

18 December 2019
Our Ref: 20817C.2AR_Submission

planning consultants

Greater Sydney Place and Infrastructure
NSW Department of Planning, Industry and Environment
GPO BOX 39
Sydney NSW 2000

Dear Sir/Madam,

**Re: MAMRE ROAD PRECINCT
WRITTEN SUBMISSION**

DFP Planning has been engaged by the Anglican Schools Corporation (ASC), the landowner of Mamre Anglican School (the Site), to review the Mamre Road Precinct plan which is currently on exhibition and to prepare a submission for Department of Planning, Industry and Environments (DPIE) consideration. The site is located at 45-59 Bakers Lane, Kemps Creek in the north eastern corner of the precinct.

The following letter provides a brief outline of the Site's location within the precinct and identifies several matters on which we seek DPIE's consideration.

1.0 Site Description

The Site is located in the north eastern corner of the Mamre Road Precinct on the northern side of Bakers Lane (see **Figure 1** below).

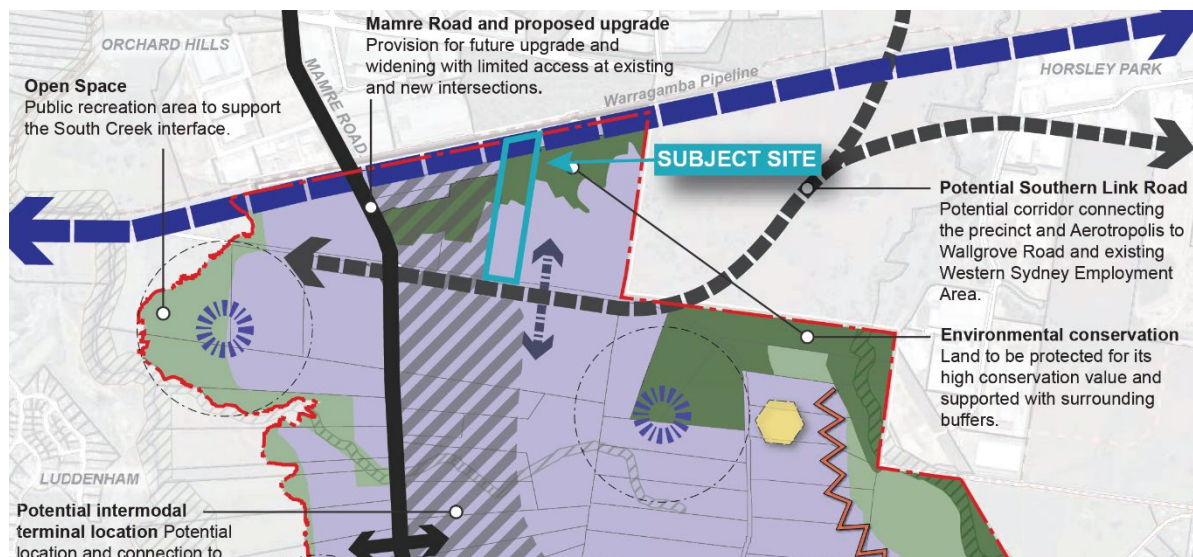


Figure 1 Location of site within the Mamre Road Precinct (Source: Mamre Road Precinct Structure Plan, DPIE)

The site has a street frontage to Bakers Lane and a rear boundary adjoining the water pipe network which connects the Nepean River to Prospect Reservoir. The site is legally described as Lot 4 in Deposited Plan (DP) 587334 (see **Figure 2**). The site has an area of approximately 10.48 hectares and is rectangular in shape with a splayed rear boundary.

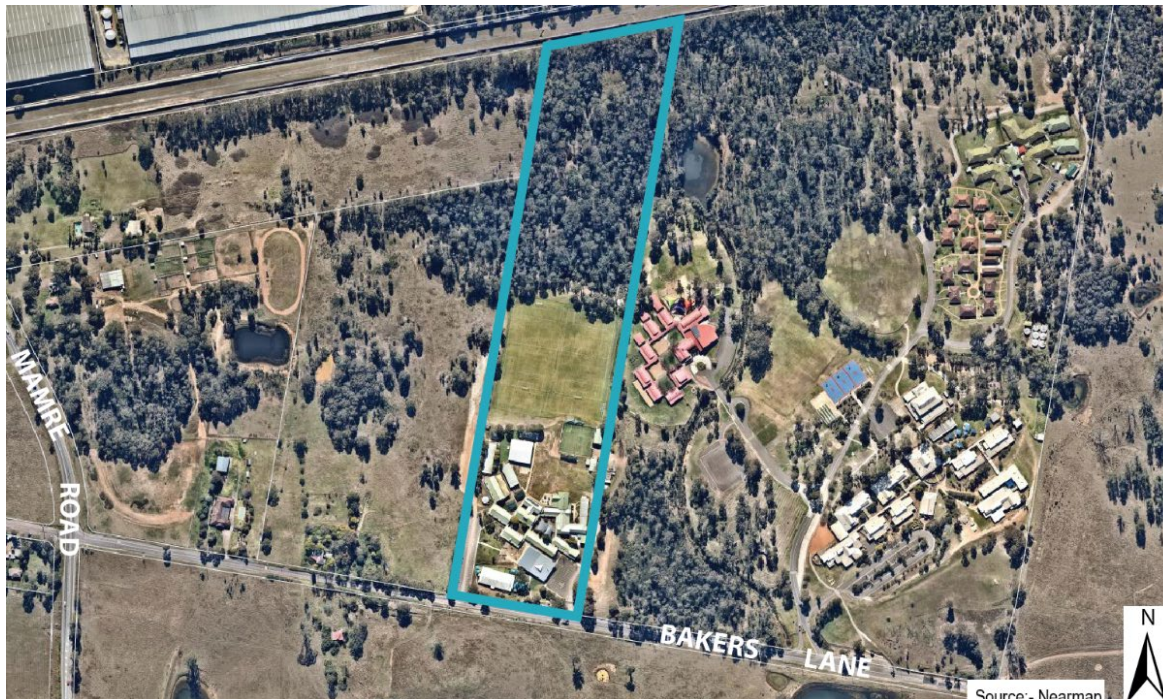


Figure 2 Site Context

The site contains Mamre Anglican School a K-12, co-educational school and has been operating for 12 years. The school currently has 680 students and has a student cap of 740 students which allows for future growth.

All buildings on site are adjacent to Bakers Lane in the lower third of the site. Buildings on site contain a range of school buildings for primary and high school students and an early learning centre. A multipurpose play area is also contained within this area which is used for netball courts and futsal fields. **Figures 3** and **4** below show some of the existing buildings on site.



Figure 3 Junior School building



Figure 4 The Victor Branson Senior Study building

The central third of the site contains two soccer fields and beyond this in the northern third of the site is bushland. **Figure 5** below shows the soccer fields and bushland beyond.



Figure 5 Existing Soccer Fields and Bushland beyond

The site is currently located with a rural landscape area which comprises schools, farmland and industry. East of the site is Trinity Catholic Primary School, Emmaus Catholic College and Emmaus Retirement Village. These three uses are spread over a 41 hectare site which include school buildings, residential buildings, ovals, car parking, internal roads and bushland. This site is accessed from Bakers Lane.

South of the site is 706 – 752 Mamre Road, a rural site used for livestock grazing. West of the site is 21-43 Bakers Lane, a rural residential site, used for livestock grazing. North of the site is a Sydney Water pipe known as Warragamba Pipeline. Further north beyond this infrastructure is land which forms part of the Western Sydney Employment Area and is used for industrial purposes.

1.1 Site Location Within the Precinct

The Site is located within the draft Mamre Road Precinct. This precinct forms part of the Western Sydney Employment Area and the Western Sydney Aerotropolis. This area has been identified for industrial employment land uses. We therefore understand that the future of the locality will be industrial.

1.1.1 Proposed Zoning

Under the draft Precinct Plan the Site is proposed to be rezoned from RU2 Rural Landscape to IN1 General Industrial with the vegetated area at the north zoned for E2 Environmental Conservation (see **Figure 6** below).

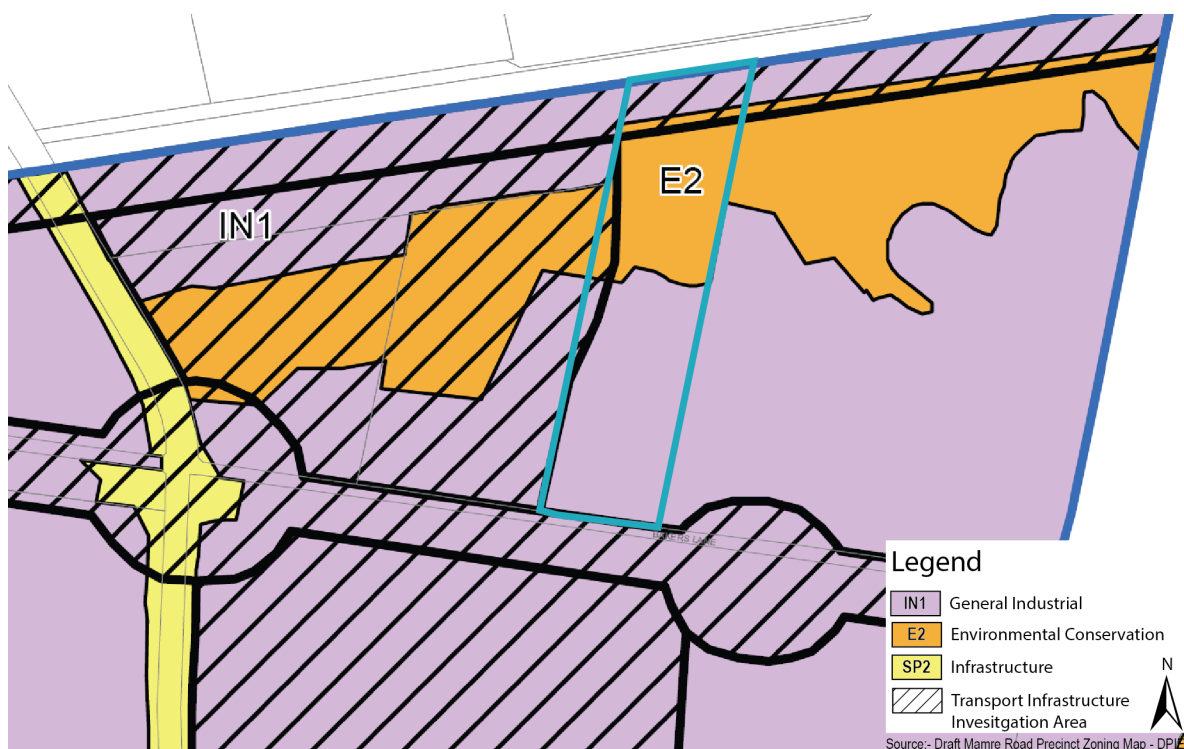


Figure 6 Draft Zoning Map extract

Both the IN1 General Industrial zone and the E2 Environmental Conservation zone identify Educational Establishments and Child-Care Centres as prohibited land uses. Further, neither SEPP (Educational Establishments and Child Care Facilities) 2017 (Education SEPP) or SEPP (Western Sydney Employment Area) 2009 contain provisions that would override this zoning or permissibility.

Therefore, should the site be rezoned to General Industrial and Environmental Conservation Zones, the school would need to rely on existing use rights for any future development on site.

1.1.2 Proposed Surrounding Land Uses

The structure plan identifies an intermodal terminal which may be located along the western boundary of the Site. A rail line may also be located north of the site. This infrastructure will be subject to a NSW Business Case Study to be determined in the future.

The draft zoning map also identifies a small area of the western side of the Site as 'Transport Infrastructure Investigation Area'. On the structure plan this area is identified as the intermodal terminal, Western Sydney Freight Line and Southern Link Road.

2.0 Future School Building Works

The school has several building projects currently planned for expansion and refurbishment of the school. Works include:

- New Senior School building forecast for construction in 2020 (currently being assessed by Penrith City Council);
- New Covered Outdoor Learning Area forecast for construction in 2020;
- Two classroom extension to Junior School Building; and
- Refurbishing and repurposing existing buildings.

3.0 Submission Points

The following subsection addresses the points of submission.

3.1 Proposed Zoning

The proposed General Industrial and Environmental Conservation zones proposed for the site will be very limiting and will force the School to rely upon existing use rights for any future development works.

In addition, the General Industrial and Environmental Conservation zones are not 'prescribed zones' within the Education SEPP which will therefore limit the School's ability to undertake development which would ordinarily be permitted without consent. These works may include (see Clause 36 of the Education SEPP for a complete list):

- Maintenance works;
- Minor alterations or additions;
- Restoration, replacement or repair of damaged buildings or structures; and
- Installing security measures, including fencing, lighting and security cameras.

To undertake the above works, should the site be rezoned, it would be necessary to lodge a Development Application for all future work.

To ensure the site does not need to rely upon existing use rights it is possible to identify the site as having a Schedule 1, Additional Permitted Use for 'Educational Establishments' and 'Centre-Based Child Care Facilities'. By isolating the uses to the Site rather than adding the uses as permitted uses in the General Industrial zone, school and child care centre operations will not be possible on other sites in the precinct. By adding these uses to the Schedule 1 Additional Permitted Uses list the School would not need to rely upon existing use rights for any future DA.

3.2 Location of the Transport Infrastructure Investigation Area

As discussed in **Section 1.1.2** part of the site is identified as containing the Transport Infrastructure Investigation Area. It is requested that this area be removed from the site and instead a buffer be provided adjacent to the school.

As is identified in the structure plan, buffer/transition areas are proposed along the edges of the precinct which adjoin residential areas in order to protect the amenity of residential development in this area. It is requested that a similar buffer be provided adjacent to the western boundary of the Site in order to protect the amenity of the school.

Due to existing buildings and playing fields on Site it is not possible to provide these buffers on the Site as there is no vacant land along the edges of the School. The school is not in a position to relinquish land along the property boundary due to the possibility of this space being provided for future car parking and traffic reticulation, this will be especially important if the locality becomes primarily industrial land as traffic safety for students may require internal pick and drop off of students. In addition, as the School plans to operate for the foreseeable future it would not be possible for the intermodal terminal to be partly located on the School site.

It is requested that TASC and Mamre Anglican School be included directly in discussions with DPIE and Transport for NSW in determining the specific location of the Southern Link Road and the details of the intermodal terminal.

It should also be noted that the proposed location of the intermodal terminal is not supported by the school due to the amenity impacts and the potential traffic safety issues which are likely to be generated by the terminal. It is requested that an alternate location for the terminal be considered where it would have less impact on existing sensitive land uses.

3.3 Savings Clause

In accordance with Section 4.4 of the Mamre Road Precinct Discussion Paper, savings provisions are currently not proposed for the amendment. DFP believe that savings provisions should be included to ensure any Application which is being assessed can be assessed under the controls which applied at the time of lodgement.

Currently the School have a Development Application being assessed by Penrith Council which relies on the permissibility of Educational Establishments on Site. As such savings provisions are necessary to ensure the continued permissibility of the proposal during assessment.

4.0 Conclusion

The rezoning of the Mamre Road Precinct will have significant impact on Mamre Anglican School, however it is acknowledged that the area forms part of the Western Sydney Employment Area and the Western Sydney Aerotropolis and the rezoning for industrial employment land uses is inevitable. None-the-less, we request some minor changes to the proposal in order to preserve the amenity of the school.

These changes are detailed in **Section 3.0** above and can be summarised as follows:

- Include a Schedule 1, Additional Permitted Use for 'Educational Establishments' and 'Centre-Based Child Care Facilities' which applies only to the Site;
- Remove from the zoning map the small area on the Site which is currently identified as Transport Investigation Area;
- Provide a buffer/transition area adjacent to the western boundary of the Site in order to protect the amenity of the school;

- Review the intermodal terminal location; and
- Include a savings provision in the gazetted material.

It is also requested that TASC and Mamre Anglican School be included directly in discussions with DPIE and Transport for NSW in determining the specific location of the Southern Link Road and the details of the intermodal terminal.

We trust that the information contained within this letter adequately addresses the concerns of TASC and Mamre Anglican School, however should you have any queries or wish to consult further on the matter please do not hesitate to contact Alicia Rijke on 9980 6933.

Yours faithfully,
DFP PLANNING PTY LTD

A handwritten signature in black ink, appearing to read 'Alicia Rijke', is written over a light grey rectangular background.

ALICIA RIJKE
PRINCIPAL PLANNER

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Reviewed: 
