

22<sup>nd</sup> April 2024

Chief Executive Officer  
Wollondilly Shire Council  
PO Box 21  
Picton NSW 2571

**CONFIDENTIAL**

Attn: Max Strassmeir, [Max.Strassmeir@wollondilly.nsw.gov.au](mailto:Max.Strassmeir@wollondilly.nsw.gov.au)

Dear Mr. Strassmeir,

**RE: DOE SUBMISSION – APPIN PRECINCT PART 2 - PLANNING PROPOSAL**

The Department of Education (DoE) welcomes the opportunity to provide comments on the Planning Proposal for Part 2 of the Appin Precinct (the draft Proposal). DoE note that the Appin Precinct has previously been subject to the Technical Assurance Panel Pilot Program and approval of the previous 'Part Precinct' Proposal (PP-2022-3937). DoE previously provided advice on the service need implications of the Appin Precinct and the comments below seek to compliment this advice.

DoE understand that the draft Proposal relates to a small portion of the Appin Precinct (99.4 hectares), alternatively described as 'Stage 3a and 4a' in the Precincts Indicative Staging Plan and seeks to amend the *State Environmental Planning Policy (Precincts—Western Parkland City) 2021 (WPC SEPP)* via a new Appendix. The proposal will rezone the site from RU2 – Rural Landscape to Urban Development Zone (UDZ), C2 – Environmental Conservation. The rezoning of Part 2 will result in a total of 1,312 residential dwellings.

The development of the Appin (Part 2) Precinct will be implemented in parallel with the initial Appin (Part 1) Precinct.

DoE note that a draft Precinct Structure Plan was prepared for the Part 1 Precinct Proposal and identified school sites as a potential use in several locations of the wider precinct; within the nominated 'mixed-use centres' (refer Attachment A below). One of these mixed-use areas fall within the Part 2 Precinct study area. The specific location and details of future schools will be the subject of ongoing discussions between DoE, DPHI and the developer as detailed planning progresses for the Precinct. At the time of writing, the developer had commenced discussions with DoE on planning for schools in the Precinct.

DoE has undertaken a detailed investigation of the long-term service need in for the areas within the GMGA. This has identified appropriate solutions to accommodate future projected enrolment demand in this corridor and ensure that existing schools are fully utilised before new schools are considered.

DoE has reviewed the planning package in detail and has provided additional commentary in Attachment B below. DoE welcomes the opportunity to engage further on the draft Proposal and the content contained in this submission.

School Infrastructure NSW (SINSW)

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Education

Should you require further information about this submission, please contact the School Infrastructure Strategic Planning Team on [Strategicplanning@det.nsw.edu.au](mailto:Strategicplanning@det.nsw.edu.au)

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'Rebecca Willott'.

**Rebecca Willott**  
**Executive Director, Infrastructure Planning**  
**NSW Department of Education, School Infrastructure**

## ATTACHMENT A – POTENTIAL SCHOOL LOCATIONS – APPIN PART 2 PRECINCT

Figure 1: Draft Structure Plan – Part 2 Precinct



### LEGEND:

— Appin & North Appin Precincts Boundary	Regional Open Space	Mixed Use Centres (including retail/commercial, schools and open space)
— Appin (Part 1) Precinct Boundary	Easements (Potential for active and passive recreation)	Indicative Bulk Supply Point
— Appin (Part 2) Precinct Boundary	Green Links	East-West Connection Road
- - - LGA Boundary	Riparian Corridor	Public Transport Corridor
— Waterways	Planned State Heritage Listing Sites - SHR 02067 Plan 3294	North-South Connection Road
■ C2 Conservation Land*	Heritage Items	Appin Bypass
■ Existing Road within C2	Residential	Road Connection - By Others
■ Conservation Land	Excluded Land	Collector Roads
■ Existing Road to be extinguished		
■ District Open Space		

\* Where located outside Appin (Part) Precinct Boundary this represents Strategic Conservation Planning SEPP - Avoided Land (August 2022).

Source: Urbis Pty Ltd (2023)

**ATTACHMENT B – DoE SUBMISSION – APPIN PART 2 PRECINCT PP****Demand for Educational Facilities**

The draft Proposal seeks to deliver a total of 1,312 residential dwellings; a portion of the total 20,000 total dwellings planned for the wider Precinct. As stated above, DoE has previously provided previous feedback on the service need impact of the wider Appin Precinct, as part of the TAP Pilot Program (June 2022) and the Part Precinct Proposal exhibition. This advice noted that a co-located primary and high school of 6ha (minimum) would be required by Stage 3A of the wider Precinct.

Please note, the above demand may potentially increase based on development ‘creep’ and rising government share, since non-government schools are not required to expand as a residential locality develops. DPHI and Council have a joint obligation to monitor growth in the precinct and ensure future sites are made available if/when development yield exceeds the approved numbers.

Further, provision of this site will be subject to funding being secured via either a State Planning Agreement (SPA) or dedication under a Voluntary Planning Agreement (VPA)

**Assessment of Potential School Locations & Selection of Preferred Sites**

Due to the high-level nature of the wider Precinct Plan and draft Structure Plan, DoE have not previously been engaged regarding school site selection in the wider Precinct. The Developer and DoE have commenced block massing of school sites within the Stage 2 study area, to determine if they are of appropriate size.

DoE’s ‘School Site Selection and Development Guidelines’ (2023) outline the site-based requirements for any new school site. These have been previously provided to Council and DPHI for the proponent’s consideration and are also available at:

<https://education.nsw.gov.au/about-us/efsg/design-framework/site-selection-guidelines>

Consideration of these guidelines will ensure that any future educational establishment in the site can operate in an acceptable manner.

**Minimum Site Size Requirements**

DoE had previously advised the minimum school site sizes required to service the proposed growth within the Precinct. These consist of a minimum 2 ha for Primary Sites and a minimum 6 ha for any combined primary and high school (HS).

A 4ha site only meets the guidelines for a stand-alone HS only, and delivery of a HS and PS on the same site will require an additional 2ha. Any reduction of these standards will be assessed on a site-by-site basis in consultation with the developer and will be subject to a detailed due diligence and feasibility exercise.

This is to ensure that the final developable area of the school site meets any relevant environmental mitigation, open space and operational requirements.

DoE request that further discussions are held with DPHI to ensure that the appropriate site configuration can be achieved in accordance with the above requirements, prior to finalisation of the proposal. This will include DoE undertaking block massing of sites to determine that the appropriate sized school can be delivered.

#### Due Diligence:

In order to progress the detailed investigations required for site selection, DoE require Due Diligence reporting on the particular sites proposed for these uses. DoE can provide greater certainty on the appropriateness of potential sites once due diligence reports are provided and appropriate mechanisms are identified to make these locations suitable for school development.

DoE request any due diligence conducted in relation to the precinct including but not limited to:

- Topographic Surveys of proposed school sites (including site boundary details and dimensions)
- Foreshore setbacks
- Contamination Reports
- HIPAP 10 Land Use Safety Planning (and any associated reports)
- HIPAP 6 Hazard Analysis
- Traffic and Transport Assessment Report/s (including review of heavy vehicle movements and traffic modelling)
- Flood Study + sea-level rise (if relevant)
- Air quality and odour report/s
- Active transport and pedestrian connectivity overlays
- Heritage (European and Aboriginal Cultural Heritage Assessment)
- Ecological Report

The Department is particularly interested in information relating to pipelines and flooding, due to the significant risks posed to sensitive populations. Previous inappropriate provision of schools on sites affected by pipeline buffers has resulted in restricted operating capacity of these sites, to the extent that enrolments were reduced to meet statutory requirements. Further, the DPHI Assessments Unit currently requires significant scrutiny over flood affected sites where a sensitive population is proposed. Due to this, DoE cannot support sites that are flood impacted without further assessment and investigation, as this issue is critical to any subsequent development approval. Please note, it is DoE policy that school sites are not used as evacuation centres. Future school sites must also sit above the Probable Maximum Flood Level.

In the absence of the above, DoE request the most recent Due Diligence reports for the above affectations and access to the precinct to conduct relevant due diligence.

Site selection will also be assisted by detailed layout/structure planning for the Precinct. DoE request that any work in this regard be provided to the Department for review.

### **Zoning of Potential School Site**

As stated previously, while DoE's preference is for school sites to be zoned SP2 Infrastructure (due to its impact on land value; a key driver for state government agencies) the proposed zoning for the 'mixed use centres' areas identified in the draft Structure Plan is the 'Urban Development Zone'. DoE understand that this is a broad zone being pursued in the WPC Growth Areas, which permits a range of uses by exclusion. The UD Zone is not identified as a prescribed zone under Chapter 3 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021*, despite this, DoE note that educational establishments are captured as permitted development within the current land use table.

Noting the above, DoE welcome additional consultation with DPHI and the proponent regarding the safe guarding of sites for future educational facilities in the absence of defined zoning and detailed timeframes with which to guide the DoE site selection process within the Precinct.

### **Review of Social Impact Assessment**

DoE has reviewed the Social Infrastructure and Open Space Assessment (SIOSA - prepared by Urbis Pty Ltd) and request the amendments noted in the table below. This advice is similar to that delivered as part of the Part Precinct consultation.

<b>SIA Content</b>	<b>Page</b>	<b>DoE Recommended Content</b>
Co-location	15	<p>"Facilities should be located close to public transport and co-located with other services such as the school sites".</p> <p>Please note: DoE seeks to explore and implement joint and shared-use opportunities with councils where there is a mutual benefit for the school and community. However, this is subject to timing, funding and a Memorandum of Understanding developed between the parties.</p> <p>Any future shared spaces are required to be under DoE control during school hours.</p>
Recommended social infrastructure provision - schools	16	<p>Refer commentary above on minimum school site areas.</p> <p>Amend Guidelines to 2023.</p>
	17	<p>Remove additional key which notes "integrated school". This refers to a</p>



		specific school typology which is not suitable to this Precinct. Amend key to state: “education infrastructure” within relevant stages to allow flexibility in future delivery.
Education Facilities - Key considerations  Summary of Provision Requirements	38	<p>Amend Guidelines to 2023</p> <p>Amend paragraph 1 text as follows:</p> <p><i>“The incoming population is likely to generate demand for several educational facilities. The DoE is currently working with DPHI to formalise the required school provision for the wider Appin Precinct as part of the Strategic Business Case for the Greater MacArthur Growth Area.</i></p> <p>Remove commentary on Appin PS capacity and remaining text and insert:</p> <p><i>“To plan for schools, DoE and the Department of Education considers (amongst other things) long term trends in population growth, the likely uptake of new housing by those with school aged children, the ratio of government and non-government school attendance and the size and location of existing schools. New schools will only be established where there are no other options available and budget approval has been given. Where new schools are required, the Department of Education will negotiate with housing developers and consult with local councils to place them near transport and town centres and encourage the use of shared amenities including sports fields and halls.</i></p> <p><i>DoE will continue its ongoing engagement with Council and the NSW DPHI as detailed planning progresses for the study area to ensure schools are responding to the needs of the community”.</i></p>
	39	As above, DoE is currently working with DPHI to formalise the required school provision for the wider Appin Precinct.

Childcare Facilities	41	Please note, at the time of writing, the provision of Universal Pre-Kindergarten facilities on future school sites within NSW were still subject to investigation.
Recommended Provision of social infrastructure	45	<p>DoE had previously advised the minimum school site sizes required to service the proposed growth within the Precinct. These consist of a minimum 2 ha for Primary Sites and a minimum 6 ha for any combined primary and high school (HS).</p> <p>A 4ha site only meets the guidelines for a stand-alone HS only, delivery of a HS and PS on the same site will require an additional 2ha.</p> <p>As stated above, the Figure on page 39 is subject to additional investigation on the part of DoE. The Department is currently working with DPHI to formalise the required school provision for the wider Appin Precinct.</p> <p>Amend to 2023 Guidelines</p>
Recommended Provision of social infrastructure	64	Refer above areas for required school sites.

### **Infrastructure Delivery**

Subject to meeting the above requirements, DoE's preference is for any future school site within the study area to be delivered via a Planning Agreement. It is understood that a draft State Planning Agreement (SPA) is being presented to DPHI to support the rezoning. DoE request an opportunity to review the draft agreement, when available.

If this pathway is pursued, DoE request that agreement on the timing of transfer of the school sites be determined prior to the Agreement being finalised, as this will depend on the timing of new dwelling delivery and DoE's regional priorities. As stated above, confirmation of school delivery will also be dependant on completion of required site selection investigations.

DoE have reviewed the draft Infrastructure Delivery Plan (IDP) provided as part of the planning package and requests the following amendments:

IDP Content	Page	DoE Recommended Content
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Table 7	16	<p>This map is now outdated and subject to the current Strategic Business Case for the GMGA being prepared by DPHI.</p> <p>This table and graphic should be amended prior to finalisation of the proposal. DoE is working with DPHI as part of the current SbC project working group to refine the education demand requirements for the GMGA.</p>
Section 4.2.2	26 Table 10	<p>Refer above size requirements for co-located school sites.</p> <p>Remove paragraph and insert the following:</p> <p><i>“Future provision of educational facilities in the Precinct will be subject to DoE’s ‘School Site Selection and Development Guidelines’, which outline the site-based requirements for any new school site as well as ongoing consultation with DPE and the proponent”.</i></p> <p><i>“Opportunities for shared use of facilities should be actively explored with the relevant Government agency”.</i></p>
4.3 Transport and Access	26	<p>Please note: Schools require a well-structured movement network that provides appropriate road infrastructure, as well as safe pedestrian pathways from residential areas to the school site. It is important that the school has an appropriate amount of road frontage to provide zones for kiss-and-drop and buses, as well as the potential for a strong street presence and school identity. To this end, schools require ideally 3, but no less than 2 road frontages to function effectively. All roads surrounding schools should be bus-capable.</p>
Water and Servicing	28	<p>Schools should be fully serviced with water, natural gas, sewer, power, telecommunications, local traffic infrastructure and other utilities and service infrastructure, as is necessary for a school.</p>
	30	<p>Remove and insert the following:</p>

		<i>"Opportunities for shared use of facilities should be actively explored with the relevant Government agency"</i>
Section 5.2 State, regional and other infrastructure for Appin (Part 2) Precinct	38 – Table 19	Refer above comments on section 4.22

Further, as part of any local contribution's arrangements for the proposal, DoE request that the Council consider including requirements for public domain, transport and other infrastructure works required to support government schools in the Precinct in this future plan and that government social infrastructure is expressly excluded from the payment of contributions.

DoE also request that all necessary servicing and transport infrastructure required to support the school site is provided prior to delivery of any educational establishments in the precinct. Timing of the future school site's delivery will need to be developed in consultation with DoE, subject to the above servicing requirements being met.

### **Active Transport and Access**

DoE have previously reviewed the Strategic Transport Assessment (prepared by WSP) prepared for the wider Appin Precinct and is generally supportive of the intent to provide a network of paths and infrastructure that supports higher use of walking and cycling for a range of local movement within the wider precinct.

Notwithstanding the above, DoE request that transport planning for the draft Proposal be guided by the NSW Governments Movement and Place Framework (MAPF) and its Built Environment Performance Indicators. These indicators are based on qualities that contribute to a well-designed built environment and should inform the transport infrastructure for the study area.

The MAPF's core 'Amenity and Use' and 'Primary Schools' indicators are of particular importance to DoE, as these encourage urban designers to consider the impact on adjacent places/uses, as well as emphasising movement that supports place. The 'Primary Schools' indicator provides two specific metrics to judge the effect of infrastructure on the accessibility of public schools in an area; these being walkability and public transport access. These metrics require designers to assess whether proposed infrastructure facilitates access to primary school facilities (or public transport connections to schools) or whether it exacerbates gaps in the existing network.

Effective transport planning for the study area would include the following measures to promote safety, access and pedestrian prioritisation:

- Preparation of an Access and Movement Strategy
- Physical separation between pedestrians, cyclists and heavy vehicles
- Default lower vehicle speeds (e.g. School Streets)
- Access for all ages and abilities, such as ambulant disabilities and prams
- Kerb outstands and refuges crossings (particularly around schools).
- Pedestrian legs on all approaches to intersections.
- Weather-protected bus departure zones
- For local roads: lower vehicle speeds to 15 km/h in High Pedestrian Activity Areas or 40 km/h within School Zones.

The primary school-focused MAPF amenity indicator can be accessed via the link below:

<https://www.movementandplace.nsw.gov.au/place-and-network/built-environment-indicators/primary-schools>

Further to the above, DoE request that the wider Precinct utilise a road network design that will allow for efficient and reliable public transport service delivery that can be integrated into the broader transport network for the local government area. This should emphasise bus-capable roads that facilitate access to local schools in the area. Bus servicing along key roads in the Precinct should allow a frequent, all-day service for residents.

The above guidelines are complemented by the above School Site Selection and Development Guidelines, which stipulate appropriate transport and access layouts for school facilities.