

29 October 2019

2190413

Mr Jim Betts  
Secretary  
Department of Planning, Industry and Environment  
320 Pitt Street  
Sydney, NSW, 2000

Dear Mr Betts,

## **Request for Secretary's Environmental Assessment Requirements New Liverpool Primary School – State Significant Development**

This request is made on behalf of School Infrastructure NSW (SINSW) as the proponent for the proposed construction and operation of the new Liverpool Primary School within the grounds of the existing Liverpool Boys and Girls High School at 18 Forbes Street, Liverpool.

As the proposal is for alterations and additions to an existing school with a capital investment value in excess of \$20 million, in accordance with Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* it is State Significant Development for the purposes of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The purpose of this letter is to request Secretary's Environmental Assessment Requirements (SEARs) in accordance with Section 5.15 of the EP&A Act for the preparation of an Environmental Impact Statement (EIS) for the proposed development. To support this request, outlined below is an overview of the proposed development, the statutory context, and the key likely environmental and planning issues associated with the proposal.

### **1.0 The Site**

The site is within the Liverpool Central Business District (CBD), at 18 Forbes Street, Liverpool, within the Liverpool LGA. The site is approximately 27km south west of the Sydney CBD.

The site is within proximity of transport services and key road links including Liverpool Train Station approximately 700m to the south, Warwick Farm Train Station approximately 500m to the north, the Hume Highway to the north and the M5 South Western Motorway to the south. It is located directly north of the Liverpool Hospital campus which adjoins the site to the south.

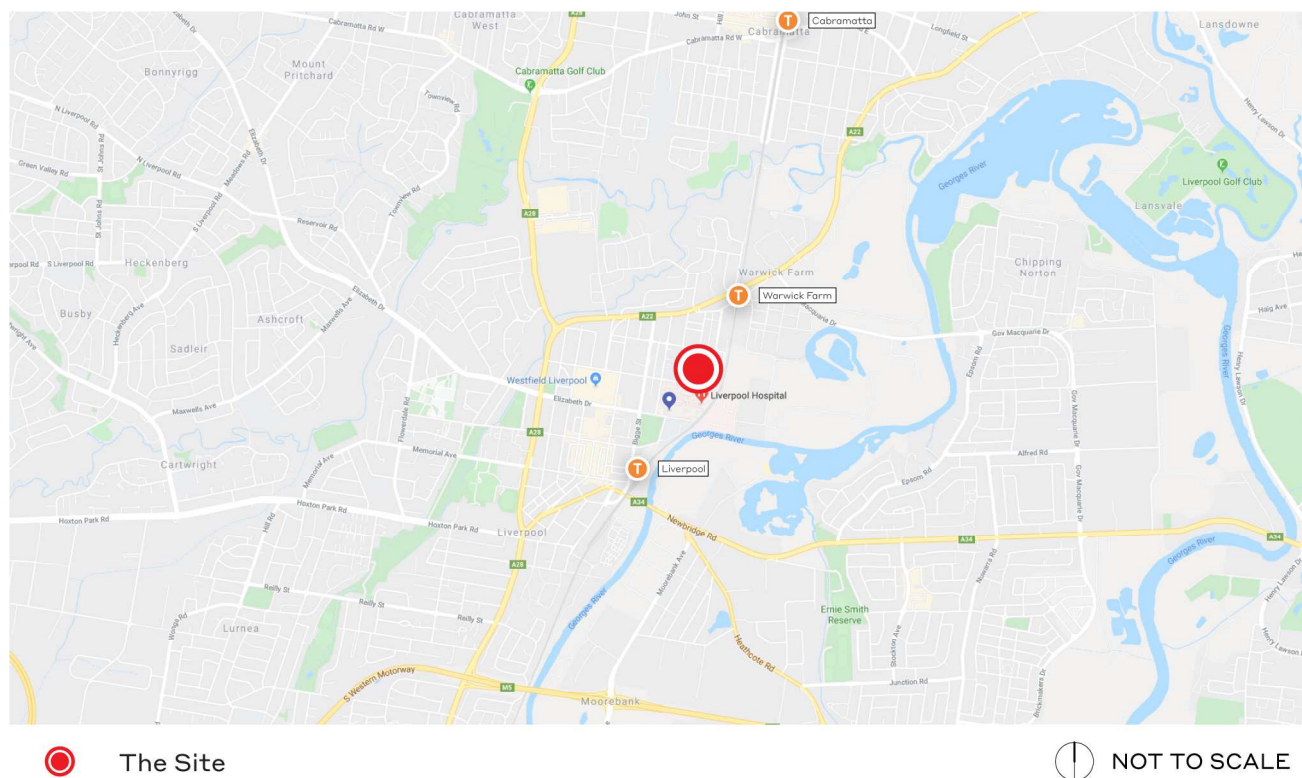
The site is immediately west of a railway corridor that connects Liverpool and Warwick Farm railway stations.

The site's locational context is shown at **Figure 1** and the existing schools are shown at **Figure 2**.

### **1.1 Site Description**

The proposed works are located in the north-east portion of the school campus in the location of existing playing fields and tennis courts. The land is otherwise clear of development.

The site is made up of one (1) lot that is legally described as Lot 1 in DP 1137425. It has an area of approximately 7.5ha. The land is owned by the Department of Education.



**Figure 1** Locational Context

Source: Googlemaps / Ethos Urban



**Figure 2** Aerial photograph of the site

Source: Nearmap / Ethos Urban

## 2.0 Description of the proposed development

The SSD application will seek consent for the construction and operation of a primary school. Further options analysis, including detailed service and operational planning, will inform the size and student capacity of the scheme progressed through SSD application, noting that the strategic and long term master planning has provisioned for up to 1,200 students.

The application will include the following:

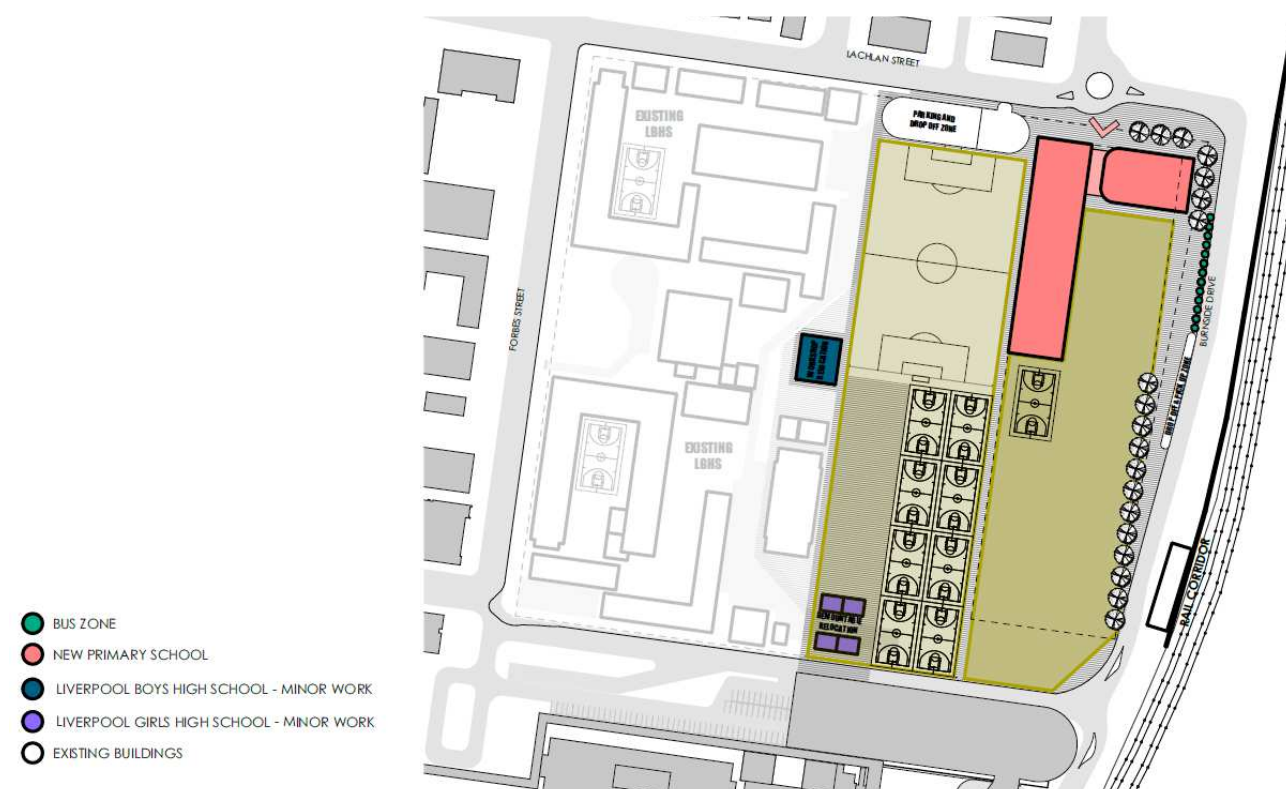
- Construction of a new school building of up to four storeys including core school facilities, teaching spaces and support units;
- Associated site landscaping and open space improvements;
- Removal of trees; and
- School signage.

The site location is shown at **Figure 3**, and an indicative site plan prepared by Fitzpatrick and Partners is provided at **Figure 4** below.



**Figure 3** Site location outlined red

Source: Fitzpatrick and Partners



**Figure 4** Indicative layout

Source: Fitzpatrick and Partners

## 2.1 Cost of Works

The Capital Investment Value of the proposed development will be over \$20 million.

## 3.0 Strategic Need for the Project

Liverpool CBD is undergoing a substantial transformation as one of Western Sydney's fastest growing districts with substantial economic drivers such as Liverpool CBD being the closest centre to the Badgery's Creek Aeropolis as well as the Liverpool Innovation Precinct which is leveraging on significant existing institutions across Liverpool such as Liverpool Hospital, DoE, TAFE, university campuses and the Ingham Institute. These economic drivers are combined with the projected increase in residential density in the Liverpool LGA and surrounding areas including the Georges River and Warwick Farm masterplan and within Liverpool CBD.

Liverpool is home to around 214,000 residents. Strong population growth in Liverpool is being driven by increased migration, higher birth rates, and the changing role of Liverpool as a regional city. It has one of the fastest growing school age populations (growing at twice the growth rate of NSW). At a primary school level, future demand is rapidly exceeding capacity, with the potential to result in overcrowding and increased travel time for students. By 2036, it is projected that primary school enrolment demand in the Liverpool School Community Group will increase by ~1,500 students.

Due to the anticipated future student demand within Liverpool CBD, and the need for additional, higher quality learning spaces and facilities, SINSW has identified that there is a need to accommodate additional student capacity within Liverpool. The existing Liverpool Boys and Girls High School site has been identified as having capacity to house a new primary school, the subject of this application. This location has also been confirmed as the most appropriate location to accommodate a new primary school in terms of availability and responding to the service needs in the Liverpool CBD area.

## 4.0 Planning Context

### 4.1 Strategic Planning Framework

This section provides a summary of the key strategic plans as they apply to the proposal. The proposed development is consistent with the outcomes of key relevant strategic plans at **Table 1**.

**Table 1 Consistency with strategic plans**

Strategic Plan	Comment
Greater Sydney Regional Plan	The Greater Sydney Regional Plan (the Regional Plan) is the overarching strategic plan that seeks to shape future development for the Sydney metropolitan area over the next 40 years. Under the Regional Plan, Sydney will be made of three cities, with Liverpool forming part of the Western Parkland City along with Greater Penrith and Campbelltown-Macarthur. Liverpool is designated as part of the 'Metropolitan' cluster (centre) of the Western City in the centres hierarchy. Objectives 1 and 2 of the Regional Plan emphasise that areas forecasted to experience significant residential and employment growth will require new and/or enhanced infrastructure, including educational facilities, to support growth. The Regional Plan also identifies Liverpool as the foundation for growing health and education precincts.
Western City District Plan	The Western City District Plan sets out the planning priorities and actions to manage growth and change in the Western City District. It is a guide for implementing the Regional Plan, at a district level, and is a bridge between regional and local planning. The District Plan informs local strategic planning statements, preparation of Local Environmental Plans and assessment of Planning Proposals, community strategic plans and policies. Planning Priority W1 specifically refers to the need to provide infrastructure, including schools, to fairly balance population growth with infrastructure investment. This is required to equitably enhance local opportunities, inclusion and connection to services. The proposed redevelopment of a new Liverpool Primary School is consistent with Planning Priority W1.
Our Home Liverpool 2027	Our Home Liverpool 2027 is Liverpool Council's 10-year Community Strategic Plan (CSP). The CSP defines the visions and priorities for community and aligns with the strategic policy directions of the State Government. The CSP is underpinned by four directions; creating connection, leading through collaboration, generating opportunity and protecting the environment.
The Liverpool Innovation Precinct	A coalition of education and health institutions are working together to advance the sectors within Liverpool to create a world leading precinct in education, innovation, health and research. This is being driven by a strong public-private collaboration across the entire precinct.

### 4.2 Environmental Planning and Assessment Act 1979

The EP&A Act establishes the assessment framework for SSD. Under Section 4.38 of the Act the Minister for Planning and Public Spaces is the consent authority for SSD. Section 4.12(8) requires that a development application for SSD is to be accompanied by an Environmental Impact Statement (EIS) in the form prescribed by the Regulations.

### 4.3 State Environmental Planning Policy (State and Regional Development) 2011

The *State Environmental Planning Policy (State and Regional Development) 2011* (SEPP SRD) identifies development which is declared to be State Significant. Clause 15 of Schedule 1 of the Policy provides that State Significant Development includes:

#### 15 Educational Establishments

- (1) *Development for the purpose of a new school (regardless of the capital investment value).*
- (2) **Development that has a capital investment value of more than \$20 million for the purpose of alterations or additions to an existing school.**
- (3) *Development for the purpose of a tertiary institution (within the meaning of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017), including associated research facilities, that has a capital investment value of more than \$30 million.).*

As the proposal is for the purposes of alterations and additions to an existing school and has an estimated Capital Investment Value of over \$20 million, the development can be declared to be State significant development.

#### 4.4 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

Under Schedule 4 of *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (Education SEPP), proposals for schools need to address Schools-design quality principles. There are seven principles that provide a guide for the development of schools to ensure that facilities are well-designed, appropriately located, and fit for purpose. The principles aim to ensure that the design of school infrastructure responds appropriately to the character of the area, landscape setting and surrounding built form to ensure that schools and school buildings are an integral part of the community.

Parts 3 and 4 provide provisions relevant to the development of schools which will need to be considered as part of the future DA.

As the proposal will have a capacity of more than 50 students, Roads and Maritime Services (RMS) will be consulted throughout the SSD process.

#### 4.1 Other State planning policies

In addition to the above, the following policies apply to the site and will need to be considered as part of the SSD application:

- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55);
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No. 64 – Advertising and Signage; and
- Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment: Land Application

#### 4.2 Liverpool Local Environmental Plan 2008

The site is zoned SP2 Infrastructure – Health Services Facility and Educational Establishment in the *Liverpool Local Environmental Plan 2008* (LLEP 2008). An Educational Establishment is defined as:

*educational establishment means 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.*

Educational Establishments are permitted with consent in the SP2 zone.

**Table 1** below provides a summary of the key relevant provisions in the LLEP 2008 that apply to the site. These matters will be addressed further as part of the EIS.

**Table 2 Liverpool Local Environmental Plan 2008**

Item	Control
Height of Buildings	35m
Floor Space Ratio	2.5:1
Heritage	The site is not identified as an item of heritage significance, but surrounding streets are identified under Schedule 5 of the LEP as 'Plan of Town of Liverpool (early town centre street layout—Hoddle 1827)' (Item No. 89). The Bigge Park Heritage Conservation Area is located to the south.
Land Reservation	The site is not identified by the land reservation acquisition map.
Flood planning	The majority of the site is identified as being 'flood prone land' and is affected by the 1 in 100 year ARI.

Item	Control
Acid Sulfate Soils	The site is identified as being located on land with Class 5 Acid Sulfate Soil.
Key sites	The site is not identified within the Key Sites Map.
Sun access in Liverpool City Centre	The site is not located within an area affected by Clause 7.2 of the LEP.
Design excellence in Liverpool City Centre	Development involving the construction of a new building or external alterations to an existing building in the Liverpool City Centre is to exhibit design excellence.

## 5.0 Environmental and Planning Issues

Based on our preliminary environmental assessment, the following are the key environmental assessment issues that will need to be considered as part of the EIS.

### Built form and Urban Design

The proposed scheme will be subject to an assessment with regard to the siting, height and massing of the development in the context of the surrounding landscape. Consultation will be undertaken with the NSW Government Architect in accordance with the State Design Review panel process.

### School Operations

Detail regarding the school operations will be submitted with the EIS, and will detail existing and proposed school operations, including hours of operation, staff and student numbers, any before or after care school services, and any proposed community use of school facilities, amongst other things.

### Environmental Amenity

The EIS will assess any amenity impacts on adjoining properties including acoustic impacts, visual privacy and overshadowing and how the proposal intends on mitigating impacts where they occur.

### Traffic and Parking

Traffic and parking analysis will be undertaken to determine the current daily and peak hour vehicle, public transport, pedestrian and bicycle movements. This will include an analysis of the provision of staff and visitor car parking at the school and an assessment of the existing and future transport needs associated with the new school.

The assessment will also consider access arrangements and measures to mitigate any associated traffic impacts. A Green Travel Plan will also be included to address ways in which sustainable and active transport modes can be encouraged and used by visitors and staff.

### Structural

The EIS will address building design requirements in proximity of a rail corridor and will address compliance with any relevant rail infrastructure protection guidelines in consultation with TfNSW.

### Contamination

A Phase 1 Site Assessment will be prepared and submitted with the EIS. The assessment will undertake a desktop study of the site and the expected potential for contamination, given past uses. The assessment will also suggest whether a Phase 2 Site Assessment and Remediation Action Plan should be prepared subsequently.

### Geotechnical conditions

A Geotechnical Assessment will be prepared and submitted with the EIS. The assessment will identify existing ground conditions and the implications for construction of the proposed development.

### **Noise and Vibration**

A Noise and Vibration Assessment will be undertaken to assess the main noise and vibration generating sources during construction and operation and outline measures to minimise and mitigate the potential noise impacts on surrounding sensitive receivers.

### **Biodiversity**

A Biodiversity Development Assessment Report (BDAR) will be prepared that will assess the vegetation and biodiversity value present on the site and any impacts as a result of the proposal. A BDAR waiver will not be sought for this project.

### **Environmentally Sustainable Development**

An ESD Report will be submitted with the EIS, and will outline how ESD principles will be incorporated into the design and ongoing operation of the development.

### **Infrastructure and Servicing**

Consultation will be undertaken with all relevant service providers in relation to the existing capacity and any augmentation and easement requirements for the development for the provision of utilities.

### **Flooding**

Council's flood mapping identifies the site as being flood prone. Accordingly, a Flood Report will be prepared to accompany the EIS. The Flood Report will inform the proposed built form.

### **Drainage and stormwater**

An assessment of stormwater and drainage will be prepared and submitted with the EIS. The assessment will detail measures to minimise any impacts on water quality, and will detail proposed drainage with respect to downstream properties.

## **6.0 Consultation**

In preparing the EIS, it is expected that the proponent will undertake consultation with the following stakeholders:

- Liverpool City Council;
- NSW Government Architect (as part of the State Design Review Panel);
- Transport for NSW;
- Sydney Trains; and
- Relevant surrounding landowners and the community.

It is noted that consultation with the Government Architect had begun with the project team meeting on 23 October 2019 to discuss the project which was positively received. The Government Architect has confirmed that key issues associated with the site will likely relate to overshadowing and solar access, flood impacts, site linkages, location of drop off and pick up design. These matters will be addressed through detailed design of the project and through further consultation with the Government Architect.

The project has also met with Liverpool City Council and Transport for NSW ensuring early and proactive engagement to support realisation of project opportunities.

## 7.0 Conclusion

The purpose of this letter is to request the SEARs for the preparation of an EIS for a new Liverpool Primary School within the grounds of the existing Liverpool Boys and Girls High School at 18 Forbes Street, Liverpool. The proposed development is critical to ensuring the long-term primary school capacity within the catchment, and will result in significantly improved teaching and learning facilities.

We trust that the information detailed in this letter is sufficient to enable the Secretary to issue the SEARs for the preparation of the EIS. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or ktudehope@ethosurban.com.

Yours sincerely,

A handwritten signature in blue ink, reading 'K. Tudehope'.

**Kate Tudehope**  
Associate-Director