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# 1. INTRODUCTION

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) to Penrith City Council and is made on behalf of the NSW Department of Education (DoE) and Schools Infrastructure NSW (SINSW). This application seeks consent for early works to ready the site for construction of the new Jordan Springs Public School located 14-28 Cullen Avenue.

Specifically, this DA seeks development consent for bulk earthworks, including site clearing and cut and fill.

Connection and construction of essential site services will be subject to a separate approval. The main works for the school is under SSDA 9354.

This SEE includes a description of the site and proposed development and an assessment of the proposed development pursuant to section 4.15 of the *Environmental Planning and Assessment Act* 1979 (EP&A Act) and the *Environmental Planning and Assessment Regulation* 2000 (the Regulation).

## 1.1. PROJECT CONTEXT

On 30 January 2019, Secretary's Environmental Assessment Requirements (SEARs) were issued for Jordan Springs Public School (SSDA\_9354). The school is proposed to accommodate approximately 1,000 students and will include high quality classrooms, open spaces, sports fields and associated facilities.

An early delivery of the proposed public school is vital, as significant population growth across western Sydney and Penrith has placed substantial pressure on existing public schools within the area, causing them to become overcrowded beyond capacity. Overloaded schools have a negative impact on a student's ability to concentrate, and a teacher's ability to appropriately teach each student in a diligent manner.

To fast track Jordan Springs Public School for the community, development consent is sought to carry out site preparation works.

The carrying out of these early works prior to the SSD's finalisation at the NSW Department of Planning and Environment (the Department) will ensure construction of the school can commence immediately after consent is granted and open as per the program.

# 1.2. STATE SIGNIFICANT DEVELOPMENT APPLICATION SSDA\_9354

Jordan Springs Public School will be a new school catering for students from Kindergarten to Year 6. The school will accommodate approximately 1,000 students and 70 full-time staff and will assist in alleviating pressure on existing school enrolments in the area and cater for future population growth. To meet this future demand, SSDA\_9354 seeks consent for:

- Construction of a 2-storey library, administration and staff building comprising:
  - School administrative spaces including reception;
  - Library with reading nooks, makers space and research pods;
  - Staff rooms and offices;
  - Special programs rooms;
  - Amenities;
  - Canteen;
  - Interview rooms; and
  - Presentation spaces.
- Construction of three 2-storey learning hubs containing 42 homebases comprising:
  - Collaborative learning spaces;
  - Learning studios;
  - Covered outdoor learning spaces;

- Practical activity areas; and
- Amenities.
- Construction of a single storey assembly hall with a performance stage and integrated covered outdoor learning area (COLA). The assembly hall will have OOSH facilities and store room areas;
- Associated site landscaping and open space including associated fences throughout and sporting facilities:
- Pick-up and drop-off zone from Cullen Avenue;
- Pedestrian access points along both Cullen Avenue and Lakeside Parade:
- Construction of an at-grade carpark containing 62 spaces accessible from Lakeside Parade and 2 spaces accessible from Cullen Avenue;
- School signage to the front entrance; and
- New substation fronting Cullen Avenue.

All proposed school buildings will be connected by a double storey covered walkway providing integrated covered outdoor learning areas (COLAs).

#### 1.3. CROWN DEVELOPMENT APPLICATION STATUS

Part 4 Division 4 of the Environmental Planning & Assessment Act 1979 (EP&A Act) allows for DAs to be made by, or on behalf of the Crown. Clause 226 of the Environmental Planning & Assessment Regulation 2000 (EP&A Reg) prescribes that a public authority is the Crown for the purposes of Part 4 Division 4 of the EP&A Act. The DoE is a public authority and is therefore a Crown authority for the purposes of the DA and Clause 89 of the EP&A Act.

Further, under section 90 of the EP&A Act, Division 5 (Integrated Development) does not apply to a DA made by or on behalf of the Crown, other than development that requires a heritage approval. This DA does not require heritage approval.

#### 1.4. PLANNING FRAMEWORK

The 'cost of works' for the purpose of determining the DA fee for the proposed development is calculated in accordance with cause 255(1) of the EP&A Regulations at \$970,839 including GST. This is detailed in Cost Report prepared by MBM and provided at Appendix B.

The cost of works is less than \$5 million. Therefore, the DA will be assessed by Penrith City Council as the determining authority.

#### 1.5. PROJECT TEAM

The proposal is supported by the following information:

Table 1 - DA Documentation

Report/Plan Title	Prepared by	Appendices
Site Survey Plan	Lockley Registered Surveyors	Appendix A
Quantity Surveyor's Report	MBM	Appendix B
Civil Plans	Northrop	Appendix C
Aboriginal Cultural Heritage Assessment Report	Biosis	Appendix D

Report/Plan Title	Prepared by	Appendices
Historical Archaeological Impact Assessment	Biosis	Appendix E
Preliminary Environmental Site Assessment	Environmental Investigation Services	Appendix F
Detailed Environmental Site Investigation	Greencap	Appendix G
Geotechnical Investigation	JK Geotechnics	Appendix H
Construction Waste Management Plan	EcCell	Appendix I
Flood Risk Assessment	WSP	Appendix J
Bushfire Impact Assessment	Peterson Bushfire	Appendix K
Biodiversity Development Assessment Report	Alphitonia	Appendix L
Construction Traffic Management Plan	Bitzios Consulting	Appendix M
Environmental Noise and Vibration Assessment	Acoustic Logic	Appendix N
Civil Design Report	Northrop	Appendix O

# 1.6. STRUCTURE OF THIS REPORT

This report is structured as follows:

- Section 1: Introduction to proposal and description of background.
- Section 2: Description of the existing site conditions and surrounding area.
- Section 3: Description of the proposed development.
- Section 4: Assessment of relevant statutory planning considerations arising from section 4.15 of the EP&A Act.
- Section 5: Assessment of the key planning impacts arising from the development.
- Section 6: Conclusion and summary of the proposed development.

# 2. SITE CONTEXT

# 2.1. THE SITE

The site is located at 14-28 Cullen Avenue, Jordan Springs (outlined in red in **Figure 1**). The site is irregular in shape with a total area of approximately 30,040sqm and is legally described as Lot 22 in DP 1194338. The site has frontages to Lakeside Parade to west and Cullen Avenue to the south. The site has been earmarked for future development and use as an education establishment.

Figure 1 – Aerial image of proposed site



Source: Urbis/ Near Map

# 2.2. EXISTING DEVELOPMENT

The site is currently vacant land except for an existing substation located in the south west corner of the site fronting Lakeside Parade. The site has been completely cleared of all vegetation.

# 2.3. REGIONAL CONTEXT AND SURROUNDING DEVELOPMENT

The site is in the Penrith Local Government Area (LGA) in the suburb of Jordan Springs. Jordan Springs is 60km north-west of Sydney Central Business District and the area is accessible via major arterial roads, including Northern Road, and is also serviced by public transport in the form of buses. Penrith Train Station is located approximately 6km south of the site. The site is in the Western Precinct of the St Mary's Urban Release Area and the surrounding area is in transition, reflecting a shift from rural landscape to low density residential. The surrounding development includes:

- The site is bordered to the north by newly constructed low-density residential dwellings fronting Barrow Circuit;
- A recreational precinct is to the east of the site including a children's cycling path, multipurpose oval, netball courts and Jordan Spring dog park. Separating the site and the precinct is a dry creek bed which

IODDAN ODDINOG FADIN

Document Set ID: 8586830 Version: 1, Version Date: 22/02/2019 functions as a riparian corridor and drains to a large manmade lake to the south of the site on the other side of Cullen Avenue:

- To the south of the site is Cullen Avenue. Across Cullen Avenue is undeveloped land earmarked for construction of three (3) to five (5) storey residential townhouse and flat building developments. Further to the southwest of the site along Lakeside Parade is the Jordan Springs Town Centre which includes a Woolworths, Plus Fitness, Subway, Anytime Fitness and a Terry White Chemist;
- Within the same block of the site is a childcare centre "Little Zak's Academy" and a community hub both
  of which front Cullen Avenue; and
- To the west of the site is Lakeside Parade. Across Lakeside Parade are newly constructed two-storey detached residential dwellings.

Images of the site and surrounding development are provided in Figure 2 - Pictures 1 to 6.

## 2.4. TOPOGRAPHY

The site is generally flat with a gentle raise in height towards the north-west boundary. A dry creek bed runs approximately 8 metres to the east of the site. The site is situated at approximately 40 metres Australian Height Datum (AHD) and slopes towards the south. This is generally consistent with the level of the surrounding properties. The site appears to have a low potential for flooding, based on the Flood Risk Assessment contained at **Appendix J** as well as the fact that there is a lack of significantly sized water bodies surrounding the site. The nearest surface water body is a small unnamed creek adjacent to the eastern boundary which terminates in an unnamed manmade lake approximately 150 metres to the south of the site.

## 2.5. FLORA AND FAUNA

A Biodiversity Development Assessment Report (BDAR) was prepared by Alphitonia for SSDA\_9354 and is attached at **Appendix V**. The BDAR confirms the site has been cleared of most vegetation and that there are no significant vegetation communities or habitat features present within the subject land. The site is located entirely within the Cumberland Plain subregion and whilst remnant vegetation has been cleared from the subject land, some native vegetation is present within the grassland dominated by exotic species.

#### 2.5.1. Flora

The BDAR confirms the site originally contained Shale Plains Woodland prior to the land being cleared of all trees during the construction of Jordan Springs estate. Existing vegetation on the site is mainly exotic grasslands and herbaceous weeds with no native vegetation communities present. A total of 36 flora species were identified in the subject land during the field survey, of which ten were native and 26 were exotic. No threatened flora species were identified in the subject land.

#### 2.5.2. Fauna

The site contains minimal fauna habitat having been subject to considerable disturbance and clearance of remnant vegetation. Exotic grasses and forbs are dominate the subject land. The subject land provides habitat for species common to urban environments, however no hollow bearing trees, or substantial fauna habitat in the form of coarse woody debris were identified in the subject land. The field survey undertaken in the BDAR recorded a total of three fauna species, all of which were birds. No threatened fauna species were identified in the subject land.

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JORDAN SPRINGS\_EARLY WORKS DA\_SEE\_DRAFT

Figure 2 - Proposed site for new Jordan Springs Public School and surrounding development



Picture 1 – Looking west across the site from Lakeside Parade.

Source: Google Earth



Picture 3 – Recently constructed residential development located opposite the new school site along Lakeside Avenue.

Source: Google Earth



Picture 5 – Five-storey mixed use development located opposite the new community hub on the corner of Lakeside Parade and Cullen Avenue.

Source: Google Earth



Picture 2 – Looking north west towards the site from Lakeside Parade.

Source: Google Earth



Picture 4 – The new community hub located on the corner of Lakeside Parade and Cullen Avenue, adjacent to the new school site.

Source: Google Earth



Picture 6 – Looking towards 'Little Zac's Academy' whilst under construction.

Source: Google Earth

Figure 3 - Site location map



Source: Urbis / Near Map

# 2.6. HERITAGE

## 2.6.1. European Heritage

The site does not contain any items of heritage significance, is not located near surrounding heritage items and is not located within a heritage conservation area. Notwithstanding, a Historical Archaeological Impact Assessment (HAIA) was prepared by Biosis for SSDA 9354 and is attached at **Appendix E**.

## 2.6.2. Aboriginal Heritage

An Aboriginal Cultural Heritage Assessment Report (ACHAR) was prepared by Biosis for SSDA\_9354 and is attached at **Appendix D**. The assessment confirmed that there are 103 Aboriginal cultural heritage sites registered with the Aboriginal Heritage Information Management System (AHIMS) located in the vicinity of the study area, with no sites located within the study area. Most of the registered AHIMS sites are either isolated artefacts or artefact scatters with sites primarily focused adjacent to higher order creeks and lower slopes with sporadic sites occurring on elevated areas. The assessment did not identify any Aboriginal sites or areas of archaeological potential within the study area during the field survey located within, or in close proximity to the study area. The entire study area was deemed to have been highly disturbed with ongoing modifications of the adjacent creek line since the 1940s, as well as more recent remediation works and subsequent cut and fill works.

URBIS JORDAN SPRINGS\_EARLY WORKS DA\_SEE\_DRAFT SITE CONTEXT 11

# 3. PROPOSED DEVELOPMENT

# 3.1. OVERVIEW

To fast track the delivery of the proposed Jordan Springs Public School for the community, development consent is sought for bulk earthworks, including site clearing and cut and fill. The extent of the proposed works sought are illustrated in the Civil Plans submitted at **Appendix C**.

## 3.2. SITE CLEARING

It is proposed that any existing vegetation will be cleared and removed from the site to facilitate the proposed earthworks and early site works. The site contains no trees or existing structures and has already been predominantly cleared of all significant vegetation. Therefore, no demolition is required.

## 3.3. BULK EARTHWORKS & CUT AND FILL

The site has a gentle slope from north to south, and as a result, minor excavation works are proposed as shown in **Figure 4.** The proposed earthworks will be undertaken in accordance with Council's standard conditions of consent, the Civil Drawings attached at **Appendix C** and the Civil Design Report attached at **Appendix O.** The maximum depth of cut and fill materials will be 2 metres. All excavated soils will be redistributed throughout the site. Any excess excavated materials will be transported offsite as per the Construction Waste Management Plan attached at **Appendix I.** 

# 3.4. CONSTRUCTION WASTE MANAGEMENT

A Construction Waste Management Plan has been prepared by EcCell Environmental Management for SSDA\_9354 and is attached at **Appendix I.** All waste generated during the construction stage of development will be in accordance with the Construction Waste Management Plan. The objective of this plan is to ensure all waste generated during the construction stage is carefully removed, packaged and transported from the site to an appropriate waste facility. This will minimise potential contact with the waste and reduce environment risk from an accidental release. Where appropriate, waste will be reused or recycled.

# 3.5. CONSTRUCTION TRAFFIC MANAGEMENT

A Construction Traffic Management Plan (CTMP) has been prepared by Bitzios Consulting for SSDA\_9354 and is contained at **Appendix M**. The CTMP provides a high-level overview of the construction traffic impacts and management works associated with the overall development. The plan identifies the impacts associated with construction on the local traffic network and outlines potential solutions or mitigating methods which are discussed in further detail in **Section 5** of this SEE.

#### **Work Zones**

During the construction stage, temporary work zones will be established along both Cullen Avenue and Lakeside Parade frontages. It is expected that the construction site access points will be located on Cullen Avenue and Lakeside Parade. As such, Temporary Works Zones may be necessary at the following locations to control parking and pedestrian movements in the area:

- Northern side of Cullen Avenue east of Charlotte Street; and
- Eastern Side of Lakeside Parade between Crimson Street and Landsborough Street.

The construction area will be closed off using perimeter fencing. This will assist in mitigating issues associated with site safety, security, theft and vandalism.

#### **Construction Work Hours**

The works will be undertaken during the following hours:

- Monday to Friday 7.00am to 6.00pm
- Saturdays 8.00am to 1.00pm

### Sundays / Public Holidays - No work

If required, after hours permits will be sought from the relevant authorities.

Figure 4 – Bulk earthworks and cut and fill plan







Source: Northrop

#### STATUTORY PLANNING ASSESSMENT 4.

The following planning assessment has been undertaken in accordance with the requirements of Section 4.15 of the Environmental Planning and Assessment Act 1979 (the Act). The planning policies applicable to the site and development are:

- Biodiversity Conservation Act 2016;
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017;
- State Environmental Planning Policy 55 Remediation of Land;
- Sydney Regional Environmental Plan No. 30 St Marys;
- Sydney Regional Environmental Plan No. 20 Hawkesbury Nepean River (No. 2 1997);
- Penrith Local Environmental Plan 2010:
- Western Precinct Plan; and
- Penrith Development Control Plan 2014.

Compliance with the relevant controls contained within the above statutory planning policies is discussed below.

#### 4.1. **BIODIVERSITY CONSERVATION ACT 2016**

The Biodiversity Conservation Act 2016 (BC Act) requires that State Significant Development Applications be accompanied by a Biodiversity Development Assessment Report (BDAR). Accordingly, a BDAR has been prepared by Alphitonia for SSDA 9354 and is contained at Appendix L which addresses the biodiversity requirements.

The BDAR confirms that the site has been cleared of original vegetation and contains no significant habitat features or vegetation communities and no threatened species of flora or fauna were identified. The site is located entirely within the Cumberland Plain subregion and whilst remnant vegetation has been cleared from the subject land, some native vegetation is present in the grassland dominated by exotic species.

The BDAR confirms the site does not contain any areas of outstanding biodiversity value as defined under the BC Act. Accordingly, the proposal satisfies the provisions of the BC Act.

### 4.2. STATE ENVIRONMENTAL PLANNING POLICY (EDUCATION **ESTABLISHMENTS AND CHILD CARE FACILITIES) 2017**

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP) aims to make it easier for child-care providers, schools, TAFEs and universities to build new facilities and improve existing ones by streamlining provisions and the approval processes so to deliver greater consistency across NSW. The Education SEPP balances the need to deliver additional educational infrastructure with a focus on good design. The Education SEPP is not relevant to the proposal.

#### STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF 4.3. LAND

State Environmental Planning Policy No.55 - Remediation of Land (SEPP 55) provides a state-wide planning approach for the remediation of land and aims to promote in the remediation of contaminated land to reduce the risk of harm to human health or the environment. Clause 7(1) requires the consent authority to consider whether land is contaminated prior to consent of an application.

A Preliminary Stage 1 Environmental Site Assessment was undertaken by Environmental Investigation Services for SSD 9354 and is attached at Appendix F. Results of the Stage 1 assessment indicated that there is a low to moderate potential for site contamination. Environmental Investigation Services identified the following potential contamination sources/AEC:

- Fill (either imported, or locally sourced);
- Fuel storage;
- Use/storage of pesticides; and
- Hazardous building materials.

In addition, the site appears to have been used for defence purposes which is listed in Table 1 of the SEPP55 Planning Guidelines as an activity that may cause contamination. On this basis and considering the sensitivity of the proposed land use (i.e. a primary school), Environmental Investigation Services recommended the following:

- All historical reports relevant to site contamination assessment and remediation should be obtained and reviewed. Following the review, an assessment should be made as to whether further investigation is warranted (or required in order to obtain development consent); and
- A preliminary site investigation should be designed and implemented (if required) based on the outcome of the review.

Considering the above and following a review of all relevant documentation, a Stage 2 Detailed Environmental Site Investigation was undertaken by WSP for SSDA 9354 and is provided at Appendix G.

The Stage 2 investigation included:

- Assessing the current contamination status of the site;
- Assessing the potential risks associated with contamination (if identified) at the site, with respect to the proposed future land use as a school;
- Providing recommendations for potential management or remediation requirements, if required; and
- Undertaking salinity testing and provide a salinity assessment for the site.

The investigation involved mechanical boring and collecting soil and asbestos sampling at 40 different locations across the site. Selected soil and asbestos samples were then tested in a laboratory analysis for any contaminants of concern identified at the site, including an assessment on salinity. Based on the results, there was negligible soil contamination identified on or beneath the site. With regards to salinity, results indicated that surface soils are generally non-saline to slightly saline. This indicates that in the sites' current form, site structures at the surface are unlikely to be affected by dryland urban salinity. Salinity on the site appears to generally increase with depth. Deeper structures (including footings, piles and service trenches) should therefore have salinity resistant materials incorporated into their design.

Based on the findings of the Stage 2 investigation, soil samples reported no contaminants of concern. WSP have therefore concluded the site is suitable for the proposed works relevant to this application. Given the conclusions of WSP, remediation is not proposed as part of this application.

### SYDNEY REGIONAL ENVIRONMENTAL PLAN NO 20 – HAWKESBURY-4.4. **NEPEAN RIVER (NO.2 – 1997)**

The Sydney Regional Environmental Plan No 20 - Hawkesbury- Nepean River (No. 2 - 1997) (SREP) aims to protect the environmental of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in the regional context; the SREP applies to the Penrith Local Government Area.

The proposal will not have any adverse environmental impacts on an environmentally sensitive area, areas of high scenic quality, wetland areas, areas of high cultural heritage or impact on the water quality of the Hawkesbury Nepean River. Stormwater and water quality management is addressed in the SSD.

#### 4.5. SYDNEY REGIONAL ENVIRONMENTAL PLAN NO 30 – ST MARYS

The Sydney Regional Environmental Plan No 30—St Marys (SREP No 30 – St Marys) is a planning instrument that has guided the development of the old armed forces site at St Marys since 2001. The SREP No 30 – St Marys is the principal environmental planning instrument governing development at the site. An assessment against the relevant controls of the SREP has been undertaken below.

## 4.5.1. Zoning and permissibility

Under the Penrith LEP 2010 land zoning map (LZN\_012), Jordan Springs is zoned 'SM' which refers to SREP No. 30- St Marys. SREP 30 provides the primary planning framework to guide development. The site is identified as part of the Western Precinct and shaded 'Urban' area as shown in **Figure 5**. The SREP states:

- 2) In the Urban zone:
- (a) development for the purpose of the following is allowed with the consent of the consent authority:
- advertisements, amusement centres, backpackers' hostels, bed and breakfast establishments, boarding houses, bush fire hazard reduction, centre-based child care facilities, clubs, community facilities, drains, educational establishments, essential community services, exhibition homes, exhibition villages, fast food take-away restaurants, flood mitigation works, general stores, guesthouses, home activities, home businesses, hospitals, hotels, housing, local retail or commercial premises, medical centres, motels, nursing homes, parks, places of assembly, places of worship, professional consulting rooms, public buildings, recreation establishments, recreation facilities, regeneration activities, restaurants, retail plant nurseries, roads, service stations, shops.
- (b) any other development (except that identified by this plan as exempt or complying) is prohibited.

Within this zone, 'educational establishments' are permitted with consent. As per the SREP, an education establishment is defined as:

"a building or place used for education (including teaching), being:

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act".

The DA seeks consent for bulk earthworks which will enable the future development and use of the site for a new school (SSDA\_9354) and is therefore permitted with consent.

Ninth Avenue PENRITH SEE MAR INSET Legend URBAN EMPLOYMENT REGIONAL OPEN SPACE REGIONAL PARK CAMBRIDGE DRAINAGE GARDENS LAND REFERRED TO IN CLAUSE 58(a) (150m wide) WERRINGTON DEFERRED MATTER DOWNS ROAD AND ROAD WIDENING BOUNDARY OF THE REF

Figure 5 - Zoning map

Source: SREP No. 30

### 4.5.2. Zoning objectives

The relevant objectives of the Urban zone are as follows:

- to ensure that buildings and works within the zone are primarily used for residential purposes and associated facilities, and
- to limit the range and scale of non-residential uses to ensure that they are compatible with residential amenity and primarily serve local residents, and
- to provide for local retailing and related services, including supermarkets, which will complement established centres in the Blacktown City and Penrith City local government areas and not have a significant adverse effect on the viability of established retail centres, and
- to provide for medium density residential development in locations which provide optimum access to employment, public transport and services, while ensuring residential amenity, and
- to promote home based industries where such activities are unlikely to adversely affect the living environment of neighbours, and
- to ensure that development adjacent to the Regional Park zone does not have a negative impact on biodiversity or conservation within that zone.

The proposal is consistent with these objectives as:

- The proposal will ready the site for development of a new school which will be two storeys in scale, which is in keeping with the predominant scale of surrounding residential development.
- The proposal will ensure that a new school can be provided on the site, therefore ultimately satisfying the educational and recreational needs of current and future students in the area and providing significant employment opportunities through construction jobs.

#### 4.5.3. Other SREP Provisions

An assessment against the relevant controls of the SREP has been undertaken in the table below.

Table 2 - SREP No. 30 Compliance Table

Consideration	Consideration Control Comment Complies				
Consideration	Control	Comment	Compiles		
Part 5 - Perform	mance Objectives				
Clause 23 – Air quality	Development on the land to which this plan applies should contribute to improved regional air quality by containing growth in vehicle kilometres travelled, by achieving higher than normal public transport use, encouraging walking and cycling, and promoting energy-efficient businesses and homes.	A Construction Traffic Management Plan (CTMP) has been submitted with the SEE at Appendix M which outlines methods to control traffic movements and improve air quality during construction.	Yes		
Clause 25 – Heritage	Regard for, and education and understanding of, the identified items of environmental heritage on the land to which this plan applies are to be promoted.  Development is not to adversely affect the heritage significance of	In terms of European heritage and archaeology, the site does not contain any items of heritage significance nor is it located adjacent to any items or within a conversation area. A Historical Archaeological Impact Assessment contained at Appendix E confirmed the site may contain archaeological	Yes		

Consideration	Control	Comment	Complies
Part 5 - Perfori	mance Objectives		
	items of environmental heritage and their settings.  The Aboriginal community is to be given the opportunity to comment regarding any potential impacts of development on, and proposals for mechanisms for the management of, items of Aboriginal heritage significance.	materials, however these possible archaeological materials have been assessed as not holding any heritage significance. An unexpected finds policy will therefore be implemented to identify and record any archaeological material that may be encountered during construction.	
		In terms of Aboriginal cultural heritage and archaeology, an Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared by Biosis and is submitted with the SEE at Appendix D. The assessment did not identify any Aboriginal sites or areas of archaeological potential within the study area during the field survey located within, or in close proximity to the study area. The entire study area was deemed to have been highly disturbed with ongoing modifications of the adjacent creek line since the 1940s, as well as more recent remediation works and subsequent cut and fill works.	
		Biosis have therefore concluded that the expected potential harm to Aboriginal archaeological sites from development in the study area ranges from negligible to low. For further discussion, refer to <b>Section 5</b> of this SEE.	
Clause 29 - Soils	Development is to have regard to soil constraints to ensure that the risk of adverse environmental and economic impacts is minimised.	A Geotechnical Report has been submitted this SEE at <b>Appendix H</b> which ensures the proposal has regard for any potential soil constraints.	Yes

Consideration	Control	Comment	Complies
Part 5 - Performance Objectives			
Clause 35 – Waste Management	Buildings are to be designed and constructed in a way that minimises the production of unnecessary waste.  Development is to facilitate appropriately designed and scaled local activities which reuse, recycle and reprocess wastes.	A Construction Waste Management Plan has been prepared by EcCell Environmental Management for SSDA_9354 and is attached at Appendix I. All waste generated during the construction stage of development will be in accordance with the Construction Waste Management Plan. The objective of this plan is to ensure all waste generated during the construction stage is carefully removed, packaged and transported from the site to an appropriate waste facility.	Yes
Clause 36 – Zoning	Urban Zone	'Educational establishments' are permitted with consent in the 'Urban' zone under SREP 30. The DA seeks consent for early works which will enable the future development of a new school (subject to SSDA_9354 approval) on the site and is therefore permitted with consent.	Yes
Part 7 – Developr	ment Controls		
Clause 47 – Demolition	A person may demolish, in part or in whole, a building on land to which this plan applies, but only with the consent of the consent authority.	The site does not contain any existing buildings or structures. Therefore, demolition is not required to carry out bulk earthworks.	N/A
Clause 50 – Filling of land	Filling of land that is below the level of the PMF before it is filled is prohibited	No fill is proposed below the level of the PMF.	Yes
Clause 51 - Salinity and highly erodible soils	The consent authority must not grant consent to the development of any land unless it has considered:  (a) a detailed soil assessment which includes a finding of whether or not the land is at risk from salinity or contains soils which are highly erodible, and	A Geotechnical Report has been submitted this SEE at <b>Appendix H</b> which ensures the proposal has regard for any potential soil constraints.	Yes

Consideration	Control	Comment	Complies
Part 5 - Perfori	mance Objectives		
	<ul> <li>(b) whether the proposed development incorporates appropriate building materials, techniques and land management measures to mitigate adverse environmental and economic impacts.</li> <li>(2) The consent authority must not consent to the development of land so found to be at risk or affected, unless it is satisfied that appropriate measures have been incorporated or are able to mitigate the potential impacts.</li> </ul>		
Clause 52 – Tree Preservation	A person must not ringbark, cut down, lop, top, remove, injure or wilfully destroy any tree, or cause any tree to be ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed by any action (including the addition of soil or drainage works around the base of the tree), except with the consent of the consent authority.	The site contains no trees. Therefore, tree removal is not required to carry out bulk earthworks.	N/A
Clause 55 – Conservation of items of environmental heritage	A person must not, in respect of a building, place, work or relic that is an item of environmental heritage:  (a) demolish, renovate or extend the building or work, or  (b) damage or despoil the relic or any part of the relic, or  (c) excavate any land for the purpose of exposing or removing the relic, or  (d) erect a building on the land on which the building, work or relic is situated or the land which comprises the place, or  (e) subdivide the land on which the building, work or relic is situated or the land which comprises the place,	The site does not contain any heritage items. The ACHAR prepared for SSDA_9354 did not identify any Aboriginal artefacts or relics within the boundary of the site. Biosis therefore concluded that the expected potential harm to Aboriginal archaeological sites from development in the study area ranges from negligible to low. For further discussion, refer to Section 5 of this SEE.	Yes

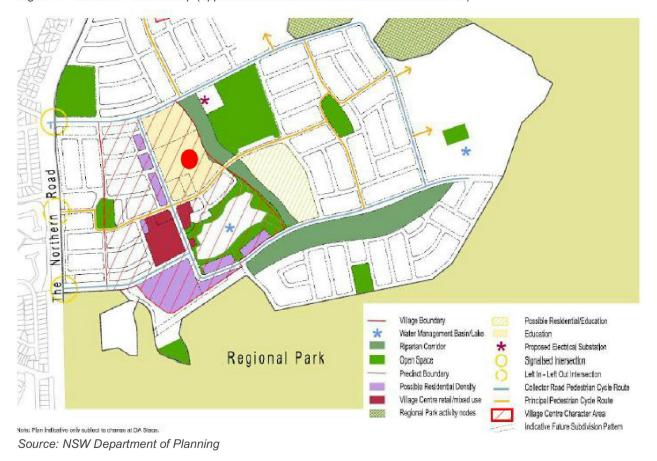
Consideration	Control	Comment	Complies
Part 5 - Performance Objectives			
	except with the consent of the consent authority.		
Clause 60 – Services	Development must not be carried out on any land to which this plan applies until arrangements have been made for the supply of water, sewerage, drainage and underground power that are satisfactory to the consent authority.	Site services are subject to a separate approval. Bulk earthworks will only be carried out following the establishment of essential site services.	Yes

#### 4.6. **WESTERN PRECINCT PLAN**

The Western Precinct Plan was prepared by JBA in May 2009 following the gazettal of Amendment No. 2 of SREP 30 in February 2009 which rezoned the Western Precinct as 'Urban'. The Precinct Plan establishes planning strategies, development principles and development controls to guide development in the St Marys area. Figure 6 overleaf shows the location of the site within the Western Precinct.

The following sub sections consider Part 4 of the Precinct Plan which provides the framework and environmental management considerations for the area.

Figure 6 – Western Precinct map (approximate location of site marked with red circle)



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#### 4.6.1. Future Character Areas

The site is located with the Northern Road Interface. All development in this area should have regard to the following:

The Northern Road Interface will partially comprise residential development which may require alternate design solutions subject to detailed noise assessment at DA stage. The results of such assessment may require solutions for landscape treatment, setbacks, road layout, frontages, lot sizes, acoustic attenuation both on the lot and dwelling and potential measures such as earth mounding / acoustic barriers. Indicative treatment options are contained at Appendix E. This area will comprise a range of attached, semi-detached and detached dwellings, 1-2 storeys in height. The area is also proposed to contain open space uses.

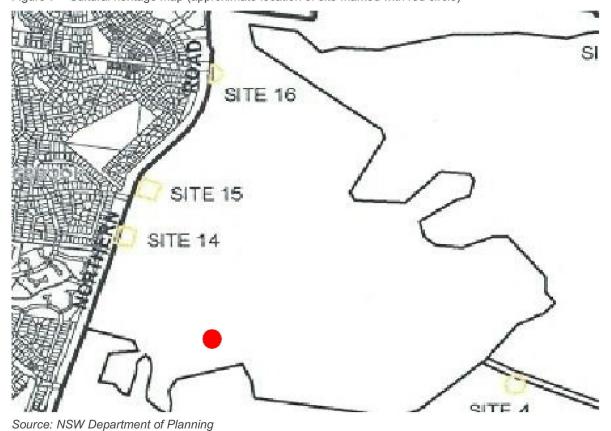
Key considerations will be the visual qualities along The Northern Road corridor and of the proposed subdivision, pedestrian connectivity and connections to surrounding residential areas, and potential views from The Northern Road into the site. The interface with existing residential development along The Northern Road in Cranebrook will also be considered, as will the identification of clear and logical entry points to the site.

The proposal does not involve any building works and will therefore not impact the future character of the area. The proposal readies the site for a two-storey school, which is consistent with the built form vision for the area. The site is located well away from the Northern Road, and as such, there will be no visual impact to the corridor.

#### 4.6.2. Cultural heritage

The site is not identified on or near an item or site of cultural heritage as shown in **Figure 7.** Notwithstanding the above, an Aboriginal Cultural Heritage Assessment Report was prepared for SSDA\_9354 and is submitted with this SEE at **Appendix D** which confirms that the proposal is considered acceptable from an Aboriginal heritage perspective, subject to the adoption of recommendations contained in the report.

Figure 7 – Cultural heritage map (approximate location of site marked with red circle)



# 4.7. PENRITH LOCAL ENVIRONMENTAL PLAN 2010

The *Penrith Local Environmental Plan 2010* (PLEP) is the principal environmental planning instrument governing development in the Penrith Local Government Area (LGA). However, as the site is located within the Western Precinct of the St Marys area, the primary planning instrument is the SREP No 30 – St Marys

and the accompanying Western Precinct Plan and Development Control Strategy. Accordingly, the proposal is not required to be assessed against the provision of the PLEP.

#### PENRITH DEVELOPMENT CONTROL PLAN 2014 4.8.

The Penrith Development Control Plan 2014 (PDCP 2014) provides detailed controls for specific development types and areas. An assessment against the relevant controls of the PDCP 2014 has been undertaken in the table below.

Table 3 - Penrith DCP 2014 Compliance Table

Provision	Proposal	Compliance		
Part C - Site Planning and Design Principles				
C4 Land Management				
4.3. Erosion and Sedimentation	An erosion and sediment control plan contained within the civil plans is submitted with this application at <b>Appendix C</b> to ensure that measures are implemented to control erosion and runoff from the site.	Yes		
C5 Waste Management				
5.1. Waste Management Plans	A Construction Waste Management Plan has been prepared by EcCell Environmental Management for SSDA_9354 and is attached at <b>Appendix I</b> . All waste generated during the construction stage of development will be in accordance with the Construction Waste Management Plan. The objective of this plan is to ensure all waste generated during the construction stage is carefully removed, packaged and transported from the site to an appropriate waste facility.	Yes		
C7 Cultural heritage				
7.1. European Heritage	Refer to <b>Section 5.8</b> of this SEE for further discussion.	Yes		
7.2 Aboriginal Culture and Heritage	Refer to <b>Section 5.7</b> of this SEE for further discussion.	Yes		
C12 Noise and Vibration				
12.1. Road Traffic Noise	The SEE is accompanied by an Environmental Noise and Vibration Assessment prepared for SSDA_9354 at <b>Appendix N</b> which demonstrates the proposed works will be acceptable from an acoustic perspective.	Yes		
C13 Infrastructure and Services				
13.2. Utilities and Service Provision	Site services will be subject to a separate approval.	N/A		

# 5. KEY IMPACTS ASSESSMENT

This section assesses the key impacts of the proposal that have not been addressed elsewhere in the SEE.

## 5.1. ENVIRONMENTAL AMENITY

The proposal involves earthworks only and therefore will not:

- Overshadow adjoining roads, properties or public open space areas.
- Result in a loss of views from surrounding properties.
- Generate undesirable wind impacts on the surrounding locality;
- Or result in any consequential visual impact.

The proposed works are unobtrusive and will have a negligible environmental impact on the amenity of the surrounding area.

# 5.2. CONSTRUCTION MANAGEMENT

A Construction Traffic Management Plan (CTMP) prepared for SSDA\_9354 is attached at **Appendix M**. It has been prepared for the overall works and outlines the construction and traffic methodology. The proposed works are minor in nature and compliance with the CTMP will ensure impacts are mitigated.

The proposed works will be undertaken during the following hours:

- Monday to Friday 7.00am to 6.00pm
- Saturdays 7.30am to 3.30pm
- Sundays / Public Holidays No work

# 5.3. TRAFFIC, PARKING AND SITE ACCESS

The CTMP at **Appendix M** outlines traffic management impacts during the construction of Jordan Springs PS. A summary is provided below:

#### **Traffic Generation and Impacts**

At this stage, details on truck and delivery schedules have not been confirmed, therefore construction vehicles traffic volumes cannot be quantitively assessed. Notwithstanding, a high-level assessment confirms that construction traffic volumes will not have significant impacts on the operation and efficiency of The Northern Road for the following reasons:

- The signalised intersections into Jordan Springs on The Northern Road have high capacities, each with four northbound approach lanes and three southbound approach lanes;
- During the existing peak hour periods, there are between 40-70 heavy vehicles traveling along The Northern Road; and
- Given the standard work hours during the week, construction workers making the journey to site via car
  are likely to be travelling outside of commuter peak periods. Furthermore, it is expected that heavy
  vehicle trips will occur outside peak traffic periods.

Considering the above, as a high-level assessment, it is not expected that construction traffic volumes will have significant impacts on the operation and efficiency of The Northern Road.

#### Site access

It is expected that the bulk of the construction traffic will access Jordan Springs from The Northern Road, traveling towards the site from the west. It is expected that the construction site access points will be located on Cullen Avenue and Lakeside Parade. As such, Temporary Works Zones may be necessary at the following locations to control parking in the area:

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- Northern side of Cullen Avenue east of Charlotte Street; and
- Eastern Side of Lakeside Parade between Crimson Street and Landsborough Street.

#### Impacts to pedestrians and cyclists

Due to construction vehicle traffic to and from the site via the access locations, construction activities that are expected to impact pedestrian movements near the site include:

- Excavation:
- Removal of soil;
- Material delivery;
- · Bulky equipment delivery (pile drivers); and
- Concrete pouring.

During these works, temporary closures of the footpath on the northern side of Cullen Avenue and on the eastern side of Lakeside Parade may be necessary. In addition, during construction, full closures of the pedestrian footpath will be necessary on Cullen Avenue and Lakeside Parade to facilitate construction of the access driveways on both streets, the drop-off / pick-up zone on Cullen Avenue and the raised children crossing on Cullen Avenue with accompanying kerb blisters. In terms of impact to cyclists, no formal cycling infrastructure is located to the immediate south or west of the site. Accordingly, shared paths on The Northern Road and along Lakeside Parade are not expected to be impacted by any construction works for the proposed school development due to their distance from the site.

#### **On-street Parking**

On-street kerbside parking is currently largely unrestricted in the vicinity of the site along Cullen Avenue and Lakeside Parade. Temporary restrictions to car parking in these areas may be required for areas immediately adjacent to the site to allow access and egress of construction vehicles to and from the site.

#### **Mitigation Measures**

The CTMP prepared for SDA\_9354 contains a number of mitigation measures relevant to the proposed works including:

- Traffic Control Plans (TPCs) are to be prepared as necessary for the site-specific CTMP once the aforementioned information is available.
- Diversions across the roadway to the other footpath may be required due to potential footpath closures on the eastern side of Lakeside Parade and the northern side of Cullen Avenue during construction works.
- Any changes (including temporary relocations) of bus stops must be communicated with Transport for NSW.
- Safety barriers and/or hoarding should be implemented to protect pedestrians near the work site.
- Access to the existing access driveways in vicinity of the construction site on Cullen Avenue (including the adjacent childcare centre and Jordan Springs Anglican Church), must be maintained during construction activities.
- Upon determination of the construction vehicles required, vehicle swept path diagrams along the proposed haulage route are to be prepared for the site-specific CTMP.
- A dilapidation survey is to be undertaken for the roads along the proposed haulage route to the site.
- Construction works areas that necessitate an occupancy of the road reserve (including the public footpath) will require a Temporary Road Occupancy Permit from Penrith City Council.
- In all cases where the construction activities require an obstruction, deviation or otherwise interfaces with
  pedestrian facilities and public spaces, hoarding or fencing must be installed to maintain separation of
  the construction work site.

At construction site access gates (construction vehicle crossover locations), warning signage is to be installed to maximise pedestrian awareness of vehicle movements. Functional lighting is to be installed at the corresponding locations and operated under low-light conditions.

Based on the above assessment and recommendations, the proposal is acceptable in terms of construction traffic and will not negatively impact on the amenity of pedestrians, motorists or cyclists.

#### SEDIMENT, EROSION AND DUST CONTROLS 5.4.

An erosion and sediment control plan is contained in the Civil Plans attached at Appendix C. This plan has been prepared for the proposal to reduce the amount of sediment laden runoff leaving the site. It details measures and procedures to minimise and manage the generation and off-site transmission of sediment, dust and fine particles into the adjacent watercourse.

The following measures relevant to the proposed works are recommended as per the civil plans:

- Use of sediment fences, stockpiles, haybale barriers, geotextile inlet filters, mesh and gravel inlet filters, and portable gravel kerb inlet sediment traps to filter stormwater runoff.
- Construction of a bioretention sedimentation basin to treat and store stormwater runoff.
- Construction of a perimeter security fence with wind barrier and silt fence.
- Stabilised site entry/exit points must be established.
- Sediment fences should be constructed as close as possible to being parallel to the contours of the site, but with small returns to limit the catchment area of any one section. The catchment area should be small enough to limit water flow if concentrated at one point to 50 litres per second in the 10-year flood event.
- A 150mm deep trench should be cut along the upslope line of the fence for the bottom of the fabric to be entrenched.
- 1.5 metres long star pickets should be inserted into the ground at 2.5 metre intervals at the downslope edge of the trench.
- Ensure that all star pickets are fitted with safety caps.
- Fix self-supporting geotextile to the upslope side of the posts ensuring it goes to the base of the trench. Fix the geotextile with wire tires.
- Stockpiles should be placed more than 2 metres from existing vegetation.
- Stockpiles should be constructed on the contours as low, flat, elongated mounds.
- Where there is sufficient area, topsoil stockpiles shall be less than 2 metres in height.

These mitigation measures will be established during site service works which are subject to a separate approval.

#### 5.5. GEOTECHNICAL AND SALINITY

A Geotechnical Report prepared by JK Geotechnics for SSDA 9354 is provided at Appendix H. The investigation reveals a generalised subsurface profile comprising interbedded silty clay, clayey silt and silt deposits. Neither groundwater nor bedrock were encountered within the investigating depth. The site is in an area where soil and groundwater salinity may occur. Salinity can affect the longevity and appearance of structures as well as causing adverse horticultural and hydrogeological effects. The local council has guidelines relating to salinity issues which should be checked for relevance to this proposal. Salinity on the site appears to generally increase with depth. Accordingly, the proposal is considered acceptable from a geotechnical and salinity perspective, subject to the adoption of recommendations outlined in the report.

#### **CONSTRUCTION NOISE** 5.6.

The proposed development will generate negligible acoustic impacts on the surrounding locality. In summary:

- The proposed works will be undertaken in accordance with Council's standard Conditions of Consent and Council's standard hours of operation. Proposed works will therefore avoid unnecessary noise on the surrounding locality associated with extended hours;
- Proposed bulk earthworks at the subject site are a temporary activity. Accordingly, acoustic impacts generated by the proposed will be brief and eradicated once works are complete; and
- The subject site is located in a growth area. Accordingly, noise generated by surrounding construction sites will greatly mitigate any noise generated by the proposal.

Notwithstanding, the above, an Environmental Noise and Vibration Assessment has been prepared by Acoustic Logic for SSDA 9354 and is submitted with this DA at Appendix N. The assessment provides a number of mitigation measures relevant to the proposed earthworks to ensure that acoustic amenity is maintained including:

- Construction hours are to be limited to standard construction hours:
- Unless otherwise approved within a management plan, construction vehicles, machinery, goods or materials shall not be delivered to the site outside the approved hours of site works;
- The timing of required disruptive or noisy works should be coordinated through a formal Disruption Notice Process with the school in order to minimise disruption;
- Only the equipment necessary for the works would be used at any time. Avoid any unnecessary noise when carrying out manual operations and when operating plant;
- Regularly inspect and maintain plant to avoid increased noise levels from rattling hatches, loose fittings
- No idling of delivery trucks where possible;
- Construction workers should avoid the use of radios or outdoor stereos; and
- Construction workers should avoid shouting and minimise talking loudly and slamming vehicle doors.

Based on the above, it is determined that the proposed works are considered acoustically acceptable, as they will have a negligible impact on surrounding residential development.

#### ABORIGINAL HERITAGE 5.7.

The ACHAR prepared for SSDA 9354 and contained at Appendix D did not identify any Aboriginal sites or areas of archaeological potential within the study area during the field survey located within, or in close proximity to the study area. The entire study area was deemed to have been highly disturbed with ongoing modifications of the adjacent creek line since the 1940s, as well as more recent remediation works and subsequent cut and fill works. Whilst results of regional assessments suggest the wider area was used for Aboriginal occupation prior to European occupation, in the absence of any archaeological evidence of Aboriginal occupation, Biosis has concluded that there is a low likelihood of Aboriginal cultural heritage with archaeological (scientific) value occurring within the study area and that the scientific significance of the entire study area is assessed as low. It is therefore expected that the potential of harm to Aboriginal archaeological sites from development in the study area ranges from negligible to low.

Accordingly, the proposal is considered acceptable from an aboriginal heritage perspective, provided that should any Aboriginal objects be encountered during works associated with this proposal, works must cease in the vicinity and the find should not be moved until assessed by a qualified archaeologist.

#### EUROPEAN ARCHAEOLOGY 5.8.

In terms of European heritage, the site does not contain any items of heritage significance nor is it located adjacent to any items or within a conversation area. A Historical Archaeological Impact Assessment prepared by Biosis and contained at Appendix E confirmed the site may contain archaeological materials below recent levelling fill and to potential landscape features such as historical fence lines. The assessment confirms possible archaeological materials on the site may consist of postholes, remnant posts and associated cuts, wall foundations or footings, kiln chamber foundations, wall cuts and fill deposits, compacted floor surfaces, yard surfaces, post holes and surface artefact scatters. However, it is highly likely that these materials have been disturbed or removed due to remediation works undertaken in 1990s and therefore the possible archaeological materials have been assessed as not holding heritage significance.

Accordingly, the proposal is considered acceptable, provided that an unexpected finds policy is implemented to identify and record any archaeological material that may be encountered during the proposed works.

#### 5.9. FLOODING

The site slopes generally to the south and east and drains into Werrington Creek and then into South Creek, which forms part of the Hawkesbury-Nepean catchment. A Flood Risk Assessment was prepared by WSP for SSDA 9354 and is attached at Appendix J. The report confirms that the site is not located within 'flood prone land' as identified by the Sydney Regional Environmental Plan No 30 - St Marys or any other local and regional flood studies. The site is also located outside the Probable Maximum Flood (PMF) extent however in the event of a flooding event, required evacuation would utilise the Northern Road Route.

The proposed works are therefore considered suitable from flooding perspective.

#### **SUITABILITY OF THE SITE 5.10.**

The following assessment has been structured in accordance with Section 4.15 of the EP&A Act. The site is considered suitable for the proposed development for the following reasons:

- The land is zoned 'Urban' under the St Marys SREP. The proposal is permissible with consent and consistent with the land use objectives of this zoning;
- It is consistent with the objectives of all relevant planning controls and achieves a high level of planning policy compliance;
- The site is generally cleared of vegetation and is currently vacant land;
- There are no significant environmental constraints limiting development on the site; and
- It will not generate unreasonable impacts on the surrounding locality.
- The site is not affected by Aboriginal or European heritage constraints or Acid Sulfate Soils;
- The proposed works are unobtrusive and will not pose risk to cyclists, pedestrians or vehicles within the surrounding area; and
- It will fast track the construction of Jordan Springs Public School.

#### 5.11. SOCIAL AND ECONOMIC IMPACTS

The proposal will have positive impacts:

- It will generate temporary employment opportunities in Jordan Springs and provide additional jobs. These include temporary jobs in manufacturing, construction and construction management. The future school will also create construction, operation and maintenance jobs.
- The proposal will facilitate the construction of Jordan Springs Public School. This will take substantial pressure off existing primary schools within the surrounding locality and ensure more children have access to new state of the art school facilities, spaces and equipment.

All environmental and amenity impacts from excavation will be managed by adopting the recommendations in the appended reports and Council's conditions of consent.

#### 5.12. THE PUBLIC INTEREST

The proposal is in the public interest because it will fast track the construction of Jordan Springs Public School. This will ensure that the primary school can open to the community at the earliest possible instance. The construction impacts of the development will be managed accordingly. On balance, the proposal is in the public interest and should be approved.

28 KEY IMPACTS ASSESSMENT

# 6. CONCLUSION

The proposed development has been assessed against the relevant provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979* and is considered appropriate for the following reasons:

- The proposal is consistent with state and local strategic planning policies;
- The proposal satisfies the applicable local and state statutory planning policies;
- No significant adverse impacts are envisioned by the proposed development. Any construction impacts will be managed;
- The proposal is suitable for the site; and
- The proposal is in the public interest.

Accordingly, it is concluded that the proposal should be approved under the provisions of the EP&A Act as amended, subject to appropriate conditions.

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# APPENDIX A SITE SURVEY PLAN

# APPENDIX B QUANTITY SURVEYOR'S REPORT

# APPENDIX C CIVIL PLANS

# APPENDIX D ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT

# APPENDIX E HISTORICAL ARCHAEOLOGICAL IMPACT ASSESSMENT

# APPENDIX F PRELIMINARY ENVIRONMENTAL SITE ASSESSMENT

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# APPENDIX G DETAILED SITE INVESTIGATION

# APPENDIX H GEOTECHNICAL INVESTIGATION

# APPENDIX I CONSTRUCTION WASTE MANAGEMENT PLAN

# APPENDIX J FLOOD RISK ASSESSMENT

# APPENDIX K BUSHFIRE IMPACT ASSESSMENT

# APPENDIX L BIODIVERSITY DEVELOPMENT ASSESSMENT REPORT

# APPENDIX M CONSTRUCTION TRAFFIC MANAGEMENT PLAN

# APPENDIX N ENVIRONMENTAL NOISE AND VIBRATION ASSESSMENT

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# APPENDIX O CIVIL DESIGN REPORT



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