

Miss Alejandra Rojas
Principal Planner

Suite 9 259
George Street
SYDNEY New South Wales 2000

6 August 2021

Dear Miss Rojas

**New Liverpool Primary School (SSD-10391)
Response to submissions report**

The exhibition of the development application for the above proposal - including the Environmental Impact Statement (EIS) ended on 26 July 2021.

We have placed all submissions on the Department's website at:
<https://www.planningportal.nsw.gov.au/major-projects/project/25791>.

In accordance with clause 85A of the *Environmental Planning and Assessment Regulation 2000*, the Planning Secretary requires the Applicant to respond to all issues raised in these submissions and government agency advice, and where necessary, technical supporting documents must be revised.

The Department has also undertaken a preliminary assessment of the EIS and, in addition to the issues raised in agency submissions, requires the matters at **Attachment 1** be addressed in full. You are requested to provide the Department with a response to the submissions within two months.

Please lodge your response by progressing the application on the major projects planning portal <https://majorprojects.planningportal.nsw.gov.au/>.

Note that the time between the date of this letter and the date the Secretary receives your response are not included in the period of 'deemed refusal', under clause 113(7) of the *Environmental Planning and Assessment Regulation 2000*.

If you have any questions, please contact Aditi Coomar on 82172097 or at aditi.coomar@planning.nsw.gov.au.

Yours sincerely



as delegate for the Planning Secretary

Attachment 1 – Key Issues

Strategic context

- Provide consideration of how the proposed project addresses the planning priorities and actions in the Collaboration Area - Liverpool Place Strategy and the Liverpool Local Strategic Planning Statement.

Open Space

- The proposed development would result in the loss of one soccer field that is currently used by the high school students.
- The EIS states that despite the loss of open space, satisfactory open space would be available for all school students within the precinct (2000 high school and 1300 primary and preschool students) within the site.
- You are requested to provide a detailed breakdown of the total area of open space available within the site, how it will meet the recreational open space needs of the children in each of age groups represented at the two schools and address childhood obesity issues within this region.
- Address how it would comply with the relevant requirements of Department of Education, in terms of area of available open space per student.
- You are also requested to provide details of how the open space would be shared among the high school and primary school students, given the proposed common usage of these areas.

Social Impact Assessment

- The Social Impact Assessment does not include a reasonable assessment of the impacts of loss of open space on the students and the community that are current and future users of this open space, and the consequences and mitigations.
- You are requested to update the Social Impact Assessment Report to include a further assessment of the impact of the loss of open space on the users of the site and the community in the surrounding locality.

Flooding

- The Department notes that the site is subject to mainstream flooding from Georges River to the southeast and overland flooding from the Liverpool Central Business District (CBD) catchment to the south and west. The Georges River Probable Maximum Flood (PMF) level is RL10.80 while the Liverpool CBD overland flow PMF is approximately RL 9.3.
- The consultation report confirms that Liverpool Council has asked for development to be at the Georges River PMF level. However, the architectural plans show that the ground level would be at Liverpool CBD overland flow PMF level. The supporting report indicates that it is difficult to construct the building above this PMF and therefore a flood evacuation plan would be needed.

- Given that this is a new school on vacant land, please clarify the reason for which the new buildings not being design so that they can be built above the RL 10.8 which would be the highest PMF in the area and reduce risk to children and staff.

Noise Report

- The Noise report does not include any assessment of the pre-school component which would operate on the site from 7am daily and likely throughout school holidays. Please update the Noise Report to include an assessment of the pre-school component.
- The Noise Report indicates that Out of Hours School Care (OOSH) operates form 7am whereas the EIS indicates that it would operate from 6:30am. Please confirm the operating hours of the OOSH and where relevant, how noise compliance would be achieved with the night-time criteria if operating prior to 7am.

Drop-off / Pick-up

- The proposal involves 25 drop-off / pick-up spaces to cater for 1300 students including 40 pre-school students. The Department notes that the pre-school students cannot use drop-off / pick-up spaces if the parents arrive at the same time as the school peak hours. This is because the children are required to be signed in and out of the pre-school by the parent unlike a primary school. The time period that those vehicles will be occupying a space will be significantly greater than normal kiss and drop.
- The Department also notes that when students from the same family include one sibling in the pre-school and one in the primary school, the drop-off/pick-up zone cannot be used by the parent due to the pre-school child.
- Consequently, in the scenario where the pre-school drop-off / pick-up times coincide with the school peak times (which would be applicable for some students), you are requested to provide details as to where the parents would park their cars when they arrive / depart for pre-school drop-off / pick-up.
- Given that this development involves a pre-school, a parking facility for the pre-school users would be required or else an alternate area needs to be identified where parents can park during arrival / departure.
- Please confirm the assumptions in relation to turn-around times at the drop-off / pick-up zone on Burnside Drive to demonstrate how the 25 spaces would be sufficient to cater for the school population, that would utilise this facility.

Mode share targets

- The Traffic Report adopts a walking mode share of 50% for the students as an existing scenario based on census data (plus Chatswood and Macquarie), but the figures in the two nearby schools (as compared in the report) shows 80 – 90% car dependence (which is proposed to be reduced to 34%). In this scenario, the Department agrees with the concerns raised by the South West Area Health Department (SWAHD) that the proposed mode share

target of 60% to 70% walking rates in the future may not be achievable considering the current walking rates in Liverpool and the general supporting data.

- Additionally, the Department also agrees with the SWAHD that the roundabout on the northern side, the lack of adequate footpaths on Lachlan Street, the traffic movements in the local streets surrounding the site may result in an environment that is not conducive to increased walking.
- Given the above, the Department requests that you provide further information to demonstrate how the mode share targets including the proposed walking rates would be achieved in the short and long terms.
- The Traffic Report indicates that you would investigate the widening of a number of footpaths in the short to medium term. In this circumstance, please clarify how the mode share target for walking would be achieved in the interim when wider footpaths would not be available.
- The Department also notes that one of the intersections would operate at Level of Service (LoS) D in 2033 and to mitigate this impact, the Traffic Report proposes reduction in car usage in the adjacent high schools. However, the current Student Transport Plan only applies to the proposed new school and not the high schools adjacent to the site. You are requested to clarify how the reduction in the car usage for the high schools would be achieved, reviewed, monitored in the context of the current development application of the primary school.
- Following from the above, you are requested to demonstrate the practical feasibility of this mitigation measure (including the staggering of times for the two high schools) to enable the improvement of the intersection, as it does not relate to the school which is the subject of this development application.

Traffic generation and mitigation

- Please confirm that the future traffic volume (2023 and 2033) in Table 12 of the EIS includes the design traffic only with no mitigations proposed (such as including inputs from mode share targets).
- The EIS states that the project team is liaising with Health Infrastructure on the adjacent road network and a new roundabout will be installed as part of the project to provide access to the school drop off zone on Burnside Drive. The roundabout would be delivered under a separate approval partly on the Liverpool Hospital land. Part of the roundabout appears to be within the school land as well. In this regard, please confirm:
 - whether the roundabout would be delivered along with the widening of the Burnside Drive prior to the school opening in 2023 (this is the recommended option).
 - the consultation process with SWAHD / TfNSW with regard to delivery of this roundabout.
 - whether any boundary adjustments would be needed as part of the school land appears to be utilised for the roundabout.
 - whether the roundabout and the road infrastructure would be dedicated back to Council for future management.
 - how would cars be prevented for making a U-turn on Burnside drive while dropping / picking students.

- The Traffic Report states that, in order to ensure intersection performance improvements in 2033, an alternate physical mitigation measure may be proposed, which includes an additional short approach lane on the northern approach of the roundabout on Lachlan Street/ Burnside Drive/ Hart Street. Please confirm whether this mitigation measure is proposed to be pursued in 2033.
- Table 6.11 of the Traffic Report includes the future intersection performance for the Lachlan Street/ Burnside Drive/ Hart Street intersection and indicates that this intersection would have a LoS A in 2033, after inputting the mitigation measures in the model.
- Please confirm whether these mitigation measures only include the reduction of car usage for the high schools / staggered school times or whether the measures include the northern approach lane is also included in the mitigation measures utilised to model this intersection in the future. As such, as indicated above the feasibility of the mitigation measures relating to the high schools would also need to be addressed.

Bicycle infrastructure

- The Department requests that you address Council's concerns regarding the provision of cycling infrastructure surrounding the site.

Design of the development

- Government Architect NSW (GANSW) have reviewed the EIS and have raised concerns regarding the full height glazing to the Western façade with no shading and no planting able to be facilitated along the boundary. In recognition of the western elevation, you are requested to address this issue and provide additional shading devices or articulation of this façade which can result in shading.
- Please provide details on the proposed future east/west link through the site, even if it is not finalised as yet, to demonstrate the site permeability.
- GANSW have raised concerns that the 'breakout' balconies have been deleted with only one outdoor learning space on level 01. You are requested to address this issue, include reasons as to why all of the upper level balconies have been deleted and provide details of outdoor learning areas on this level.

Archaeological test excavations

- The Department notes that the Aboriginal Cultural Heritage Assessment Report and the Historical Archaeological Assessment Report have identified that the site has a moderate potential of presence of archaeological relics. Appendix FF of the EIS indicates that test excavations were to be conducted on the site in June 2021.
- Based on comments received from Heritage Division of the Department of Premier and Cabinet, the Department recommends that the above reports be updated to include the results of these test excavations. Informed by the results, the updated reports should also include

additional recommendations regarding final archaeological excavation methodology and salvage plans.