

7 April 2017

Department of Planning and Environment
Director,
Industry and Infrastructure Policy
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam

Draft State Environmental Planning Policy (Education Establishments and Child Care Facilities) 2017

Bathurst Regional Council welcomes the opportunity to make a submission to the Department of Planning and Environment's draft SEPP.

Council staff attended the roadshow event in Dubbo on 20 March 2017. Council staff found the event useful and Council supports the Department continuing this method of consultation on similar projects in the future.

Council supports the Department's efforts in reducing conflicting planning provisions between guidelines and assessment tools, however cannot support the continued pressure to move more development into the Complying Development approval pathway.

Council offers the following comments on the proposed SEPP.

1. Council is concerned that the colour schemes and building materials are included in the non-discretionary standards for child care centres (p. 16 of the EIE). Council is of the opinion that this may have a detrimental impact on Heritage Conservation Areas. Allowing Council's to negotiate with developers to have suitable colour schemes and building materials would reduce the potential impact of those elements on the Heritage Conservation Area.
2. Council supports the Departments reference to Council's Development Control Plan with respect to car parking for child care centres.
3. Council supports the concept for Joint Regional Planning Panels being the consent authority for new school sites.
4. Council is most concerned with the proposal to permit 4-storey buildings on School Sites as complying development. Acknowledging that there are increased boundary setbacks, the permissibility of a hi-rise school does not have any regard to the existing character of the Bathurst region, nor does it consider the wider impacts on local development such as privacy, overshadowing and amenity. **Council strenuously opposes the insertion of**

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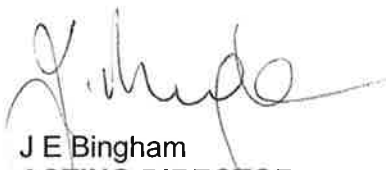
this provision, particularly in Regional NSW. Developments to such a height must be subject to a more thorough development assessment process, particularly in locations such as Bathurst.

5. Council raises concerns with the consultation requirements for traffic and parking on the local road network. Whilst this requirement acknowledges the need for proper assessment, consultation should be with either the RMS or Council. This may also result in the case where upgrades are required, potentially land acquisitions. Issues may arise with the school's ability to undertake land acquisitions to undertake the requisite upgrades and at which point should they be undertaken.
6. Council supports the retention of the notification requirements for works being undertaken.
7. Council questions the appropriateness of the the site compatibility process for the disposal of school sites. Whilst it is only available to public authorities, the ability to dispose of part or all of school sites is fraught with danger. Council's experience is that the land may be better suited to another community use such as open space. Proper long term planning as to alternate uses for the site should form part of the Department's decision making process whether or not to support the application.

Council believes that there is an opportunity for long term planning to consider future school sites as a Section 117 direction. Council is coming under increasing pressure to rezone and remove School restrictions from land that Council has identified in its long term planning of the City. The development of a Section 117 direction would give Council a framework to determine appropriate locations for educational facilities in the future.

If you have any queries please contact Mr Nicholas Murphy of Council's Environmental Planning & Building Services Department on 02 6333 6514.

Yours faithfully



**J E Bingham
ACTING DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES**

Cc: Department of Planning and Environment – Western Region
westernregion@planning.nsw.gov.au