Department of Planning, Housing and Infrastructure

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Darcy Road Public School Upgrade

State Significant Development Assessment Report (SSD-49073460)

March 2024

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Published by NSW Department of Planning, Housing and Infrastructure

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Preface

This assessment report provides a record of the Department of Planning, Housing and Infrastructure's (the Department) assessment and evaluation of the State significant development (SSD) application for the Darcy Road Public School Upgrade located at 98A Darcy Road, Wentworthville, lodged by the NSW Department of Education (the Applicant). The report includes:

- an explanation of why the project is considered SSD and who the consent authority is
- an assessment of the project against government policy and statutory requirements, including mandatory considerations
- a demonstration of how matters raised by the community and other stakeholders have been considered
- an explanation of any changes made to the project during the assessment process
- an assessment of the likely environmental, social and economic impacts of the project
- an evaluation which weighs up the likely impacts and benefits of the project, having regard to the proposed mitigations, offsets, community views and expert advice; and provides a view on whether the impacts are on balance, acceptable
- a recommendation to the decision-maker, along with the reasons for the recommendation, to assist them in making an informed decision about whether development approval for the project should be granted and any conditions that should be imposed.

Executive Summary

This report details the Department's assessment of the State significant development application SSD-49073460 for the Darcy Road Public School Upgrade.

This report will be provided to the delegate of the Minister for Planning and Public Spaces (the Minister) for their consideration when deciding whether to grant consent to the SSD.

Project

The NSW Department of Education (the Applicant) proposes to upgrade an existing primary school including the demolition of all existing structures on site apart from the school hall which is to be refurbished, construction of one new 4 storey building, one new 3 storey building, a central building link and covered outdoor learning area. Associated works include upgrade to an existing carpark, earthworks, landscaping, signage, fencing, bicycle parking and pedestrian upgrades. The project is located at 98A Darcy Road, Wentworthville in the Parramatta local government area (LGA).

School operation will move to a temporary school location within the site when construction commences. The temporary school was approved under a separate planning pathway to allow for operational readiness at the commencement of proposed project works. The project is proposed over 2 construction stages over 24 months.

The project has a capital investment value of $56, 818, 067 and is expected to generate 70 construction jobs and 25 additional operational jobs (for a total of 85 permanent staff). If approved, construction of the project is proposed to commence in 2024 and be completed by 2025.

Strategic context

The Department considers the development is consistent with the principal aims of key relevant strategies including the NSW State Priorities, the Greater Sydney Commission's A Metropolis of Three Cities Greater Sydney Region Plan and Western City District Plan, Transport for NSW's Future Transport Strategy 2056 and Infrastructure NSW's State Infrastructure Strategy 2018 – 2038 Building Momentum.

The site is flood affected and the Department has had regard to the NSW Flood Inquiry which was commissioned by the NSW Government in March 2022, to examine and report on the causes of, planning and preparedness for, response to and recovery from, the 2022 catastrophic flood events.

The Department has had regard to its draft Shelter-In-Place Guidelines, and has considered the suitability of the site, and matters of public interest with respect to flooding and managing risk to school occupants.

Statutory context

The project is classified as State significant development (SSD) under section 4.36 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because the development has a capital investment value in excess of $50 million and is for the purpose of alterations or additions to an existing school in accordance with clause 15(2) of Schedule 1 of the Environmental Planning Policy (Planning Systems) 2021. Consequently, the Minister is the consent authority for the project under section 4.5A of the EP&A Act.

The application is permissible with consent.

Engagement

The Department exhibited the environmental impact statement (EIS) from Tuesday 23 May 2023 until Monday 19 June 2023. During the exhibition period, the Department received:

- 4 submissions from the public (3 submissions from individuals and one from Endeavor Energy)
- a submission from the local council, City of Parramatta Council (Council), initially objecting to the project, however their objection was subsequently withdrawn.

advice from the following government agencies:

- Biodiversity, Conservation and Science (BCS) division, within the Department of Climate Change, Energy, the Environment and Water
- Transport for NSW
- NSW State Emergency Services
- Heritage NSW
- Fire and Rescue NSW

Of the 4 public submissions, one supported the project and 3 were comments.

Key concerns raised in submissions related to flooding, built form and urban design, biodiversity and traffic and parking.

The Applicant submitted a Response to Submissions on 15 November 2023 to address the issues raised in submissions and agency advice.

The Applicant provided a supplementary Response to Submissions on 5 February 2024 which addressed concerns raised by Council and agencies further with regards to the Applicant's Response to Submissions.

Assessment

Flooding

The is located approximately 350m upstream of Coopers Creek within the Toongabbie Creek catchment and the site is impacted by overland flooding during 5% annual exceedance probability (AEP) storm, 1% AEP storm and probable maximum flood (PMF).

Flood infrastructure including a flood wall, stormwater channel and stormwater pits proposed by the Applicant was provided in the RtS after additional flood modelling of the site and consultation with agencies and Council. The site would remain as a low flood hazard zone up to the PMF where it has areas of high hazard in proposed open space areas in the location of a temporary school currently being constructed. Proposed school buildings would be constructed above flood levels with the exception of a portion of one school building during the PMF. The proposal would respond better to flood constraints of the site than the current site arrangement and offer safer refuge compared to current school buildings, if evacuation was not possible.

During a Probable Maximum Flood (PMF) event, flooding resulting from new buildings and structures on site would affect one adjoining property to the south by less than 10mm; however, hazard classification for this property would remain low.

The Applicant's EIS, Flood Impact Assessment and Flood Emergency Response Plan (FERP) as revised in the SRtS detail that closure of the school prior to a flood event is prioritised and that shelter in place would be provided above PMF level where early closure and evacuation of the school cannot occur.

Subject to conditions including enforcement of the FERP and waterproofing of the portion of school building below PMF level, the Department is satisfied that the proposal would not increase flood hazard classification for surrounding properties, and that the flood risk to vulnerable and other occupants of the school would be improved above existing conditions and be appropriately managed.

Traffic, Transport and Parking

The proposed upgrades and increase in school capacity has the potential to impact an already congested intersection near the site during peak drop off and pick up (DOPU) periods.

To manage traffic impacts, the Applicant has proposed to implement a School Travel Plan (STP) to improve the uptake of active transport modes and reduce car usage amongst the school community. Monitoring as part of the annual STP review would also ensure than mode share targets are evaluated and impacts associated with drop-off/pick-up operation are mitigated, if required.

The Department is satisfied that, subject to conditions of consent to ensure appropriate operation and monitoring of the DOPU zones, traffic and parking impacts would be adequately managed.

Building form and urban design

The Department considers that the proposed building design, layout and landscaping at the site would be suitable, and the landscaped features of the site and tree plantings would be an appropriate response between the civic function of the site and surrounding residential character of the streetscape. The Department acknowledges that whilst Council holds concern regarding the height, bulk and scale of the school building fronting Darcy Road, the Department considers that the proposal would be contextually appropriate for a civic and community facility character within a residential and mixed-use area with the overall building design, setbacks, materiality and landscaping of the proposal not negatively impact the existing streetscape.

Conclusion

Overall, the Department's assessment concludes the impacts of the development are acceptable, and can be appropriately managed or mitigated through the implementation of recommended conditions of consent. On this basis, the Department has formed the opinion the development:

- would provide significant benefit to the community by delivering improved and expanded school facilities
- improve tree canopy coverage across the site
- be consistent with government strategy
- provide improved flood resilience on site by providing new flood mitigation infrastructure and learning spaces above the Probable Maximum Flood level
- provide 70 construction jobs and 25 additional operation jobs.

As such, the Department considers the project is in the public interest, and is recommended for approval, subject to conditions.

Contents

1 Introduction

1.1 The proposal

The NSW Department of Education (the Applicant) proposes an upgrade to the existing Darcy Road Primary School to accommodate up to 1, 000 students, including demolition of all existing buildings apart from the school hall, construction of one new 4 storey building and one new 3 storey building, refurbishment and extension of the school hall, a central building link, a covered outdoor learning area, and associated works including upgrades to an existing carpark, earthworks, landscaping, signage, fencing, bicycle parking and pedestrian upgrades. Out of Hours School Care (OHSC) care is proposed to operate from the site.

The project description and mitigation measures provided in Section 6 and Appendix B of the Response to Submissions (RTS) are the subject of this report and will form part of the development consent if the project is approved.

An overview of the proposed development is provided in Section 2.

1.2 Project location

The subject site is located at 98A Darcy Road, Wentworthville in the Parramatta local government area (LGA) and is 4.4km west of the Parramatta CBD and 29km west of Sydney CBD (see **Figure 1**).

The site is legally described as the following:

- Lots 6-7 in DP 10955
- Lot 1 in DP 782155
- Lot A in DP 383734
- Lot 1 in DP 122893
- Lot 1 in DP 160134
- Lots 12-16 in DP 16811.

Figure 1 | Regional context map (Source: Nearmap 2023)

The site contains single storey school buildings and structures including general learning buildings, library, school hall and amenity buildings and demountable/temporary structures providing general learning space. School buildings are contained to the central and northern portions of the site with demountable learning space structures situated on the south-west and north-east portions of the site. A 21 space staff carpark is located along an east portion of the site, accessed off Olive Street. Open space and play areas were predominantly located within the south-east portion of the site where temporary school structures have recently been constructed (Figure 2).

The temporary school was approved through a separate planning pathway with construction completed by the Applicant in late 2023. Occupation of the temporary school by students and staff commenced in Term 4 2023. The Applicant's EIS and documentation refers to the temporary school as Stage 1/Stage 1 works. Reference to Stage 1 in this report is therefore relevant to construction of the temporary school, which does not form part of this application.

Figure 2 | Current site conditions (Base source: Nearmaps October 2023)

The site is surrounded by low density residential development to the north, east, south and west. Sheehan Reserve is to the south-west corner of the site and frank Hayes Park is approximately 115 metres east of the site, accessible via a laneway which connects the Olive Street cul-de-sac to Fyall Avenue (see Figure 3).

Coopers Creek drainage canal is approximately 400 metres east of the site, an unnamed tributary of the creek once flowed through the south-eastern corner of the site, remnants of the creek's vegetation along its corridor remain on site including Cumberland Plain Woodland (see Figure 4).

The western train line is approximately 200 metres south of the site and the Cumberland Highway approximately 380 metres east.

Figure 3 | Local context map (Source: Nearmaps 2023)

Figure 4 | Unnamed tributary overlain on existing site plan (Source: Applicant's EIS 2023)

1.3 Related projects and works

A temporary school and associated infrastructure have been approved on site under a separate planning approval pathway. The extent of the temporary school is shown in Figure 5. The temporary

school provides 21 new class room demountable structures and maintains the use of 11 existing demountable class room structures within the school site. The Applicant has advised that construction of the temporary school is complete and school operation within the temporary school commenced in Term 4 2023. It is intended that operation of the temporary school will cease when proposed Stage 2 works for new school buildings A and B are complete, at which time school operation will vacate the temporary school and relocate to the new school buildings. After relocation, the temporary school will be dismantled and removed from the site under a separate planning approval pathway. The former temporary school area will be returned to open space.

The Applicant states that school operation in Buildings A and B (Stage 2) will occur at the start of the next school term to allow for removal of the temporary school during the school holiday period.

Figure **5** | Stage 1 and Temporary School Plan (Source: Applicant's EIS 2023)

2 Project

2.1 Project overview

The key components and features of the proposal, as detailed in the Environmental Impact Statement (EIS) and amended in the Response to Submissions (RtS) are outlined in Table 1.

Table 1 | Key aspects of the project

Aspect	Description
Project area	The site has an existing primary school in operation accommodating 709 students. The site has an area of 23, 531 metres squared and falls approximately 6 metres from north-west to south-east. It has 2 street frontages, Darcy Road to the north and Olive Street to the east. A temporary school has been constructed on the south-eastern corner of the site and is now operational (see Figure 5). Trees line the site border to the south and west, some trees have been identified as Cumberland Plain Woodland.
Demolition	Demolition of all existing structures on site, with the exception of 11 existing demountable learning spaces and the school hall, which will be refurbished and extended (Building C).

Built form	Construction of:
	• Building A – 4 storey building with a frontage to Darcy Road accommodating:
	  ○ staff administration and staff amenities
	  ○ learning spaces and common rooms and student amenities.
	• Building B – 3 storey building accommodating:
	  ○ library
	  ○ learning spaces and common rooms and student amenities.
	• Buildings A and B building link
	• Refurbishment and extension of Building C – single storey building including:
	  ○ communal hall and associated store room
	  ○ Out of School Hours Care room
	  ○ internal and external student amenities
	  ○ staff amenities room.

Access	• Primary pedestrian entry from Darcy Road • Secondary pedestrian entrance from Olive Street • 11 existing supervised drop-off/pick-up spaces on Darcy Road.

Aspect	Description
Car and bicycle parking	• 20 new car parking spaces (total of 41) including 2 new accessible spaces • 11 drop-off/pick-up spaces on the southern side of Darcy Road and 6 spaces on the northern side of Darcy Road • 12 metre, 15 minute parking zone, on the southern side of Darcy Road, west of Olive Street • 100 bicycle parking spaces, including 70 spaces off Darcy Road and 30 spaces adjacent to the Olive Street car park.
Public domain upgrade works	• Indicative public domain works are not within the scope of this application but are planned by the Applicant, to be delivered under the *Roads Act 1993* in consultation with Parramatta City Council (Council) and Transport for NSW (TfNSW). Planned works include: - increasing footpath withs along high pedestrian volume roads - provision of a pedestrian refuge island in Darcy Road near Olive Street - extending the bus zone on the northern side of Darcy Road - drop-off/pick-up line marking on Darcy Road and intersection line marking at Darcy Road and Olive Street.
Landscaping	• Removal of 9 trees • Site landscaping including 77 new trees, and new groundcover.
Signage	• School identification signage: - a freestanding sign on Olive Street measuring 2.26m(h) x 0.65m(w), and would include a 1.08m(h) x 0.5m(w) illuminated digital screen - a sign affixed to the northern elevation of Building A measuring 1.25(h) x varying widths, and would present as yellow individual cut lettering affixed to the building façade - a sign affixed to the eastern elevation of Building C measuring 1.05(h), and would present as yellow individual cut lettering affixed to the building façade - a sign on Darcy Road measuring 0.43m(h) x 0.4m(w), and would present as an aluminium panel affixed to the fence.
Infrastructure and services	• Upgrade to electrical, water and sewerage utilities • New internal water distribution network including new connection to existing water mains.
Uses and activities	The development is for an upgraded primary school for with increased capacity from 709 students and 40 staff to approximately 1,000 students and 85 staff. The Applicant proposes that the school hall will be used for Out of School Hours Care.

Aspect	Description
Timing and sequencing	Construction would occur over 2 stages(Stage 1 is planned under a separate planning approval pathway and is not part of this Application). • Stage 1 (not included in this Application): - construction of a temporary school, new kiosk substation and fire hydrant booster assembly, pump and water tanks off Olive Street. • Stage 2: - the existing school would continue to operate in the new temporary school and 11 existing demountables - demolition of existing school apart from the school hall - construction of Building A and B - landscaping works within the construction site • Stage 3: - removal of temporary school and demountables (removal works would occur under a separate approval pathway) - refurbishment of the school hall (Building C) - car park extension works - remaining landscaping works

2.2 Physical layout and design

The proposed layout consists of 3 buildings (Building A, Building B and Building C) arranged towards the centre of the site (Figure 6). Proposed Building A would be 4 storeys and connected via a covered walkway and a central building link to Building B, a 2 storey building. Building A would be located adjacent to Darcy Road on the northern boundary of the site. Building B would be located near the south-western corner of Building A towards the south-west of the site. The central building link between Building A and B, is a hybrid circulation and outdoor learning space. The link forms a key part of the Connecting with Country design approach. Building C is an existing school hall building and is being refurbished and extended to provide an improved school hall and associated store rooms and students amenities to the east of Building B. The COLA would be located between Building B and Building C.

Bicycle parking would be located at the north-western corner of the site and on the western boundary of the school, adjacent to the staff carpark.

Open space and play areas for the school would be provided towards the south-west and south-east corners of the school. Additionally, play space and a community garden would be provided on the western and eastern boundaries, to both sides of Building A (Figure 7).

Vehicle access to the site would be provided via the 41 space staff car park midway along the eastern boundary of the site, accessed off Olive Street.

There are 2 proposed pedestrian and cycle access points to the site:

- northern entry from Darcy Road leading to Building A
- eastern entry, adjacent to the staff car park, from Olive Street leading into the centre of the site between Buildings A, and Buildings B and C.

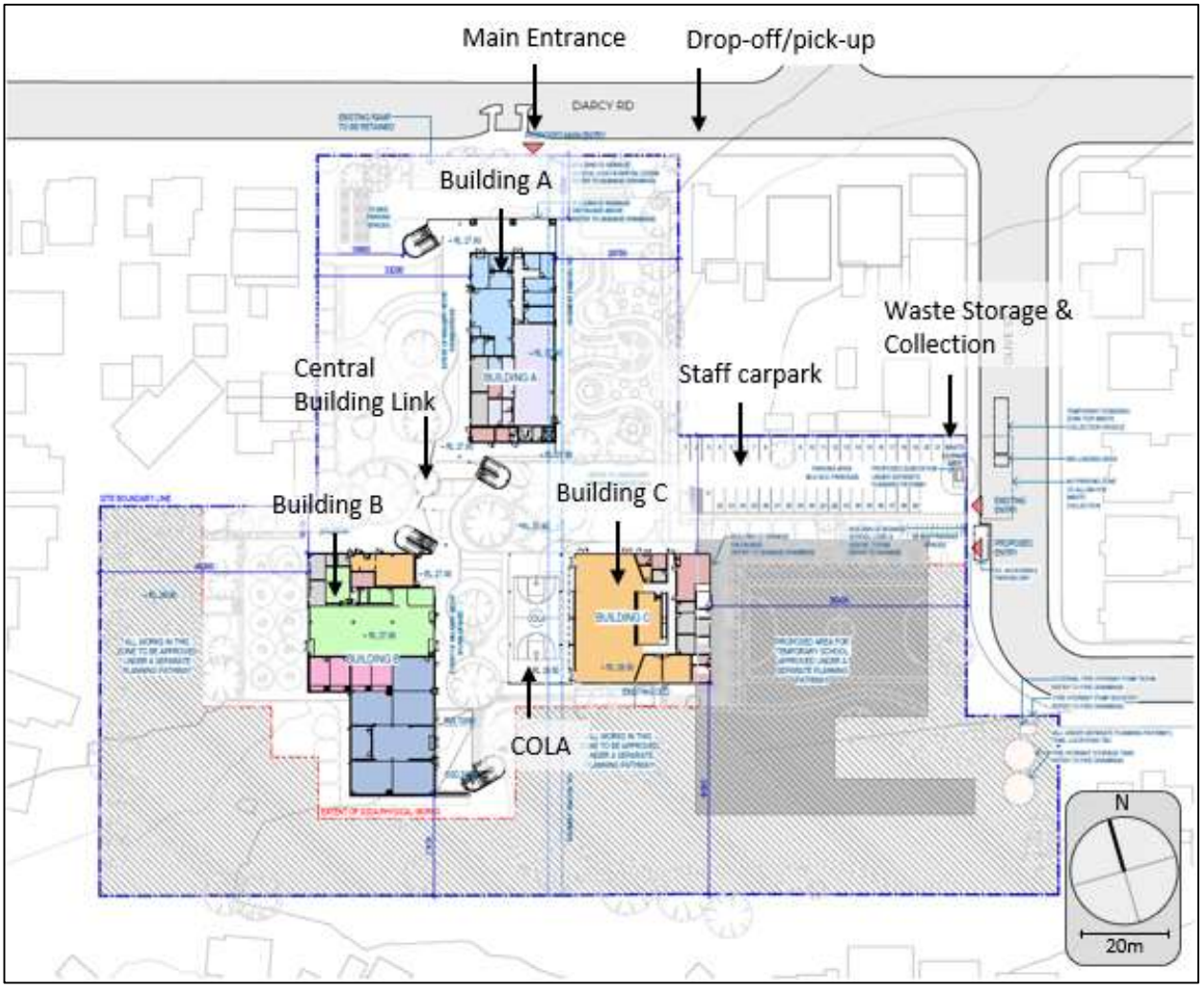


Figure 6 | Site layout (Base source: Applicant's EIS 2023)

Figure 7 | Landscape Design Concept (Applicant's EIS 2023)

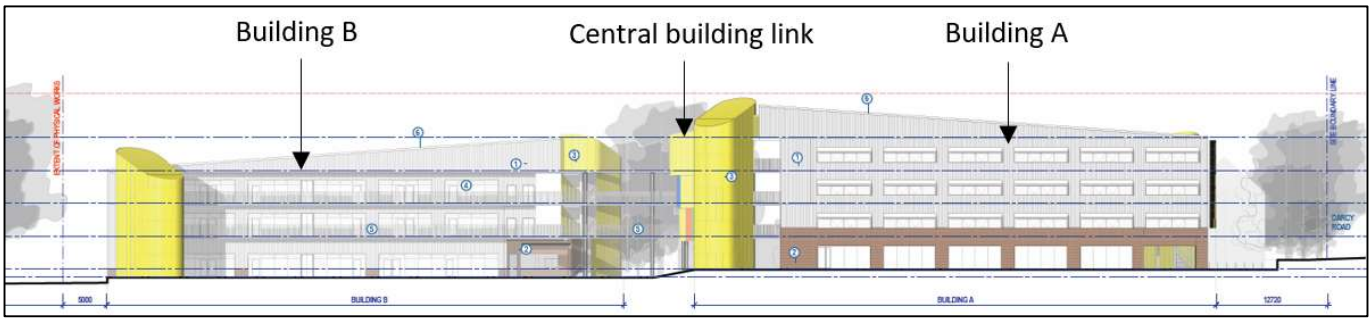


Figure 8 | Eastern elevation (Base source: Applicant's EIS 2023)

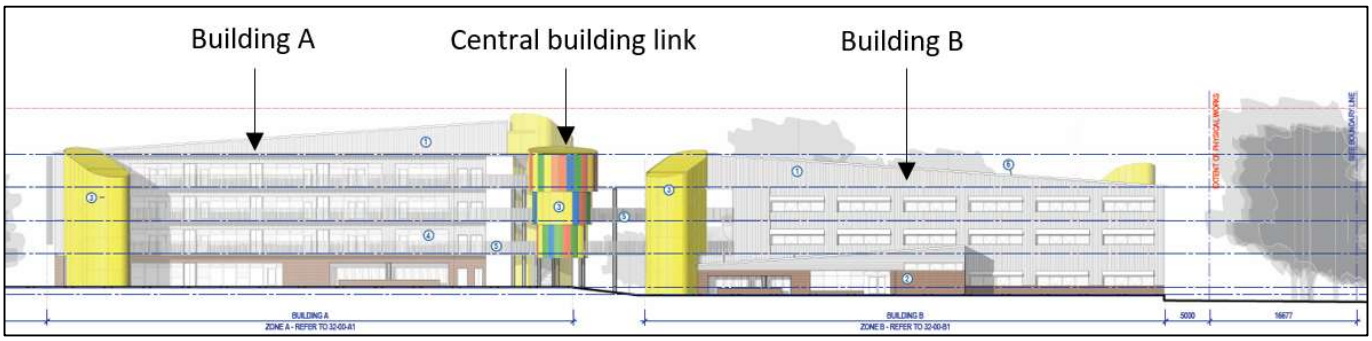


Figure 9 | West elevation (Base source: Applicant's EIS 2023)

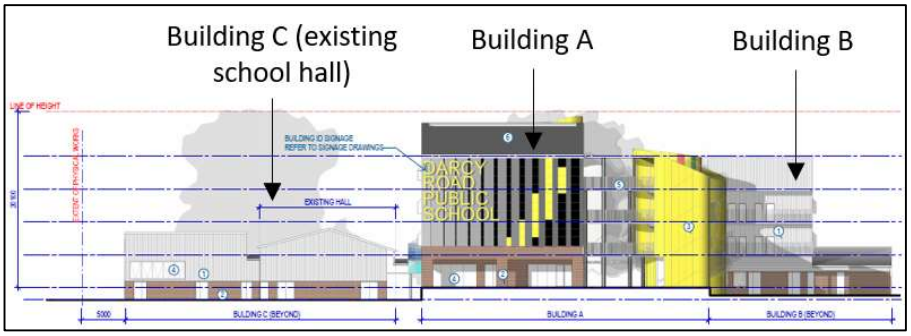


Figure 10 | Northern elevation (Base source: Applicant's EIS 2023)

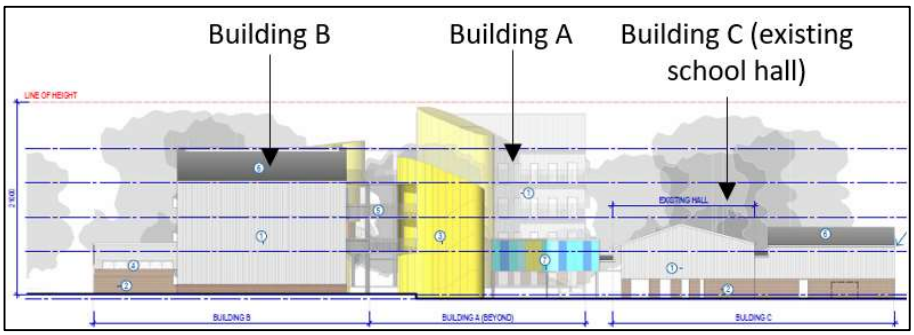


Figure 11 | Southern elevation (Base Source: Applicant's EIS 2023)

2.3 Staging

Proposed demolition, construction and associated landscaping and civil infrastructure works would be undertaken in 2 stages (Stage 2 and Stage 3) over an estimated period provided by the Applicant of 24 months. Operation of the school would continue at its current student capacity (709) across all stages until the completion of Stage 3 works when the school could begin increasing student and staff numbers at the completed school project.

The temporary school (Stage 1) was approved under a separate Part 5 planning pathway (see Section 1.3). The temporary school is currently in operation within 21 new, and 11 existing demountable structures. Operation of the temporary school will continue during proposed Stage 2 works which includes the construction of new school Buildings A and B.

Stage 2 and Stage 3 works are proposed as follows:

Stage 2

Works include:

- demolition of existing school buildings and structures
- hazardous materials removal
- site establishment and preparation
- construction of Building A and Building B
- civil works including construction of flood wall and drainage
- landscaping works.

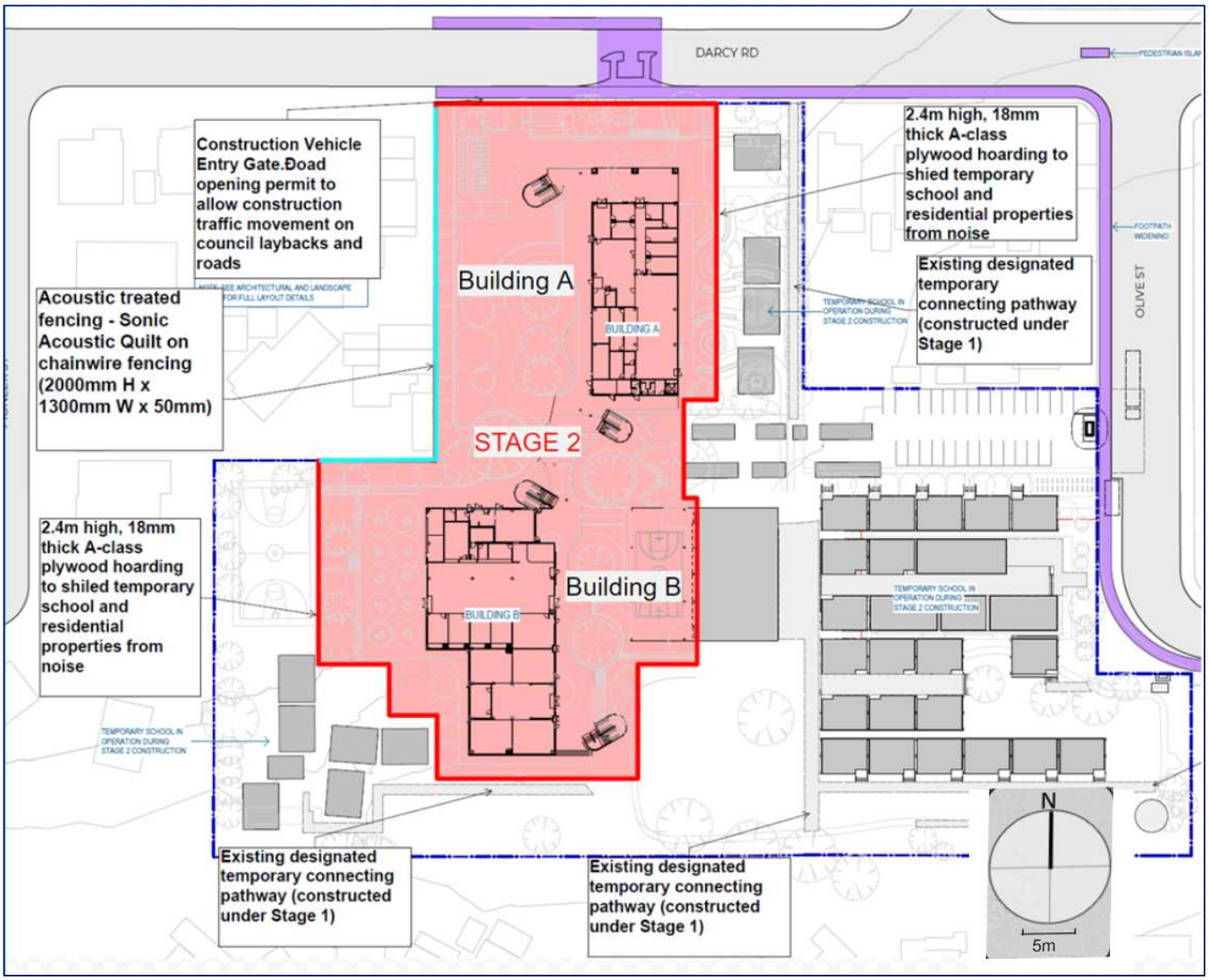


Figure 12 | Stage 2 layout (Base source: Applicant's RtS 2023)

Construction vehicle and Stage 2 site access would be provided off Darcy Road to the west of the existing pedestrian crossing Figure 12. Drop-off and Pick-up (DOPU) locations on Darcy Road and Olive Street would remain unchanged with pedestrian access routes to and from the temporary school to DOPU areas provided during Stage 2 works (Figure 13). Stage 2 is estimated to be under construction for 16 months.

When Stage 2 works are complete, operation of the temporary school will cease, and operation of the school will commence in new school Buildings A and B. Removal of the temporary school, including existing retained demountable classroom structures will be undertaken under a separate planning approval pathway at the completion of Stage 2, before Stage 3 works commence, over an estimated 3 to 4 week period during school holidays.

Figure 13 | Stage 2 site arrangements (Base source: Applicant's RtS 2023)

Stage 3

Works include:

- demolition of existing school buildings and structures
- hazardous materials removal
- site establishment and preparation
- refurbishment and extension of Building C
- carpark extension and improvement
- civil works
- landscaping works.

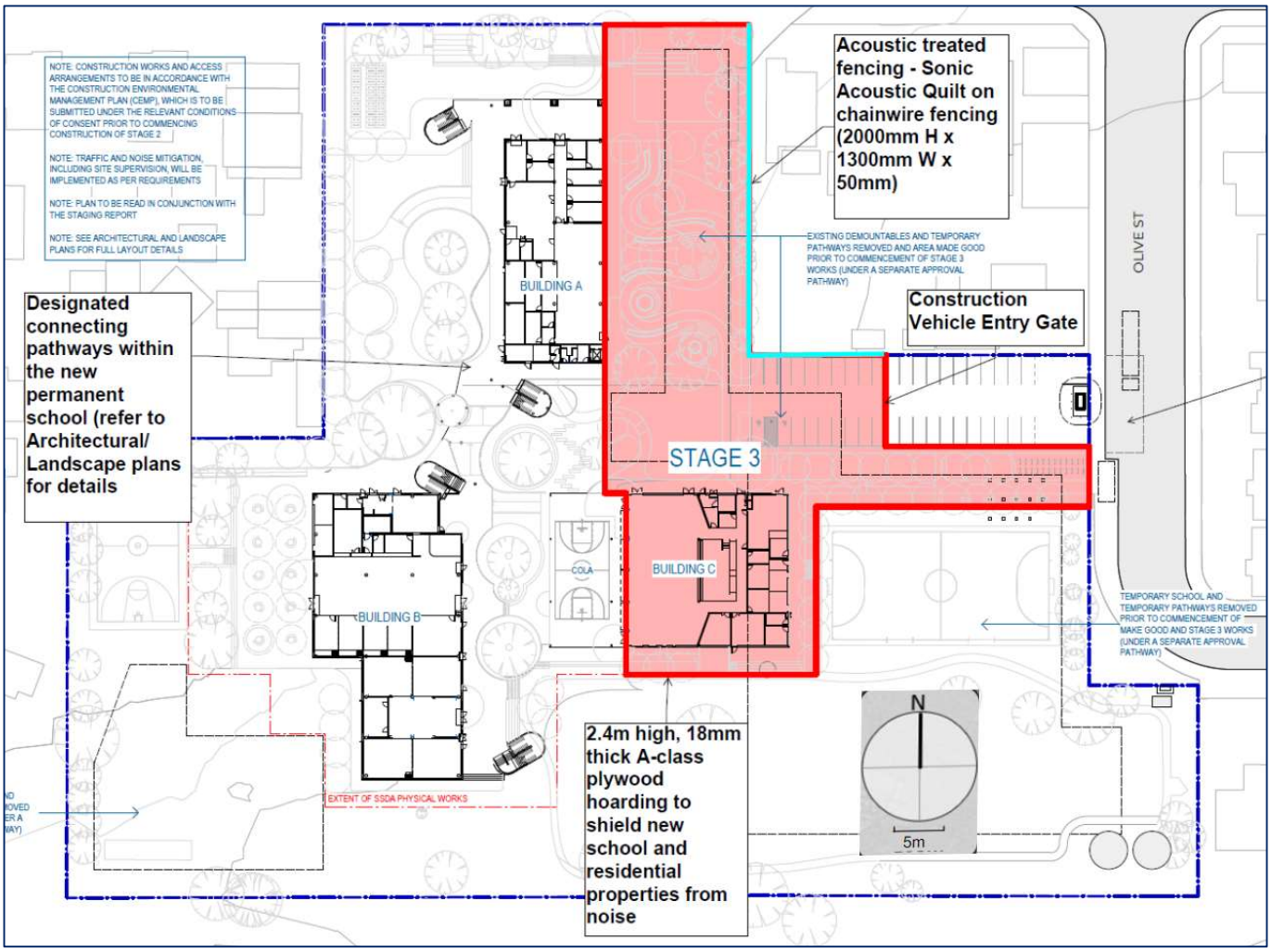


Figure 14 | Stage 3 layout (Base source: Applicant's RtS 2023)

Construction vehicle and Stage 3 site access would be provided off Olive Street (Figure 14). DOPU locations on Darcy Road and Olive Street would remain unchanged, A new waste storage area would be constructed and made operational prior to the start of Stage 3 works to replace the waste storage area within the footprint of Stage 3 works. Waste collection would remain operational from Olive Street (Figure 15). Stage 3 is estimated to be under construction for 8 months. At its completion, the school would progress to operation across completed school buildings and facilities constructed in Stage 2 and Stage 3.

Figure 15 | Stage 3 site arrangements (Base source: Applicant's RtS 2023)

The Applicant estimates the project will be completed by early 2026.

3 Strategic context

3.1 Key strategic issues

The project is largely consistent with the strategies, plans and policies outlined in Table 2 below, and therefore the Department considers it appropriate for the site.

Table 2 | Summary of government strategies, plans and policies

Strategy, plan or policy	Consistency	Comments
Greater Sydney Region Plan: A Metropolis of Three Cities	Consistent	• the plan aims to meet the needs of the growing population of Greater Sydney • the proposal would upgrade school facilities in Greater Sydney.
Central City District Plan	Consistent	• the plan aims to improve access to social infrastructure in the Central City District • the proposal would support the provision of services and social infrastructure in Parramatta.
Future Transport Strategy 2056	Consistent	• the plan aims to improve public transport and walking networks.
State Infrastructure Strategy 2022 – 2042 Staying Ahead	Consistent	• the plan aims to provide infrastructure that would meet future community needs • the proposal would improve school facilities to support the growth in demand for student enrolments.
Sydney's Cycling Future 2013	Consistent	• the plan aims to improve cycling connections in Sydney • the proposal would provide end-of-trip facilities.

3.2 2022 NSW Flood Inquiry

The NSW Flood Inquiry was commissioned by the NSW Government in March 2022, to examine and report on the causes of, planning and preparedness for, response to and recovery from, the 2022 catastrophic flood events. The findings of the inquiry were handed down on 29 July 2022 and recognised that urgent action is required to enable immediate improvements in the way NSW prepares for, responds to and recovers from events of the magnitude of the 2022 floods.

The Inquiry made 28 recommendations for change. The Government response supports all 28 recommendations, either in full (6 recommendations), or in principle, with further work required on implementation (22 recommendations).

Recommendation 28 references that health and essential services should not be located below the PMF level, mainly due to vulnerable users. The recommendation reinforces that NSW Government would ensure future essential services infrastructure development occurs above the flood planning level, where appropriate. Consideration would be given to how to encourage private sector essential infrastructure developers to take the same approach.

While no specific mention of schools is provided in this recommendation, Section 7.10 of the Inquiry (of which Recommendation 28 forms part), states that over 2000 pieces of essential and community infrastructure are located within the 1% AEP – this includes police stations, fire stations, hospitals, nursing homes, schools, airports, water filtration plants, sewerage works and power stations. As such, it is considered that this recommendation broadly relates to essential facilities, of which schools could be considered a part.

On 1 March 2024, the Department issued a Planning circular which includes:

- actions taken in response to the Inquiry
- updates on flood related policy initiatives underway
- outlines existing flood-related planning legislation, development controls and policies and provides further information and advice on the application of:
    - Local Environment Plan (LEP) and Development Control Plan (DCP) flood-related development controls
    - clause 5.21 Flood Planning (Standard Instrument)
    - clause 5.22 Special Flood Considerations (Standard Instrument).

The Department has had regard to the Inquiry and Government's response in its assessment of the suitability of the site and matters of public interest, and has considered the merits, risks and impacts of the project with proposed measures in place to limit impacts to an acceptable level.

In line with the Department's circular, LEP and DCP flooding related requirements have been applied in the assessment of the proposal in Section 6.1 and Appendix E.

3.3 Shelter-In-Place Guidelines

The Department's draft Shelter-In-Place Guideline was exhibited from 17 January 2023 to 28 February 2023. The draft Guideline provides clear and consistent guidance for the community,

councils, and consent authorities about when shelter-in-place can be considered as an alternative to evacuation off-site/out of the floodplain.

The draft Guideline outlines that evacuation prior to major flood events is the preferred response to flooding emergencies, but is not always possible in all locations, especially during flash flooding.

The Department has had regard to the draft Guideline in its assessment of the suitability of the site, and matters of public interest with respect to flooding and managing risk to school occupants, in Section 6.1.

4 Statutory context

4.1 Permissibility and assessment pathway

Details of the legal pathway under which consent is sought and the permissibility of the project are provided in

Table 3 below.

Table 3 | Permissibility and assessment pathway

Consideration	Description
Assessment pathway	**State significant development** The project is declared SSD under section 4.36 of the Environmental Planning and Assessment Act 1979 (EP&A Act) as it satisfies the criteria under section 2.6(1) of the Planning Systems SEPP. The proposed development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and the proposed development is specified in section 15 of Schedule 1 of the Planning Systems SEPP.
Consent authority	**Minister for Planning and Public Spaces** The Minister is the consent authority under section 4.5(a) of the EP&A Act.
Decision-maker	**Director, Social and Infrastructure Assessments** In accordance with the Minister for Planning and Public Spaces delegation to determine SSD applications, signed on 9 March 2022, the Director, Social and Infrastructure Assessments may determine this application as: – the relevant council does not object to the application – there are less than 15 public submissions in the nature of objection – a political disclosure statement has not been made in connection with the application.
Permissibility	**Permissible with consent** The site is located within the R2 Low Density Residential zone under the Parramatta Local Environmental Plan 2023 (PLEP 2023). The proposed use meets the definition of educational establishment, is permissible with consent within the zone, and is consistent with the objectives.

4.2 Other approvals and authorisations

The project will not require an environment protection licence issued by the NSW Environment Protection Authority under section 42 of the *Protection of the Environment Operations Act 1997*.

Under section 4.41 of the EP&A Act, a number of other authorisations required under other Acts are not required for SSD, as all relevant issues are considered during the assessment of the application.

Under section 4.42 of the EP&A Act, certain approvals cannot be refused if they are necessary to carry out the SSD (e.g. approvals for any works under the *Roads Act 1993*). These authorisations must be substantially consistent with any SSD development consent for the project.

The Department has consulted with and considered the advice of the relevant government agencies responsible for these other authorisations in its assessment of the project (see Section 5 and Section 6). Suitable conditions have been included in the recommended conditions of consent (see Appendix B).

4.3 Planning Secretary's environmental assessment requirements

The Department's review determined that the EIS addresses each matter set out in the Planning Secretary's environmental assessment requirements (SEARs) issued on 13 October 2022 and is sufficient to enable an adequate consideration and assessment of the project for determination purposes.

4.4 Mandatory matters for consideration

4.4.1 Matters of consideration required by the EP&A Act

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application. The Department's consideration of these matters is shown in Table 4 below.

Table 4 | Matters for consideration

Matter for consideration	Department's assessment
Environmental planning instruments, proposed instruments & planning agreements	Appendix E
EP&A Regulation	Appendix E

Matter for consideration	Department's assessment
Likely impacts	Section 6 - Assessment
Suitability of the site	Section 1.2- Project Location , Section 3 - Strategic Context and Section 6 - Assessment
Public submissions	Section 5 - Engagement & Section 6 - Assessment
Public interest	Section 5 - Engagement, Section 6 - Assessment & Section 7 - Evaluation

4.4.2 Objects of the EP&A Act

In determining the application, the consent authority should consider whether the project is consistent with the relevant objects of the EP&A Act (s 1.3) including the principles of ecologically sustainable development. Consideration of those factors is described in Appendix E.

As a result of the analyses in Appendix E, the Department is satisfied that the development is consistent with the objectives of the EP&A Act and the principles of ecologically sustainable development (ESD).

4.4.3 Biodiversity development assessment report

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the project is not likely to have any significant impact on biodiversity values (as identified in the BC Act and in the *Biodiversity Conservation Regulation 2017*).

A BDAR waiver request was submitted to the Department on 15 September 2022. The Environment Agency Head and the Director Social and Infrastructure Assessments as delegate of the Planning Secretary, determined that the development is not likely to have any significant impact on biodiversity values. A BDAR waiver was granted on 24 January 2023.

5 Engagement

5.1 Exhibition of the EIS

5.1.1 Public exhibition of the EIS

After accepting the development application and EIS, the Department:

- publicly exhibited the project from Tuesday 23 May 2023 until Monday 19 June 2023 on the NSW planning portal
- notified occupiers and landowners in the vicinity of the site about the public exhibition
- notified and invited comment from relevant government agencies and Council.

5.1.2 Summary of advice received from government agencies

The Department received advice from 5 government agencies on the EIS.

A summary of the agency advice is provided in Table 5. A link to the full copy of the advice is provided in 0.

Table 5 | Summary of agency advice

Agency	Advice summary
Biodiversity Science and Conservation (BCS) – Formerly EHG	Flooding • Evidence which shows the site is affected by overland flow in the 1% AEP as well as PMF is required • The Civil Engineering Design Report inappropriately used the flood warning areas of the City of Parramatta's FloodSmart flood warning system • Full advice on flooding cannot be completed until appropriate modelling and flood impact and risk assessment has been provided • 2D flood modelling to show the overland flow path from the south, north and east, to show flood behaviour on site • A flood impact assessment for the 1% AEP flood event and the PMF as a minimum, preferably the 1% AEP flood even plus climate change should also be used. • Modelling of the 5% AEP flood event to ensure the car park complies with Council's DCP • Evidence of compliance with Council's DCP for sensitive land uses, including assessment of flood risk for the proposal • SES should be consulted regarding emergency management Biodiversity • Stage 1 (temporary school) could have impact on Cumberland Plain Woodland (CPW), a Critically Endangered Ecological Community under the *Biodiversity Conservation Act 2016* • Clarification is sought on whether works to establish the temporary school on site as part

Agency	Advice summary
	of the Applicant's Stage 1 works impact on the CPW and whether there are mitigation measures to ensure the temporary school avoids/minuses impacts on CPW **Landscaping** • As remnant CPW occurs on site, a mix of local provenance plants from the CPW plant community are recommended • A suitably qualified bush regenerator is recommended to be engaged • The RtS must clarify proposed plant species • The RtS should clarify whether the Aboricultural Impact Assessment considers the removal of any trees in Stage 1 (temporary school) • A Tree Revegetation Plan should be included as a condition of consent • The use of advanced and established local native tree species are recommended • Confirmation is required that adequate space would be provided for tree planting to grow to maturity **Reuse of Removed trees** • The salvage and reuse of native trees that are approved for removal is recommended **Tree Hollows** • If tree hollows are to be removed, the RtS needs to provide further details on removal and replacement nest boxes • Compensatory nest boxes should be provided prior to the removal of any existing tree hollows and/or the release of any captured hollow dependent fauna **Sustainability and Building Design** • Where possible it is recommended the school incorporates green walls, green roof and/or a cool roof into the design
Transport for NSW (TfNSW)	TfNSW commented that: • there is concern that the Hart Drive and Darcy Road intersection is already performing at a significant loss and the expected traffic volumes resulting from the proposal would result in increased congestion during peak periods. • operational waste collection should be conducted onsite • adequate accessible parking should be provided within the onsite parking area • a Construction Traffic and Pedestrian Management Plan must be prepared and include predicted construction traffic movements, routes and access arrangements, and outline how construction traffic impacts on existing traffic, pedestrian and cycle networks would be appropriately managed and mitigated • an Operational Traffic Management Plan (OTMP) and green Travel Plan is to be prepared prior to occupancy, in consultation with TfNSW.

Agency	Advice summary

NSW State Emergency Services (SES)	SES commented that:
	• the velocity of potential floods should also be considered in the EIS to understand flood risk to life and proposed buildings
	• consideration should be given to the impacts of localised flooding on evacuation routes
	• section 4.5.1 of the Civil Engineering Design Report refers to Evacuation Orders, this should be updated to reflect the new terminology in the Australian Warning System (AWS) which has been in use since 30 September 2022
	• PMF event should be considered for the temporary buildings and that all temporary structures be removed from the flood-prone area as soon as possible following the completion of the proposed main buildings works
	• the proposed strategy of the school being closed in advance when a flood warning is provided is supported, but it is noted that:
	  ○ a flood event may not be known as a PMF until after the event
	  ○ there are no warning gauges for the overland flooding at the site, and therefore there may be little to no warning time
	  ○ further information showing consideration for emergency generators or other on-site systems to provide for power, water and sewerage services for the likely duration of flooding would be of interest

Heritage NSW	The Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared in accordance with Heritage NSW guidelines and recommends the implementation of the unexpected find protocol in the ACHAR
Fire and Rescue NSW (FRNSW)	The proposal has limited scope and application in regard to special hazards or special problems of firefighting and as such provided no comments or recommendations

5.1.3 Summary of council submissions

Council initially objected to the project, however, Council withdrew the objection and provided comments on the project on 29 June 2023. Council raised concerns regarding flooding and stormwater, bulk and scale, façade design and the impact of bulk earthworks on trees to be retained.

A summary of the issues raised by Council is provided in Table 6 below and a link to all submissions in full is provided in Appendix C.

Table 6 | Summary of issues raised by Council

Issue	Submission summary
Flooding and stormwater	• The location of the Stage 1 'temporary school' is located within the 1% AEP and PMF extents • Clarification is required to show that flood related development controls apply to all developments within the floodplain (including overland flow catchments), and that part of the building encroaches in the PMF extent and is not wholly outside • Fire hydrant tanks within the flow path should be relocated outside of the floodplain • The report should clarify if appropriate blockage factors have been included in the hydrological model • Investigation is required regarding further contribution to flooding to the site from overland flow paths to the north and northwest • Flood levels on the upstream site of the building are to be used in the setting of finished flow levels rather than at the first opening • Separate construction approval for the proposed connections to Council's stormwater drainage easement within the southern portion of the site • On site detention (OSD) calculations are to include all areas draining into the system if they cannot be separated and allow for tailwater influence to the system • OSD tanks are to be rated to facilitate ventilation and visual inspection of the system
Built form	• The proposal exceeds the maximum building height (11m) in the PLEP 2023. The bulk and scale of the development, particularly the northern elevation of Building A (fronting Darcy Road) is at odds with the existing neighbourhood character • The height, materiality and colours of Building A, combined with sparse vegetation screening would not be sympathetic to the streetscape and neighbouring properties and therefore recommended that Building A be reduced to 2 storeys in height and further strategies are explored to break-down the built form and provide more articulated building facades • The proposed school identification sign on Building A occupies a large proportion of the façade and it is recommended that the sign be designed to a more appropriate scale and better integrated into the façade design
Public domain and site frontage	• Shared paths are required on the Darcy Road and Olive Street frontages of the school, in accordance with the Parramatta Public Domain Guidelines 2017 • The front setback area is to contribute to the streetscape setting and environmental amenity by providing street tree planting • Existing canopy trees within the setback to Darcy Road and new canopy trees should be planted to create a consistent landscape buffer along the frontage

Issue	Submission summary
Landscaping	• The proposed development should not impinge on Tree Protection Zone (TPZ) requirements for significant existing trees, TPZs should be shown on all construction drawings • The regeneration of the Cumberland Plain Woodland to the south of the site is a good initiative, and the reactivation of Cooper's creek with WSUD element should be incorporated into the design • The Arborist Report does not discuss the impact of bulk earthworks on tree health, particularly for some significant trees including trees 5, 17, 18, 19, 33, 36 and 107. It is recommended that bulk earthworks are modified to be outside of the TPZs • the location and installation method of the paving swales within the TPZs should be redesigned in collaboration with the Project Arborist • A Tree Protection Management Plan is recommended
Access	• Compliant accessible paths of travel must be provided from the site boundaries to entrances from Darcy Road, accessible parking bays, connecting pathways, buildings, the COLA and play areas • Wayfinding identification must be provided around buildings and entrances to classrooms and common areas
Traffic	• The following is recommended to be included as conditions of consent: - a detailed plan of the staff car park - a Construction and Pedestrian Traffic Management Plan - a Road Occupancy Permit from Council if there is any part of the footpath or road occupied during construction - a separate application for the proposed parking restrictions in Darcy Road and any other surrounding streets - every 2 years after issue of the Completion Certificate, a review report on the effectiveness of the School Transport Plan must be submitted to Council

5.1.4 Summary of public submissions

The Department received 4 submissions[1] during the public exhibition period of the EIS, including 3 from individuals and one from Endeavour Energy. No submissions objected to the project; 1 submission supported the project and 3 provided comment. Further detail is provided in Table 7 below and a link to all submissions in full is provided in 0.

[1] Each petition or submission that contains the same or substantially the same text is counted as one submission in accordance with section 2.7(6) of the Planning System SEPP.

Table 7 | Submissions on the EIS

Submitter	Number of submissions	Position
Endeavour Energy	1	Comment
Submissions from community members	1	Support
	2	Comment
TOTAL	**4**	

Table 8 | Key issues raised in submissions on the EIS

Issue	% of Submissions
Fencing • Suggestion for fencing upgrade on the site boundary near the staff car park • The low height fences present a risk to the safety and security of the school, a steel perimeter fence of a proper height with spear tops should be installed for safety	2 (50%)
Public domain • Shaded seating for people waiting at the site boundaries for school pick-up	1 (25%)

5.2 Response to submissions

Following the public exhibition period, the Department asked the Applicant to respond to the issues raised in submissions and the advice received from government agencies. The Department requested the Applicant provide additional information addressing:

- staging of the project
- flooding
- social impact assessment
- traffic, transport and parking
- cumulative impact
- waste

- Building Code of Australia (BCA) and accessibility

Following the RtS request, on 14 August 2023 the Department asked the Applicant to provide additional information to clarify details of the Out of Hours School Care (OHSC), the number of new staff and to remove reference to an 'SSD extent boundary or 'SSD scope' in all documentation.

The Applicant provided a Response to Submissions (RtS) report to the Department on 15 November 2023 (see Appendix B) and also responded to the Department's request for additional information. The RtS included:

- a RtS report
- a submissions response table
- amended reports and plans, and additional information including:
    - architectural plans and design report
    - landscape report and drawings
    - engagement table and outcomes report
    - sustainable development plan
    - traffic and transport impact assessment
    - school transport plan
    - construction traffic management plan
    - arboricultural impact assessment
    - noise and vibration impact assessment
    - geotechnical investigation report
    - salinity and acid sulfate soils management plan
    - environmental site assessment
    - construction and operational waste management plans
    - aboriginal cultural heritage assessment report
    - social impact assessment
    - ecological report
    - preliminary construction management plan
    - flood impact assessment
    - staging plans
    - hoarding plan
    - construction noise and vibration statement
    - updated information detailing proposed staff
    - updated documentation across plans and reports with references to 'SSD extent boundary' amended to 'extent of SSDA physical works'

- clarification of hours of operation for the OHSC.

Key changes to the project included a new 500mm high flood wall adjacent to the north and west boundaries of the site and stormwater drainage infrastructure.

The Department published the submissions report on the NSW planning portal and forwarded the submissions report to BCS, TfNSW, SES and Council for comment on 15 November 2023.

RtS advice was received from Council and 4 Government agencies. A summary of the comments received is provided in Table 9 and copies of advice received are provided in Appendix C.

5.2.1 Summary of council submissions on the RtS

Table 9 | Summary of Council's submission on the RtS

Topic	Submission summary
Flooding	• BCS and SES advice with respect to the Applicant's flood response is supported. • The Applicant should consider raising the ground floor level of Building B to sit above PMF level as Council does not support a level below PMF • If the Department deems the ground floor level of Building B below PMF to be appropriate, the building design needs to consider preventative measures to stop flood water entering the building. • Relocation of hydrant tanks should be considered to prevent their damage from flood waters
Stormwater drainage	• OSD calculations need to account for all areas within the catchment and it is not clear if the calculations have included an allowance for tailwater influence into the system • OSD treatment devises should be updated to be in accordance with Council's Technical Design Guideline – Stormwater Cartridge Filters
Urban design	• The recommendation for Building A to be reduced from 4 to 3 storeys is maintained and the 4 storey form should be relocated to Building B • Building A's entrance should be further refined to provide a sense of arrival • The school name (sign) should be reconsidered to be more of a humanistic and human scale design so tat it integrates better with the façade and the surrounding residential locality
Public domain	• Further details should be provided on public domain drawings to achieve compliance with shared path levels • More information should be provided regarding tree species, sizes and locations • Recommendations provided in Council's submission (Appendix C) should be provided

Topic	Submission summary
Traffic	• The Construction Traffic Management Plan (CTMP) does not provide for construction worker parking on site which is concerning as it will affect the residential amenity of the area. If no on-site worker parking is to be provided, the CTMP must provide mitigation measures to reduce impacts on the residential amenity of the area • The Applicant's effort to remove the restriction of construction vehicles into and out of the site during Drop-off and Pick-up (DOPU) times is not acceptable. A suggested condition to limit construction vehicle movements prior to and after DOPU is provided for the Department's consideration
Trees and landscaping	• There is missing information regarding tree protection for trees retained. A Tree Protection Plan is required and an accompanying report should be prepared to identify protection measures across all construction stages • Any design modifications should be undertaken in collaboration with the design team to ensure impacts on trees is mitigated • It is unclear on plans if paving is to be replaced in the same location or if it will be elevated. It is recommended that paving be removed within TPZ and that paving is built above natural grade and there be no re-grading or excavation within TPZ. Details on the use of non-destructive construction methods should be provided by the project arborist

5.2.2 Summary of agency advice on the RtS

Advice was provided from five agencies on the RtS. A summary of the agency advice is provided in Table 10. A link to the full copy of the advice is provided in Appendix C.

Table 10 | Agency advice on the RtS

Agency	Advice summary
TfNSW	• The Department and Council should be satisfied that traffic and intersection performance impacts can be mitigated . • A Green Travel Plan should be provided to TfNSW prior to occupation for review and endorsement. • The Applicant must obtain written authorisation from TfNSW to modify School Zone signs and pavement markings and/or remove/relocated speed limit signs.

Agency	Advice summary
BCS	• Most concerns previously raised by BCS have been addressed • Flood depths and levels on flood maps are difficult to interpret. Cut-off depths could be used to remove very shallow depths for flooding and make reading flood maps easier • Flood impact maps should be updated to show impacts greater than 0.01m rather than 0.02m. • Actual flood impact levels should be shown on Olive Street rather than levels within a range • BCS notes the proposed civil works required to mitigate flooding • The design of the flood wall must consider potential failure and scour should be considered. A flood wall maintenance plan should be developed • The location of the temporary school is of concern due to the location of demountable classrooms within the flood flow path • Building B should have its floor level raised above PMF level • The Flood Emergency Response Plan (FERP) should be updated to reflect current flood warning policies and relevant bodies • Changes to the landscaping schedule are noted and recommended conditions of consent provided • BCS did not raise any concern with respect to the Applicant's response to issues previously raised regarding potential CWP impacts resulting from temporary school works (Stage 1 works)
NSW SES	• The flood modelling extents should demonstrate if the proposed works would change flood behaviour downstream of the site • The Stage 1 temporary school should be considered in flood modelling as there is likely to be an overlap in construction timing for Stage 1 and Stages 2 and 3 • Advice should be sought from BCS regarding flood modelling and the impact of proposed fill on flood behaviour • Flood sensitivity modelling should be undertaken to understand the risk of life and property in the event of damage or failure of the proposed flood wall • Reconsider the location of Stage 1 temporary classrooms due to the PMF levels being greater than 1m. The temporary school although not part of the SSD should not be excluded from the wider flooding strategy for the site • References in the emergency response plan and strategy should be deleted and amended and the plan should be reviewed, practiced and updated regularly

5.3 Supplementary response to submissions and agency advice

Following receipt of Council and agency advice on the RtS, the Department requested the Applicant respond to the matters raised. On 5 February 2024, the Applicant submitted a SRtS that included:

- a submissions response table addressing Council and agency comments
- amended plans and reports including:

- Flood Impact Assessment (FIA)
- staging report
- site plan
- Building B structural details
- Structural statement.

Key responses included changes to flood maps and modelling to address BCS's comments and structural details and statements to support maintaining Building B's ground floor level below PMF level. The Applicant also detailed a change to the proposed flood wall including the maintenance of a brick fence/wall on the north boundary as a flood mitigation measure to replace the new flood wall in its previously proposed location on the north boundary.

The Department published the SRtS on the NSW planning portal and forwarded the information to Council for comment.

A response was received from Council on 21 February 2024 which is summarised as follows:

- previous recommendations relating to the bulk and scale of Building A and reduction in its height from 4 stores to 3 storeys are maintained
- construction worker parking strategy should be applied throughout construction
- existing and proposed tree and shrub planting should be relocated to accommodate the flood wall.

Recommended conditions of consent for construction worker parking, public domain works and landscaping were provided. A copy of Council's comments is provided in Appendix C.

6 Assessment

6.1 Flooding and Risk Management

6.1.1 Flood Impact Assessment

The site is located approximately 350m upstream of Coopers Creek within the Toongabbie Creek catchment. The EIS provided a flood assessment in a Civil Engineering Design Report and a Flood Emergency Response Plan (FERP). The flood assessment submitted with the EIS concluded that the site is not flood affected during the 1% Annual Exceedance Probability (AEP) storm event and Probable Maximum Flood (PMF), and that Council's flood related development controls do not apply to the site. However, the assessment identified the site as being impacted by overland flow during 1% AEP and PMF events. The flood assessment used Council's FloodSmart flood warning system as an indicator of flood affectation for the site and drew from a site specific overland flow study to determine localised overland flooding.

The EIS was referred to Council, BCS and SES and comments were received from Council and both agencies. Council and BCS both raised concern with the flood assessment, including that the FloodSmart flood warning system is not an appropriate tool to determine flood affectation of a site, and that Council's flood related development controls apply to the development as it sits within the floodplain and is within an overland flow catchment. Recommendations were provided for a revised flood impact assessment to include:

- an assessment of the 1% AEP flood (plus climate change) and the PMF events at minimum
- an assessment of the proposal with Council's Development Control Plan (DCP) for sensitive land uses to determine flood risk
- modelling of the 5% AEP flood event for assessment of the school car park's compliance with Council's flood related DCP controls
- contributory flooding to the site from any identified overland flow to the north, northwest, south and east of the site using 2D flood modelling
- revised recommended finished floor levels based on flood levels on the upstream side as opposed to the first opening.

The Response to Submissions (RtS) provided a Flood Impact Assessment (FIA). The FIA indicates that the site is flood affected for 1% AEP, 5% AEP and PMF events. Flood modelling was provided for 1% AEP and PMF events pre and post development, and for the 5% AEP event post development. Modelling is based on the draft Parramatta River TUFLOW model, provided to the Applicant by Council, and assesses flooding risks to the site, as well as impacts of the proposal on flood behaviour.

Existing 1% AEP flood depths and velocities show that the 1% AEP flow depth is generally less than 50 mm within the school area, except for the low-lying ground to the south and southeast of the school (across the temporary school) which has depths ranging from 160mm to 500mm and flow velocity within the school is generally low and less than 0.5 m/s (Figure 16 and Figure 17).

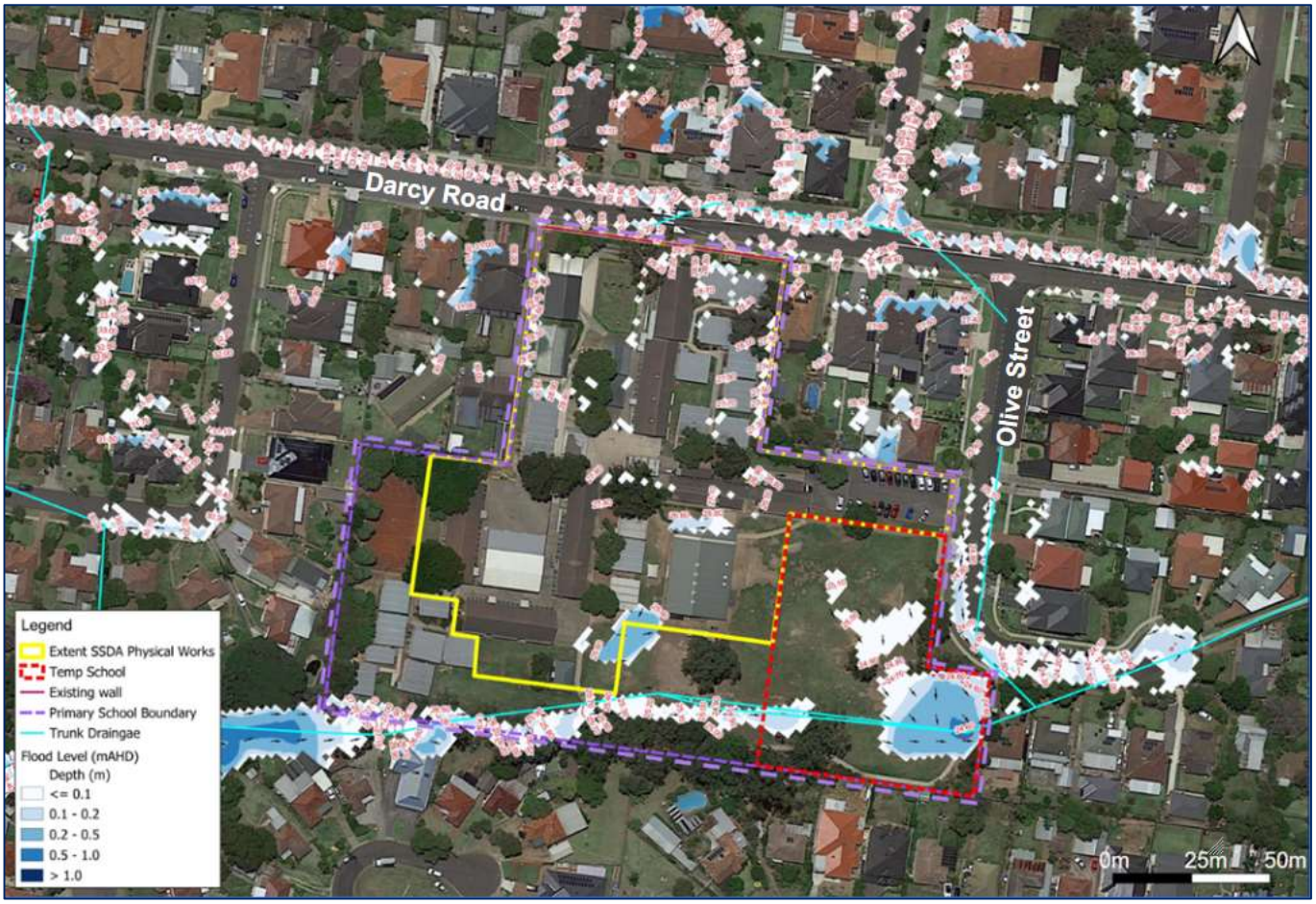


Figure 16 | Existing 1% AEP flow depths and levels (Source: Applicant's SRtS 2024)

Figure 17 | Existing 1% AEP flow velocity (Source: Applicant's SRtS 2024)

Existing PMF flood depths and levels were provided which show flood levels are predominately less than 200mm within the site except for the south and south-east of the site where flood levels are between 0.2m and 1m (Figure 18).

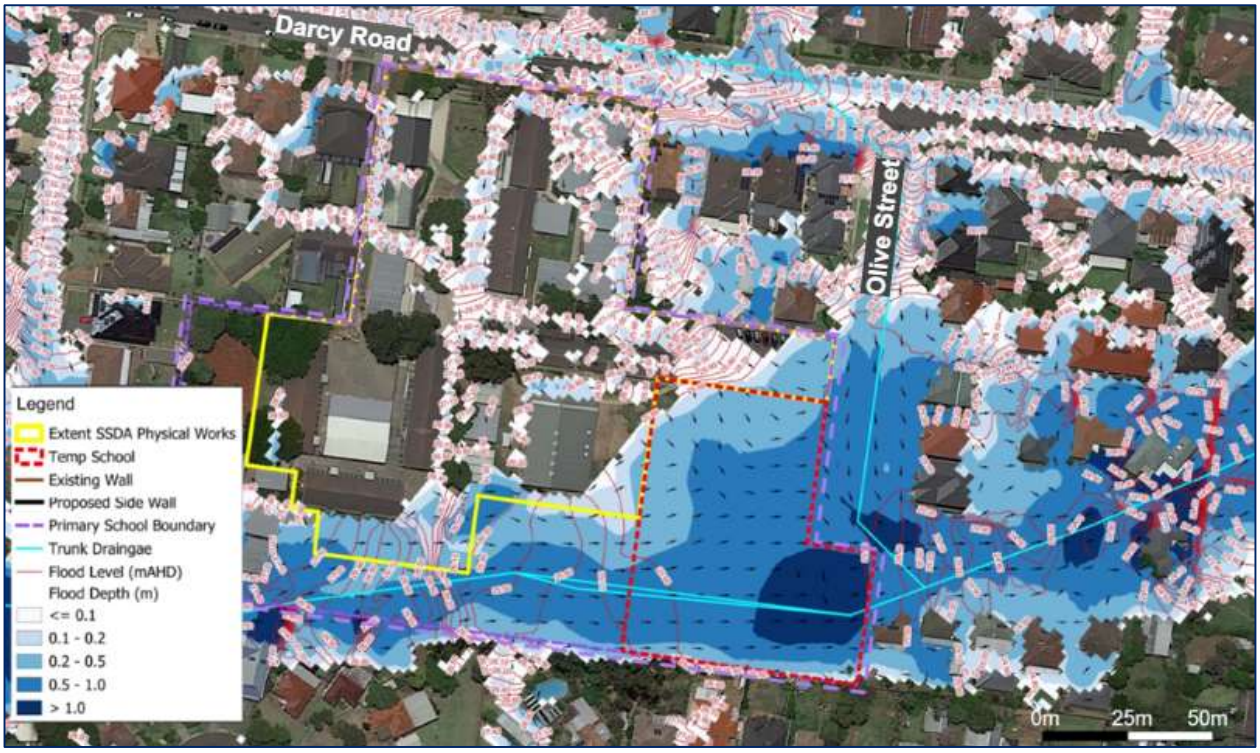


Figure 18 | Existing PMF flood depths and levels (Source: Applicant's SRtS 2024)

The Applicant states that results of post development flood modelling indicated that civil works would be required to mitigate flooding impacts within the site. Flood mitigation measures were included in the RtS and including:

- a 0.5m wall on the north and west of the site boundary with an adjoining stormwater capture pipe
- a 2m wide and 0.5m deep channel above the stormwater capture pipe
- an additional stormwater pipe to capture floodwater flowing in from Darcy Road
- 2 stormwater pits on Darcy Road to replace one existing pit and 2 new stormwater pits at the cul-de-sac on Olive Street
- additional on-site detention to capture runoff from proposed building roofs.

The SRtS updated the extent of the proposed flood wall to retain a brick boundary fence on the north of the site boundary which would provide flood mitigation where it was previously proposed as a new flood wall in the RtS (Figure 19). The Applicant states that at construction stage, a qualified engineer would confirm if the proposed retention of the brick fence would achieve required flood mitigation as proposed, and if it is identified that it does not, it would either be strengthened or replaced with new construction. The Department has provided conditions to require the inspection of the retained brick wall by a qualified engineer and for its strengthening/replacement if required.

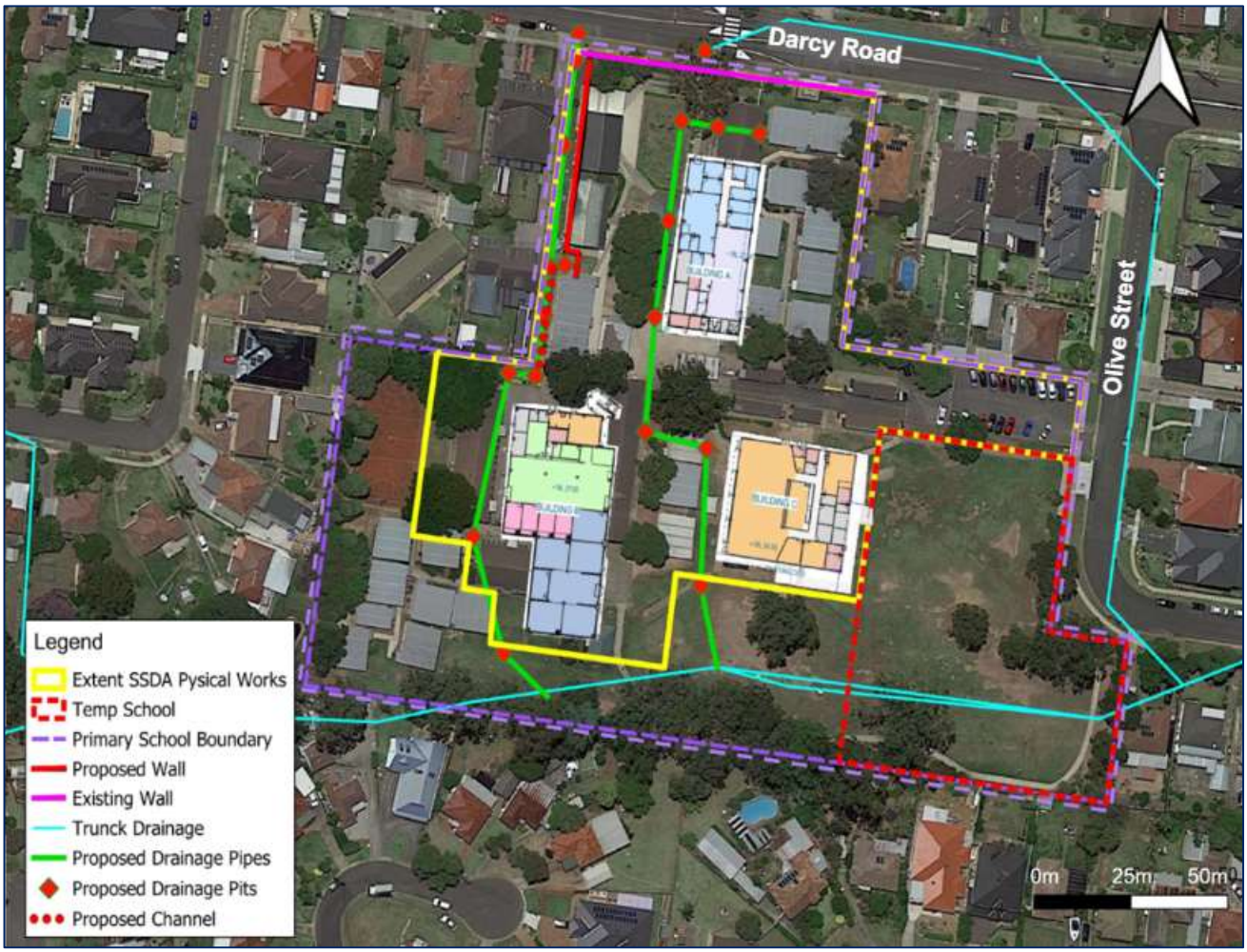


Figure 19 | Proposed civil works for flood mitigation (Source: Applicant's SRtS 2024)

For post development scenarios, Council's flood model was updated to include:

- proposed Darcy Road Public School Buildings A, B and C
- proposed filling, site grading and external levels across the site
- temporary school site conditions
- proposed flood mitigation measures (Figure 19).
- The modelling provides 1% AEP and PMF levels and information in the FIA provides finished floor levels of proposed school buildings to assess flood impact during 1% AEP and PMF events (Table 11)

Table 11 | Building floor levels and flood events (Applicant's EIS and RtS 2023)

Building	Minimum finished Floor level (FFL)	1% AEP Flood (100 year)	PMF Flood
Building A	27.90 AHD	Unaffected	27.90 AHD
Building B	27.00 AHD	25.90 AHD	27.20 AHD
Building C	26.50 AHD	24.90 AHD	26.50 AHD

Table 11 indicates that for Building B, the PMF flood level exceeds its FFL by 0.20 AHD. The Applicant revised the FIA and provided additional structural details and statements as part of the SRtS for Building B. Building B was amended to provide flood proof construction to the area of the building which would be affected by PMF levels. The Applicant states that the respective part of the Building B which is subject to PMF flooding has no openings, and with proposed waterproof construction, Building B would not be inundated during a PMF flood event.

Existing and post development modelling formed the basis for a flood hazard assessment provided in the RtS for 1% AEP and PMF events using flood hazard vulnerability and hazard classifications as presented in Australian Disaster Resilience Handbook (ADR 2017). Hazard classifications include 6 categories, ranging from H1 (no restrictions) to H6 (not suitable for people, vehicles or buildings) (Figure 20).

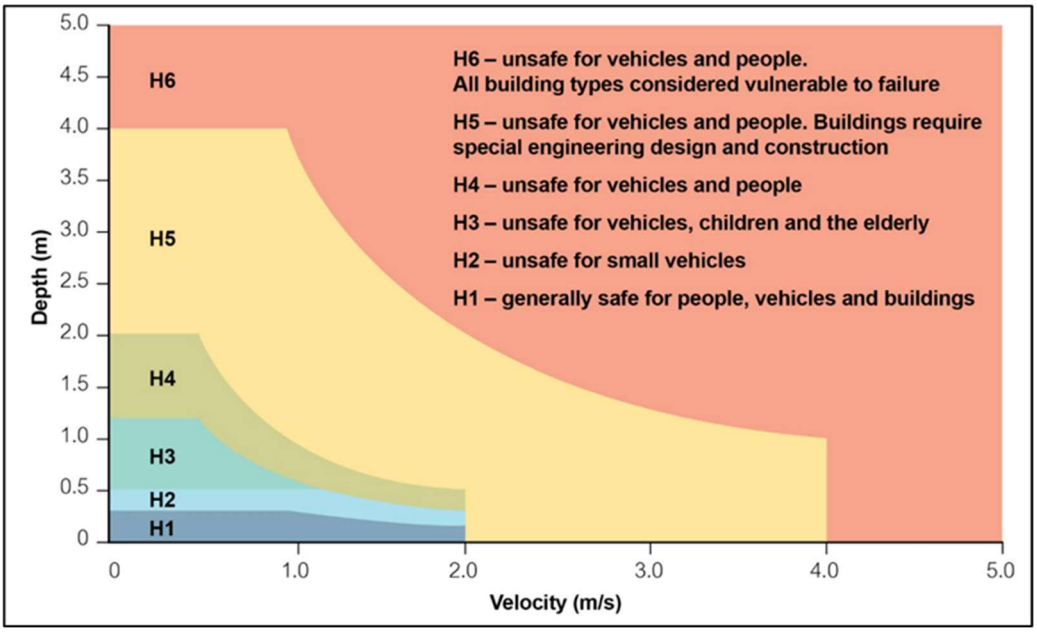


Figure 20 | General flood hazard vulnerability curves (Source: Australian Institute for Disaster Resilience, 2017)

Modelling was undertaken across the site, including in the area of the temporary school and the flood impact of temporary school structures (Stage 1) which is currently in operation. For a 1% AEP storm event, post development hazard conditions would not worsen, with the majority flood hazard for both existing and proposed conditions at H1 and H2 (Figure 21 and Figure 22). An area to the south of where Building C would be located is observed at H3 in the existing scenario (Figure 21). This has been mitigated by the proposed flood wall and drainage mitigation measures which would result in there being no flooding observed in the former H3 categorised area (Figure 22). A H3 category, in both the existing and proposed scenarios, is also observed in the south-east corner of the site where the temporary school is being constructed. Darcy Road is shown as H1 in both the existing and proposed scenarios (Figure 21 and Figure 22).

Figure 21 | Existing 1% AEP flood hazard (Source: Applicant's SRtS 2024)

Figure 22 | Post development 1% AEP flood hazard (Source: Applicant's RtS 2023)

For the PMF event, there are high hazard areas (H5) to the south and south-east of the site and north of Olive Street with pre and post scenarios indicating there would be no additional impact (Figure 23 and Figure 24).

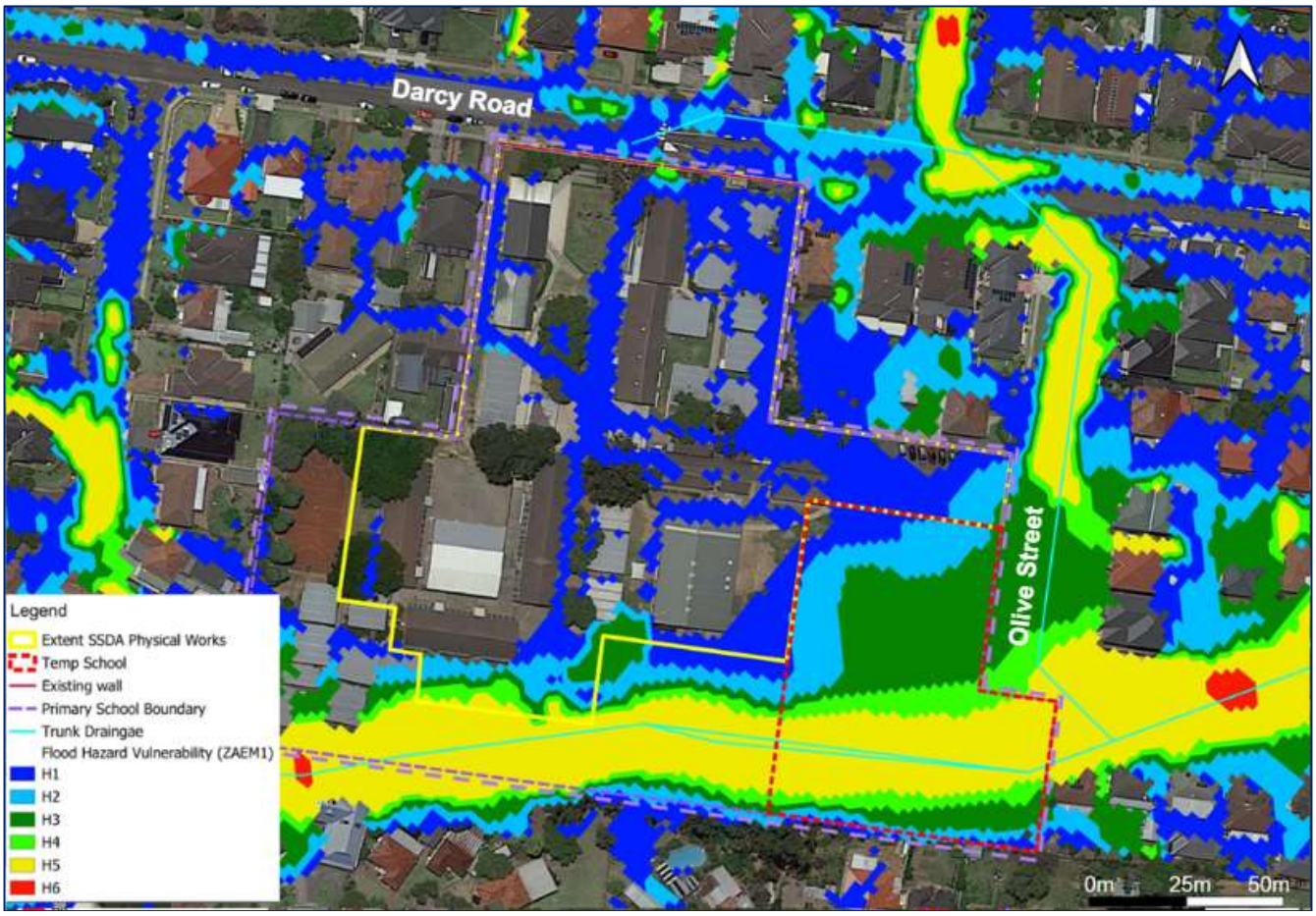


Figure 23 | Existing PMF flood hazard (Source: Applicant's RtS 2023)

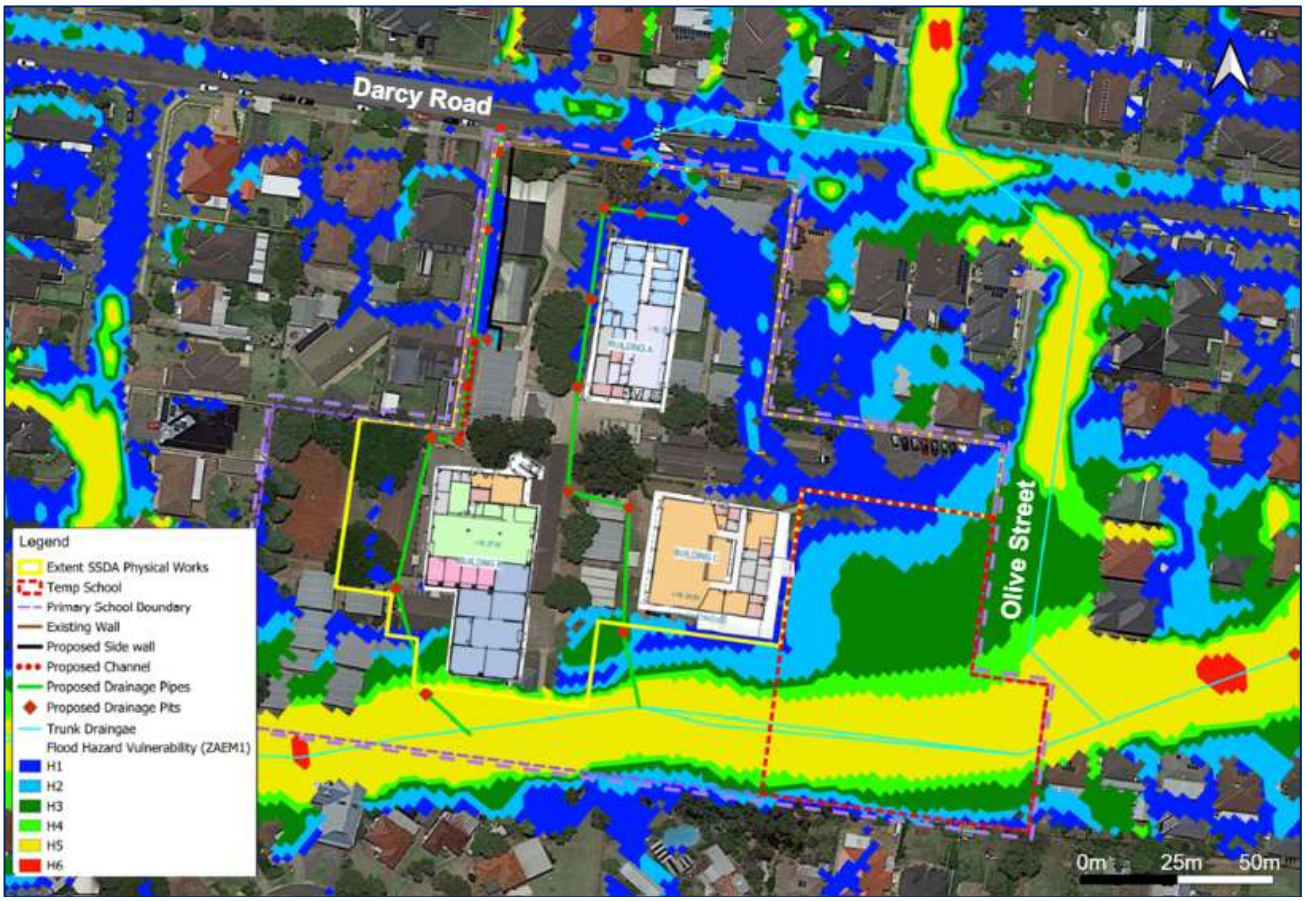


Figure 24 | Post development PMF flood hazard (Source: Applicant's RtS 2023)

Figures Figure 25 and Figure 26 below provide post development afflux modelling details areas which are impacted as a result of new buildings and levels as part of the project. This was modelled and provided with the RtS to compare flood levels to existing scenarios for 1% AEP and PMF flood events.

For the 1% AEP scenario, there is minor additional flooding seen surrounding the site with additional flooding on Olive Street confined to the road and footpath at a maximum of 30mm (Figure 25). The FIA states that the hazard in this area during a 1% AEP flood event is categorised as H1 and concludes there is no danger to people.

Figure 25 | Post development afflux – 1% AEP storm event (Source: Applicant's RtS 2023)

Council's response to the EIS recommended the Applicant model climate change and blockage scenarios. The revised FIA includes post-development flood maps for 1% AEP, 1% AEP with climate change, and 1% AEP with blockage which show no additional flooding on adjoining properties as a result of the proposed development.

For the PMF event, modelling shows additional flooding of approximately 100mm to the south of the site affecting adjoining properties at 16 and 18 Graham Avenue (Figure 26).

Figure 26 | Post development afflux –PMF event (Base source: Applicant's RtS 2023)

PMF levels for 16 Graham Avenue are approximately 27.40 AHD, with a finished floor level (FFL) identified by the Applicant as approximately 27.49 AHD. The Applicant sated that the FFL through a 2022 issued Complying Development Certificate for the site (Figure 26). PMF levels for 18 Graham Avenue are approximately 27.062 AHD for 18 Graham Avenue with a stated FFL of 26.59 estimated from measurements including ridge height, and likely floor to ceiling height.

Figure 27 | PMF flood level – 16 Graham Avenue (Source: Applicant's RtS 2023)

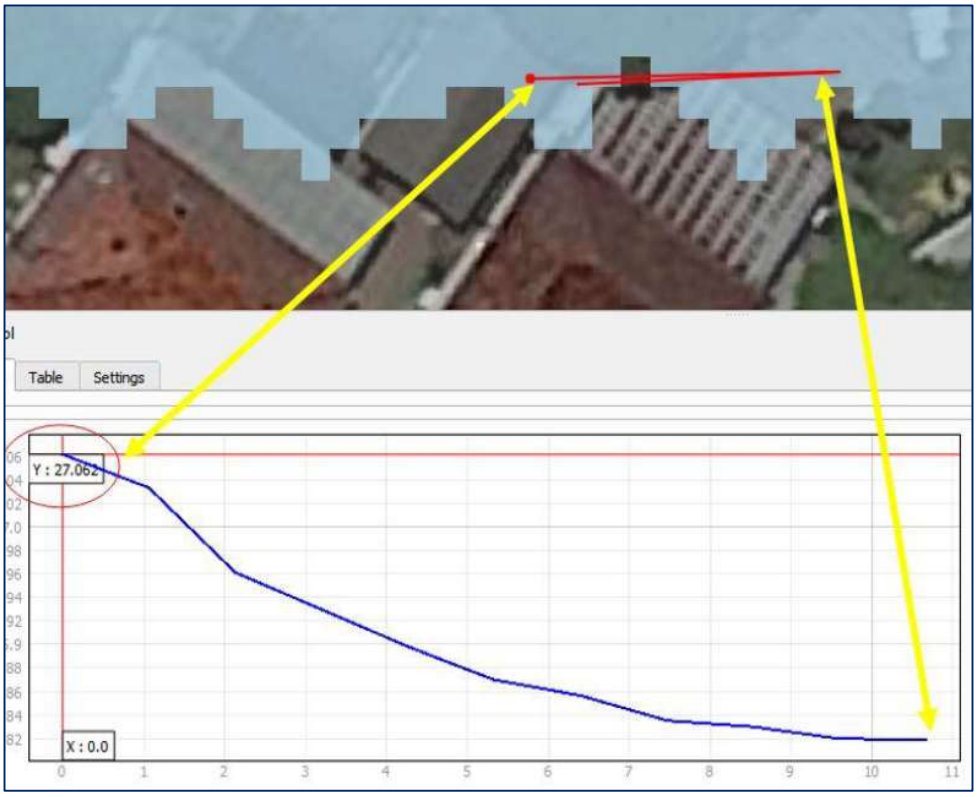


Figure 28 | PMF flood level – 18 Graham Avenue (Source: Applicant's RtS 2023)

For 16 Graham Avenue, the FIA concludes that it is unlikely that its habitable areas will be subjected to flooding. Regarding 18 Graham Avenue, the FIA states that while the PMF level is above its FFL, in accordance with the Flood Risk Management Manual 2023, the likelihood of experiencing a PMF event at least once in an 80-year period is less than 0.8%, and experiencing it at least twice is less than 0.003%. the FIA concludes that due to the low risk of a PMF event and afflux being within a minor range for a PMF event, mitigation measures should not be required for 28 Graham Avenue.

BCS's response to the EIS requested the Applicant model the 5% AEP event to determine compliance with Council's DCP requirements for the upgraded staff car park. The RtS included the requested modelling (Figure 29).

Figure 29 | 5% AEP post development flood depth and level (Source: Applicant's RtS 2023)

The car park would be affected by a 5% AEP event at an approximate depth of less than 10mm with the low velocity modelled by the Applicant at below 0.5m/s. The Applicant states that this level and velocity of water can be adequately managed by the proposed car park drainage system.

6.1.2 Flood Risk Management

The FIA includes a Flood Emergency Response Plan (FERP) for managing the site in times of flooding. The Applicant provided a revised FERP with the RtS and a further amended FERP in

response to SES's advice on the FERP lodged with the EIS and RtS (Section 5.1.2). The SRtS revised FERP details:

- flood watch and warnings during severe weather and storms
- flood response education for staff, students and emergency response drills recommendations
- flood response actions during a PMF flood
- a flood response strategy detailing:
  - the instillation and operation of a gauge in the south-east corner of the site as the trigger for implementing the flood emergency when there is insufficient time to respond to a flood warning once the event has started
  - as there would be insufficient warning time for the onset of flooding for evacuation of the school and pedestrian evacuation is not possible when a flood event has started
  - a shelter in place management strategy for all buildings, at or close to the PMF level, should be adopted once the storm has arrived as the buildings are all at, or close to the PMF flood level
  - The recommended flood response strategy for the PMF event is to shelter in place, in classrooms within Buildings A B or C.

The Department considers that a shelter in place in place strategy would be the most appropriate flood response for the site given the site is subject to flash flooding and the risks associated with evacuation near to, or at the start of a flood event, are high. The Department considers shelter in place Buildings A, B and C would to be suitable as their ground floor levels are above PMF levels, except for Building B which would be constructed to be flood resistant at the portion of its ground floor which would sit 0.20 AHD below PMF level.

The Department recommends that the FERP be finalised in consultation with SES.

6.2 Traffic, transport and parking

The EIS included a Transport and Traffic Impact Assessment (TTIA) and a preliminary construction Traffic Management Plan (CTMP). The TTAI and CTMP assessed existing conditions surrounding the site and transport impacts associated with the proposal.

6.2.1 Existing site conditions

The site has frontages to 2 public roads:

- Darcy Road a one lane each way local road

- Olive Street a one lane each way local road ending in a cul-de-sac

Other nearby local roads include Cumberland Highway, Wentworth Avenue, Binalong Road and Fyall Avenue as shown in Figure 30.

Figure 30 | Subject site and surrounding road network (Source: Applicant's EIS 2023)

Nearby public transports services include public bus services, including school bus services. There are 2 bus stops directly north of the site on either side of Darcy Road, which service buses that connect Darcy Road Public School to neighbouring suburbs including Northmead, Wentworthville, Westmead and Winston Hills. The closest train station is Wentworthville Station which is approximately 1km south-east of the site.

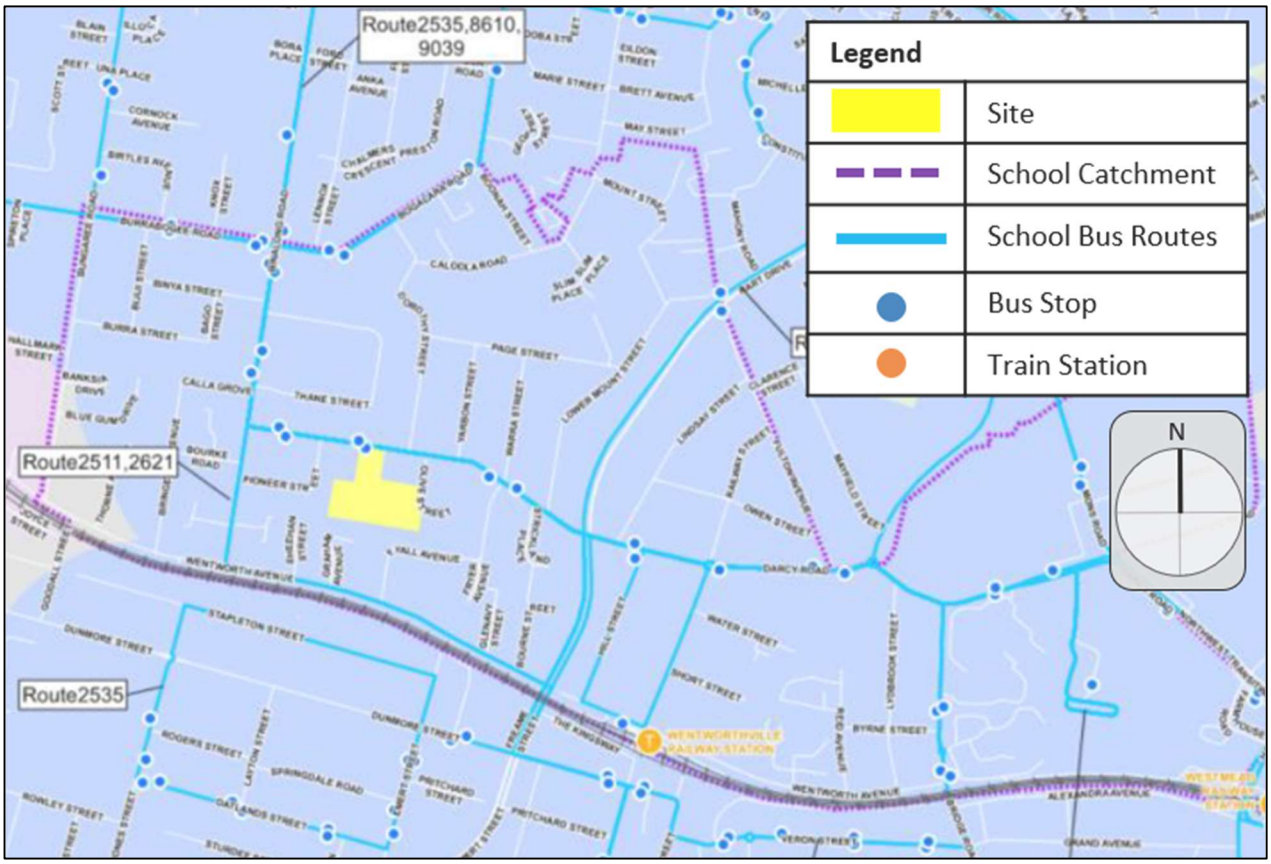


Figure 31 | Local bus services (Base source: Applicant's EIS 2023)

Adjacent to the northern boundary of the school are drop-off/pick-up (DOPU) spaces used by the existing school (as shown in Figure 32).

Figure 32 | Existing no parking/ DOPU spaces on Darcy Road (Source: Applicant's EIS 2023)

Pedestrian footpaths are provided on all roads surrounding the site between 1.2m and 1.5m in width. Less trafficked roads have a footpath on one side of the road including Pioneer Street, Dorothy Street and Yarbon Street. There are pedestrian-only pathways up to 2.5m in width surrounding the site that link Darcy Road with Thane Street, Olive Street with Fyall Avenue through Frank Hayes Pak and Fryer Avenue and Glenavy Street. The pedestrian network and footpath widths surrounding the school are shown in Figure 33.

Figure 33 | Existing pedestrian conditions surrounding the Darcy Road Public School (Base source: Applicant's EIS 2023).

6.2.2 Operational traffic

The TTIA considers existing and future performance of the surrounding traffic network. The site can only be accessed via Darcy Road and Olive Street. Darcy Road would provide direct access to the main pedestrian entry and the DOPU. Olive Street would provide entry to the staff car park, the second pedestrian entry and the waste collection facility.

The current travel mode share for students at Darcy Road Public School is predominantly private vehicles (61%). Additionally, 24% of students walk to school, 13% use public transport and only 1% of students cycle to school. The predominate mode for staff is also private vehicle (97%). Mode share targets for both student and staff have been developed for the new school through a School Transport Plan (STP). The mode share targets include both moderate and preferred scenarios (Table 12 and

Table 13.

Table 12 | Student mode share targets (Base source: Applicant's STP 2023)

Travel mode	Moderate mode share targets	Preferred mode share targets
Car	49%	36%
Bus	15%	18%
Walking (including ped scooter)	29%	34%
Bicycle/motor scooter	7%	12%
Other public transport (rail, light rail)	0%	0%

Table 13 | Staff mode share targets (Base source: Applicant's STP 2023)

Travel mode	Moderate mode share targets	Preferred mode share targets
Car (as driver)	75%	60%
Car (as passenger)	12%	17%
Bus	6%	10%
Walking (including ped scooter)	5%	8%

Travel mode	Moderate mode share targets	Preferred mode share targets
Bicycle/motor scooter	2%	5%
Other public transport (rail, light rail)	0%	0%

The Applicant has adopted a conservative approach in its forecast and analysis of expected project trip numbers by using current mode shares, which present higher private vehicle use that both moderate and preferred mode share targets set out in the STP.

Based on existing data, the TTIA estimated that the proposal would result in a total of 157 inbound and 145 outbound trips in the AM peak and 93 inbound and 105 outbound car trips in the PM peak, including staff trips.

The TTIA identified 4 key intersections within the surrounding road network that might be impacted by the proposal and undertook SIDRA modelling to determine intersection and network capacity, Level of Service (LoS) and overall performance. Intersection analysis has been undertaken for a base scenario, and a base plus development scenario.

The intersections modelled comprised of:

- Darcy Road/Binalong Road
- Darcy Road/Olive Street
- Darcy Road/Fyall Avenue/Warra Street
- Hart Drive/Darcy Road

Table 14 shows the SIDRA analysis which found that 2 of the 4 intersections would operate at LoS A or B (good or good with acceptable delays) and that the LoS operation was unchanged between base (existing) and base plus development (expected project impact) scenarios for these intersections. However, the Hart Drive and Darcy Road intersection, was found to already be operating at capacity.

Table **14** | SIDRA analysis for base and base plus development scenarios (Base source: Applicant's TTIA 2023)

Intersection	Time	Scenario	Average LoS
Darcy Road and Binalong Road	AM Peak	Base	A
		Base plus development	A
	PM Peak	Base	A
		Base plus development	A
Darcy Road and Olive Street	AM Peak	Base	A

Intersection	Time	Scenario	Average LoS
		Base plus development	A
	PM Peak	Base	A
		Base plus development	A
Darcy Road and Fyall Avenue	AM Peak	Base	B
		Base plus development	A
	PM Peak	Base	B
		Base plus development	A
Hart Drive and Darcy Road	AM Peak	Base	E
		Base plus development	E
	PM Peak	Base	E
		Base plus development	E

As shown in Table 14, the TTIA identifies that the intersection performance of Hart Drive and Darcy Road operates at LoS E in the AM and PM peaks, for both base and base plus development scenarios. The TTIA noted that as the LoS is predicted to be generally unchanged between the base and base plus development scenarios, the additional traffic generated by the proposal would have a minimal impact on the operation of the intersection.

TfNSW raised concern that as the Hart Drive and the Darcy Road intersection is already operating at a significant loss, and that the expected traffic volume from the proposal would result in increased congestion during peak operation. Council did not raise concern regarding intersection performance.

The Applicant addressed TfNSW concerns in the RtS stating that a conservative approach of using existing private vehicle mode share was used to forecast expected trip numbers resulting from the additional proposed 291 students. Based on existing vehicle mode share, the Applicant states that increased trip numbers at peak school operation would result in minimal increase in traffic volumes that could be mitigated through successful implementation of the School Travel Plan (STP), which aims to reduce private vehicle use.

The Department considers that the Applicant has appropriately considered potential additional traffic generated by the proposal and impact on the performance of the surrounding road network.

The Department notes that the school's existing private vehicle mode share was used to estimate expected trip numbers to provide intersection performance predictions. The Department accepts that based on existing mode share, there would be impact to the Hart Drive and the Darcy Road

intersection, despite the intersection maintaining a LoS E. However, the Department expects that the successful implantation of the STP would reduce private vehicle use and that the impact on the intersection would be mitigated.

Subject to implementation of the STP, the Department is satisfied that the surrounding road network would have capacity to accommodate the additional traffic generated by the proposal with minimal impact above current conditions. The Department has recommended conditions that require implementation and annual review of the STP. The STP would include operational transport arrangements and measures required to mitigate impacts on the local road network including actions and initiatives to decrease private vehicle use and increase bus and active transport use as detailed in Section 6.2.6.

6.2.3 Drop-off/pick-up

Information provided in the EIS details existing drop-off/pick-up (DOPU) spaces on both the north and south sides of Darcy Road within proximity of the Darcy Road pedestrian entry (Figure 34 and Figure 35). The proposal would not alter the location or area of the existing DOPU zones.

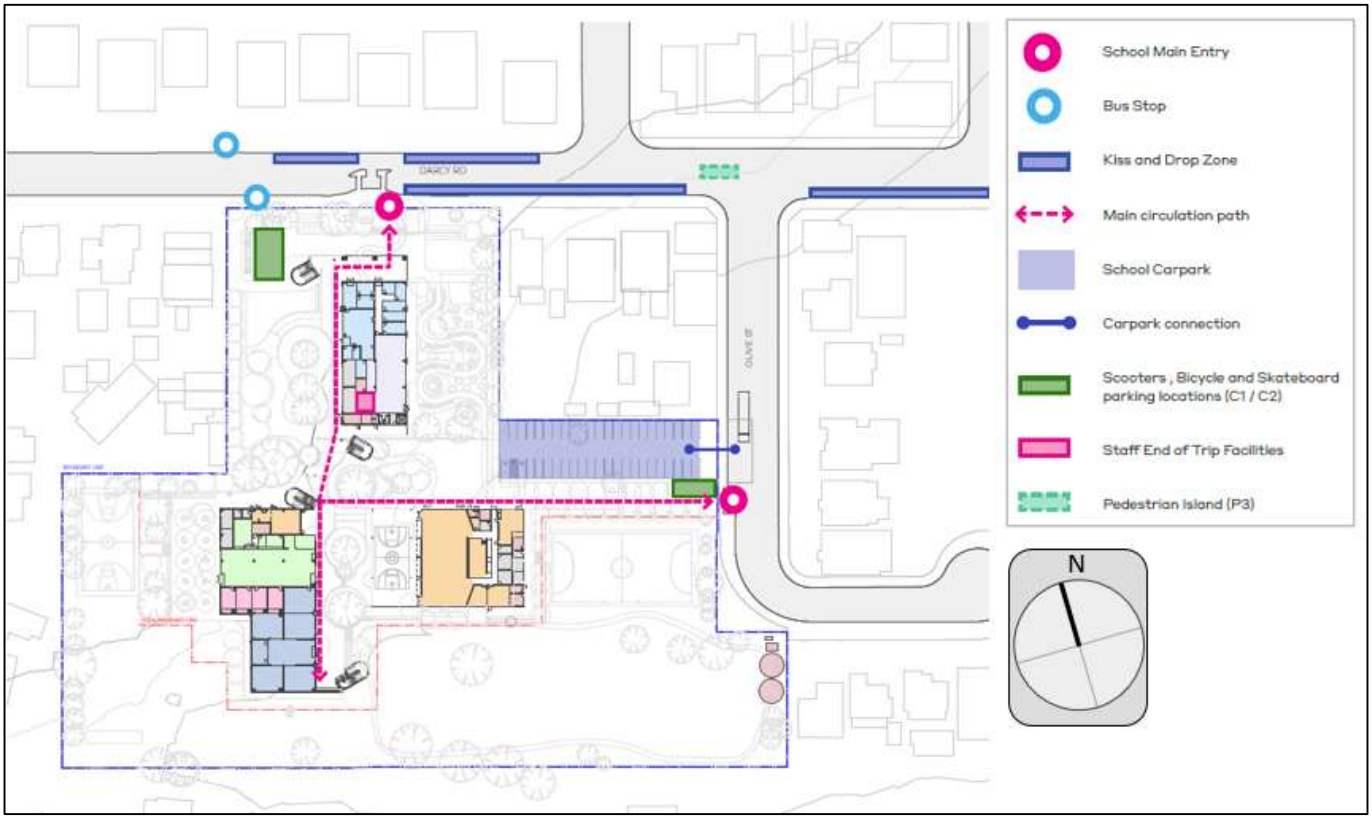


Figure 34 | Proposed transport and circulation (Base source: Applicant's EIS 2023)

The EIS stated that the school's existing DOPU arrangement would be sufficient to accommodate increased vehicle trip numbers proposed. However, no supporting DOPU capacity assessment was provided.

Queuing of vehicles across olive Street on the western approach to the DOPU on Darcy Road during the afternoon peak was documented in the EIS through school survey results. The TTIA stated that there would be potential for a future extension to the DOPU on Darcy Road between Olive Street and Fyall Avenue to address this queuing. The Department requested the Applicant provide trip number and queue length analysis as part of their RtS and confirmation of the potential DOPU extension as part of the proposal.

The Applicant's RtS provided an updated TTIA including DOPU capacity assessment, DOPU queue monitoring results and DOPU plans showing existing DOPU spaces.

The updated TTIA states that there are 17 DOPU spaces on the south and north sides of Darcy Road adjacent to, and opposite the main school entry. 11 of those spaces are supervised within a formal DOPU zone on the south side of Darcy Road adjacent to the main school entry. The remaining spaces are restricted parking spaces during DOPU peak periods and form part of a surrounding network of unsupervised DOPU spaces which are subject to various time restrictions during DOPU peak periods. Figure 35 shows the 17 DOPU spaces on Darcy Road and proposed line marking discussed below.

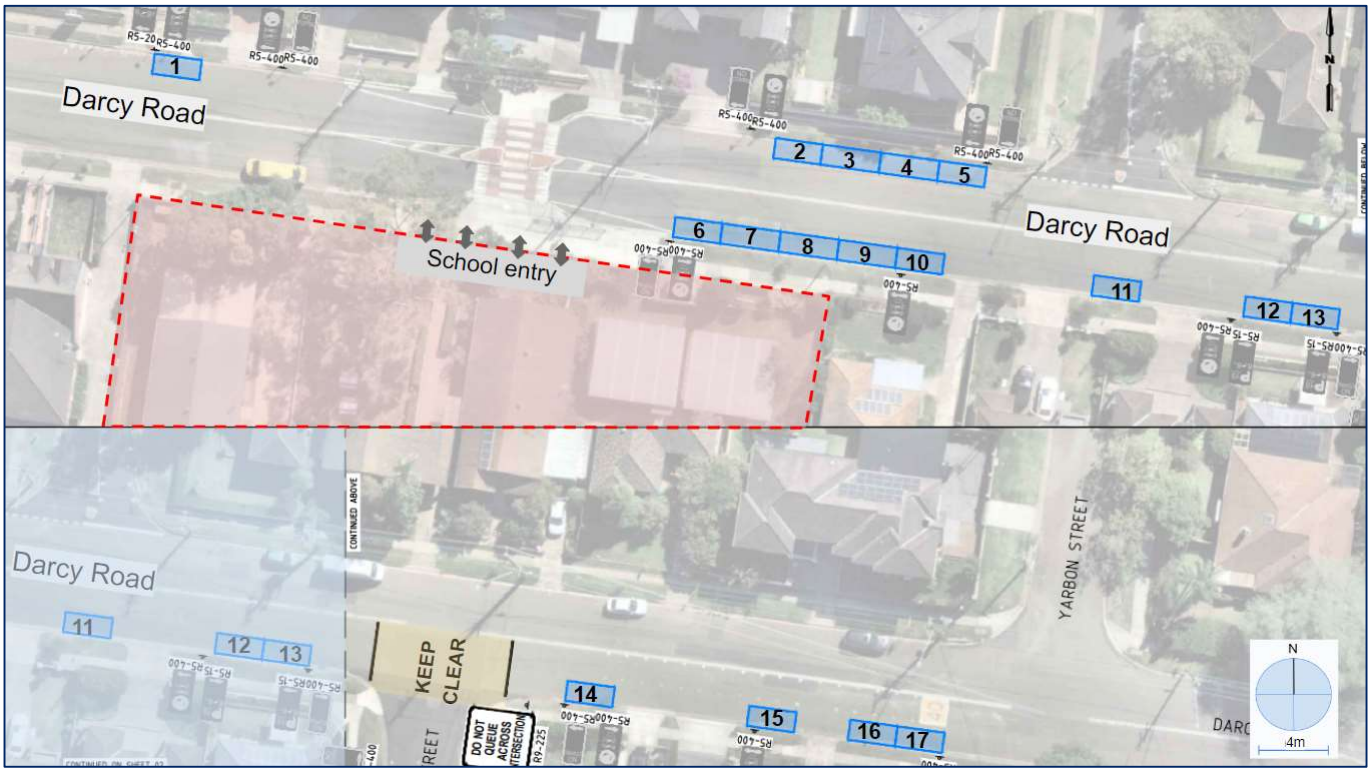


Figure 35 | Existing DOPU spaces on Darcy Road and proposed 'keep clear' line marking (Base source: Applicant's RtS 2023).

Trip number analysis provided by the Applicant (Figure 36) shows that in the AM peak, 8 vehicles would drop off per minute, with an average dwell time of 1.5 minutes, resulting in a demand for 12 DOPU spaces in the AM peak. In the PM peak, 5 vehicles would drop off per minute, with an average dwell time of 3 minutes, resulting in a demand for 16 DOPU spaces in the AM peak. The Applicant

states that with 17 spaces within proximity of the main school entry, 17 spaces is sufficient for expected demand once the school reaches enrolment capacity.

	AM	PM
Total Students (Redeveloped School)	1,000	1,000
Existing Car Mode Share	61%	57%
Number of students driving (HS)	610	570
Vehicle Occupancy	1.2	1.2
Percentage of cars within the Hour	98%	67%
Vehicle per Hour	498 vehicles in the hour	318 vehicles in the hour
Arrival Rate per Minute	498/60= 8 vehicles per minute	318/60= 5 vehicles per minute
Service Time (minutes)	1.5 minutes	3 minutes
Resulting No of Vehicles	12 vehicles	16 vehicles

Figure 36 | Proposed trip numbers and DOPU demand in AM and PM peaks (Source: Applicant's RtS 2023)

The Applicant acknowledges that driver behaviour currently results in queuing across Olive Street on the west approach to the 11 DOPU spaces on the south side of Darcy Road. The RtS included DOPU monitoring data and results which was undertaken by the applicant over 3 school days to determine the extent of queuing on the west approach to the south side DOPU spaces on Darcy Road. Queuing was observed during a window of less than 6 minutes on all three observed days, which then dissipated and was contained within available DOPU spaces. Further, the queuing was only observed to be on the kerbside lane and did not extend into the trafficable lane.

Based on DOPU monitoring results, the TTIA concludes that the existing DOPU has capacity for the proposed increase in students and further DOPU spaces are not required to accommodate increased trip numbers resulting from the project. To reduce potential queuing across Olive Street, the Applicant proposes to install 'keep clear' line marking on Darcy Road at the intersection with Olive Street (Figure 35) and requirements in the STP for review and monitoring of queuing impacts and mitigation of impacts if identified. The Department has included a STP condition which requires DOPU monitoring and mitigation of impacts in consultation with Council if DOPU congestion and queueing is identified.

The Department has considered comments made in submissions, and the information provided by the Applicant in the EIS, RtS and SRtS. The Department recognises that the proposal would increase trip numbers to and from the DOPU zone on Darcy Road and there may be queuing on the western approach to the DOPU zone. The Department considers that subject to recommended conditions, the DOPU zone would be appropriately monitored and improved as necessary. Based on this, the Department has recommended conditions that require the Applicant to prepare an STP inclusive of

annual performance monitoring of the DOPU zone, and commit to implementation of additional management measures to address issues identified in the STP monitoring if required.

6.2.4 Operational car parking

The proposal includes upgrades to the existing 21 space car park for staff on the eastern boundary of the site, accessed off Olive Street. Current parking demand for the school is provided in the TTIA at 45 spaces for 50 staff in attendance at the school on a typical day, including permanent, temporary and casual staff. With 20 parking spaces and 1 accessible parking space currently on site, there is a current shortfall of 25 spaces (excluding the accessible car space).

The project would improve the carpark with an additional 20 car parking spaces to provide a total of 41 staff parking spaces, including 2 accessible spaces.

The PDCP does not prescribe specific parking rates for educational establishments. The Applicant has calculated parking demand based on typical daily staff attendance and percentage of staff who drive to work as advised by the school. The Applicant provides that there may be up to 71 staff present at the school each day, and the percentage of staff using private vehicles is 90%. The resulting on site staff parking demand is 64 spaces. With 41 parking spaces proposed, the project presents a shortfall of 25 spaces.

The EIS states that overflow staff parking could be accommodated in surrounding streets, which would be acceptable as there would be no additional staff parking overflow above the current shortfall of 25 spaces . Council considers proposed staff parking numbers to be suitable for the upgraded school and recommends a condition of consent to ensure 41 spaces, including 2 accessible spaces be provided on site. TfNSW raised no concern and advised that adequate accessible parking should be provided on site.

The Department is satisfied the project will not create additional demand for on-street parking above existing conditions and provides adequate on-site parking spaces to meet staff demand while minimising on-street parking impacts.

6.2.5 Public and active transport

Wentworthville and Pendle Hill Train Stations are both located approximately 1km from the site and are serviced by the T1 Western Line and T5 Cumberland Line. The TTIA states that the rail network would typically be used by staff and students who live outside of the school catchment and that train use at the school is minimal. Notwithstanding, train services provide good peak time frequencies for both city bound and outer suburb bound services at an average of 1 train every 10 minutes.

Two bus stops are located adjacent to the main school entry on Darcy Road. One public bus service currently services the site on both sides of Darcy Road between 9am and 3pm weekdays, providing an hourly bus service each direction between Constitution Hill and Wentworthville. Seven school buses service the site for both morning and afternoon school peak periods (Figure 37). The buses connect Darcy Road Public School to neighbouring suburbs such as Northmead, Wentworthville, Westmead, and Winston Hills.

Route	Route Name	Frequency	Key origins / destinations	Bus stop location
Morning School Bus				
Darcy Rd opp Darcy Road Public School (northern side, ID: 2145251)				
9039	The Meadows PS to Westmead Schools via Model Farms HS & Pendle Hill PS	*	Seven Hills, Toongabbie, Winston Hills	Darcy Road (northern side)
Darcy Road Public School, Darcy Rd (southern side, ID: 2145185)				
2042	Winston Hills Mall to Darcy Rd PS	*	Winston Hills, Northmead, Westmead	Darcy Road (southern side)
2044	Windsor Rd after Churchill Dr to Darcy Rd PS via Mother Teresa PS	*	Baulkham Hills, Northmead, Westmead	Darcy Road (southern side)
2051	Darcy Road opp Fulton Ave to Northmead HS	*	Darcy Road	Darcy Road (southern side)
2083	Westmead Station to Darcy Road PS	*	Westmead	Darcy Road (southern side)
8005	Darcy Rd PS to Our Lady Mt Carmel PS via Westmead Schools	*	None (departs from Darcy Road PS)	Darcy Road (southern side)
8008	Westmead Schools Bus Bay to Darcy Rd PS	*	Westmead	Darcy Road (southern side)
Afternoon School Bus				
Darcy Rd opp Darcy Road Public School (northern side, ID: 2145251)				
2535	Our Lady of Mt Carmel PS to Wentworthville via Old Toongabbie	*	Darcy Road	Darcy Road (northern side)
2652	Darcy Rd PS to Westmead Station ("Purple Bus")	*	Westmead Station	Darcy Road (northern side)
3650	Northmead HS to Westmead Station via Wentworthville ("Green Bus")	*	Wentworthville Station, Westmead Station	Darcy Road (northern side)
Darcy Road Public School, Darcy Rd (southern side, ID: 2145185)				
2511	Darcy Rd PS to Westmead ("Blue Bus")	*	Westmead	Darcy Road (southern side)
2574	Parramatta HS to Pendle Hill HS	*	Binalong Road	Darcy Road (southern side)
2621	Darcy Rd PS to Bridge Rd opp Wentworth Ave ("Red Bus")	*	Westmead	Darcy Road (southern side)
8610	The Hills Sports HS to Baulkham Hills via Winston Hills	*	Baulkham Hills	Darcy Road (southern side)
Public Bus				
709	Constitution Hill Retirement Community to Wentworthville Shopping Plaza	Hourly in each direction between 9am – 3pm	Constitution Hill, Wentworthville	Darcy Road (both sides)

Figure 37 | Darcy Road bus routes' schedule (Source: Applicant's EIS 2023)

The pedestrian network in the vicinity of Darcy Road Public School primarily consists of footpaths and a raised marked pedestrian crossing on Darcy Road directly outside the school. This network

provides access to the closest bus stops, train stations, and residential areas in all directions from the school.

Informal bicycle paths and bicycle infrastructure sounding the site is limited with no direct paths leading to the school on Darcy Road and Olive Street. There are no dedicated cycle pathways available. However, there are on-road cycle routes surrounding the site on the wider road network that the Applicant states have been classified by TfNSW as low to moderate difficulty.

6.2.6 School Travel Plan

To encourage higher rates of active and public transport use and move away from the current private vehicle mode share at the school of 61%, a STP was prepared as part of the EIS and modified in the RtS. The plan outlines initiatives and programs to promote walking, cycling, and bus usage to and from the upgraded school. The plan identifies key actions to be taken to ensure increased public transport use and active travel is realised at the upgraded school. These include:

- nomination of Travel Plan Coordinator/s responsible for implementation, and promotion of:
    - 'STEPtember' (a walk to school initiative)
    - 'Walk to Safely to School Day'
    - engagement with parents and carers
    - riding skills (cycling skill improvement)
    - a staff carpooling scheme
    - Travel Access Guide (information relating to travel to and from the school).
- finalisation and implementation of a Communication Plan by the Travel Plan Coordinator/s and School Principal including messages and promotion relating to:
    - STP mode share targets
    - active and public transport options available to and from the school
    - concessional prices for School Term bus travel
    - 'Ride2School' Day (a national school cycling initiative)
    - educational road safety digital media resources.

The Travel Plan Coordinator/s and School Principal will also be responsible for monitoring of the DOPU area during construction stages, and ongoing operation as required by the STP.
The Department supports the STP to reduce private vehicle use and increase active and public transport use to and from the School. The measures and actions proposed in the STP are considered reasonable with the objective of mitigating traffic impacts resulting from increased trip numbers resulting from the project.

The Department has provided a condition that the STP is implemented for the life of the project and reviewed annually.

6.2.7 Construction traffic and parking

The TIA includes a Construction Traffic and Pedestrian Management Plan (CTMP), which details construction vehicle movements, truck and crane unloading details, routes of travel, parking and access arrangements, pedestrian management provisions, and measures to address potential impacts during Stage 2 and Stage 3 construction stages.

The Applicant advises that construction materials and pre-fabricated parts would be supplied to the site by truck and utility vehicles on Darcy Road (Stage 2) and Olive Street (Stage 3) with the largest vehicle operated during standard construction being a 12.5m heavy rigid vehicle. To transport heavy machinery, the Applicant advises that infrequent use of 19m semi-trailer vehicles may occur.

The CTMP provides estimated heavy vehicle and total vehicle hourly trips to be:

- a maximum of 9 heavy vehicle trips per hour
- a maximum total of 19 construction vehicle trips per hour.
- The Applicant states that estimated trips at an average of one vehicle trip every 3 minutes can be categorised as low frequency in consideration of the capacity of the road network.

The CTMP states that footpaths on Darcy Road and Olive Street would be managed by controllers during construction periods as required. The CTMP advises that construction vehicles would operate throughout the day and did not propose limitation to vehicle movement during AM and PM peak DOPU times.

Following exhibition of the EIS, Council raised issue with heavy vehicles entering and exiting the site during DOPU times and provided recommended conditions of consent to:

- restrict construction vehicle entry and exit during DOPU peak times
- require the Applicant consider an on-site designated construction worker parking area and for justification to be provided to Council should there be no on-site construction worker parking provided.

TfNSW recommended that a final CTMP be prepared prior to commencement of construction.

In Response to Council and TfNSW comments and recommended conditions, the Applicant's RtS:

- confirmed a final CTMP would be prepared following consultation with the school, Council, TfNSW and relevant works contractor.
- concluded there is sufficient construction worker parking capacity in surrounding streets based on-street parking survey results which found that of 403 on-street parking spaces

within 200m of the site, peak utilisation of existing on street parking was 220 spaces at 3:00pm, leaving 183 available car spaces.

Council provided comment on the Applicant's RtS providing a recommended condition for off-site construction worker parking management and monitoring.

Council maintained their concern with heavy vehicle access to the site during peak DOPU times. Subsequently, the Applicant responded that concrete pour vehicle trips would be infrequent, and if they are restricted to off peak DOPU times only, construction delays would occur and more frequent concrete pour trips would be required. The Applicant proposed additional construction vehicle movement mitigation measures to address potential risk to DOPU operation including:

- development and implementation of a specific traffic control plan with additional traffic controls measures specific to concrete pour truck movements during DOPU times
- disruption notification given to the school Principal
- coordination with concrete suppliers to ensure concrete heavy vehicle delivery is undertaken prior to DOPU periods where possible.

The Applicant also proposed a condition of consent to require Council approval for concrete heavy vehicle deliveries at a minimum of 48 hours prior to delivery.

The Department accepts the conclusions of the Applicant's assessment of construction traffic and notes that surrounding streets could accommodate the expected heavy vehicle movements. Road closures would be subject to appropriate approvals and impacted residents would be consulted. The Department accepts that on-site parking is not possible given the site constraints and that impacts to on-street parking supply would be likely be minimal due to demonstrated existing and likely surplus on street parking supply.

The Department also considers the proposed concrete heavy vehicle mitigation measures would minimise risks to DOPU operation while allowing efficient construction activity to facilitate timely construction of the project.

Based on the above, the Department has recommended conditions requiring the preparation and implementation of a final CTMP to address the following:

- measures to encourage active and public transport use for construction workers
- truck access routes
- establishment of work zones where required
- heavy vehicle traffic management during DOPU times
- approval to be obtained from Council 48 hours prior to concrete pour deliveries
- concrete pour notification and coordination requirements.

The Department has also recommended a condition that requires the Applicant to prepare a construction worker transport strategy to manage and minimise impacts from construction worker parking.

The Department has reviewed the information provided in the EIS, RtS and SRtS and considers that subject to recommended conditions, construction traffic and parking impacts could be appropriately managed.

6.3 Building form and urban design

The proposed development includes the construction of 2 new buildings up to 4 storeys in height which are connected by a covered walkway and a central building link, refurbishment of the existing school hall, a new COLA and landscaping works. The Application was supported by an Architectural Design Report which provided detailed plans, explanation of design development and design justification.

6.3.1 Building height, bulk and scale

The Parramatta Local Environmental Plan 2023 (PLEP) prescribes a maximum Height of Building (HOB) of 9 metres (see Figure 38). The site is subject to a Floor Space Ratio (FSR) of 0.5:1 (see Figure 39). The proposed FSR is 0.34:1 which is below the maximum limit.

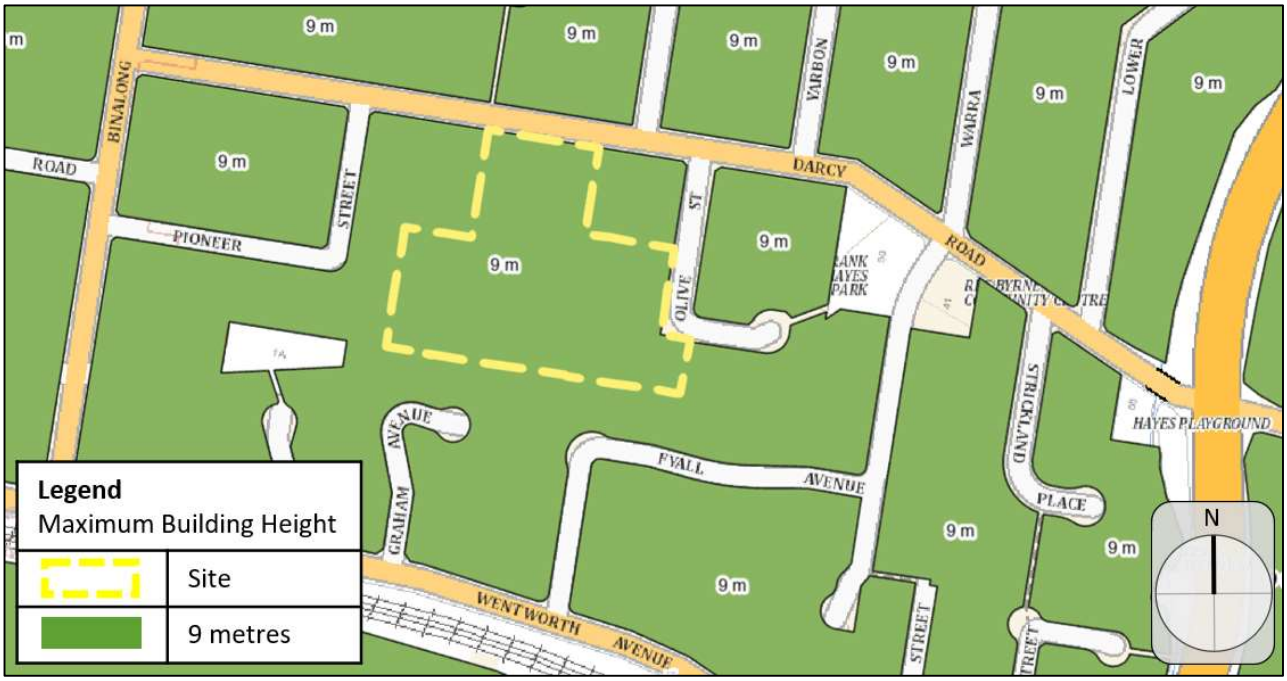


Figure 38 | Maximum Building Height Map (Base Source: PLEP 2023)

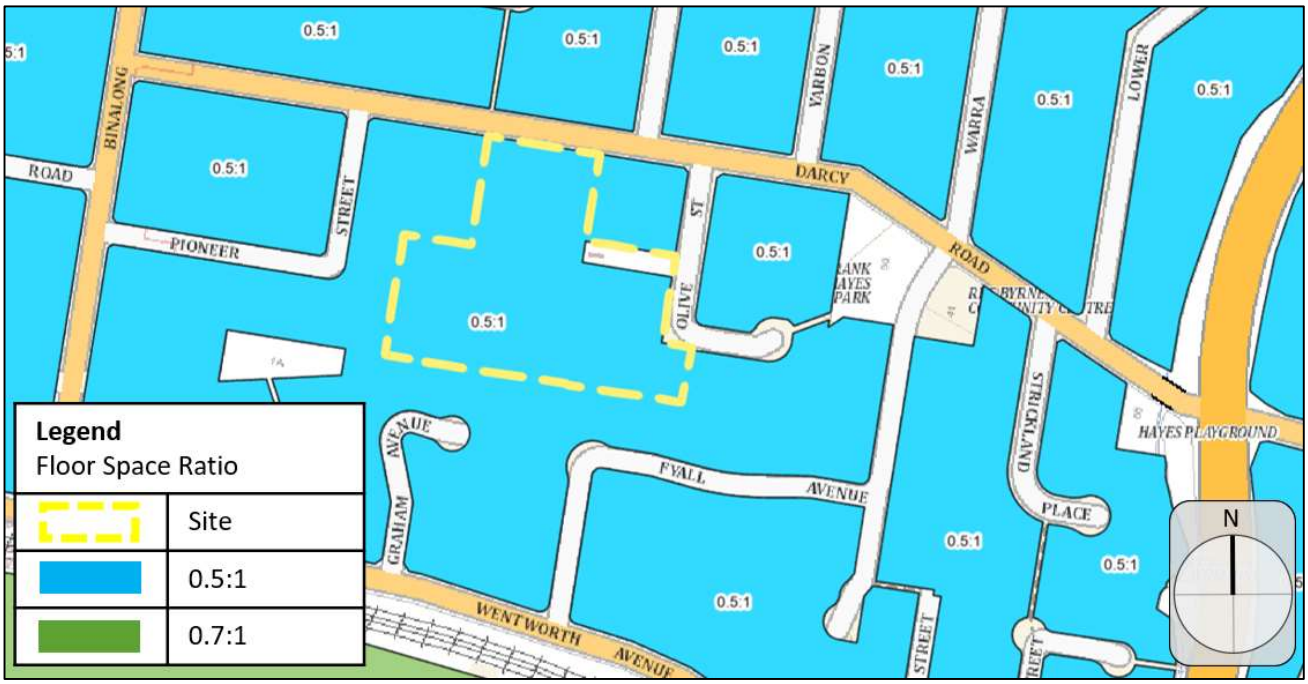


Figure 39 | Floor Space Ratio (Base Source: PLEP 2023)

Building C (the existing school hall) is consistent with the existing scale of the streetscape and is compliant with the HOB control. Buildings A and B range in height from 15.5 metres to 19 metres, which would exceed the height control by 10 metres. The external staircases are up to 20 metres in height and would exceed the maximum HOB control by 11 metres. The height exceedances of the HOB controls are shown in Figure 40 and Figure 41.

Council raised concern regarding the height and scale of Building A which has a main frontage to Darcy Road. Council commented that Building A would be highly visible from Darcy Road and is not consistent with the existing streetscape which is characterised by one and 2 storey dwellings. Council recommended reducing the height of Building A to 2 storeys to suit the local context.

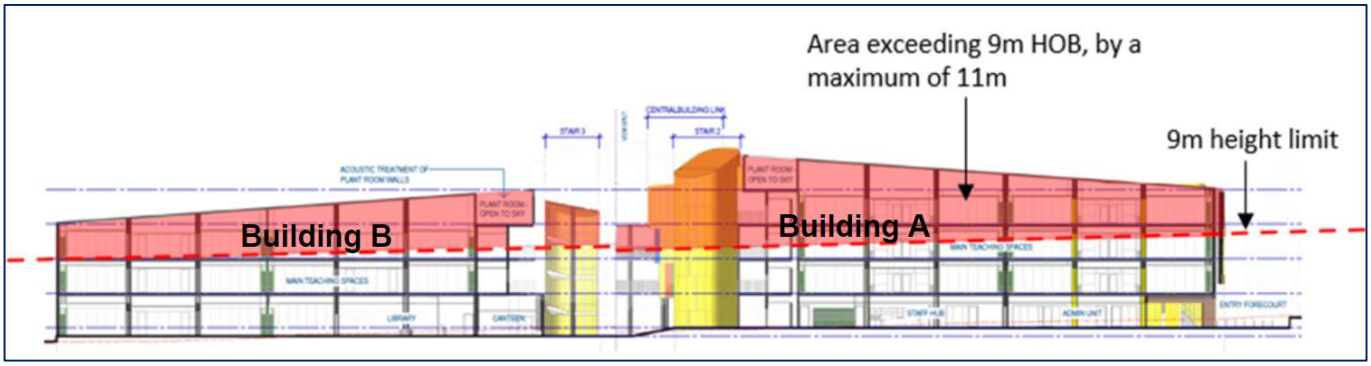


Figure 40 | Height exceedance of Building's A and B, and external staircases (Base source: Applicant's EIS 2023)

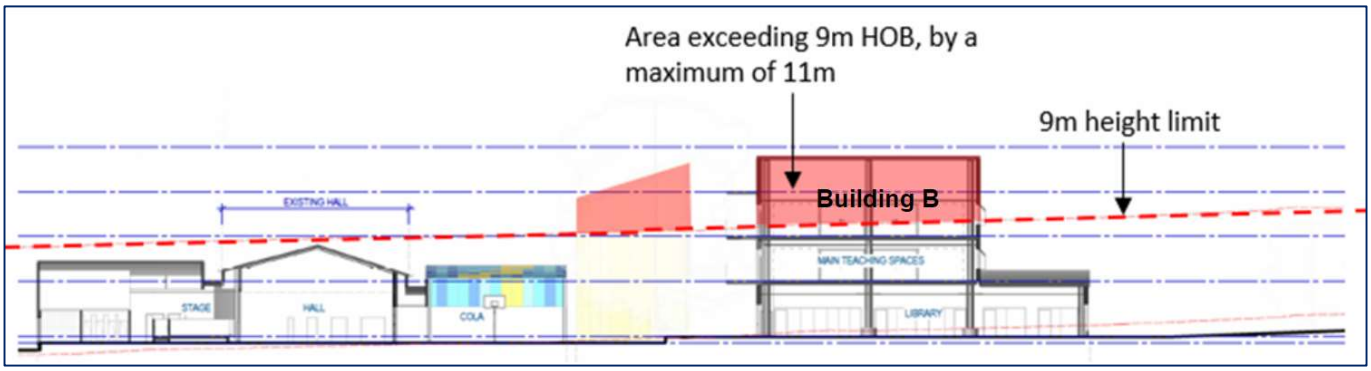


Figure 41 | Height exceedance of Building's A and B, and external staircases (Base source: Applicant's EIS 2023)

The State Design Review Panel (SDRP) reviewed the proposed design and supported the massing of the buildings, as the reduction of building footprint would provide extensive setbacks which would optimise outdoor play space and amenity to neighbours. The SDRP also advised that the 4 storey building (Building A) could be further developed to include finer-grain low scale design elements to mitigate the scale of the building for younger students.

Section 3.43 of the Transport and Infrastructure SEPP states *"development consent may be granted for development for the purpose of a school that is State significant development even though the development would contravene a development standard under which the consent is granted".* As the provision of the Transport and Infrastructure SEPP apply to this proposal, the proposed building height should be considered on merit.

The Applicant justified the proposed height of new buildings in the context of the PLEP HOB exceedance and within the context of the surrounding area. The Applicant states that:

- Buildings A and B have been vertically consolidated to the middle of the site to provide a more efficient and appropriate built form compared to sprawling buildings
- the proposed consolidated built form improves accessibility and servicing efficiency
- the vertical consolidation of the built form has maximised protection of trees which are generally located near site boundaries, and has allowed for increased play spaces and green areas at ground level
- the proposed 2 and 4 storey buildings allow for increased setbacks to adjoining residential properties to minimise impact to visual privacy, overshadowing and views
- the proposed height of the buildings is required to ensure the proposal is able to meet the functional objectives of the school and its expected future capacity.

Building A is a long rectangular building with its short side frontage to Darcy Road, and is setback 13.7 metres from the northern boundary adjacent to Darcy Road. Building A is set towards the centre of the site and is setback from adjacent neighbouring residential buildings by 26.7 metres from the eastern boundary and 33.2 metres from the western boundary. Landscaping and planting within the

setbacks, as well as the size of the setbacks themselves, soften impact from the height and scale of the proposed buildings and would provide privacy for residents.

Building B is set towards the south-western corner of the site and is set 10.1 metres from the closest boundary to the north. This setback includes large mature trees which softens the perception of bulk from the adjacent residential property to the north. Building B is setback 45.3 metres from the western boundary and 21.6 metres from the southern boundary, these setbacks include planting, landscape and open play space which provide privacy for residents.

The Department has assessed the proposed building heights in consideration of submissions received, documentation provided by the Applicant, the objectives of clause 4.3 (Height) PLEP, clause 4.6 PLEP, surrounding height controls, adjoining residential building heights, site constraints and potential amenity impacts. The Department is satisfied that the proposed building heights and their variation to the maximum HOB control, and the proposed bulk and scale are acceptable for the following reasons:

- the proposed height, bulk and scale of new buildings is an appropriate design outcome for the site which is constrained by overland flows and a sloping topography
- components of the proposed buildings which do not comply with the HOB control would not result in adverse overshadowing, visual impact or view loss impacts
- the proposed buildings would be sited towards the centre of the site and include large setbacks, this would provide privacy for adjacent residential properties, minimise the perception of bulk and scale from neighbouring properties and allow for increased play space for students
- the setbacks would include landscaping and planting, including mature trees, which would soften the appearance of the height and scale and provide privacy for residents to the east, south and west
- Government Architect NSW (GANSW) did not raise any concern to the proposed heights when considering the educational use of the site and its context within the surrounding residential locality.

The Department concludes that the proposed building height, bulk and scale of buildings are contextually appropriate.

6.3.2 Building design and landscaping

The EIS included an Architectural Design Report that sets out rational behind the proposal and establishes the guiding principles that provide site planning and building design guidance on Connecting with Country, relationship to tree canopy, massing, facade presentation and materials.

The Architectural Design Report sets out that the built form and urban design of the site is guided by the following principles:

- pedagogy first – prioritising students; creating engaging spaces to learn and grow
- delivering the Educational Facilities Standards Guidelines (EFSG) – meeting the brief, including the new EFSG
- embracing the MMC – modern Methods of Construction, formerly known as the DfMA
- play space – maximising quantum and quality
- sustainable design – adhering to best practice sustainable design, including consideration of orientation, shading, passive design principles, energy generation etc.
- access – pedestrian and vehicular access by students, staff, visitors and for servicing
- height – impact on circulation, bulk, mechanical, electrical and plumbing services and overshadowing
- privacy – overlooking; views to and from the school, and respecting neighbours while providing safe, secure school premises
- scale – design with regard to human scale and the scale of the surrounding built environment
- construction phasing – staging and decanting
- minimising operational impact during construction
- maximising value for money

The site planning and layout shown in Figure 42 is described in further detail in Section 2.2. The proposal includes the use of Modern Methods of Construction kit of parts assembly principles. Proposed materials are low maintenance and include bricks, metal awnings, perforated metal, polycarbonate and corrugated colour bond. Colours which could be viewed from the public domain are predominately soft and natural to ensure that the built form is recessive when viewed from the streetscape and is compatible with context colours (see Figure 43 and Figure 45).

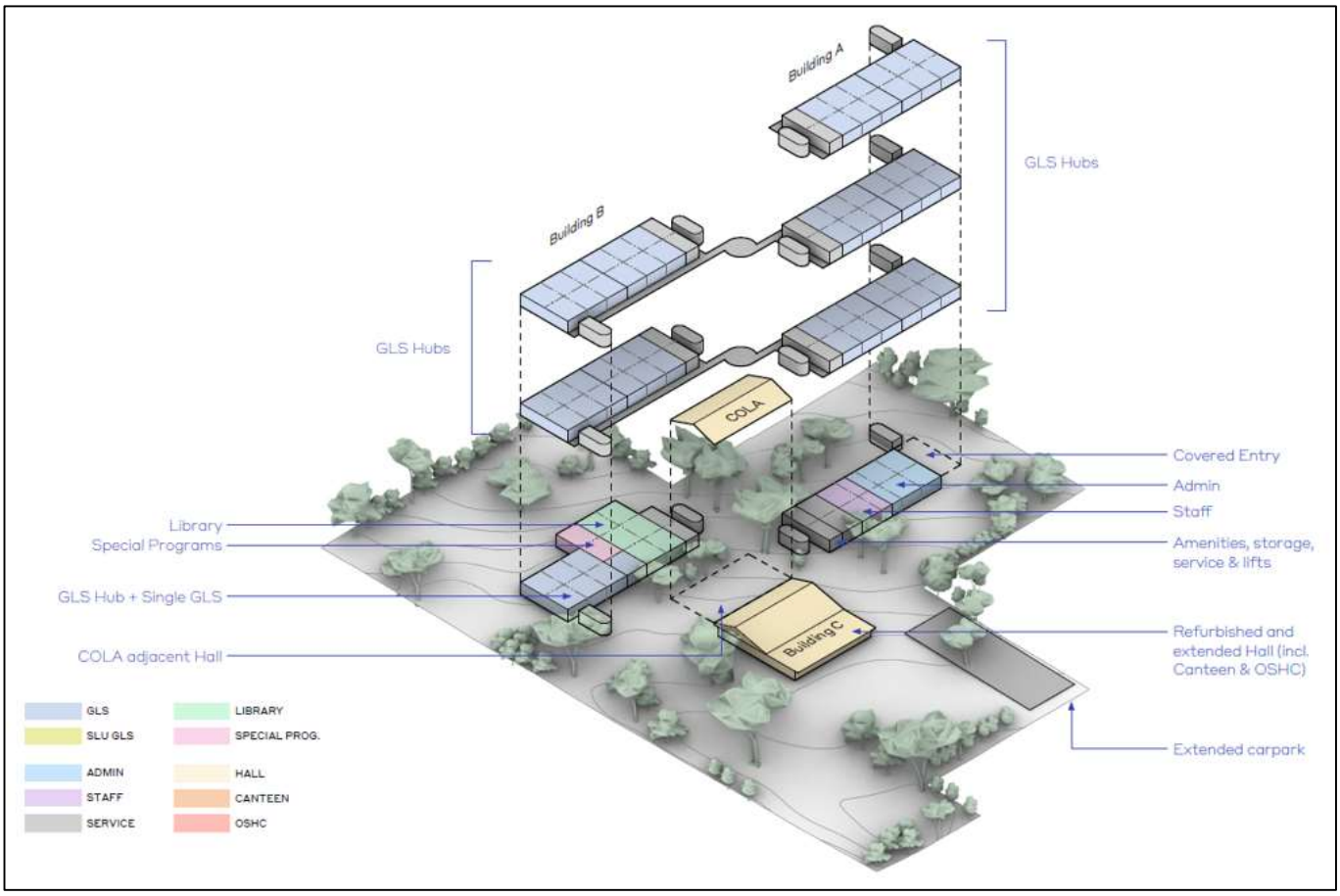


Figure 42 | Overview of site layout and planning (Source: Applicant's EIS 2023)

Figure 43 | Rendered facade of Building A, eastern elevation (Source: Applicant's EIS 2023)

The yellow highlights in the proposed school signage and external stairwells reflect the palette of the existing school and symbolise the creek form, which forms part of the Connecting with Country elements embedded in the design (see Figure 44). The central building link in the centre of the site and the COLA include a variety of colours, Figure 45 the more recessive colouring of the front façade compared to the brighter colours used within the site.

Figure 44 | Existing front facade colour scheme and proposed front facade colours

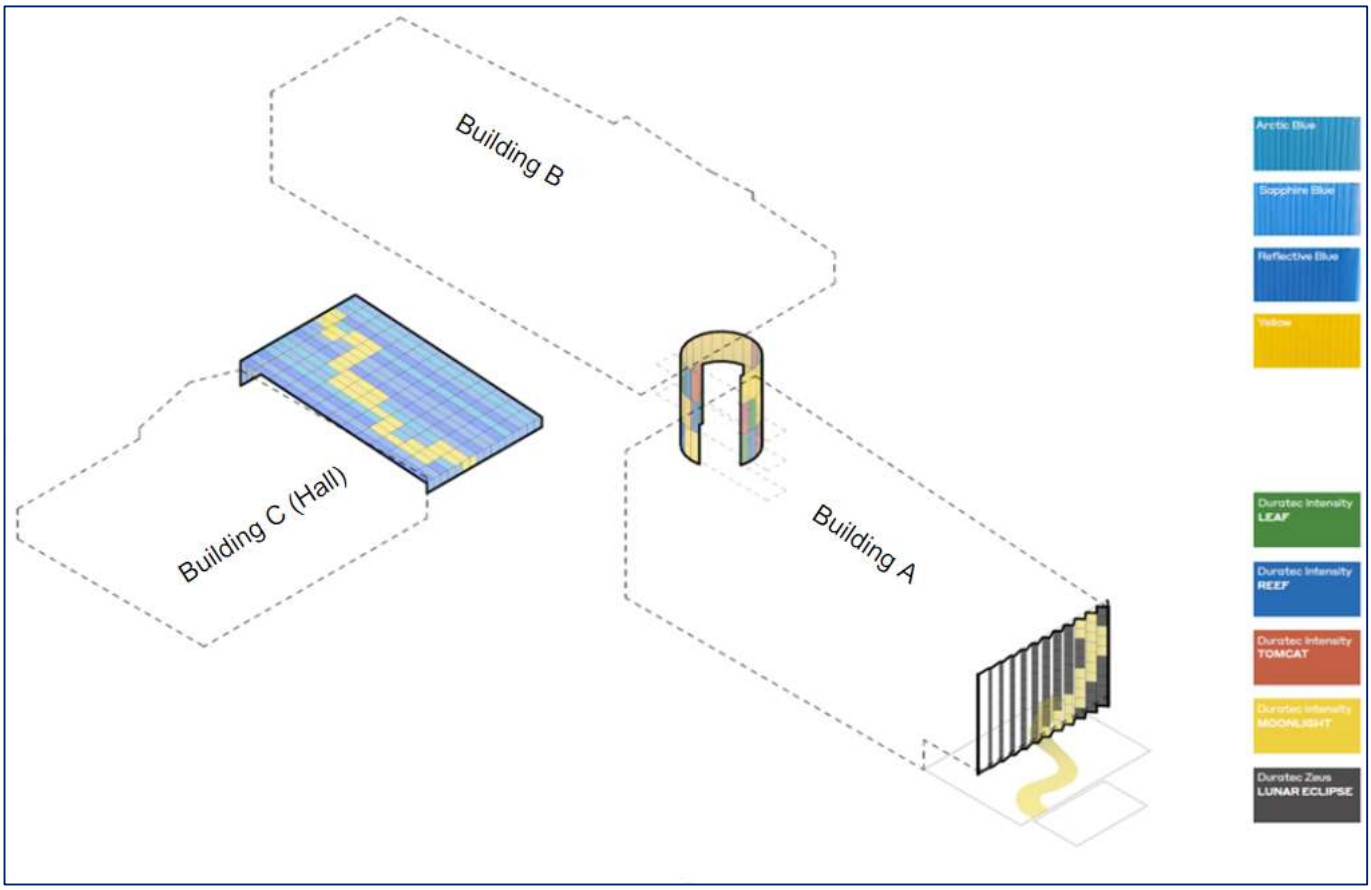


Figure 45 | Colour scheme of front façade, central building link and COLA (Source: Applicant's EIS 2023)

The Department considers that the proposed layout, form and presentation of buildings on the site would be suitable, and the proposed material palette would be an appropriate design and functional response to the surrounding context of the site.

In response to the EIS, Council supported the proposal's site configuration and generous front setback to Darcy Road. Council provided recommendations for landscape design improvements to benefit site users and the relationship between the site and surrounding streetscape including:

- moving the main entrance gate away from the adjacent crossing on Darcy Road
- a larger forecourt or entrance plaza
- retain existing and plant new canopy trees along the site's frontage
- create a landscape buffer to Darcy Road and surrounding properties
- reactivation of Cooper's creek bed into with Water Sensitive Urban Design (WSUD) elements into the design and interpretation of the connection to country.

The Applicant's RtS provided further landscape design information in response to Council's recommendations. The Applicant detailed how the school's entrance is offset by 5m from the pedestrian crossing and has been positioned to provide a central entry point along Darcy Road, leading to a 10mx5m forecourt at grade and a stepped down 37m x 6m forecourt. The Applicant stated that only 9 out of 99 trees on site are proposed for removal, and where trees would be

removed, replacement trees are provided resulting in a total of 13 trees within the front setback along Darcy Road (Figure 46).

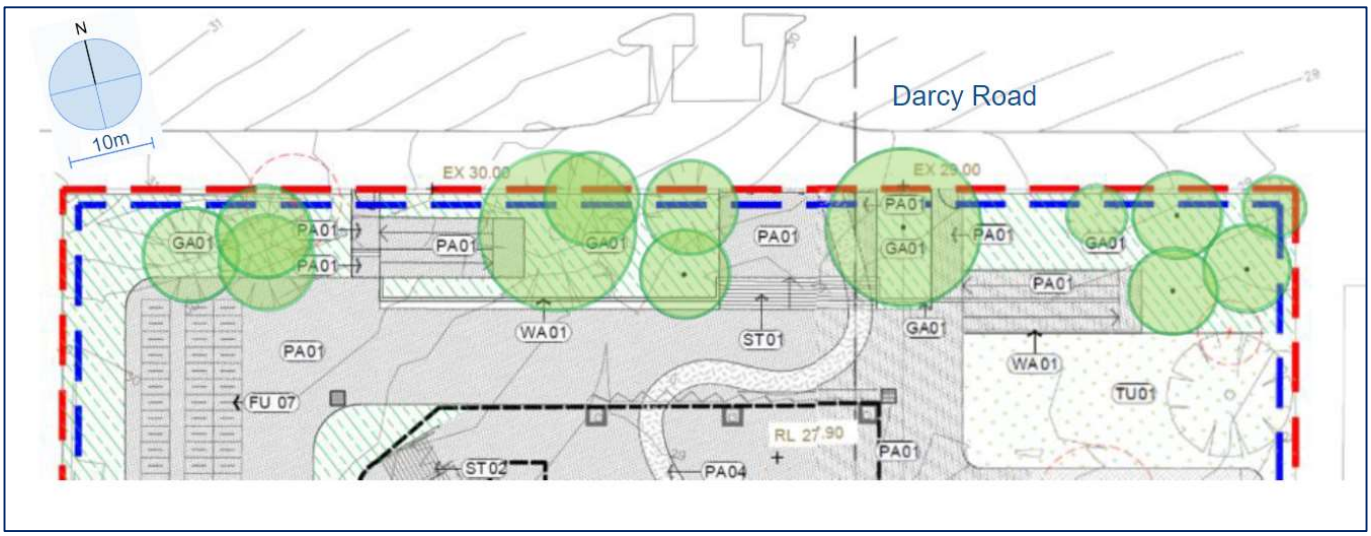


Figure 46 | Plan of front setback tree planting (Applicant's RtS 2023)

The Applicant's RtS response states that elements of the Cumberland Plain Vegetation and reactivation of Cooper's creek bed would be incorporated into landscaping on the site and Cumberland Plain woodland would be introduced within site boundary, which has been provided as part of the proposal's Designing with Country concept.

The Department concludes that the proposed building design, layout and landscaping at the site would be suitable, and the landscaped features of the site and tree plantings would be an appropriate response between the civic function of the site and surrounding residential character of the streetscape. The Department acknowledges that whilst the proposal would present a civic and community facility character within a residential and mixed-use area, the overall building design, setbacks, materiality and landscaping of the proposal would not negatively impact the existing streetscape and would enhance tree canopy cover when trees are established.

6.4 Other issues

The Department's consideration of other issues is summarised in Table 15 below.

Table 15 | Assessment of other issues

Issue	Findings and conclusions	Recommended conditions
Staging	The EIS included a staging report which was revised as part of the RtS. The project is proposed to be constructed in 2 stages, as described in Section 2.3.	The Department has considered the information provided in the revised staging report relating to staged construction and occupation, and mitigation measures provided over the 2 proposed stages. The Department finds that subject to conditions, the project could be constructed and occupied in stages with minimal impacts. Impacts from each stage would be mitigated through management plans. The Department has recommended conditions to ensure any change to the proposed staging is accounted for in the various construction and operational management plans.
Construction noise and vibration	A noise and vibration impact assessment (NVIA) was prepared for the site assessing anticipated construction noise and vibration impacts associated with the development. The site is surrounded by predominately residential areas. Attended noise monitoring was undertaken to establish background noise levels. The Interim Construction Noise Guideline (DECCW, 2009) outlines the process of establishing noise management levels (NMLs) to minimise construction noise impacts on sensitive receivers. Noise management levels	The Department reviewed the NVIA and is satisfied it is an appropriate assessment of likely construction noise impacts. Whilst construction is temporary, the Department recognises that construction has the potential to impact the closest sensitive receivers and school users, particularly during the nosiest activities such as earthworks and pile driving. The Department considers that these impacts can

Issue	Findings and conclusions	Recommended conditions
	during standard construction hours are calculated as the Rating Background Level (RBL) + 10dBA and for the residential receivers surrounding the site from 40dBA to 55dBA. In considering the typical construction equipment utilised, the Applicant indicated that there would be exceedances of noise management levels (NMLs), however no receivers would be 'highly noise affected' due to mitigation of noise by proposed solid 2m high barriers. The Applicant indicated that the highest construction noise levels would be during bulk earthworks, piling, construction and fit out, and would exceed NMLs at a maximum of 15dBA at the closest residential receivers and school buildings in operation. The predicted exceedances are based on a worst case scenario of all equipment working at the same time during Stage 2 and Stage 3 and at 75% of the maximum working hours (12h construction time). Nearest sensitive receivers would not experience unmitigated noise impacts due to the noise mitigation proposed. No concerns regarding noise were raised by the community, Council or any agencies.	be mitigated and managed through measures recommend in the NVIA including, but not limited to: • solid noise barriers at a height of 2m surrounding construction work zones in both Stage 2 and Stage 3 and between work zones and the temporary school • a detailed construction noise and vibration management plan • employee, contractor and subcontractor induction for noise mitigation requirements across the site for both stages • time restricted construction activities near to sensitive noise receivers (residential) • engagement of a qualified Acoustical Consultant to assess noise and ground borne vibration levels at sensitive locations Additionally, the Department recommends standard conditions limiting construction hours, including intra-day respite periods for noisy activities. The Department also recommends a condition requiring a Construction Noise and Vibration Management Plan (CNVMP) be prepared and implemented, which includes consultation with neighbours. Subject to these conditions, the Department is satisfied construction noise would be appropriately mitigated and managed.
Operational noise	The noise and vibration impact assessment	The Department has considered

Issue	Findings and conclusions	Recommended conditions
and vibration	(NVIA) prepared for the site, assessed the anticipated operational noise impacts of the development. The background noise levels were utilised to ascertain the existing noise environment. Operational sources of noise during operational hours (7am to 6:30pm) were considered and identified as: • noise emission from school hall • mechanical plant • student noise from outdoor play and use of the sports field • noise emission from public address system and school bells • traffic generated noise including vehicular movement, traffic and parking The Applicant also considered the impact of surrounding traffic upon the internal learning environment. The NVIA found that there were noise level exceedances for Pioneer Street and Olive Street during use of the sports field. The NVIA stated that the exceedances would not require additional noise mitigation as the increase would be approximately 1.5 dBA which the NSW EPA Noise Policy for Industry (NPfI) considers to be a negligible increase. Operational noise impacts were not raised as concerns by the community. Council commented that the potential noise impacts of the proposal could be appropriately managed with the recommendations included in the NVIA. The Applicant proposed mitigation measures to be considered as part of detailed design to ensure that the development complies with noise amenity of the surrounding environment as well as relevant policies and guidelines, particularly the NPfI. Mitigation measures	the findings of the NVIA and Council comments, and concludes that the proposal would not unreasonably impact on the acoustic amenity of the surroundings, subject to conditions. These conditions include: • prior to installation of mechanical plant and equipment and/or façade glazing, a verification report be prepared by a suitability qualified person demonstrating compliance with noise criteria identified in the NVIA • compliance with identified noise criteria and noise mitigation recommendations in the NVIA • short term noise monitoring in accordance with the NPfI • use of the site outside of the proposed hours is not permitted until assessed. Subject to these conditions, the Department considers the impacts of operational noise to be manageable.

Issue	Findings and conclusions	Recommended conditions
	include plant selection to certain specifications, acoustic louvres, and PA systems and school bells faced away or shielded from neighbouring residences and set with a power limiter. To mitigate noise from the DOPU, the Applicant has recommended the following; • use of signage to discourage loud noises • encouragement of the short use of the spaces to prevent a build-up of queuing and traffic generation • liaising with the community to manage complaints. The NVIA recommended that for traffic noise to not impact on learning spaces, the acoustic treatment of facades should include glazing of at least 6.38mm laminated glass for the northern and western façade of Building A and high quality aluminium framing. The Applicant concluded that the operation of the proposal would not adversely impact upon sensitive receivers and would operate within acceptable limits in accordance with relevant guidelines and policies, including the NSW NPfI.	
Social Impact Assessment	A Social Impact Assessment (SIA) accompanied the EIS. The Department raised concern that the SIA did not adequately assess the social impact of the proposal in accordance with the Department's Social Impact Assessment Guidelines (SIA Guidelines). The Applicant provided a revised SIA as part of the RtS which addressed social impacts of the proposal in accordance with the Department's SIA Guidelines. The revised SIA identified social impacts through primary and secondary data captured through engagement with the school community and impacted people near to and	The Department has reviewed the findings of the revised SIA and the provided mitigation and enhancement measures. The Department acknowledges that there would likely be short term social impacts associated with the construction of the proposal including impacts to students and operation of the temporary school. The Department also acknowledges that there may be ongoing social impacts associated with traffic and parking and noise throughout the operation of the completed proposal.

Issue	Findings and conclusions	Recommended conditions
	surrounding the site. Key negative social impacts identified by the Applicant and through engagement in the revised SIA include: • construction noise • increased traffic and reduced on-street parking during construction • impacted operation and amenity of the temporary school during construction • increased local traffic and reduced on-street parking due to increased school capacity • additional noise due to the increased school capacity • privacy of surrounding residents from increased student population, new multi storey buildings and increased traffic • disrupted education and learning of students during temporary relocation of students to the temporary school and subsequent relocations at completion of Stage 2 and Stage 3 school building. Key social benefits identified in the revised SIA include: • improved educational facilities with flexible learning and teaching spaces • shared community use of the improved school site • improved education outcomes • improved open space and play areas • increased employment opportunities. The revised SIA included mitigation and enhancement measures to address identified social impacts including: • Communication and ongoing engagement • Traffic and parking • Operational design and shared use of the school • Community benefit and shared use	The Department is satisfied that construction management plans and operational management plans would sufficiently mitigate negative social impacts identified in the revised SIA and the specific mitigation and enhancement measures proposed by the Applicant would likely address identified impacts. The Department considers the proposal would provide significant positive social impacts which would benefit the school and wider community through the provision of improved educational infrastructure and shared use of the site.
Biodiversity	The Ecological Assessment Report submitted	The Department has considered

Issue	Findings and conclusions	Recommended conditions
	with the BDAR waiver request, assessed the potential impacts of the proposal on biodiversity and determined that the proposal would not cause a significant impact on biodiversity values. The Ecological Assessment report identified the following: • the site is highly disturbed and previously cleared • remnant Cumberland Plain Woodland CPW) vegetation, listed under the BC Act as Critically Endangered Ecological Community is present towards the southern border of the site. There are no physical works proposed near this area of the site and as such there are no expected impacts to the CPW • there are no naturally occurring threatened species were recorder to expected to occur on site • there are 4 hollow bearing trees which would be retained. The EIS included an Arboricultural Impact Assessment which identified that 5 trees with poor health ratings were proposed for removal, Trees 4, 9, 12, 13 and 46. Council raised concern that excavation would encroach on some tree roots and affect the health of other trees. The Applicant provided an amended Arboricultural Impact Assessment Report (AIA) as part of the RtS which included an additional 4 trees to be removed. Tree 23 is proposed to be removed due to a poor health rating, and Trees 3, 67 and 107 are proposed for removal due to excavation encroachment on their roots. The revised AIA determined that Trees 3, 67 and 107 have a low retention value. In response to BCS's recommendation to use local native provenance species, the tree planting schedule was amended in the RtS to	the information provided by the Applicant and the advice of BCS and Council. The Department has recommended conditions to give effect to the tree protection measures and mitigation measures in the Arboricultural Impact Assessment Report. The Department has also recommended a condition for the preparation and implementation of a Tree Protection Management Plan during construction. Subject to these conditions, the Department is satisfied the proposal would not result in unacceptable impacts for biodiversity.

Issue	Findings and conclusions	Recommended conditions
	include all native and endemic species, apart from one deciduous exotic species. The exotic deciduous species would be used in place of Golden Robinia, which was originally proposed in the EIS as BCS advised that it was classified as a weed. The Applicant states in the RtS report that the exotic deciduous species is proposed due to the difficulty in sourcing native deciduous trees that are appropriate to the location. The RtS also confirmed that Stage 1 works for the temporary school did not impede upon any remnant CWP and has had no impact to its biodiversity value. This was provided in response to BCS comments on the EIS which required the Applicant to confirm potential impacts on CWP. BCS responded to the RtS but did not raise issue with the Applicant's CWP response.	
Aboriginal Cultural Heritage	The EIS included an Aboriginal Cultural Heritage Assessment Report (ACHAR) that considered the impact of the proposal on Aboriginal cultural heritage, including the potential of the site to contain archaeological items of significance. The ACHAR noted: • geotechnical investigations and previous archaeological investigations confirmed that the site area overlies the Blacktown soil profile, and in most instances the upper portion of the profile has been removed or impacted by historical and modern ground disturbance activities • a field survey was undertaken which found that: - there were no Aboriginal objects, sites or potential archaeological deposits on site - the site had been subject to significant	The Department has reviewed the ACHAR and considers that the potential impacts on Aboriginal cultural heritage have been appropriately addressed. The Department considers it appropriate to recommend conditions requiring the implementation of the unexpected finds protocol in the ACHAR and that the development be undertaken in accordance with the recommendations of the ACHAR.

Issue	Findings and conclusions	Recommended conditions
	ground disturbance and had undergone extensive development including construction of buildings and earthworks - all visible exposed areas were comprised of erosional clay subsoil, with no original soils observed. • there is low potential for culturally modified trees due to land clearing • the archaeological potential of the site is low due to historical disturbance and the findings of the field survey, and as such the proposed works are unlikely to impact any Aboriginal objects. The ACHAR included an unexpected finds procedure and provided recommendations including; a requirement to consult with registered Aboriginal stakeholders, and measures for any Aboriginal heritage uncovered during construction. Heritage NSW recommended the implementation of the unexpected finds protocol outlined in the ACHAR.	
Stormwater	The EIS included a Civil Engineering Report which identified that the stormwater drainage system would comprise of 2 categories, roof stormwater and surface stormwater. Roof stormwater would be collected and conveyed to the in-ground system or separated hydraulic system for stormwater up to an including the 1% AEP. Surface stormwater would be collected by a series of surface inlet pipes. In ground pipes would convey stormwater up to an including the 5% AEP, however where pipe capacity is exceeded, overland flow paths would convey the anticipated flows in a 1% AEP event. The proposed site stormwater would discharge to the existing 2 1200mm diameter pipes at the south of the site which discharge to	The Department has considered the Civil Engineering Report and is satisfied the development would incorporate appropriate stormwater management arrangements. The Department has recommended a condition for management of stormwater.

Issue	Findings and conclusions	Recommended conditions
	the east. An existing OSD tank adjacent to the south of the school hall would be retained, and an additional OSD tank is proposed to accommodate the increased capacity required for the increased stormwater catchment area. The new OSD tank would be located to the south-west of the COLA and also discharge into the existing pipes to the south of the site. Rainwater would be collected and stored for reuse on sites (for toilets and irrigation) in a rainwater harvesting tank, which is proposed to be integrated with the OSD tank and stormwater drainage network.	
Hazardous materials	The Hazardous Building Materials Survey accompanying the EIS surveyed all buildings on site for hazardous materials and provided a hazardous materials register for all hazardous materials found on site. The Hazardous Building Materials Survey detailed that: • asbestos containing debris was found in the subfloors of Blocks A, D, E and F, in poor, unsealed conditions and was advised to be either removed or sealed as soon as practicable • all other remaining asbestos containing materials were found to be in a fair or good condition, and are able to remain in-situ, or if removed, must be removed by a Class B Asbestos Removal Contractor prior to demolition or refurbishment • asbestos materials on-site that would not pose a significant risk to health may remain in-situ and be managed by an Asbestos Management Plan • during any asbestos removal works, monitoring of airborne-fibre concentrations should be undertaken	The Department has reviewed the Hazardous Building Materials Survey and is satisfied that appropriate arrangements could be put in place to safely manage and dispose of hazardous materials on site during construction and operation. The Department has recommended conditions to ensure appropriate hazardous building material handling and management arrangements are implemented during construction and operation.

Issue	Findings and conclusions	Recommended conditions
	• elevated levels of lead paint were identified throughout the site and should be removed prior to demolition, if not removed the paint should be encapsulated and can be managed in situ with regular inspections • prior to demolition, when the power is disconnected, lighting fittings with metal containing polycholorinated biphenyls capacitors are to be removed.	
Contamination	The EIS included an Environmental Site Assessment which assessed the contamination of soils and groundwater at the site in its current condition, and any potential risks for the proposed development. The assessment considered findings of a previous Preliminary Site Investigation and Detailed Site Investigation from 2019, including that: • contaminants such as lead and zinc were present at low concentrations in the soil which did not warrant further investigations • bonded fragments of asbestos were identified in shallow soils in several locations, some of which exceeded residential guidelines, for which limited remedial works was undertaken in 2019 New investigations undertaken for the Environmental Site Assessment found that: • the previous assessment of asbestos on site suggests that the concentrations of asbestos on site would exceed relevant criteria and that management of asbestos would be required for excavation works • results from soil samples taken from bore hole drilling did not identify asbestos, however asbestos was visually assessed at other areas of the site and samples taken to inform future management plans associated with management of asbestos	The Department has reviewed the Environmental Site Assessment provided by the Applicant and is satisfised that the site is suitable for use as a school. The Department has recommended conditions to ensure appropriate hazardous building material handling and management arrangements are implemented during construction and operation. Subject to these conditions, the Department considers any risks associated with potential or unexpected contamination would be appropriately mitigated and managed.

Issue	Findings and conclusions	Recommended conditions
	in soils during excavation works • soils samples also showed that the levels of concentration of other contaminants in the soils was limited and as such did not meet the threshold for analytical reporting or further investigation • assessment of groundwater samples found that all samples showed concentrations below the investigation levels or less than the analytical limit of reporting with the exception of on exceedance of copper contamination, however this concentration was found to be present at low concentrations which did not warrant further consideration. The Environmental Site Assessment determined that the site would require management via the implementation of an Asbestos Management Plan, to be prepared prior to the commencement of construction works, as well as an ongoing Asbestos Management Plan during operation.	
Waste management	The EIS included an Operational Waste Management Plan and Construction Waste Management Plan which detailed: • the proposed methods for identification, temporary retention and disposal of hazardous demolition waste • measures to reduce general construction waste • expected operational waste volumes and waste management measures to be adopted. The Operational Waste Management Plan states that for general and recycling waste, waste bins would be moved from their on-site enclosure within the staff car park on the eastern boundary of the site to the kerbside collection point on Olive Street.	The Department has reviewed the information provided and is satisfied that appropriate arrangements could be put in place to manage and store waste so that the proposal would not result in adverse impacts to the local environment and to maximise opportunities to re-use and recycle materials. The Department has recommended conditions to ensure that appropriate waste handling and management arrangements are implemented during construction and operation.

Issue	Findings and conclusions	Recommended conditions
BCA and accessibility	The EIS included a BCA Compliance and Accessibility Assessment Report (BCA Report). The Department noted that the proposal had been assessed against BCA 2019 Amendment 1, however the provision of the new BCA 2022 came into effect before the proposal was lodged and therefore an updated BCA report would be required. The Applicant was requested to submit an updated BCA Report as part of the RtS. The Applicant indicated in the RtS that as the tender for the project had been conducted before the new BCA came into effect, the BCA 2019 Amendment 1 was sufficient to use, as stated in the EP&A Act. Council also raised concern in response to the EIS that the BCA Report contained comments that several issues had been identified which were currently not compliant but would be addressed at construction certificate stage. Council noted that the comments do not relinquish the Applicant from its obligation to provide a fully compliant detailed universally accessible design. The Applicant noted that at detailed design and construction documentation stages, compliance with the BCA would be resolved.	The Department has considered the BCA Report and is satisfied that the design is capable of meeting BCA accessibility requirements. The Department has recommended a condition that ensures all building works comply with relevant standards.
Development Contributions	The City of Parramatta (Outside CBD) Development Contributions Plan 2021 (the Plan) (Amendment 1) commenced on 9 May 2023 and was prepared by Council under section 7.11 of the EP&A Act. The Plan's purpose is to authorise a consent authority to require a contribution to be made towards the provision, extension or augmentation of local infrastructure required as a consequence of	The Department notes that page 7 of Circular D6 states that Crown Development education services are exempt from Section 7.11 contributions with the exception of contributions for drainage. The Circular also states that contributions for drainage rely on the contributions being justified by

Issue	Findings and conclusions	Recommended conditions
	development. Educational Establishments are not provided as an exemption under the Plan. The Applicant's EIS addressed the Plan but no specific request for an exemption to the Plan was made. However, the Applicant addressed the Department's Planning System Circular D6 - Crown Development Applications which is the appropriate statutory guidance for application of section 7.11 contributions. The Applicant states that nature of the project, being an public education facility, means that the infrastructure which Council typically seeks to levy for will largely be provided by the school for use by the staff and public. Council has not requested payment of development contributions under the Plan as part of its EIS, RtS and SRtS advice.	the council. Council's section 7.11 Plan lists the types of local infrastructure to be provided under the Plan, and Appendix F of the Plan provides specific works program details across the listed infrastructure types. No works program detailed in the Plan relate to drainage. The Department has considered the power to impose conditions for contributions under section 7.11 of the EP&A Act and how it relates to development that involves a demand for public amenities and public services. Whilst Educational Establishments are not provided as an exemption in Council's section 7.11 Plan, no works are listed in the Plan that relate to the delivery of public drainage infrastructure. Therefore, the Department considers that the payment of 7.11 contributions is not applicable to the project subject to applied directions for education services in Circular D6.

7 Evaluation

The Department's assessment has considered the relevant matters and objects of the *Environmental Planning and* Assessment Act 1979 (EP&A Act), including the principles of ecologically sustainable development (Section 3 and Section 6), advice from government agencies, council and public submissions (Section 5), and strategic government policies and plans (Section 4). This includes consideration of EIS, RtS, additional information, submissions, supporting documents and advice from various government agencies.

The key issues identified relate to flooding, traffic and transport and built form and urban design.

Flood impacts have been mitigated by the design of new and refurbished buildings to have floor levels above the 1% AEP flood levels with a 500mm freeboard. Buildings A and C would be constructed with ground floor levels above PMF overland flow flood levels and Building B would be constructed with flood proof materials which would restrict flood waters to its ground floor level during a PMF event. A project flood wall and existing and/or new flood wall would provide new flood mitigation for the site which would result in improved flood resilience for the site. In addition, the Applicant will finalise and implement a Flood Emergency Response Plan in consultation with NSW SES, to prioritise closure of the school prior to a flood event and provide for shelter in place in appropriate areas of the school where necessary.

Traffic and transport impacts could be accommodated by the surrounding and intersection network as the project School Transport Plan aims to reduce private vehicle use at the school with clear actions to be undertaken to reduce reliance on private vehicle use for Drop-off/Pick-up (DOPU) of students.

The Department has considered the proposed built form and is satisfied that it is appropriate in the context of a civic based buildings providing educational service and community benefit through the shared use of buildings.

Subject to conditions, and proposed mitigation measures, the impacts of the project could be satisfactorily minimised.

The development is consistent with the objects of the EP&A Act and the State's strategic objectives to improve education results through the provision of new educational facilities that service local demand.

8 Recommendation

It is recommended that the Director, Social and Infrastructure Assessments, as delegate of the Minister for Planning and Public Spaces:

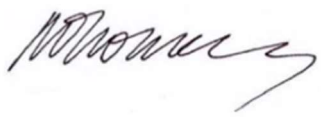
- **considers** the findings and recommendations of this report
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of Darcy Road Public School Upgrade (SSD 49076460)
- **signs** the attached development consent (Appendix F).

Recommended by:

Dimitri Gotsis
A/Team Leader
Social and Infrastructure Assessments

9 Determination

The recommendation is **adopted** by:



Madeline Thomas
A/Director
Social and Infrastructure Assessments

Glossary

Abbreviation	Definition
AEP	Annual Exceedance Probability
Applicant	NSW Department of Education
BC Act	Biodiversity Conservation Act 2016
BCA	Building Code of Australia
BCS	Biodiversity, Science and Conservation (formerly Environment and Heritage Group) within the Department of Climate Change, Energy, the Environment and Water
CIV	Capital investment value
CCEEW	Department of Climate Change, Energy, the Environment and Water
Council	Parramatta City Council
COLA	Covered outdoor learning area
Department	Department of Planning, Housing and Infrastructure
EIS	Environmental impact statement
EPA	NSW Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999*
EPI	Environmental planning instrument
ESD	Ecologically sustainable development
FERP	Flood Emergency Response Plan

Abbreviation	Definition
FRNSW	Fire and Rescue NSW
Heritage	Heritage NSW, within Department of Climate Change, Energy, the Environment and Water
PDCP	Parramatta Development Control Plan 2011
PLEP	Parramatta Local Environmental Plan 2023
LoS	Level of service
Minister	Minister for Planning and Public Spaces
NCC	National Construction Code
Planning Systems SEPP	State Environmental Planning Policy (Planning Systems) 2021
PMF	Probable Maximum Flood
RtS	Response to submissions
SEARs	Planning Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning, Housing and Infrastructure
SEPP	State environmental planning policy
SES	NSW State Emergency Service
SSD	State significant development
TfNSW	Transport for NSW
TTIA	Traffic and transport impact assessment

Appendices

Appendix A – Summary of key amendments to the project

Since lodgement, some key aspects of the project have been amended in response agency advice at the request of the Applicant.

A summary of the key amendments is provided in Table 16 below.

Table 16 | Key amendments

Aspect	Original project in EIS	Amended project
Flooding	No flood wall	A new flood wall along the west boundary of the site and the maintenance and/or replacement of an existing brick wall on the northern boundary of the site to function as a flood wall.

Appendix B – List of referenced documents

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning, Housing and Infrastructure 's website as follows.

https://www.planningportal.nsw.gov.au/major-projects/projects/darcy-road-public-school-upgrade

Appendix C – Submissions and government agency advice

All submissions and government agency advice can be found here:
https://www.planningportal.nsw.gov.au/major-projects/projects/darcy-road-public-school-upgrade

Appendix D – Community views for draft Notice of Decision

Table 17 | Key issues and how they have been considered

Issue	Consideration
Flooding and stormwater • **Flood Impact Assessment report should consider flood related controls and all flood impacts up to PMF for the development and temporary school** • **Concern lies with the location of the Stage 1 temporary school within the floodplain and PMF extents** • **Building B should be raised above PMF level**.	The Department requested a revised Flood Impact Assessment (FIA) be prepared to consider all applicable flood related controls and flood impacts for the site, inclusive of the new school and temporary school areas. The Applicant provided the required FIA as part of the RtS and included an existing and new flood wall as a flood mitigation measure as part of the RtS and SRtS. Building B was maintained at its proposed level which partially sits below PMF level. Building B flood proof structural information was provided by the Applicant detailing how Building B's construction would ensure flood water during a PMF event would be prevent inundation of its ground floor. The Department considers the revised FIA as acceptable in its assessment of flood related development controls and flood impacts across the site. The Department considers that that proposed buildings and the flood wall would be suitably constructed to: • withstand overland flow flood impacts • provide safe refuge for occupants during a PMF flood event • not result in unacceptable flood risks to users of the site and surrounding properties. The Department accepts the information provided for the flood wall Recommended conditions include: • buildings and structures must be constructed from flood compatible components that can withstand flood flows, velocities and associated debris with verification provided from a suitably experienced engineer • preparation of a Construction Flood Emergency Management Plan and operational Flood Emergency Management Plan in consultation with NSW SES • structural engineering details of the flood wall be provided prior to construction and inspection of the flood wall during construction be undertaken with further structural details or strengthening details of the wall be provided if necessary • operational Stormwater Infrastructure and Flood Wall Management

Issue	Consideration
	Plan.
Built Form and Urban design • **Building A at 4 storeys presents excessive bulk and scale and does not suit the character of the surrounding low scale residential streetscape** • **Building A should be reduced from 4 storeys to 3 storeys** • **The design of new buildings lacks built form breakdown and should be better articulated** • **The main entrance should be provided without heavy masonry columns, provide visual interest and be well lit** • **The school's main sign to Darcy Road should be redesigned to a more sensible scale and be better integrated within the façade.**	The Applicant's RtS and SRtS responded issues raised with information detailing how the project's bulk and scale, urban design and signage would be acceptable. Department is satisfied that the bulk and scale of Building A's 4 storey form and new buildings' built form and streetscape presentation are acceptable for the following reasons: • the proposed height, bulk and scale of Building A is an appropriate response between the civic function of the site and surrounding residential character of the streetscape • proposed building heights would not result in overshadowing of adjoining residential properties in mid-winter • proposed building heights would not result in view loss • the school entry and sign provide a suitable sense of arrival and would not be out of context with the educational context of the site.

Issue	Consideration
Traffic, Transport and Parking • **Heavy vehicle movements into and out of the site should be restricted to outside of drop-off and pick-up times** • **Construction worker parking should be provided on site with justification and a parking strategy and monitoring provided if there is no on-site worker parking provided by the Applicant.**	The Applicant provided additional information which details why heavy vehicle access to the site during drop-off and pick-up times is important to the efficient construction of the project. The Applicant's RtS detailed included on-street parking results which found that of 403 on-street parking spaces within 200m of the site, peak utilisation of existing on street parking was 220 spaces at 3:00pm, leaving 183 available car spaces. The Department considers that potential heavy vehicle and worker on-street parking impacts could be appropriately managed subject to conditions to require: • Council approval 48 hours prior to heavy vehicle access to the site • mitigation measures to ensure vehicle and pedestrian safety • a Construction Worker Transportation Strategy.

Issue	Consideration
Universal access **The development should ensure:** • **accessible paths of travel are provided throughout the site and handrails do not encroach into accessible paths of travel** • **wayfinding and shoreline identification is provided** • **all areas of the site comply with relevant BCA standards.**	Conditions of consent are included which require access and facilities for people with a disability, and all new buildings, structures, and any alterations or additions be constructed in accordance with the relevant requirements of the BCA.

Issue	Consideration

Trees and landscaping
• **Impact of bulk earthworks and paving and landscaping surrounding trees has not been considered in the arborist report**
• **A landscape regenerator should be engaged for the project**
• **A Tree Protection Management Plan is recommended and changes to the landscape plans should be made to provide:**
  ○ **paving details**
  ○ **planting of native species from CPW vegetation community**
  ○ **relocated tree and proposed shrubs**
	The Applicant provided updated landscape plans and information with the RtS addressing landscaping and tree protection issues raised.
	The Department is satisfied that landscaping of the site will be undertaken in keeping with relevant native and CPW vegetation community species, and that tree protection measures have been adequately addressed.
	The Department has included conditions to require:
	• revised landscape plans
	• a Landscape Management Plan
	• tree protection during construction
	• appointment of a project arborist.

Issue	Consideration
Safety and security • **Height and scale of perimeter fencing is low** • **Installation of CCTV should be proposed.**	Submissions raised concerns regarding the safety of a low height perimeter fence and the mitigation of security issues such as through the use of CCTV. The school currently has a low height perimeter fence, the proposal includes an upgrade to this fence to the Education Facilities Standards and Guidelines (EFSG). The location of the fence is shown in the Architectural Deign Report and would be constructed of tubular steel security fencing. The Department considers the construction of the permitted fence to EFSG standards is suitable for student safety. Submissions also proposed the installation of CCTV security cameras, particularly for the staff carpark off Olive Street. As part of the RtS the Applicant provided a security plan which indicates the location CCTV cameras. The Department supports the inclusion of CCTV in the proposal. The Department has recommended conditions requiring the development be carried out in accordance with the EIS, RtS and architectural drawings.
Public domain • **Provision of outdoor seating for pick-up/drop-off** • **Detailed public domain drawings should be provided by the Applicant for Council consideration of planned footpath and road works**	A submission requested shading seating arrangements outside the school boundary for use by parents picking up students from school. The Applicant has stated it would provide seating within the school boundary which could be utilised by parents when waiting to pick up students from school. The location of the outdoor seating is identified in the amended landscape plans submitted with the RtS. The Department considers that the provision of outdoor seating within the school grounds is adequate. The Department has provided conditions requiring the development be carried out in accordance with the amended landscape plans. The Department has also provided public domain related conditions where Council is the relevant roads authority, the Applicant must consult with Council and demonstrate to the Certifier that the public domain works meet the requirements of Council.

Appendix E – Statutory considerations

Objects of the EP&A Act

A summary of the Department's consideration of the relevant objects (found in section 1.3 of the EP&A Act) are provided in Table 18 below.

Table 18 | Objects of the EP&A Act and how they have been considered

Object	Consideration
(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,	• The site remains suitable for use as an educational establishment. The redevelopment would not unreasonably impact the economic welfare of the community, or the natural environment.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	• The proposal includes measures to deliver ecologically sustainable development (Appendix B).
(c) to promote the orderly and economic use and development of land,	• The development is permissible on the site. The proposal is an orderly and economic use and development of the land, as it is consistent with the sites' historic use as an educational establishment and would improve educational facilities to support demand.
(d) to promote the delivery and maintenance of affordable housing,	• Not applicable.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	• Whilst the development would require tree removal, the proposal involves landscaping and new tree planting. The new planting and retention of existing planting would continue to provide habitat opportunities. The proposal would protect the environment as detailed in Section 6.

Object	Consideration
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	• An Aboriginal Cultural Heritage Assessment Report (ACHAR) accompanied the EIS and identified the Aboriginal cultural heritage values of the site in consultation with Aboriginal communities and sets out appropriate mitigation measures to protect these. Recommended conditions are included for any unexpected archaeological finds. • A Preliminary Heritage Advice which accompanied the EIS identified that as a whole the Darcy Road Public School site is unlikely to meet the threshold for heritage listing and that the site is unlikely to contain any significant archaeological remains in situ. Recommended conditions include are included for any unexpected archaeological finds.
(g) to promote good design and amenity of the built environment,	• The proposal would promote good design and amenity of the built environment (Section 6)
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	• The proposal would promote proper construction and maintenance of buildings subject to recommended conditions of consent. The Department recommends condition of consent to ensure the construction and maintenance of the campus is undertaken in accordance with relevant legislation, guidelines, policies and procedures.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	• The Department publicly exhibited the proposal (Section 5.1), which included consultation with Council and other public authorities and consideration of the responses received (Section 5.1.2).
(j) to provide increased opportunity for community participation in environmental planning and assessment.	• The Department publicly exhibited the proposal which included notifying adjoining landowners. The EIS was made available on the Department's website (Appendix C).

Ecologically sustainable development

The EP&A Act adopts the definition of ecologically sustainable development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle.
- inter-generational equity.
- conservation of biological diversity and ecological integrity.
- improved valuation, pricing and incentive mechanisms.

The Department required the Applicant to demonstrate how the principles of ESD have been incorporated into the project, including how it addresses:

- national best practice sustainable building principles to improve environmental performance and reduce ecological impact.
- projected climate change impacts.

The development proposes ESD initiatives and sustainability measures, including:

- the use of passive design elements, including high performance façade, shading and natural ventilation
- use of energy efficient building systems and on-site renewable energy
- use of water conservation measures, including highly efficient water fittings and fixtures and rainwater collection from the roof and stored onsite to reduce potable water consumption
- high quality indoor air quality, acoustic design principles, visual amenity and thermal comfort
- use of best practice waste management principles
- use of stormwater management systems and water sensitive urban design
- social sustainability initiatives.

The Department has considered the proposed development in relation to ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process via a thorough assessment of the environmental impacts of the proposed development.

The Applicant is targeting a 5-Star Green Star (Australian Best Practice) rating which exceeds the suggested 4-Star Green Star rating in the Educational Facilities Standards and Guidelines (EFSG) design guideline. To ensure that ESD is incorporated into the proposed development, the Department has recommended a condition that requires the Applicant to register for a 5-star Green Star rating with the Green Building Council Australia, or an alternative certificate process as agreed by the Planning Secretary, prior to the commencement of construction.

Subject to this condition, the proposed development is consistent with ESD principles as described in Section 8 and Appendix L of the Applicant's EIS.

EP&A Regulation

The EP&A Regulation requires the Applicant to have regard to the *State Significant* Development *Guidelines* when preparing their application. In addition, the SEARs require the Applicant to have regard to the following:

- Social Impact Assessment Guideline for State Significant Projects
- Undertaking Engagement Guidelines for State Significant Projects
- Cumulative Impact Assessment Guidelines for State Significant Projects.

The Department considers that the requirements of the guidelines have been complied with.

Environmental Planning Instruments (EPIs)

State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)

Chapter 2 – State and Regional Development

The aims of Chapter 2 of this SEPP are to identify state significant development (SSD) and state significant infrastructure and confer the necessary functions to joint regional panels to determine development applications.

An assessment of the development against the relevant considerations of the Planning Systems SEPP is provided in Table B 1.

Table B 1 | Planning Systems SEPP compliance table

Relevant sections	Consideration and comments	Complies
2.1 Aims of Chapter The aims of this chapter are as follows: (a) identify development that is State significant development	The proposed development is identified as SSD.	Yes
2.6 Declaration of State significant development: section 4.36 (1) Development is declared to be State significant development for the purposes of the Act if:	The proposed development is permissible with development consent. The proposal is for alterations and additions to an existing school with a capital investment value (CIV) in excess of $50 million, under clause 15(2) of Schedule 1 of	Yes

Relevant sections	Consideration and comments	Complies
a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and b) the development is specified in Schedule 1 or 2.	the Planning Systems SEPP.	

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

Chapter 3 - Educational Establishments and Child Care Facilities

Clause 3.43 of the Transport and Infrastructure SEPP states that development consent may be granted for development for the purpose of a school that is state significant development even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted.

Clause 3.58 of the Transport and Infrastructure SEPP requires traffic generating development that involves the addition of 50 or more students is to be referred to Transport for New South Wales (TfNSW). The Application was referred to TfNSW in accordance with this clause (Section 5)

Clause 3.36(6) of the Transport and Infrastructure SEPP requires that the design quality of the development should be evaluated in accordance with the design quality principles set out in Schedule 8. An assessment of the development against the design principles in Table B 2.

Table B 2 | Consideration of the design quality principles

Design principles	Response
Principle 1 – context, built form and landscape	The site planning provides good aspect for the learning areas and different spaces for play areas. The new Buildings A and B have been designed on the higher part of the site to limit any flooding impacts. Though the proposed height of Buildings A and B is above the height limit in the PLEP and the existing streetscape character, it is considered suitable as the increased height allows for smaller building footprints which creates increased space for outdoor play, outdoor sports facilities and landscaping opportunities. The height exceedance is countered by setbacks to residential development on

Design principles	Response
	each boundary. Building C (existing school hall) is within the height limit and is consistent with the scale of surrounding residential development.
Principle 2 – sustainable, efficient and durable	The proposal includes ecologically sustainable development measures. The materials chosen are durable and low maintenance. Bicycle parking is provided within the school site and the amended School Travel Plan submitted with the RtS encourages sustainable travel modes.
Principle 3 – accessible and inclusive	The proposal has been designed to be accessible and inclusive through the provision of a lift and accessible paths of travel from the site boundaries up to and around the school buildings. A condition has been recommended to incorporate wayfinding signage identifying key areas within the school assisting visitors to navigate the site.
Principle 4 – health and safety	The design of the school buildings provides a safe and secure school environment. The proposal has considered Crime Prevention Through Environmental Design principles. The proposal delineates the pedestrian entrances into the school to allow the management of visitors to the site. Flood risk and safety is considered under Section 6.1.
Principle 5 - amenity	The proposal provides a variety of internal and external learning spaces for both formal and informal educational opportunities. The design of the proposed buildings seeks to maximise natural light to the indoor areas of the school, while landscaping and covered outdoor areas provide ample shaded areas for students and staff use.
Principle 6 – whole of life, flexible and adaptive	The buildings would allow for long term flexibility through the provision of flexible formal and informal learning areas to adapt to future learning requirements.
Principle 7 - aesthetics	The proposal would achieve high standard architectural design and would be compatible with the character of the area. The proposed new entrances on Darcy Road and Olive Street would provide a sense of arrival and presence to the pedestrian entry off Darcy Road.

The Department is satisfied that the proposed development meets the requirements of, and is consistent, with the Transport and Infrastructure SEPP, given the consultation and consideration of the comments from the relevant public authorities. The Department has included conditions in the recommended conditions of consent.

State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)

Chapter 3 - Hazardous and offensive development

Chapter 3 of the Resilience and Hazards SEPP aims to ensure that any potential impact of hazardous or offensive development is considered in the determination of a development application. The Applicant's EIS and preliminary risk screening in the Resilience and Hazard SEPP Report concluded that the development may not be classified as a hazardous or offensive industry. Additionally, the only potentially dangerous good that would be stored on site is diesel fuel, which would be in stored in small quantities that would not trigger requirements for an environment protection license from the NSW Environmental Protection Authority. The Department is satisfied that the proposal would be consistent with the objectives of Chapter 3 of the SEPP.

Chapter 4 – Remediation of Land

Chapter 4 of the Resilience and Hazards SEPP aims to ensure that potential contamination issues are considered in the determination of a development application.

A detailed Hazardous Building Materials Survey and Environmental Assessment Report has been prepared for the site, which concluded that the site is suitable for continued use as an educational establishment subject to removal and management measures to manage contaminants on site including asbestos, lead and polycholorinated biphenyls. The Department has considered the Hazardous Building Materials Survey and Environmental Assessment Report and considers that subject to the recommendations in both reports the site is suitable for continued use as a school and consistent with the objectives of the Resilience and Hazards SEPP. The Department has recommended conditions of consent to ensure the recommendations of the reports are implemented. (Appendix F).

State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP)

Chapter 2 – Vegetation in non-rural areas

Chapter 2 of the Biodiversity and Conservation SEPP aims to protect the biodiversity values of trees and other vegetation in non-rural areas. The Applicant proposes to remove 9 trees including 3 trees with a low significance value that have the potential to be impacted by excavation for bulk earthworks, and 6 trees which were determined to have a low health rating. All other healthy trees

onsite would be retained. The Department has recommended conditions to ensure the protection of healthy trees on site and provision of new planting.

State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)

Chapter 3 – Advertising and signage

Chapter 3 of the Industry and Employment SEPP applies to all signage that under an EPI can be displayed with or without development consent and is visible from any public place or public reserve. The proposal includes the installation of 4 school identification signs (see Figure 47) including:

1. a sign affixed to the northern elevation of Building A measuring 1.25m(h) x varying widths, and would present as yellow individual cut lettering affixed to the building façade
2. a sign on Darcy Road measuring 0.43m(h) x 0.4m(w) which would present as an aluminium panel affixed to the fence
3. a freestanding sign on Olive Street measuring 2.26m(h) x 0.65m(w) and would include a 1.08m(h) x 0.5m(w) illuminated digital screen
4. a sign affixed to the eastern elevation of Building C measuring 1.05(h), and would present as yellow individual cut lettering affixed to the building façade

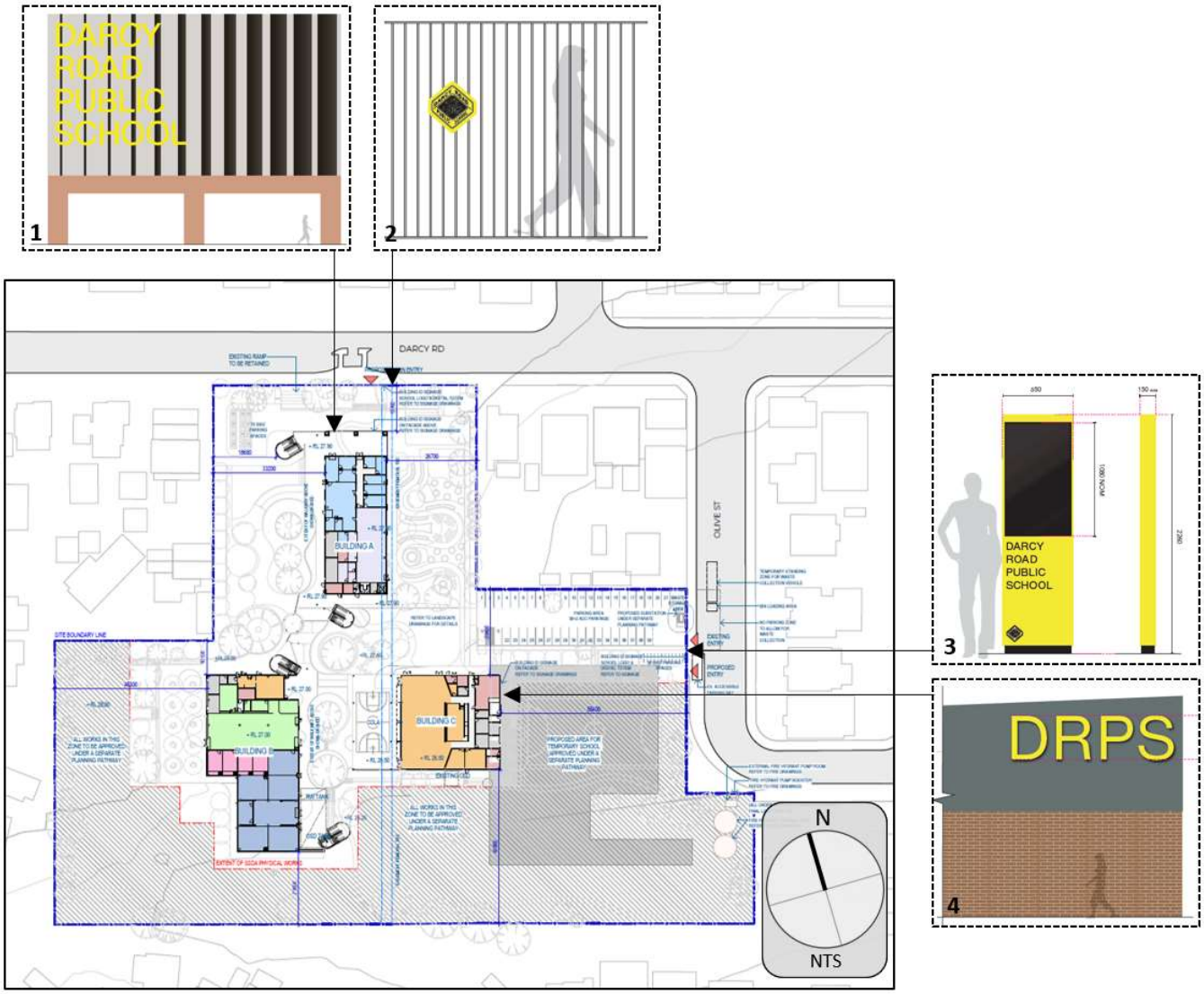


Figure 47 | Proposed locations of school identification signs (Base source: Applicant's EIS 2023)

Under Section 3.11, consent must not be granted for any advertising sign application unless the proposal is consistent with the objectives of the SEPP, and the assessment criteria contained in Schedule 1. An assessment of the signs against Schedule 5 of the Industry and Employment SEPP is provided in Table B 3.

Table B 3 | Industry and Employment SEPP schedule 5 compliance table

Assessment criteria	Comments	Compliance
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Is the proposal consistent with a particular	The proposed signs are contemporary in design and would be compatible with the existing character of the area. No particular themes exist for outdoor advertising in the	Yes

Assessment criteria	Comments	Compliance
theme for outdoor advertising in the area or locality?	area.	
2 Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposal does not detract from the amenity or visual quality of any special areas.	Yes
3 Views and vistas		
Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers?	No views or vistas would be impacted by the proposed signage. The proposed sign would not dominate the skyline or impact the quality of nay views or vistas. Proposed signs would not impact on existing views experienced by others or existing advertising rights.	Yes
4 Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signage is in proportion to the scale of proposed buildings and would complement the new entrances.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed scale and design of the signage is appropriate for the streetscape and setting within which it is proposed.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The signage is simple in design and would not result in visual clutter.	Yes
Does the proposal screen unsightliness?	Not applicable.	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signs would sit either affixed to building facades or below the height of proposed adjoining buildings and trees. The signs would not protrude above buildings.	Yes
Does the proposal require ongoing vegetation management?	No vegetation management is required for the proposed signs.	Yes

Assessment criteria	Comments	Compliance
5 Site and Building		
Is the proposal compatible with the scale, proportion and other characteristics of the site of building, or both on which the proposed signage is to be located?	The signage is of appropriate scale and proportion in relation to the proposed building design and is considered compatible with the characteristics of the site.	Yes
Does the proposal respect important features of the site or building, or both?	The proposed signage is appropriately located at the site entrances and would not impact on any other important features of the site.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The purpose of the signage is to denote the 2 entrances to the school, on Darcy Road and Olive Street, including the main pedestrian entrance, and provide information for the school community. The signs would achieve this purpose.	Yes
6 Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Safety devices are not necessary for the proposed designs of the signage. Lighting is an integral part of the LED portion of the illuminated sign.	Yes
7 Illumination		
Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft? Would illumination detract from the amenity of any residence or other form of accommodation? Can the intensity of the illumination be adjusted, if necessary? Is the illumination subject to a curfew?	2 of the 4 proposed signs would not be illuminated. A panel on the Olive Street entrance sign would have a section that would be internally illuminated. The illumination is considered minor and would not cause safety concerns or detract from the amenity of nearby residents, subject to conditions. The Department has recommended a curfew for the illumination given that the sign is opposite residential properties.	Yes – subject to conditions
8 Safety		
Would the proposal reduce safety for pedestrians, particularly children, by	Extensive views of the footpath and	Yes

Assessment criteria	Comments	Compliance
obscuring sightlines from public areas? Would the proposal reduce safety for any public road?	entrance area would still be available. The design and location of the proposed signage would not impact on safety of any public road.	

Parramatta Local Environmental Plan 2023

The Department considers that the project is consistent with the objectives of the Parramatta Local Environmental Plan 2023 (PLEP 2023) as discussed in Section 6.

The Department has consulted Council throughout the assessment process, and considered all relevant provisions of PLEP 2023 and those matters raised by Council in its assessment. Consideration of the relevant clauses of the PLEP 2023 is provided in Table 19. The Department concludes the development is consistent with the relevant objectives of PLEP 2023.

Table 19 | Consideration of PLEP 2023

Parramatta LEP 2023	Department comment/Assessment
Land Use Table – Zone R2 Low Density Residential	Educational Establishments are permissible with consent in the R2 Low Density Residential zone and are consistent with the zone objectives.
Clause 2.7 Demolition requires development consent	Demolition of selected structures forms part of the proposed development. The Department has considered the proposed demolition in its assessment.

Parramatta LEP 2023	Department comment/Assessment
Clause 4.3 - Height of buildings	The site is subject to a 9m maximum height of building standard. The maximum proposed project building height is 21m, exceeding the maximum building height. The Applicant provided a Clause 4.6 request to vary the development standard. The Transport and Infrastructure SEPP states 'development consent may be granted for development for the purpose of a school that is State significant development even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted'. Even so, the Department has had regard to the objectives of the standard and considers that the height of the proposed buildings would be appropriate in the context of the site as an educational establishment within a residential area (Section 6).
Clause 4.4 – Floor Space Ratio	The site is subject to a maximum floor space ratio (FSR) of 0.5:1. The project proposes a total gross floor area of 7,027sqm resulting in a proposed FSR of 0.34:1, which complies with the maximum FSR permitted for the site under Clause 4.4.

Parramatta LEP 2023	Department comment/Assessment
Clause 5.21 – Flood Planning	The Department is satisfied the project minimises flood risk to life and property (see Section 6.1), and would satisfy the provisions of this clause as: • the project would be compatible with the flood function and behaviour of the land • the project will not result in an unacceptable flood impact to adjoining properties • safe occupation of the school, and management of risk to life, would be ensured by the implementation of a flood emergency response plan (FERP), which would prioritise closure of the school when significant storm events are predicted and provide for shelter in place where necessary • there would be no impacts such as avoidable erosion or siltation and no impacts on riparian vegetation, river banks or watercourses • the flood modelling has had regard to climate change • a flood wall is proposed to mitigate flooding within the site • the finished floor levels of the proposed buildings are proposed to be above the 1% AEP with a 500mm freeboard • the finished floor levels of the ground floor (and above) of proposed buildings A and C are above the PMF level • Building B will be flood proofed at the point of its finished ground floor level siting above PMF level • the proposed buildings would be constructed to withstand forces generated in a flash flood event.

Parramatta LEP 2023	Department comment/Assessment
Clause 5.22 – Special flood considerations	The Department is satisfied that the project would satisfy the provisions of this clause as: • the project is designed to permit the safe occupation and efficient evacuation of staff and students and this will be ensured by the implementation of a FERP, prepared in consultation with NSW SES • appropriate measures are incorporated into the FERP to manage risk to life in the event of a flood • conditions of consent have been recommended to ensure adequate and safe areas are provided in the event occupants of the site need to shelter in place • a flood wall is proposed to mitigate flooding within the site • the finished floor levels of the proposed buildings are above the 1% AEP with a 500mm freeboard • the finished floor levels of the ground floor (and above) of proposed buildings A and C are above the PMF level • Building B will be flood proofed at the point of its finished ground floor level siting above PMF levels • the project does not adversely affect the environment in the event of a flood • there would be no impacts such as avoidable erosion or siltation and no impacts on riparian vegetation, river banks or watercourses.

Other policies

NSW Flood Risk Management Manual 2023, DPE

This manual for the management of flood liable land was released by the Department in July 2023. The manual acknowledges that flooding results in significant risk to many communities across NSW, and sets the direction for flood risk management in NSW.

This manual replaces the Floodplain Development Manual (2005) as the NSW Government's manual relating to the management of flood liable land in accordance with section 733 of the *Local Government Act 1993*. This provides Councils, statutory authorities, and State agencies and their

staff, with indemnity for decisions they make, and information they provide, in accordance with the manual.

The Department notes that this policy was not in force when the application was lodged in May 2023. However, the Applicant's FIA was revised in the RtS and has regard to the Floodplain Development Manual 2023. The Department has had regard to the following matters under the 2023 Manual.

Flood risk

The manual adopts a risk-based approach and recommends that the Applicant and/or consent authorities consider the risk associated with a full range of flood behaviours. Additionally, the manual requires that the existing risk, future risk, and continuing risk after implementing management/mitigation measures, be considered prior to progressing with a development.

It then recommends that the consequences of the floods be assessed, including:

- between floods of different magnitudes
- due to differences in exposure of the community to flooding
- due to differences in flood constraints
- how flooding may impact on the community due to the differences in vulnerability of people, the community and the built environment to flooding.

In Section 6.1, the Department considered the application in detail, having regard to flood risks in the above scenarios. The Department concluded the site is subject to flood risks in various flood events, predominantly rarer events, such as the PMF. The Department considered comments provided by EHG and NSW SES regarding flood impacts and management. The proposed development would have sufficient mitigation/management measures to address risks to vulnerable students, those responsible for their care while at school (teachers and staff), and the broader community (parents, carers and members of the public) who may use the site from time to time.

The Department is satisfied that the project minimises and appropriately manages risk to all occupants. Consequently, based on the flood related risks, the Department supports this application.

Principles

The manual sets 10 principles for flood risk management in NSW. Out of these, the Department considers the following principles relevant to this application.

Principle 5: Understand flood behaviour and constraints in assessing this application

The manual states that it is important to consider flood related constraints in managing flood risk to the existing community, the increase in flood risk due to new development in the floodplain, or if

undertaking other measures that may alter flood behaviour. Studies under the flood risk management process provide the basis for understanding flood behaviour, and provide a number of flood related constraints, with the exception of the full range of flood water velocities.

As discussed in Section 6.1, the Department has considered a range of flood scenarios based on the information provided, and how the site is impacted and constrained during each scenario.

Principle 6: Understand flood risk and how it may change

Understanding flood risk involves understanding the consequences of flooding on the community, and the likelihood of these consequences occurring. This requires understanding the full range of flood behaviour and constraints as outlined in Principle 5.

The Applicant submitted a Flood Impact Assessment and revised Flood Emergency Response Plan as part of the RtS, that assessed flood behaviour and behavioural changes from the proposed development during each possible flood event. Based on the information available in the Flood Impact Assessment and updated Flood Emergency Response Plan, the Department concludes that the project would be suitable for the site.

Principle 7: Consider variability and uncertainty

Effective understanding and management of flood risk needs to consider variability and uncertainty due to climate change, infrastructure, and development. Experienced practitioners are to develop fit-for purpose models that are calibrated and validated considering historical flood information.

The Flood Impact Assessment and updated Flood Emergency Response Plan was prepared by a suitably qualified person and considered climate change.

Principle 9: Manage flood risk effectively

Effective management of flood risk to the community requires a flexible merit-based approach to decision-making. This supports sustainable use and development of the floodplain.

In this regard, the manual recommends limiting increases in flood risk related to new and modified development. The proposed development expands an existing development into the floodplain.

The Department considers the physical and operational mitigation measures to be implemented as part of the development would acceptably manage risk to all persons.

Flood Impact and Risk Assessment - Flood Risk Management Guideline LU01, DPE

This guideline was published by the Department in 2023, and advises that a fit for purpose flood impact and risk assessment (FIRA) should examine flood constraints and how to manage the flood risks posed to and by new development.

This guideline provides advice on the scope and scale of a FIRA as required by the consent authority.

The guideline states the aim of a FIRA should be to support a project which may alter flood behaviour or alter or introduce additional flood risk, to identify and analyse:

- the impacts of the proposed development on the flood risk to the existing community
- the impacts and risks of flooding on the development and its users
- how these impacts can be managed, to minimise the growth in risk to the community due to the development.

The Department considers that the Flood Impact Assessment and updated Flood Emergency Response Plan generally align with the above guideline, and considers the EPIs and studies applicable to the development at the time of its lodgement. It includes a full range of flooding events including the 10%, 5%, 1%, 0.5% AEP and probable maximum flood (PMF).

The Department has recommended a condition requiring that the final Flood Emergency Response Plan be prepared by a suitably qualified person, follow the guideline, be prepared in consultation with NSW SES, and provide adequate facilities for shelter in place.

The Department notes that the guideline specifies the following considerations in approving a development application:

- limiting impacts and risks posed to the development and future occupants to ensure these have been appropriately managed
- management measures required to be considered in a staged manner as necessary to manage risks to the existing community
    - inclusion of design reports and drawings in the consent to ensure these are consistent with key parameters used in post-development modelling and analysis that formed the basis of the FIA and Flood Emergency Response Plan
    - modification of key design features of the development that may alter flood behaviour
    - how risks and impacts of the development change with future climatic conditions
    - any other specific requirements for consideration by the proponent to manage flood risk.

The Department assessed these factors in detail in Section 6.1, and considers that the project can be supported with appropriate conditions.

Appendix F – Recommended instrument of consent

The recommended instrument of consent can be found here:
https://www.planningportal.nsw.gov.au/major-projects/projects/darcy-road-public-school-upgrade