) of the EP&A Act outlines matters that a consent authority must consider in determining a development application. Matters as are of relevance to the proposed development are discussed in **Table 2** below:

Table 2 Matters for Consideration under Section 4.15	
Section	Discussion
4.15(1)(a)(i) Any environmental planning instrument (EPI)	All applicable environmental planning instruments are addressed at Sections 4.7 and 4.8.
4.15(1)(a)(ii) Any draft (EPI)	All applicable draft environmental planning instruments are addressed at Section 4.9.
4.15(1)(a)(iii) Any development control plan	The Liverpool Development Control Plan 2008 (the DCP) is addressed at Section 4.10.
4.15(1)(a)(iiia) Any planning agreement	There are no planning agreements applicable to the proposed development
4.15(1)(a)(iv) The regulations (as prescribed for the purposes of this section)	See Section 4.6 below.
4.15(1)(b) Likely impacts	The likely impacts of the proposed development, including but not limited to environmental impacts on both the natural and built environments, and social and economic impacts in the locality are addressed at Section 5.
4.15(1)(c) Site suitability	The suitability of the site for the proposed development is addressed at Section 5.16
4.15(1)(d) Submissions	EPM understands that Council will notify the proposed development to adjoining and nearby landowners in accordance with the <i>Liverpool Community Participation Plan 2022</i> . Should any submissions be received by way of objection to the proposal, the applicant seeks to be provided a copy of the submission(s) and be afforded an opportunity to provide a response to the matters raised.
4.15(1)(e) The public interest	The public interest of the proposed development is considered in detail at Section 5.17

4.1.3 Integrated Development

Section 4.46 of the EP&A Act that integrated development is a type of development that in order to be carried out, requires development consent and approval under one or more separate Acts.

The proposed development is integrated development as it requires the following approvals:

- A Bush Fire Safety Authority under Section 100B of the Rural Fires Act 1997 (refer to **Section 4.2**)
- A Controlled Activity Approval under section 91 of the *Water Management Act 2000* (refer to **Section 4.3**).

4.2 Rural Fires Act 1997

The site is mapped as containing bushfire prone land (Vegetation Buffer and Vegetation Category 2) on Council's bush fire prone land map (**Figure 8**).

Pursuant to section 100B of the RF Act, a BFSA is required to be issued by the Commissioner of the NSW Rural Fire Service (RFS) for the development of bush fire prone land for a 'special fire protection purpose' (SFPP). Schools are classified as development for a SFPP and trigger the requirement for a BFSA.

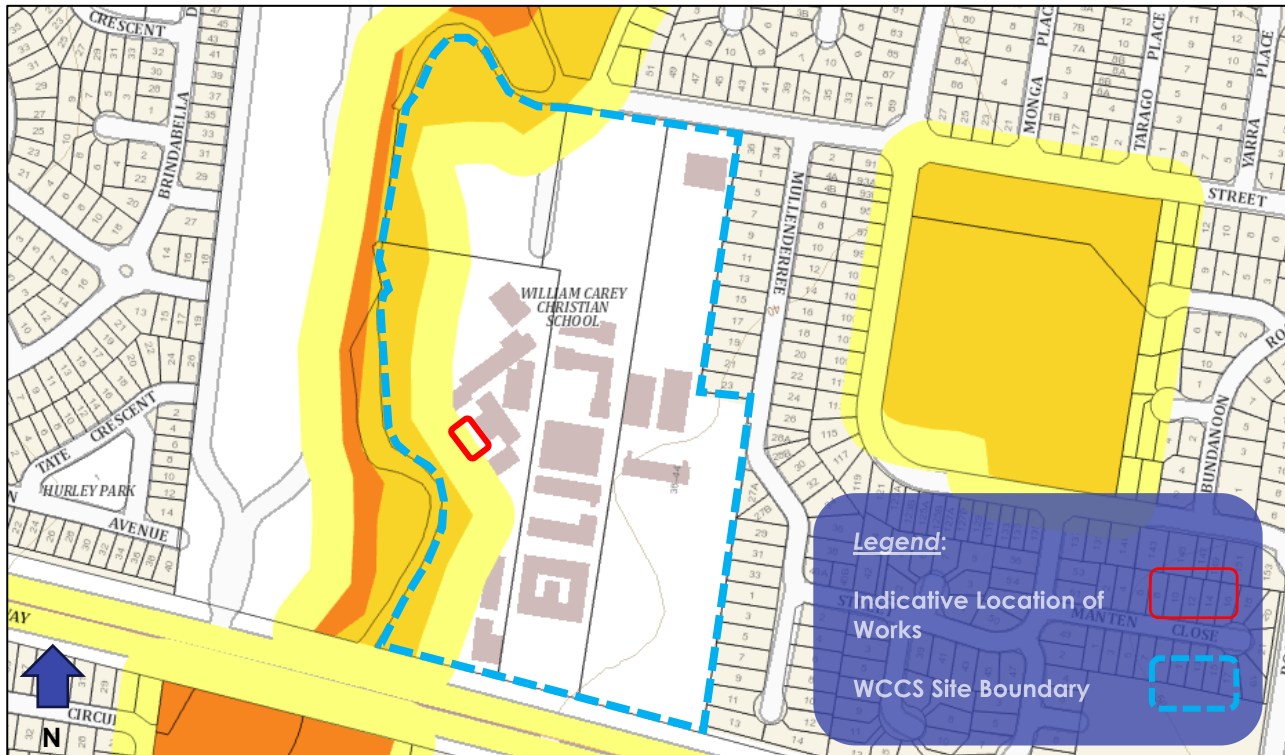


Figure 10 Bushfire Prone Land Map (Area of works marked in red (Source: ePlanning Spatial Viewer))

On 24 October 2024, an application for a BFSa was made to RFS that addressed the requirements of Section 100B of the RF Act, *Planning for Bushfire Protection 2019* (including amendments) and section 45 of the *Rural Fires Regulation 2022* including a Bushfire Assessment Report prepared by Bushfire Planning & Design (**Appendix K**). On 7 January 2025, the BFSa was issued by RFS subject to the following conditions (Appendix L):

Asset Protection Zones

The intent of measures is to provide sufficient space for fire fighters and other emergency services personnel, ensuring radiant heat levels permit operations under critical conditions of radiant heat, smoke and embers, while supporting or evacuating occupants. To achieve this, the following conditions shall apply:

1. From the start of building works, and in perpetuity to ensure ongoing protection from the impact of bush fires, the entire property must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*. When establishing and maintaining an IPA the following requirements apply:
 - tree canopy cover should be less than 15% at maturity;
 - trees at maturity should not touch or overhang the building;
 - lower limbs should be removed up to a height of 2 metres above the ground;
 - tree canopies should be separated by 2 to 5 metres;
 - preference should be given to smooth barked and evergreen trees;
 - large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
 - shrubs should not be located under trees;
 - shrubs should not form more than 10% ground cover;
 - clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
 - grass should be kept mown (as a guide grass should be kept to no more than 100 mm in height); and
 - leaves and vegetation debris should be removed.

Construction Standards

The intent of measures is to provide suitable building design, construction and sufficient space to ensure that radiant heat levels do not exceed critical limits for firefighters and other emergency services personnel undertaking operations, including supporting or evacuating occupants.. To achieve this, the following conditions shall apply:

2. New construction of proposed school building must comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and Section 7.5 of Planning for Bush Fire Protection 2019.
3. The proposed construction of the school building must also comply with other additional requirements (point no. 1 to 7) recommended in section 6.2 of the Fire Engineering Concept Design Report (dated 23 October 2024, prepared by LOTE Consulting).

Access - Internal Roads

The intent of measures is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

4. The existing access and proposed pedestrian pathway around the proposed school building must comply with the following recommendations provided in the Fire Engineering Concept Design Report (dated 23 October 2024, prepared by LOTE Consulting):
 - A 1 metre wide all weather trafficable pedestrian pathway must be provided around the perimeter of the proposed building;
 - the 1 metre wide all weather pedestrian access must be extended to provide access to any external fire hydrants serving the site;
 - all gates that obstruct the existing vehicular access must be openable by the fire brigade in the event of a fire;
 - the emergency services must be provided with the passcode or key to unlock the gates to allow for fire brigade vehicle access;
 - all roads forming part of the vehicle access must be shown at the fire hydrant booster and main entry to the site

Water and Utility Services

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

5. Any new provision of water, electricity and gas must comply with the following in accordance with Table 6.8c of Planning for Bush Fire Protection 2019 and Table 4 of the November 2022 addendum to Planning for Bush Fire Protection 2019:
 - reticulated water is to be provided to the development where available;
 - fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2021;
 - hydrants are not located within any road carriageway;
 - reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
 - fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;
 - all above-ground water service pipes are metal, including and up to any taps;
 - where practicable, electrical transmission lines are underground;
 - where overhead, electrical transmission lines are proposed as follows:
 - (a) lines are installed with short pole spacing (30 metres), unless crossing gullies, gorges or riparian areas; and
 - (b) no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.

- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used;
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10 metres and shielded on the hazard side;
- connections to and from gas cylinders are metal; polymer sheathed flexible - gas supply lines are not used; and
- above-ground gas service pipes are metal, including and up to any outlets.

Landscaping Assessment

The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:

6. Any new landscaping within the required asset protection zone must comply with Appendix 4 of Planning for Bush Fire Protection 2019. In this regard, the following principles are to be incorporated:
 - A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
 - Planting is limited in the immediate vicinity of the building;
 - Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
 - Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
 - Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
 - Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
 - Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
 - Avoid climbing species to walls and pergolas;
 - Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
 - Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
 - Low flammability vegetation species are used.

Emergency and Evacuation Planning Assessment

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

7. The Bush Fire Emergency Management and Evacuation Plan must be updated to include the proposed school building and is prepared consistent with the:
 - The NSW RFS document: A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan; and,
 - NSW RFS Schools Program Guide and/or Australian Standard AS 3745:2010 Planning for emergencies in facilities.

The Bush Fire Emergency Management and Evacuation Plan should include planning for the early relocation of occupants.

Subject to the implementation of the general terms of approval (GTAs) detailed in the BFSA, it is considered that the proposed development will meet the requirements under section 100B of the RF Act.

4.3 Water Management Act

The objects of the WM Act are generally “to provide for the sustainable and integrated management of the water sources of the State for the benefit of both present and future generations....”

Part 3 of Chapter 3 of the WM Act relates to Approvals and section 91(2) requires a ‘controlled activity approval’ for works at a specified location in, on or under ‘waterfront land’. The requirement for an approval of this nature triggers the integrated approval provisions of the EP&A Act. ‘Controlled activity’ and ‘waterfront land’ are defined by the WM Act as follows:

“controlled activity means:

(a) the erection of a building or the carrying out of a work (within the meaning of the Environmental Planning and Assessment Act 1979), or

(b) the removal of material (whether or not extractive material) or vegetation from land, whether by way of excavation or otherwise, or

(c) the deposition of material (whether or not extractive material) on land, whether by way of landfill operations or otherwise, or

(d) the carrying out of any other activity that affects the quantity or flow of water in a water source.

...

waterfront land means:

(a) the bed of any river, together with any land lying between the bed of the river and a line drawn parallel to, and the prescribed distance inland of, the highest bank of the river, or

(a1) the bed of any lake, together with any land lying between the bed of the lake and a line drawn parallel to, and the prescribed distance inland of, the shore of the lake, or

(a2) the bed of any estuary, together with any land lying between the bed of the estuary and a line drawn parallel to, and the prescribed distance inland of, the mean high water mark of the estuary, or

(b) if the regulations so provide, the bed of the coastal waters of the State, and any land lying between the shoreline of the coastal waters and a line drawn parallel to, and the prescribed distance inland of, the mean high water mark of the coastal waters,

where the prescribed distance is 40 metres or (if the regulations prescribe a lesser distance, either generally or in relation to a particular location or class of locations) that lesser distance. Land that falls into 2 or more of the categories referred to in paragraphs (a), (a1) and (a2) may be waterfront land by virtue of any of the paragraphs relevant to that land.”

The proposed development includes the carrying out of work on waterfront land being adjacent to Cabramatta Creek. Therefore, a controlled activity approval is required to be issued by the Department of Planning and Environment – Water (DPE – Water). It is considered that the proposed development will not have any impacts on the water flow, water quality, stream ecology and existing riparian vegetation of Cabramatta Creek for the following reasons:

- The development is located on a courtyard area between existing school buildings, requiring only minimal site preparation. The works are no closer to Cabramatta Creek than the existing school buildings.
- No tree or vegetation removal is proposed.
- The works include minor demolition works to Blocks G that will improve accessibility via a new ramp connection to the existing lift.
- Suitable erosion and sediment controls will be in place during construction to protect water quality and manage surface runoff.
- A stormwater management strategy has been implemented to ensure integration with the existing stormwater drainage system on the site. A new 7m³ OSD tank is proposed to ensure that post-development discharge rates are less than or equal to pre-development discharge rates.

4.4 National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NPW Act), administered by Heritage NSW, is the primary legislation for the protection of Aboriginal cultural heritage in NSW. The NPW Act gives the Director General of Heritage NSW responsibility for the proper care, preservation and protection of 'Aboriginal objects' and 'Aboriginal places', defined under the Act as follows:

- an Aboriginal object is any deposit, object or material evidence (that is not a handicraft made for sale) relating to Aboriginal habitation of NSW, before or during the occupation of that area by persons of non-Aboriginal extraction (and includes Aboriginal remains).
- an Aboriginal place is a place declared so by the Minister administering the NPW Act because the place is or was of special significance to Aboriginal culture. It may or may not contain Aboriginal objects.

Section 90 of the NPW Act requires an Aboriginal Heritage Impact Permit (AHIP) to be granted by Heritage NSW for any works likely to destroy, deface, damage or knowingly cause or permit the destruction or defacement of a relic or Aboriginal place or object. In addition, section 87 provides that it is a defence to a prosecution if harm or desecration to a relic or Aboriginal place or object was authorised by an Aboriginal heritage impact permit and the conditions to which that permit was subject were not contravened.

The proposed development involves constructing a new school building within an existing courtyard, surrounded by current school structures. As the development does not require significant site preparation or earthworks, a new Aboriginal Heritage Due Diligence report is not considered necessary. Given the site's prior disturbance and the nature of the proposed works, the likelihood of encountering subsurface Aboriginal objects is minimal. Furthermore, the development is highly unlikely to impact any Aboriginal objects that may exist outside the site boundary.

The proposed development can therefore rely on the carried out Aboriginal Heritage Due Diligence report prepared for the previously approved works under DA-144/2024 (**Appendix T**). This report follows the due diligence process outlined in the *Department of Environment, Climate Change and Water (DECCW) Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (2010)*. The key findings of this report include:

- The study area is within 200 meters of Cabramatta Creek.
- The site has been previously disturbed in a manner that likely removed Aboriginal objects.
- No Aboriginal objects or sites were identified through desktop assessment or visual inspection.

While the findings indicate that the site is unlikely to contain Aboriginal objects, should Council wish to impose a precautionary condition, the following can be included:

- If any Aboriginal objects are discovered during construction, all works must cease immediately, and assessment must be undertaken in accordance with Part 6 of the *National Parks and Wildlife Act 1974*.
- If harm to Aboriginal objects cannot be avoided, works must not proceed until an Aboriginal Heritage Impact Permit (AHIP) is obtained.

Based on the due diligence process and the findings of the previous assessment, the proposed works can proceed with caution. Therefore, no further Aboriginal heritage investigations are considered necessary unless unexpected finds occur during construction.

4.5 Biodiversity Conservation Act 2016

The BC Act commenced on 25 August 2017 and repealed the *Threatened Species Conservation Act 1995*, *Nature Conservation Trust Act 2001* and *Native Vegetation Act 2003*. In accordance with section 7.2 of the BC Act, a development is likely to significantly impact threatened species or ecological communities if it is:

- Likely to “significantly affect threatened species or ecological communities, or their habitats’ in accordance with section 7.3 of the BC Act; or
- The development exceeds the biodiversity offsets scheme (BOS) threshold; or
- Carried out in a declared area of outstanding biodiversity value.

The site is not mapped as containing biodiversity values on the Biodiversity Values Map under the BC Act. A desktop review of the State Vegetation Type Map NSW Extant PCT mapping has been undertaken using the NSW SEED portal (xxx). This has identified that the Plant Community Type (PCT) present on the site is PCT 4023 “Coastal Valleys Swamp Oak Riparian Forest”. This PCT is associated with an endangered ecological community (EEC) and is located along Cabramatta Creek. In addition, the western boundary of the site is mapped as “environmentally sensitive land’ under the LEP.

As part of DA-144/2024, an ecological impact assessment was undertaken by Narla Environmental (**Appendix U**). The report and site survey indicate that most of the identified Coastal Valleys Riparian Forest is enclosed behind the site fencing or separated from the main site by roadways and hardscaping. Furthermore, the proposed development is located in a courtyard between the existing school buildings, making it unlikely to have any direct or indirect impacts on areas containing Threatened Ecological Communities under the BC Act and the EPBC Act. Since the development does not involve any tree or vegetation removal, it is not expected to have a significant impact on the identified plant community type located outside the development area. Therefore, no further assessment is warranted.

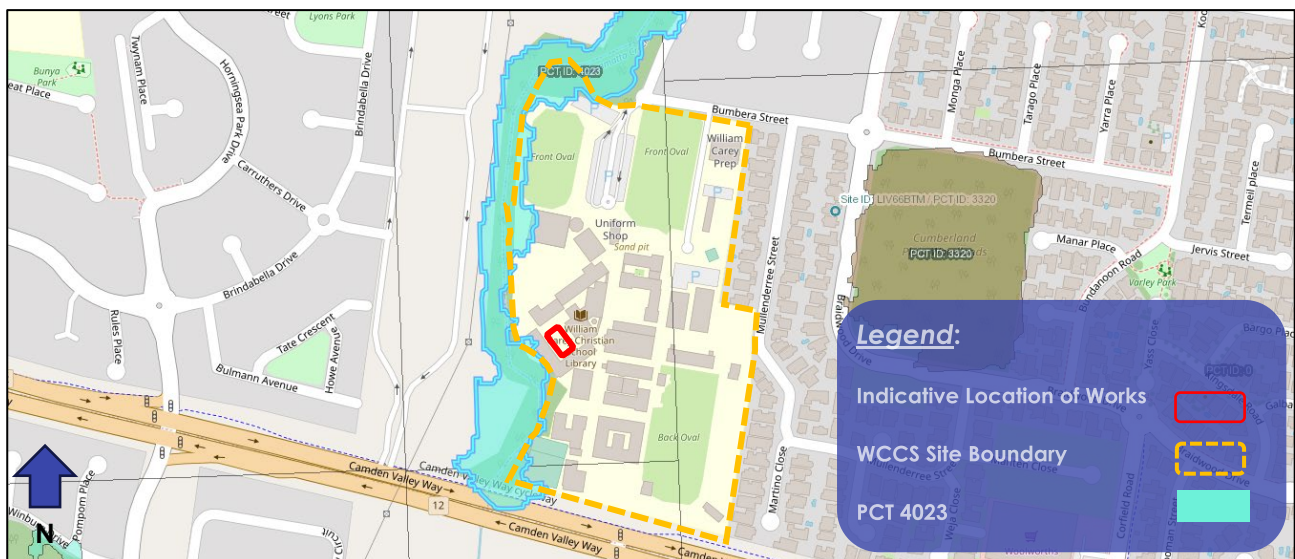


Figure 11 Plant Community Types (Source: SEED seed.nsw.gov.au)

4.6 Environmental Planning and Assessment Regulation 2021

Division 1 of Part 3 of the EP&A Regulation sets out the requirements for the making of development applications under Part 4 of the EP&A Act. The relevant sections under Division 1 of Part 3 are discussed in **Table 3**.

Table 3 Assessment against Division 1 of Part 3 of the EP&A Regulation	
Section	Assessment
23 Person who may make development applications	This Development Application will be made by EPM Projects Pty Ltd on behalf of the owner being the Liverpool / Campbelltown Christian School, who has provided their written consent.
24 Content of development applications	In accordance with section 24 of the EP&A Regulation, the DA is in the approved form being lodged on the NSW Planning Portal and contains all of the relevant information and documentation required by the NSW Planning Portal, and under the EP&A Act and EP&A Regulation.
25 Information about concurrence or approvals	The following concurrence and referral are required before the development may be lawfully carried out: - Controlled Activity Approval under section 91 of the <i>Water Management Act 2000</i> - Bushfire Safety Authority issued by the commissioner of the Rural and Fire Service (RFS) pursuant to section 100B of the <i>Rural Fires Act 1997</i>.
32 Extract of development application for erection of building	The proposed DA includes architectural plans that include a plan of the proposed development including external configuration of the site (Appendix A).
35BA Embodied emissions for non-residential development under Sustainable Buildings SEPP	The development has an EDC of more than \$5 million and therefore, the NABERS Embodied Emissions Materials Form has been completed as part of the DA package (Appendix W)

4.6.1 Demolition of buildings

For the purposes of section 4.15(1)(a)(iv) of the EP&A Act, section 61(1) of the EP&A Regulation provides that a determining authority must consider the *Australian Standard AS 2601—2001: The Demolition of Structures* when a proposed development entails the demolition of a building.

All demolition work will be carried out in accordance with AS 2601, conditions of development consent can also seek to ensure compliance with the standard.

4.7 State Environmental Planning Policies

4.7.1 State Environmental Planning Policy (Planning Systems) 2021

Section 2.19 and Schedule 6(7) of the Planning Systems SEPP designates that development for the purpose of private infrastructure and community facilities with an EDC over \$5 million as regionally significant development.

An Estimated Development Cost report prepared by MDA Australia (**Appendix V**), identifies the EDC of the proposal will exceed \$5 million in accordance with the requirements of the EP&A Act, Planning Circular PS 24-002 *Change to how development costs are calculated for planning purposes* and the AQIS Practice Standard. Therefore, the proposed development is classified as regionally significant development, and the consent authority is the Sydney Western City Regional Planning Panel.

4.7.2 State Environmental Planning Policy (Resilience and Hazards) 2021

An assessment of the proposed development against *State Environmental Planning Policy (Resilience and Hazards) 2021* (the R&H SEPP) is provided in the following table.

Table 4 State Environmental Planning Policy (Resilience and Hazards) 2021		
Provision of SEPP	Assessment	Consistent
Chapter 4 – Remediation of Land	Chapter 4 of the R&H SEPP relates to remediation of contaminated land and requires, amongst other things, investigations to be undertaken as part of the development assessment process, to determine whether the site is likely to be contaminated and if so, what remediation work is required. Section 4.6(2) requires contamination and remediation to be considered in determining development applications for change of use of land. The proposed development does not comprise a change of use of the site. Previous development consents for the site as set out in Table 1 have found that the site is suitable for use as an educational establishment and therefore, it is considered that no further investigations are warranted.	Yes

4.7.3 State Environmental Planning Policy (Transport and Infrastructure) 2021

An assessment of the proposed development against the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (the T&I SEPP) is provided in the following table.

Table 5 State Environmental Planning Policy (Transport and Infrastructure) 2021		
Provision of SEPP	Assessment	Consistent
Chapter 2 – Infrastructure Part 2.3 Development Controls	Division 5 Electricity transmission or distribution Section 2.48 of the T&I SEPP applies to development carried out within the vicinity of an electricity transmission or distribution network or other types of electricity infrastructure including easements. The works do not trigger the requirement for Council to give written notice to the electricity supply authority being Endeavour Energy as the works do not involve the penetration of ground within 2m of an underground electricity power line; the development is not located within or immediately adjacent to an easement for electricity purposes, adjacent to a substation or within 5m of an exposed overhead electricity power line; and doesn't involve the installation of a swimming pool or placement of underground power lines underground.	N/A
	Division 12A Pipelines and pipeline corridors The site adjoins a major gas pipeline located along Camden Valley Way. Under section 2.77(2)(b) of the T&I SEPP, land is within the pipeline corridor if it is located within 20m of the centreline of a relevant pipeline. The proposed development is located at the mid-western side of the site approximately 187m from Camden Valley Way and therefore, referral to APA is considered unnecessary as the development is not on land within a pipeline corridor and will not result in any potential safety risks or risks to the integrity of the pipeline.	N/A
	Division 17 Roads and Traffic The site has frontage to a classified road being Camden Valley Way. Section 2.119(2) of the T&I SEPP provides that the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development. There is no vehicular access to the site from Camden Valley Way. The proposed development involves	Yes

Table 5 State Environmental Planning Policy (Transport and Infrastructure) 2021

Provision of SEPP	Assessment	Consistent
	only the construction of a new school building, without increasing the approved student capacity or car parking spaces, therefore, it will not intensify traffic on the existing network. Consequently, the safety, efficiency, and ongoing operation of Camden Valley Way will remain unaffected, and no further assessment of this Section is warranted. Furthermore, since the development does not impact current traffic volumes, it is not considered sensitive to traffic noise or vehicle emissions, and therefore, no further assessment of Section 2.119(2)(c) is deemed necessary.	
	Section 2.120 of the T&I SEPP applies to developments on land adjacent to roads with an annual average daily traffic volume exceeding 20,000 vehicles (based on data published by TfNSW), where the consent authority deems that the development may be affected by road noise or vibration—including educational establishments. Since the proposed development involves constructing a new school building, Section 2.120 is applicable. Therefore, the consent authority (Council) must consider any guidelines issued by the Planning Secretary under this section and published in the Gazette. An Acoustic Impact Assessment has been conducted by Northrop to support the proposed development. The assessment includes: • A noise survey evaluating operational noise levels. • A construction noise and vibration assessment, along with recommended mitigation measures. • An analysis of noise emissions from both the development's operations and construction activities. The findings indicate that noise and vibration emissions are expected to comply with the acoustic requirements of the Council, the NSW EPA Noise Policy, and relevant Australian Standards (For further details, refer to Appendix M).	Yes
	Section 2.122 of the T&I SEPP applies to developments that generate significant traffic. According to Schedule 3 of the T&I SEPP, educational establishments fall under "any other purpose" and require referral if they result in 200 or more motor vehicles per hour. However, the proposed development will not generate additional traffic during school operation as it does not involve an increase in student capacity or additional parking spaces beyond those already approved under DA-144/2024. Therefore, referral to TfNSW is not required pursuant to Section 2.122 of the T&I SEPP.	N/A
Chapter 3 – Educational Establishments	Section 3.36(1) of the T&I SEPP provides that development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone. The site is zoned R2 which is a prescribed zone.	Yes
	Section 3.36(6)(a) requires the consent authority to assess the design quality of the development in line with the principles outlined in Schedule 8 of the T&I SEPP. The Architectural Design Statement provided in Appendix C confirms that the proposed new school building adheres to these principles. In addition, under Section 3.36(6)(b), the proposed	Yes

Table 5 State Environmental Planning Policy (Transport and Infrastructure) 2021		
Provision of SEPP	Assessment	Consistent
	development is intended to enhance the existing school facilities and provide additional amenities for community use.	
	Section 3.36(9) of the T&I SEPP provides that a provision of a DCP that specifies a requirement, standard or control is of no effect. Accordingly, the provisions of the Liverpool Development Control Plan 2008 (LDCP 2008) have no effect on the proposal. Notwithstanding, an assessment against the proposed development against the relevant provision of the DCP is provided in Table 7 of this SEE.	Yes
	Section 3.58(1) of the T&I SEPP applies to educational establishments that accommodate 50 or more additional students or involve the enlargement, extension, or construction of new premises. The proposed development involves the construction of a new school building; however, it does not increase the approved student capacity. Additionally, the development does not entail the enlargement or extension of the existing premises. Therefore, the proposed development is not considered a traffic-generating development pursuant to Clause 3.58(1) of the T&I SEPP.	N/A

4.7.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021

An assessment of the proposed development against *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (B&C SEPP) is provided in **Table 6**.

Table 6 State Environmental Planning Policy (Biodiversity and Conservation 2021)		
Provision of SEPP	Assessment	Consistent
Chapter 2 – Vegetation in non-rural areas	The provisions of Chapter 2 of the B&C SEPP are a relevant consideration in relation to the proposed development. Notwithstanding, the proposed development does not involve any tree removal and vegetation clearance and therefore, no further assessment of this chapter is warranted.	N/A
Chapter 6 - Water Catchment	The site is located within a regulated catchment being the Georges River Catchment under Chapter 6 of the B&C SEPP.	Yes
6.6 Water Quality and Quantity	Appropriate erosion and sediment control measures will be installed prior to the commencement of the activity (Appendix E). These will protect the quality and minimise the quantity of any surface water run-off from the demolition and construction works. It is considered that the proposed activity will have a neutral effect on the quality of water entering the Georges River Catchment.	Yes
6.7 Aquatic Ecology	The works are located within the vicinity of Cabramatta Creek but do not include the removal of any existing riparian vegetation. Therefore, the proposed activity is unlikely to have any direct, indirect or cumulative impact on terrestrial, aquatic or migratory animals or vegetation (refer to Section 5.4). The proposed development will not have any direct, indirect or cumulative adverse impacts on aquatic reserves or any adverse impacts on wetlands.	Yes
6.8 Flooding	The site is mapped as containing flood liable land. The proposed car park is located on the part of the site that is mapped as predominantly low flood risk being located above the 1% Annual	Yes

Table 6 State Environmental Planning Policy (Biodiversity and Conservation 2021)		
Provision of SEPP	Assessment	Consistent
	Exceedance Probability (AEP) flood level but within the extent of the probable maximum flood (PMF). The proposed development will not in the event of a flood result in a release of pollutants that may have an adverse impact on the water quality of Cabramatta Creek and will not have an adverse impact on the natural recession of the floodwaters into the riverine ecosystems (refer to Section 5.1).	
6.9 Recreation and Public Access	The proposed activity will not have any impacts on any recreational land uses in the regulated catchment. The proposed activity will not have any impacts on public access to or around foreshores.	Yes
6.11 Land within 100m of natural waterbody	The works are located within 100m of Cabramatta Creek. However, it is considered that the land use is not a water-dependent use, is an existing use and will not result in any conflicts between land uses.	Yes
6.21 Stormwater Management	The proposed stormwater management system has been designed in accordance with Council's WSUD requirements and will not cause untreated stormwater to be disposed into Cabramatta Creek (Section 5.2).	Yes
Chapter 13 Strategic Conservation Plan	Chapter 13 of the B&C SEPP applies to the site. However, the site is mapped as 'excluded land' under the Cumberland Plain Conservation Plan and there are no relevant considerations under Chapter 13 of the B&C SEPP.	N/A

4.7.5 State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 3 – Standards for non-residential development the *State Environmental Planning Policy (Sustainability Buildings) 2021* (Sustainable Buildings SEPP) encourages to design sustainable buildings through materials, consumption and building performance for non-residential developments.

Section 3.1 of Sustainable Building SEPP provides that development for the erection of a new building, which is not for the purpose of residential accommodation, if the development that has an estimated development cost of \$5 million or more, this SEPP applies. As the proposed development has an EDC of more than \$5 million, the provisions of Section 3.2 of the Sustainable Building SEPP are relevant.

In relation to section 3.2(1) of the Sustainable Buildings SEPP, the following sustainability measures have been incorporated into the building design:

- Compliance with the requirements of Section J of the BCA as set out in the Section J report (**Appendix J**)
- Use of a modular construction system that provides construction efficiencies and reduces construction waste.
- Use of energy and water efficient fixtures and fittings.
- Building has been designed to enable the future installation of photovoltaic panels on the roof.

A NABERS Embodied Emissions Materials Form has been completed as part of the DA to address section 3.2(2) of the Sustainable Buildings SEPP (**Appendix W**).

4.8 Liverpool Local Environmental Plan 2008

Table 7 provides a summary assessment of the proposed development against the relevant provisions of the LLEP 2008.

Table 7 Assessment against Liverpool Local Environmental Plan 2008		
Section	Assessment	Consistent
2.2 – 2.3 Zoning of land to which Plan applies, Zone objectives and Land Use Table	The site is zoned part R2 Low Density Residential, part RE1 Public Recreation and part SP2 Infrastructure The proposed new building development is located within the R2 zone on the site (Figure 12). Educational Establishments are permitted with consent within the R2 zone. The proposed development is generally consistent with the objectives of the R2 zone as it provides a new school building within an existing educational establishment provides a facility that meets the day to day needs of students. The development is of a scale that is commensurate with low density residential development and will not have any adverse impacts on residential amenity.	Yes
4.3 Height of buildings	The proposed school modular building has an overall height of 7.95m above the existing ground level, which complies with the maximum permitted building height of 8.5m under the LLEP 2008.	Yes
4.4 Floor space ratio	Under the LLEP 2008, the site has a maximum floor space ratio of 0.6:1. Based on a total site area of 116,280m ² and a total gross floor area of all buildings on the site of 14,042m ² (including the new building which has a total GFA of 649m ²), the proposed FSR is 0.12:1.	Yes
5.10 Heritage Conservation	The site is not identified as heritage item under the LLEP 2008 or located within a heritage conservation area. The site is not located within the vicinity of any State or local heritage items. As part of DA-144/2024, an Aboriginal Heritage Due Diligence Report was prepared (Appendix T) to assess the impacts of the carpark works on any Aboriginal objects or cultural heritage values present on the site. The proposed works the subject of this DA involve the construction of a new classroom building within an existing courtyard that requires minimal site preparation or earthworks. Due to prior site disturbance, the likelihood of encountering Aboriginal objects is low, and no further Aboriginal Heritage Due Diligence report is required. Should Council require a precautionary condition, all works must cease if Aboriginal objects are discovered, and an assessment must be conducted per Part 6 of the <i>National Parks and Wildlife Act 1974</i>. If harm cannot be avoided, an Aboriginal Heritage Impact Permit (AHIP) will be required. The works can proceed with caution, with no further heritage investigations needed unless unexpected finds occur.	Yes
5.21 Flood Planning / 5.22 Special Flood Considerations	The site is partially within the floodplain of Cabramatta Creek and is identified as Low to High Flood risk on Council's online mapping (Figure 13). A Flood Risk Assessment Report has been prepared by Stantec (Appendix N) that provides an assessment of the compatibility of the proposed development with the flood function and behaviour on the site. The Existing and Proposed Conditions models were run for the 5% AEP, 1% AEP, and PMF events to assess flood depths, velocities, and hazards. The proposed school building is considered to have a negligible impact on flood behaviour. The study confirms that the proposed development will not exacerbate existing flood conditions. The building has a minimum	Yes

Table 7 Assessment against Liverpool Local Environmental Plan 2008

Section	Assessment	Consistent
	finished floor level that above the 1% AEP plus flood freeboard and exceeds the PMF water level. A Flood Emergency Response Plan (FERP) has been prepared by Stantec (Appendix O)	
5.23 Public Bushland	The proposed development adjoins RE1 Public Recreation zoned land along the western site boundary, which includes parts of Cabramatta Creek and remnant bushland. However, the development does not involve tree removal or vegetation clearance on-site or within the RE1 zone, and as such, an ecological assessment is not deemed necessary. In relation to any trees or vegetation located within the vicinity of the works, appropriate tree protection measures will be established by the project arborist. Additionally, erosion and sediment control measures will be implemented before any works commence to minimise stormwater contamination and siltation of Cabramatta Creek. The stormwater management system for the proposed development will incorporate pollution control devices and other Water Sensitive Urban Design (WSUD) measures to ensure compliance with Council's water quality targets. (Appendix E)	Yes
7.6 Environmentally Significant Land	The site is mapped as containing environmentally sensitive land under the LLEP 2008 (Figure 15). As part of DA-144/2024, an Ecological Impact Assessment (Appendix U) was undertaken, confirming that the majority of the identified Coastal Valleys Riparian Forest is either enclosed behind site fencing or separated from the main site by roadways and hardscaping. As outlined in Section 4.5, the Ecological Assessment concluded that the proposed development will not impact areas mapped as 'environmentally sensitive land' under the LLEP 2008. The new school building will be located within an existing courtyard, nestled between school buildings, ensuring no direct or indirect impacts on ecologically sensitive areas. Furthermore, as the proposed development does not involve tree or vegetation removal, no significant impact on the identified plant community type is expected, and therefore, no further ecological assessment is deemed required.	Yes
7.31 Earthworks	The proposed development includes minimal earthworks as the new school building is located at-grade. It is therefore concluded that the proposed works are consistent with the provisions of clause 7.31 of the LLEP 2008 as the works will not impact on any existing drainage patterns or soil stability, not impact upon the likely future use or redevelopment of the site, effect the existing or future amenity of adjoining properties, will not disturb any relics or result in any adverse impact on any watercourse, water catchment or environmentally sensitive area.	Yes



Figure 12 Extract of Zoning Map showing the location of the proposed modular building in red (Source: ePlanning Spatial Viewer)

4.9 Draft Environmental Planning Instruments

4.9.1 Draft amendments to T&I SEPP

On 6 March 2024, the NSW Government put on exhibition proposed amendments to the Transport and Infrastructure SEPP. The Explanation of Intended Effects (EIE) identifies a number of changes to the Transport and Infrastructure SEPP, with the following objectives:

- *Make it easier to deliver infrastructure at the right time, including speeding up projects that benefit the community, create jobs and support economic growth.*
- *Do so in a way that protects residential amenity, the environment and heritage items from any impacts of this delivery.*
- *Help ensure a consistent approach between different infrastructure activities with similar characteristics and impacts.*
- *Improve the usability of the SEPP.*

Section 1 of the EIE identifies the proposed changes to Chapter 3 of the Transport and Infrastructure SEPP. Section 17 of the EIE identifies other proposed changes including the proposed restructure of the Transport and Infrastructure SEPP that will merge Chapters 2, 3 and 4.

A review of the proposed amendments has concluded that the assessment of the proposed development within this SEE and against the Transport and Infrastructure SEPP in **Section 4.7.3** satisfactorily considers the relevant matters and the proposal is acceptable in this regard.

4.10 Liverpool Development Control Plan (DCP) 2008

Table 8 provides a summary assessment of the proposed development against the relevant provisions of the DCP. It is noted that under clause 3.36(9) of the T&I SEPP, the provisions of a DCP have no effect in relation to development proposed under clause 3.36(1) of the Education SEPP.

Table 8 Liverpool Development Control Plan 2008

Provision of DCP	Assessment	Consistent
Part 1 General controls for all development		
2. Tree Preservation	The proposed development does not involve any tree removal or vegetation clearance. All existing trees on the site will be retained and protected in accordance with appropriate tree protection measures. As no tree removal is required, an Arboricultural Impact Assessment Report has not been considered deemed necessary in support of this DA.	N/A
3. Landscaping and incorporation of existing trees	Landscape Plans have been prepared by Studio 151 Landscape Architecture (Appendix D). The new landscaping includes new mass planting located within raised planter beds located under the external stairs. The proposed landscaping has been designed with regard to the flood affectation of the site.	Yes
4. Bushland and Fauna Habitat Preservation	The site adjoins bushland zoned RE1 along the western boundary with Cabramatta Creek. An Ecological Assessment Letter prepared by Narla Environmental as part of DA-144/2024 (Appendix U) has identified the bushland and fauna habitat adjoining the site and has concluded that the majority of the identified 'Coastal Valleys Riparian Forest' is appropriately separated from the location of the works. The proposed development does not include any removal of trees or vegetation, and appropriate erosion and sediment control measures will be established prior to the commencement of works. Accordingly, it is considered that the works will not result in any impacts on any adjoining bushland.	Yes
5. Bush Fire Risk	The site is mapped as bushfire-prone land, classified as Vegetation Buffer and Vegetation Category 2 on Council's Bush Fire Prone Land Map (Figure 10). A Bush Fire Assessment Report prepared by Bushfire Planning & Design has been prepared to address the requirements of the RF Act and <i>Planning for Bushfire Protection 2019</i> (PBFP) (Appendix K). On 7 January 2025, RFS issued a BFSA under section 100B of the RF Act (Appendix L) (refer to Sections 4.2 and 5.3).	Yes
6. Water Cycle Management	Civil and Stormwater plans have been prepared by Birzulis Associates (Appendix E), integrating the proposed stormwater drainage system with the site's existing infrastructure. The stormwater design incorporates both minor and major systems to efficiently collect and convey runoff to the legal points of discharge. As the proposed development increases the impervious area by more than 30sqm, compliance with the LDCP 2008 on-site detention (OSD) requirements is necessary. Stormwater from the new school building will be directed to a proposed 7m ³ OSD tank, with overflow gravity-fed into Council's drainage system. Additionally, a grated drain will be installed at the base of the new building's entrance staircase, connecting to an existing nearby stormwater pit. Downpipes will be routed via underslung drainage, suspended from the building, and will discharge into the OSD tank through underground pipes, which will then connect to the existing site stormwater network. During construction, erosion and sediment control measures will be implemented as part of the stormwater management strategy, detailed in Appendix F .	Yes

Table 8 Liverpool Development Control Plan 2008

Provision of DCP	Assessment	Consistent
7. Development near a Watercourse	As the proposed development is located within 40m of Cabramatta Creek, a Controlled Activity Approval will be required under the WM Act (refer to Section 4.3). However, the works do not involve the removal of riparian vegetation or any impact on the bed, banks, or stream flow of Cabramatta Creek. In addition, the proposed new two (2) storey classroom building is located no closer to Cabramatta Creek than the existing school buildings. Appropriate erosion and sediment control measures will be established prior to construction. Therefore, the proposed development is unlikely to affect the existing riparian corridor or adversely impact the site's biodiversity.	Yes
8. Erosion and Sediment Control	The Civil Stormwater Plans have been prepared by Birzulis Associates (Appendix E) and details the appropriate erosion and sediment control measures which will be implemented during construction in accordance with the requirements of the Blue Book.	Yes
9. Flooding Risk	The site is partially within the floodplain of Cabramatta Creek and is identified as Low to High Flood risk on Council's online mapping. A Flood Risk Assessment Statement has been prepared by Stantec (Appendix N) that provides an assessment against the relevant provisions under Section 9 of the LDCP 2008. (Section 5.1.1). A Flood Emergency Response Plan has been prepared to address management measures that are to be implemented in a flood event (refer to Section 5.1.2).	Yes
10. Contaminated Land Risk	Contamination and suitability of the site for a school would previously have been considered by Council as part of the previous development consents for the site. It is therefore considered that no additional investigations are required.	Yes
11. Salinity	The site is identified as having between moderate to high salinity potential. A Geotechnical Investigation Report was prepared by JK Geotechnics (Appendix R) that includes an assessment of the aggressivity and salinity of the underlying soils. Recommendations from the Geotechnical Investigation Report have informed the design of the proposed development (Section 5.5)	Yes
14. Demolition of existing developments	The proposed development includes minor demolition to Block G. A Waste Management Plan has been prepared by William Carey Christian School (Appendix S), which sets out the type of waste material generated, the volume and the method of disposal for the demolition and construction of the proposal.	Yes
16. Aboriginal Archaeology	The proposed development involves constructing a new school building within an existing courtyard, surrounded by current school structures. An Aboriginal Heritage Due Diligence Report was prepared to support DA-144/2024 (Appendix T). As the development the subject of this application does not require significant site preparation or earthworks, an updated Aboriginal Heritage Due Diligence report is not considered necessary. Given the site's prior disturbance and the nature of the proposed works, the likelihood of encountering subsurface Aboriginal objects is minimal. Furthermore, the development is highly unlikely to impact any Aboriginal objects that may exist outside the site boundary (refer to Sections 4.4 and 5.10.1).	Yes

Table 8 Liverpool Development Control Plan 2008

Provision of DCP	Assessment	Consistent
20. Car Parking and Access	DA-144/2024 was approved with an increase in total car parking spaces to 431 across the site, representing a net increase of 202 spaces. The AM drop-off capacity was expanded to 244 vehicles, while the PM pick-up capacity was increased to 273 vehicles, accommodating the approved 1,430 student capacity. Since the proposed development does not alter the approved student/staff capacity, no additional parking spaces are required beyond those already approved. Similarly, existing drop-off and pick-up arrangements including access points remain unchanged and continue to operate entirely within the site. Therefore, no further traffic and parking assessment/consideration is warranted.	Yes
25. Waste Disposal and Re-use Facilities	A Waste Management Plan has been prepared by William Carey Christian School (Appendix S), which sets out the type of waste material generated, the volume and the method of disposal for the demolition and construction of the proposal. Operational waste collection is currently conducted on-site via a private waste collection service and no changes are proposed to this service.	Yes
27. Social Impact Assessment	The proposed development does not trigger the requirement for a Social Impact Assessment or Social Impact Comment under Council's policy. The proposed involves the construction of a new school building to enhance the school's amenities and facilities, supporting the approved increase in student numbers under DA-144/2024 while improving educational facilities for the local community.	Yes
29. Safety and Security	An assessment against the 'Safer-by Design' principles as well as the 'Crime Prevention Through Environmental Design' (CPTED) principles is provided in Section 5.13 of the SEE.	Yes
Part 3.8 Non-Residential Development in Residential Zones		
3. Educational Establishments		
3.2 Site Planning	The proposed development comprises an addition of a new school building within an existing educational establishment. There are no changes proposed to the design or location of the other existing school buildings. The proposed new school building is located within an existing courtyard and provides for additional general and specialist teaching facility and amenities to support the increased student capacity approved under DA-144/2024. The proposed development has been incorporated with the appropriate landscaping and accessible walkways. Supporting Civil and Stormwater plans have been prepared by Birzulis Associates (Appendix E). The proposed stormwater drainage has been designed to be integrated with the existing stormwater drainage system. Stormwater from the new school building will be directed to the proposed onsite stormwater detention tank from where overflow will be directed to the public stormwater system.	Yes
3.3 Setbacks	There are no changes proposed to the existing building setbacks on site.	Yes

Table 8 Liverpool Development Control Plan 2008

Provision of DCP	Assessment	Consistent
3.4 Open Space and Landscaped Area	The proposed on-site detention system for stormwater is proposed to be located near the southwestern corner of the proposed new building. Under the Educational Facilities Standards and Guidelines (EFSG) a rate of 10m² outdoor play area per student is required. At the completion of the new school building, the site will have a total of 17,582m², which based on approved student numbers of 1,430 is equivalent to a rate 12.29m² per student (Appendix A) The site will have a total landscaped area of 37,880m² which is equivalent to 33% of the total site area.	Yes
3.5 Building Form, Style and Streetscape	The proposed school building adopts a modern and functional design, integrating with the existing school buildings while enhancing its amenities. The building form is well-articulated, minimising bulk and scale to maintain a balanced relationship with the surrounding environment. The façade treatment and landscape provides a positive visual and functional impact. The location of the new two (2) storey building within an existing courtyard means that it will be generally screened from view from the public domain.	Yes
3.6 Landscaping and Fencing	Landscape plans have been prepared by Studio 151 Landscape Architecture (Appendix D) (refer to Section 3.2.3). No changes to any existing site fencing is proposed.	Yes
3.7 Car Parking and Access	The proposed development does not alter the approved student/staff capacity, no additional parking spaces are required beyond those already approved under DA-144/2024. Therefore, no further assessment is warranted.	Yes
3.8 Amenity and Environmental Impact	An Environmental Noise Impact Assessment has been prepared by Northrop (Appendix M) that assesses the acoustic impacts of the proposed new school building for the operation and construction and vibration impact. (refer to Section 5.2.2).	Yes
- Noise		
- Contaminants	The Proposed development is located on the courtyard of existing school buildings with minimal site preparation work. In addition previous development consents history for the site as set out in Table 1 have found that the site is suitable for use an educational establishment and therefore, it considered that no further investigations are warranted.	Yes
- Overshadowing	Shadow diagrams have been prepared by Marathon Modular (Appendix A). The proposed development is located in between the existing school buildings and therefore, it will not result in any additional overshadowing of any neighbouring properties or their private open space.	Yes
- Privacy	The proposed development will not result in any visual privacy impacts of adjoining properties or their private open space.	Yes
3.9 Site Services	The site is adequately serviced with essential infrastructure, including electricity, water, sewer, and communications. Any additional infrastructure requirements will be addressed as needed, ensuring that	Yes

Table 8 Liverpool Development Control Plan 2008

Provision of DCP	Assessment	Consistent
	existing services remain uninterrupted throughout the development process. Furthermore, the proposal does not include any changes to the existing on-site waste management facilities, maintaining the current waste handling systems without disruption to school operations or the surrounding environment.	

4.11 Development Contributions Plan

The site is identified as being within the 'Established Areas Catchment Area' under the *Liverpool Contributions Plan 2018 – Established Areas* (the Contributions Plan). Under the Contributions Plan, educational establishments are not exempt from contribution payments and therefore, development contributions will be levied on the proposed development in accordance with section 7.12 of the EP&A Act.

Educational establishments are exempt from the levying of payments under the Housing and Productivity Contribution (HPC).

4.12 Strategic Context

The proposed development consistent with the objectives of the *Greater Sydney Regional Plan* (GSRP) and the *Sydney Western City Regional Plan* (SWCRP). It involves the construction of a new school building to enhance the school's amenities and facilities, supporting the approved increase in student numbers under DA-144/2024. This Phase 2 development is designed to accommodate the additional approved student capacity while improving educational facilities for the local community.

Specifically, the proposal is consistent with 'Planning Priority W3 – Providing services and social infrastructure to meet people's changing needs' of the SWCRP, as it delivers additional amenities and teaching spaces to support the school's increased student intake, addressing the growing demand for education in the area.

Furthermore, the proposal aligns with Liverpool City Council's *Local Strategic Planning Statement*, 'Connected Liverpool 2040', which guides future land use planning and decision-making. The development supports 'Local Planning Priority 6 – High-quality, plentiful, and accessible community facilities, open space, and infrastructure aligned with growth' by providing essential educational infrastructure to serve the expanding community in and around Prestons.

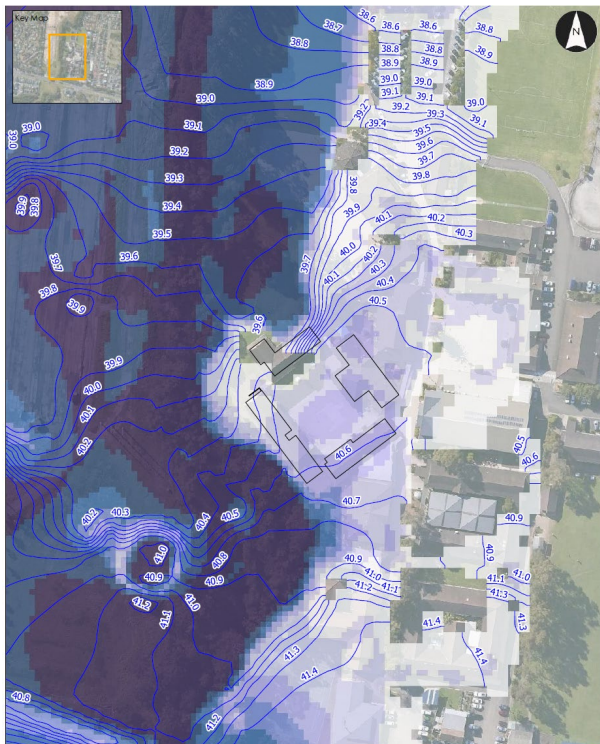


Figure 14 PMF Existing Conditions Flood Depth and Extent
(Source: Stantec)

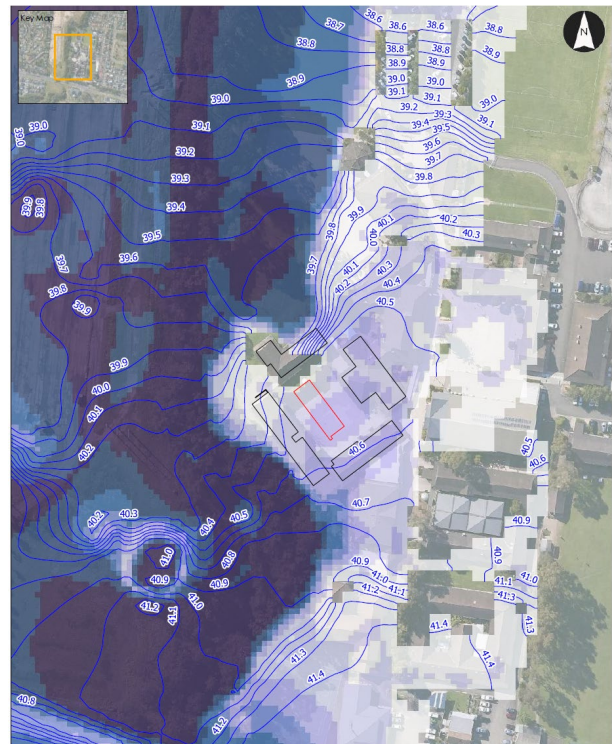


Figure 15 PMF Proposed Conditions Flood Depth and Extent
(Source: Stantec)

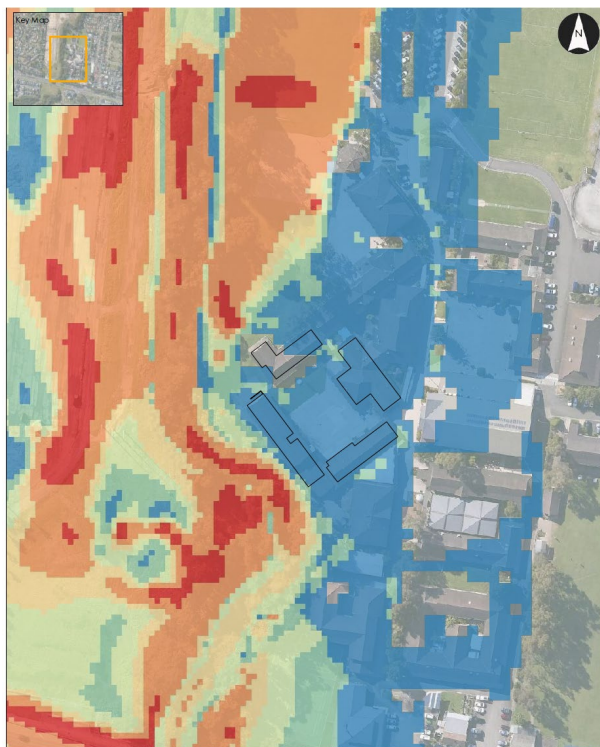


Figure 16 PMF Existing Conditions Flood Velocity (Source: Stantec)

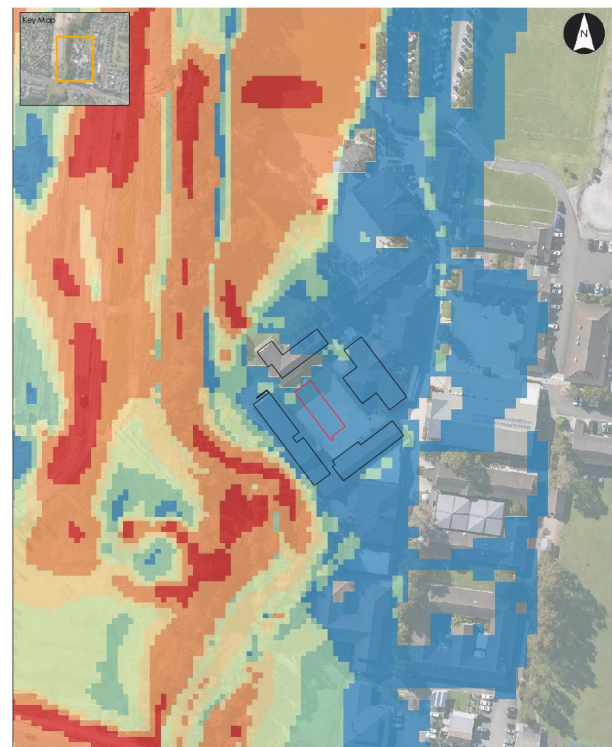


Figure 17 PMF Proposed Conditions Flood Velocity (Source: Stantec)

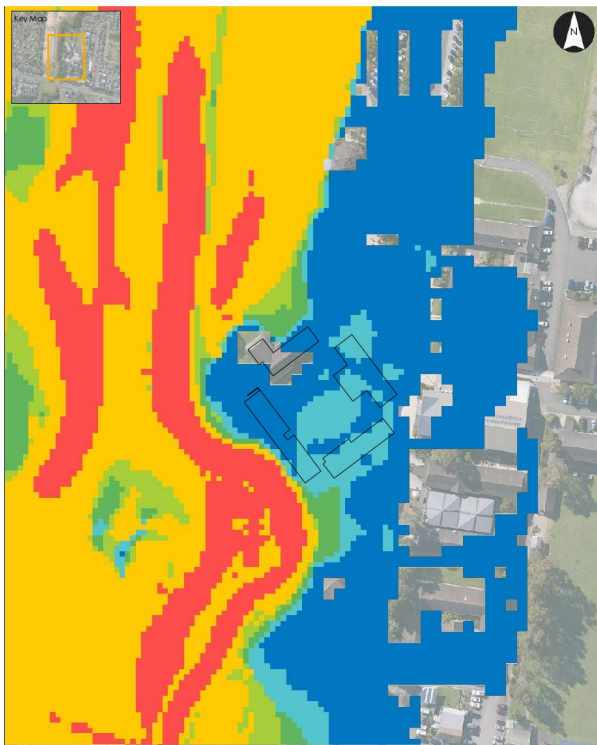


Figure 18 PMF Existing Conditions Flood Hazard (Source: Stantec)

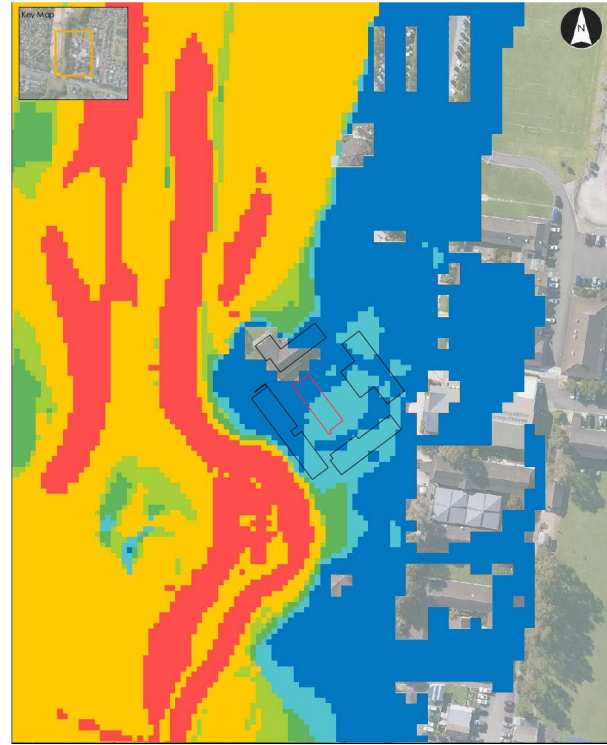


Figure 19 PMF Proposed Conditions Flood Hazards (Source: Stantec)

Flood Modelling results confirm that the proposed development is not affected by 20% AEP and 1% AEP flooding events. The PMF event flood depths range from 0.03m to 0.3m, with differences not exceeding 0.01m (**Figure 21**). In addition, as the site is not affected by the 1% AEP event, it falls under the LDCP's low flood risk category. The flood level difference plots disclose that negligible adverse impact.

The finished floor level (FFL) of the ground floor of the new building is at RL 40.90 which is above the 1% AEP plus freeboard level and exceeds the PMF level of RL 40.56m (**Figure 20**)

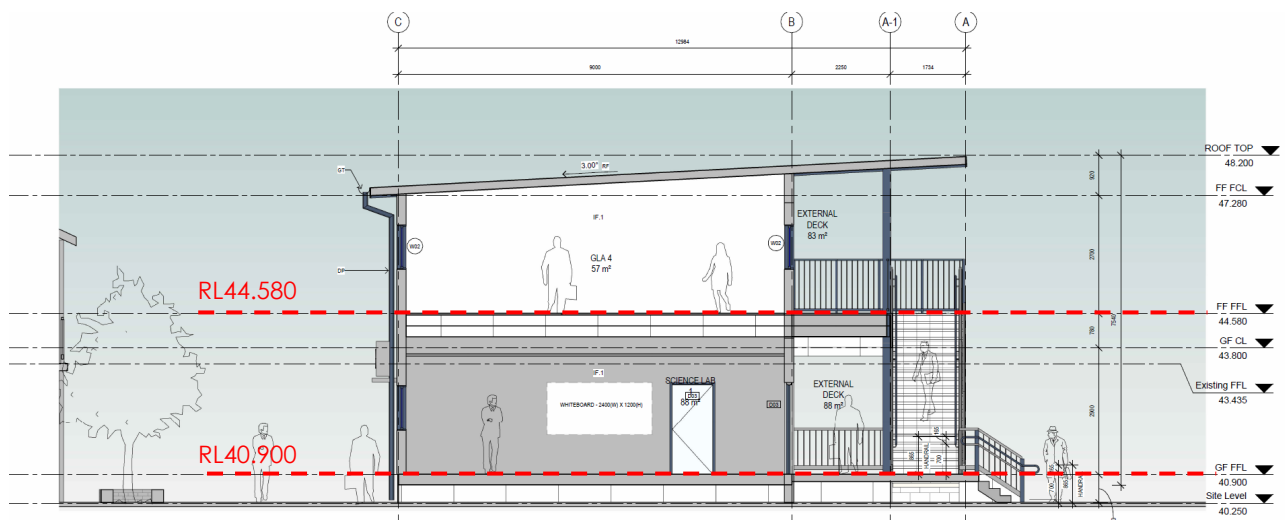


Figure 20 Section through the new building showing the finished floor levels (Source: Marathon Modular)



Figure 21 PMF Water level differences (Source: Stantec)

5.1.2 Emergency Evacuation

A Flood Emergency Response Plan (FERP) has been prepared by Stantec (**Appendix O**). The FERP has been prepared with regard to the *NSW Flood Risk Management Manual 2023* and builds upon the FERP prepared and approved under DA-144/2024. The FERP includes:

- Identification of flood risks both internal and external to the site
- Evacuation strategy including measures, procedures and plans
- A FloodSafe Plan

The FERP considers evacuation in both a riverine and overland flood event. It has been prepared to integrate with State, metropolitan and regional plans including the *Liverpool City Local Flood Emergency Sub Plan 2021*.

It is proposed to utilise various flood warnings available including visual monitoring of floodwaters. It is also proposed to provide signage.

Whilst the primary response strategy for all schools is close early in advance of any flooding. Three (3) evacuation strategies have been considered in a flood event:

- Option 1: Evacuation from the site to the north via Bumbera Street
- Option 2: Evacuation from the site to the south via Camden Valley Way
- Option 3: Shelter-in-place

The FERP provides information about each of these options and when they are relevant. Option 1 is safe for pedestrians during a 1% AEP flood event. Option 2 provides egress for the site in both the 1% AEP and PMF flood events. However, school staff would be required to open the existing gate onto Camden Valley Way. Option 3 is suitable in a flash flooding event.

A preliminary FloodSafe Plan has been provided as Appendix B to the FERP. This provides clear actions that can be undertaken always, when flooding is likely to occur, during a flood and after a flood.

A copy of both Flood Impact Assessment and FERP were provided to SES on 15 October 2024. Feedback from the SES was received on 5 November 2024 (**Appendix P**). A response to the SES feedback has been prepared by Stantec (**Appendix Q**). It is recommended that the school implement a site-wide FERP to comprehensively address flood-related risks faced by students, staff, parents and others.

5.2 Stormwater Management

Civil and Stormwater Plans have been prepared by Birzulis Associates that detailed the proposed stormwater management system for the new school building including water sensitive urban design (WSUD) strategies (**Appendices E and F**)

The existing courtyard comprises an impervious concrete area of 1,044 m² and a small portion of pervious lawn which is 456 m². The existing stormwater infrastructure comprises of a below ground pit and pipe network as well as overland flow routes. The site is graded to overflow into adjacent Cabramatta Creek.

The proposed stormwater management strategy has been developed in accordance with the Australian Rainfall and Runoff guidelines, Council's guidelines and AS3500.3. The proposed stormwater drainage system will comprise a minor and major system to safely and efficiently convey collected stormwater runoff from the development to legal points of discharge. A grated drain will be required at the bottom of the stairs at the entrance of the new building which will be connected to the nearby existing pit. Downpipes to be conveyed through underslung drainage, suspended from the building. To be designed by others, and discharge into the proposed on-site detention tank through underground pipes which then connects to existing stormwater network on site.

On-site detention (OSD) has been deemed requirement for the proposed development in accordance with the section 6.1.3 of the DCP. As the proposed development increases the impervious area by more than 30m², the provision of OSD was deemed necessary. The proposed 7m³ OSD tank is capable of accommodating the 1% Average Exceedance Probability (AEP) and proposed development flow to the 20% AEP development flow rate. Based on the DRAINS modelling, peak post-development stormwater flow rates will not exceed peak pre-development flow rates as required under Part 6.1 of the DCP.

Figure 22 is an extract of the proposed post-development catchment plan.



Figure 22 Proposed Post Development Catchment Plan (Source: Birzulis Associates)

In addition, no water quality controls are required for this site. An erosion and sediment control plan has been designed in accordance with principles outlined in the "Blue book Managing Urban Stormwater – Soils and construction by Landform (2004)". Since the proposed development involves minimal site preparation works, the impact of the development on the stormwater quality and quantity will be acceptable.

5.3 Bushfire

The site is mapped as containing bushfire prone land (Vegetation Buffer and Vegetation Category 2) on Council's bush fire prone land map (**Figure 10**). Section 100B of the *Rural Fires Act 1997* (RF Act) requires a bushfire safety authority (BSA) to be issued by the Commissioner of the NSW Rural Fire Service (RFS) for the development of bushfire prone land for a 'special fire protection purpose'. Schools are considered development for 'special fire protection purpose'.

Accordingly, a Bush Fire Assessment Report has been prepared by Bushfire Planning & Design (**Appendix K**) that provides an assessment against the relevant provisions of Planning for Bushfire Protection 2019. In addition, the DA is supported by a Fire Engineering Report that considers performance solutions to address the requirements of Specification 43 of the BCA (**Appendix H**).

On 7 January 2025, a Bush Fire Safety Authority was issued by the NSW RFS in relation to the proposed development (**Appendix L**).

5.4 Flora and Fauna

The site is mapped as containing 'environmentally sensitive land' under the LLEP (**Figure 23**). However, the location of the new building ensures that it will not have any adverse impact on the site's biodiversity values. The proposal does not involve tree removal or vegetation clearance and does not affect any Threatened Ecological Communities identified under the *Biodiversity Conservation Act 2016* (BC Act) or the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

As part of DA-144/2024, an Ecological Impact Assessment was undertaken by Narla Environmental, confirming that most of the identified 'Coastal Valleys Riparian Forest' is fenced from the existing school site (**Appendix U**). The proposed development is located within a courtyard nestled between the existing school buildings and it is therefore unlikely to have any direct or indirect impacts on ecologically sensitive areas. Since the development does not involve tree or vegetation removal, no significant impact on the identified plant community type is expected, and no further ecological assessment is warranted.



Figure 23 Extract of Environmentally Sensitive Land Map (area of works identified in red (Source: ePlanning Spatial Viewer))

5.5 Soil and Geology

A geotechnical Investigation Report has been prepared by JK Geotechnics (**Appendix R**). As a part of the geotechnical investigation, the boreholes were set out using taped measurements from existing surface features. In addition, groundwater observation was made in the boreholes during and on completion of drilling.

Based on the geological map of Penrith (Geological Survey of NSW, Geological Series Sheet 9030) indicates that 'Site 1' (i.e. the proposed two storey classroom building) is underlain by alluvial deposits comprising medium grained sand, silt and clay.

The moisture content test results confirms that the natural alluvial silt and clay samples are of low plasticity and the natural residual clay is of high plasticity. The soil aggression test results have indicated slightly acidic to near neutral conditions, low sulphate and chloride contents, and moderate to high resistivity values. In accordance with Table 6.4.2 (C) and 36929PERpt 7 Table 6.5.2 (C) of AS2159-2009 '*Piling-Design and Installation*', the exposure classification to concrete and steel piles are 'mild and 'non-aggressive', respectively. In accordance with Table 4.8.1 of AS3600-2018 '*Concrete Structures*', the exposure classification to buried concrete elements is 'A2'. The report also includes recommendations specifically to address concerns during the design and construction phase of the proposed development.

5.6 Air and Microclimate

Some dust is anticipated during the construction phase of the proposal, particularly as minor demolition works are involved. This however can be mitigated and managed through the use of measures such as wetting down work areas and stockpiles, stabilising exposed areas, preventing material tracking out onto public roadways, covering loads and all departing vehicles and working to weather conditions as appropriate.

The proposal is otherwise not expected to give rise to any long term or adverse impacts on local or regional air quality.



Figure 25 3D model of the proposed two (2) storey building (Source: Marathon Modular)

5.8 Noise and Vibration

An Acoustic Impact Assessment has been conducted by Northrop to support the proposed development (**Appendix M**). The assessment report includes:

- A noise survey evaluating operational noise levels.
- A construction noise and vibration assessment, along with recommended mitigation measures.
- An analysis of noise emissions from both the development's operations and construction activities.

The following sensitive noise receivers were identified within the vicinity of the proposed development:

- R1 Residential: 26 Tate Crescent, Horningsea Park (representative of the residential receivers to the west of the school)
- R2 Residential: 1 Drinkwater Lane, Edmondson Park (representative of the residential receivers to the south of the school)
- R3 and R4 Residential: 28B and 34 Mullenderee Street, Prestons (representative of the residential receivers located to the east of the school)
- R5 Residential: 54 Bumbera Street, Prestons (representative of the residential receivers located to the north of the school)

Unattended noise monitoring to establish the existing acoustic amenity of the precinct was conducted between 27 August and 4 September 2024, and attended measurements were taken on the 27 August and 4 September. The location of the noise loggers and sensitive receivers is provided in **Figure 26**.



Figure 26 Location of affected receivers and noise logger locations (Source: Northrop)

Noise emission assessment results indicates that the main noise emission source from the proposed development would be the external mechanical plant servicing the development. Based on the predicted noise levels, the proposed development is considered generally complying with the set criteria and therefore, no mitigation measures are required for the external mechanical plant equipment.

A construction and noise vibration assessment was undertaken to assess the impact on the sensitive receivers. This assessment found that in some construction scenarios, the construction noise levels are predicted to exceed the relevant noise management levels. Accordingly, the Acoustic Report provides recommendations to mitigate these impacts including the preparation of a Construction Noise and Vibration Management Plan. Recommendations are also provided to mitigate vibration impacts.

Subject to the implementation of the recommendations, noise emission from the operation as well as construction noise and vibration emissions are expected to comply with the relevant statutory requirements, as well as the NSW EPA Noise Policy for Industry and relevant Australian Standards and Guidelines.

5.9 Waste Management

A Waste Management Plan has been prepared by William Carey Christian School (**Appendix S**) in accordance with Liverpool City Council's DCP guidelines, and sets out the type of waste material generated, the volume and the method of disposal for the demolition and construction of the proposal, in addition to details of waste management during ongoing operation of the new building. Wherever possible, any demolition or construction waste will be recycled and reused on site.

Operational waste collection is currently conducted on-site via a private waste collection service and no changes are proposed to this service.

5.10 Heritage

5.10.1 Aboriginal Cultural Heritage

As discussed in Section 4.4, an Aboriginal Heritage Due Diligence Report was prepared by Artefact in support of DA-144/2024 in accordance with the requirements of DEECW's Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (2010) (**Appendix T**).

As a result of the desktop investigations and visual inspection of the site, the Aboriginal Heritage Due Diligence Report prepared for DA-144/2024 concluded that whilst the site is within 200m of Cabramatta Creek and AHIMS sites are located within the vicinity of the works, the study area has been subject to previous ground disturbance. It is therefore considered that the works are unlikely to uncover any Aboriginal objects, and no further investigations are required.

It is noted that whilst the new two (2) storey building is located within 40m of Cabramatta Creek, it is located on a part of the site that has been previously disturbed as a result of the construction of the surrounding school buildings. In addition, the works include minimal earthworks. Accordingly, it is considered that the works the subject of this DA are unlikely to uncover any Aboriginal objects. Nevertheless, it is recommended that an unexpected finds protocol is established during the construction works.

5.10.2 Built Heritage

The site is not identified as comprising any non-indigenous heritage items, it is not located within close or visual proximity to a State or local heritage listed item nor is it within a heritage conservation area. No further assessment is required.

5.11 Social and Economic Impacts

The proposed development supports the approved increase in student numbers under DA-144/2024 by providing additional teaching facilities and amenities, benefiting both students and the broader community. The improved infrastructure will enhance educational opportunities and contribute to the overall well-being of the local population.

The proposal does not result in any unacceptable amenity impacts concerning noise, privacy, or overshadowing on neighbouring properties, as confirmed by the supporting reports. Additionally, the development will secure long-term educational employment opportunities, strengthening the local economy and ensuring the continued provision of quality education in the local area.

5.12 Crime and Safety

Crime Prevention Through Environmental Design is a crime prevention strategy that focuses on the planning, design and structure and neighbourhoods. It seeks to reduce the opportunities for crime through the use of design and place management principles. The four (4) key strategies of Crime Prevention Through Environmental Design (CPTED) are:

- Surveillance measures
- Territorial reinforcement
- Access control

- Space / activity movement

Each of these strategies are discussed below.

5.12.1 Surveillance Measures

Opportunities for crime can be reduced by providing effective surveillance. The surveillance principle indicates that offenders are often deterred from committing a crime in areas with high levels of surveillance. From a design perspective, deterrence of crime can be achieved by providing:

- Clear sight lines between public and private places and maximising natural surveillance.
- Appropriate lighting and effective guardianship of communal and/or public areas.
- Landscaping that makes places attractive but does not provide offenders with a place to hide or entrap victim.

The proposed two (2) storey school building is located within an existing courtyard of the school and is surrounded by existing school buildings. The school campus generally provides a high-level of passive surveillance during the school day.

5.12.2 Territorial Reinforcement

This principle involves the community ownership of public spaces and that staff, students and visitors will be more comfortable in visiting a communal area that is well-cared for and to which they feel they own. Well used places also reduce opportunities for crime and present as a deterrent to criminals. Also, designing with clear transitions and boundaries between public and private spaces, and clear design cues on what the area is used for is recommended.

The existing school campus is fenced, which provides a clear delineation between public and private spaces.

5.12.3 Access Control

The principle of access control is to use physical and symbolic barriers to attract, channel or restrict the movement of people to minimise opportunities for crime and increase the effort required to commit a crime.

During school hours, access to the school is restricted with all visitors being required to sign in. The school grounds are fenced. The school is a secure education facility with access control minimising opportunities for crime, which discourages vandalism and activism. All visitors to the school site are required to sign in and out.

5.12.4 Space / Activity Management

This principle provides that space which is appropriately utilised and well cared for reduces the risk of crime and antisocial behaviour. Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of lighting and the removal or refurbishment of decayed physical elements.

The school undertakes regular maintenance of its site.

5.13 Traffic, Transport and Accessibility

No changes to the proposed to the parking and traffic arrangements approved under DA-144/2024.

5.14 Suitability of the Site for the Development

5.14.1 General

There are two (2) key questions to be considered in site suitability:

1. *Does the proposal fit the locality?*

The proposed two (2) storey school building development at William Carey Christian School is considered to fit well within the locality. Consideration of the compatibility of the proposal and its surroundings can be undertaken with regard to the Land Environment Court Planning Principle on

“compatibility with context” in *Project Venture Developments v Pittwater Council* [2005] NSWLEC 191. In order to test whether a proposal is compatible with its context, the following two questions can be asked:

Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.

The proposed two (2) storey school building will not create any significant physical impacts on adjoining land or established surrounding developments. The development will not result in any visual or acoustic privacy impacts, nor result in any overshadowing of adjoining residential properties. It is considered there will not be any reduction in the development potential of surrounding properties as a result of the proposal as William Carey Christian School is a long-term educational establishment use within the area and as such land use conflict matters are negligible.

Is the proposal's appearance in harmony with the buildings around it and the character of the street?

The new two (2) storey building will not be visible from the surrounding public domain as it is screened by the existing buildings on the campus. Nevertheless, the proposed two (2) storey form is not inconsistent with the existing buildings on the campus and the character of the nearby low-density residential precinct of Prestons.

2. *Is the site itself suitable for the particular development?*

The proposed development is located within an existing educational establishment. The site is able to physically cater for the proposed development without detriment to the natural or built environment. Appropriate mitigation and management measures will be implemented prior to the works ensure that the proposed development does not adversely impact on the environment. All relevant essential services and infrastructure are understood to be existing and/or available to the site. The site attributes are therefore considered to be more than conducive to accommodating the proposed development.

Therefore, the site is considered to be suitable for the proposed development.

5.15 The Public Interest

In accordance with Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 (EP&A Act), the consent authority must consider the public interest in determining the proposed development. The proposed development seeks to enhance the existing educational facility by providing additional teaching spaces and amenities to accommodate the approved student population under DA-144/2024.

The proposal is generally consistent with relevant environmental planning instruments and subsequently, as these instruments have been created having regard to the objects of the Act following community consultation, they are considered to express planning controls that seek to protect the public interest. Accordingly, it is considered that the proposed development is not prejudicial to the public interest.

Furthermore, as outlined in **Section 4.12**, the proposed is consistent with the Council's Local Strategic Planning Framework, supporting the expansion of local education opportunities to meet growing community needs. The development will strengthen educational infrastructure, ensuring long-term benefits for students, staff, and the broader community.

6 Conclusion

The proposed development involves the construction of a new school building within the existing courtyard of William Carey Christian School, located at 38-44 Bumbera Street, Prestons. The proposal supports the approved student capacity under DA-144/2024, delivering additional teaching spaces and amenities to enhance the school's functionality and educational offerings.

The development has been assessed against the provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act), relevant State Environmental Planning Policies (SEPPs), the *Liverpool Local Environmental Plan 2008* (LLEP 2008), and the Liverpool Development Control Plan 2008 (LDCP 2008). The site is well-suited for the proposed expansion, benefiting from existing infrastructure, services, and transport links, ensuring minimal disruption to the surrounding environment and neighbouring properties.

The site comprises land zoned R2 Low Density Residential, RE1 Public Recreation, and SP2 Infrastructure (Drainage) under the LLEP 2008. The proposed development is entirely located on the R2-zoned land, where educational establishments are permitted with consent. The proposed development aligns with the objectives of the R2 zone and does not adversely impact residential amenity.

Accordingly, the proposal is considered to be consistent with the planning framework, responsive to the site's opportunities and constraints, and in the public interest, and is therefore worthy of Council approval.

7 Glossary and Abbreviations

AEP	Annual Exceedance Probability
AHD	Australian Height Datum
AHIP	Aboriginal Heritage Impact Permit
AHIMS	Aboriginal Heritage Information Management Systems
AS	Australian Standard
BAL	Bushfire Attack Level
BC Act	NSW <i>Biodiversity Conservation Act 2016</i>
BCA	Building Code of Australia
BDAR	Biodiversity Development Assessment Report
BFA	Bushfire Safety Authority
CM Act	<i>Coastal Management Act 2016</i>
CMP	Construction Management Plan
Council	Liverpool City Council
DCP	Development Control Plan
EDC	Estimated Development Cost
EEC	Endangered Ecological Communities
EPA	Environment Protection Authority
EP&A Act	NSW <i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	NSW <i>Environmental Planning and Assessment Regulation 2021</i>
EPBC Act	<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPM	EPM Projects
FM Act	NSW <i>Fisheries Management Act 1994</i>
FPL	Flood Planning Level
FSR	Flood Space Ratio
GFA	Gross Floor Area
Heritage Act	NSW <i>Heritage Act 1977</i>
LEP	Local Environmental Plan
LGA	Local Government Area
NCC	National Construction Code
NPW Act	NSW <i>National Parks and Wildlife Act 1974</i>
PBP 2019	<i>Planning for Bushfire Protection 2019</i>
PCT	Plant Community Type
PMF	Probable Maximum Flood
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
Public Authority	Government departments, statutory bodies
RF Act	<i>Rural Fires Act 1997</i>
RFS	NSW Rural Fire Service
The School	William Carey Christian School
SEE	Statement of Environment Effects
SEPP	State Environmental Planning Policy

SES	State Emergency Services
SIS	Species Impact Statement
Site	38-44 Bumbera Street, Prestons
TEC	Threatened Ecological Community
TfNSW	Transport for NSW
WM Act	<i>Water Management Act 2000</i>