



## SCOPING REPORT – QUEEN ANNE PRIMARY SCHOOL

### REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (SEARs)

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Queen Anne Primary School, Bankstown

No.40 Restwell Street, Bankstown

Prepared for: Queen Anne Grammar School

REF: M190243

DATE: 10 March 2021





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# 1. Introduction

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This report has been prepared to request Secretary's Environmental Assessment Requirement (SEARs) to guide the preparation of a State Significant Development Application (SSDA) for a proposed new primary school at No. 40 Restwell Street, Bankstown (the site) to be known as Queen Anne Primary School.

This report is prepared by Planning Ingenuity on behalf of Queen Anne Grammar School (the Proponent). The report relies on concept plans prepared by Legge + Legge Architects.

The proposed development is identified as a State Significant Development as it falls within the requirements of Clause 15 ("Educational Establishments") of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011, being "*development for the purpose of a new school (regardless of the capital investment value)*".

The proposal involves alterations to an existing building and change of use from a commercial use to an educational facility (primary school). The proposed works are contained within the envelope of the existing building. It will consist of demolition to specific internal walls on the ground and first floors. The internal design will include classrooms, halls, bathrooms and offices allocated over both levels. The proposal will not alter the existing GFA, height or building envelope. Minor changes are proposed to the external design of the existing building, which has a primary frontage to Restwell Street.

The primary school will cater for a total of 140 students and 10 staff which will occur over a three (3) year period.

The purpose of this report is to provide information to the Department of Planning, Industry and Environment (DPIE) to support the preparation of SEARs for the SSDA. This Statement is divided into six sections. The remaining sections include a locality and site analysis; a description of the proposal; an outline of the relevant planning framework, a preliminary environmental planning assessment; and a conclusion.

## 2. Site Analysis and Context

### 2.1 THE SITE

The subject site is known as No. 40 Restwell Street, Bankstown and has a legal description of Lot 1 in DP 588229. The site is rectangular in shape with a total area of 1114.9m<sup>2</sup>. The site has a western (primary) frontage with access to Restwell Street and eastern (rear) boundary of 24.385m. The north and south (side) boundaries are shared with No. 38-38A and 46-48 Restwell Street respectively, and are measured at 45.72m. The location of the site is illustrated in Figure 1 below.

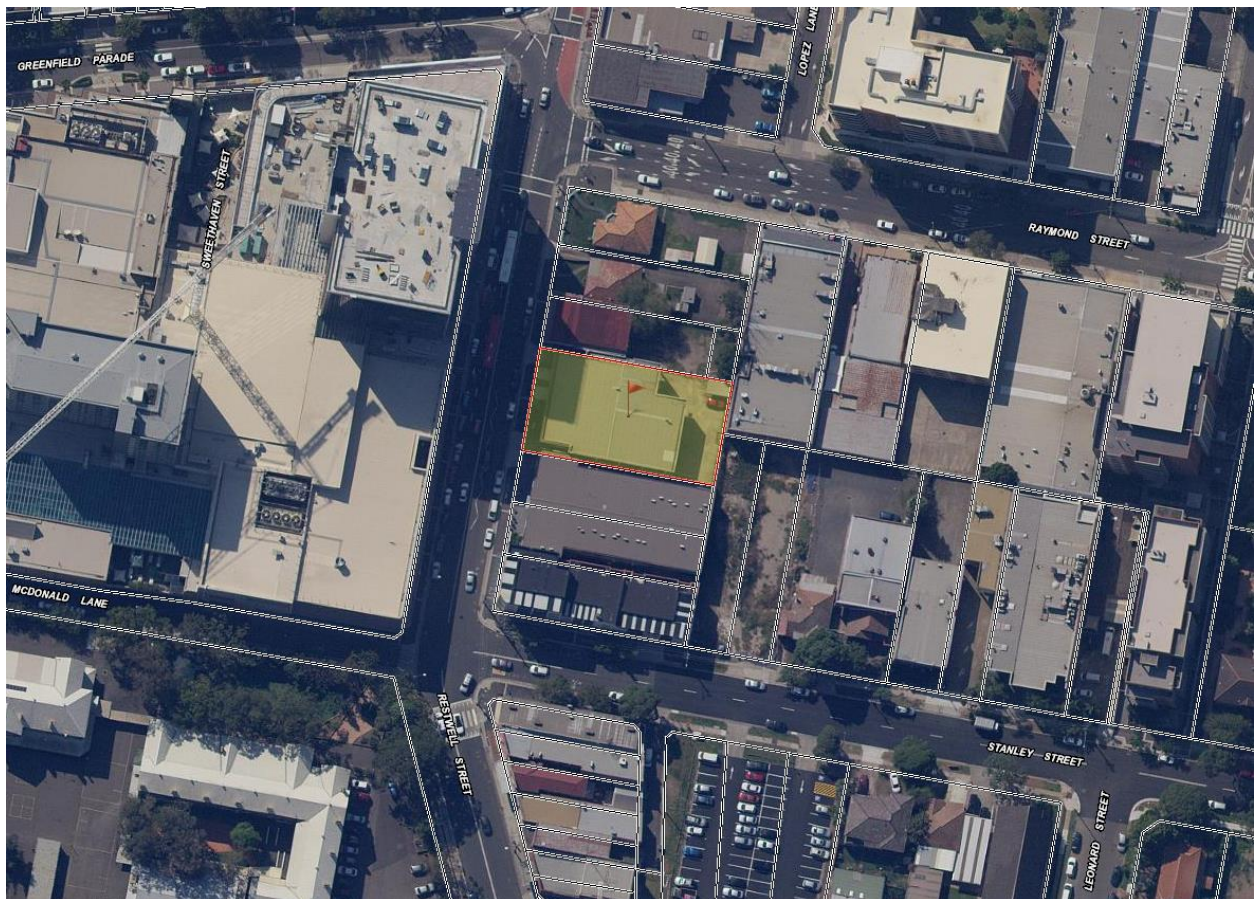


Figure 1 Aerial image of the subject site

The subject site is predominately flat throughout, with existing landscaping at the front of the site. The rear of the site contains concrete paving for 17 parking spaces (with operating drainage systems) and a steel carport located at the north-east boundary.

Existing on site is a two storey concrete and brick commercial building. The building is orientated towards Restwell Street and provides single vehicular entry and exit on the north and south (side) boundaries respectively. The driveway has two footpath crossings, one at each side of the building.



The building was originally purpose built for the ANZ Bank, which operated on this site until recently. The NSW Health Department then ran their Mental Health support services from the site for a short time. The existing building is in good repair, with the interior fit-out of the building still in place. It currently provides retail services on the ground floor with offices and similar services on the first floor.

The façade of the building consists of concrete, glazed panels, an automatic glass door entry and auto-teller.

The educational Facility will provide a Primary school, from Kindergarten to year 6 during the day.

A photograph of the site are provided in Figure 2 below.



**Figure 2** Site viewed from Restwell Street

## 2.2 SURROUNDING DEVELOPMENT

The subject site is situated within a B4 Mixed Use zone amongst a number of commercial developments, and is isolated from residential properties.

To the north of the site is No. 38 Restwell Street, a commercial two storey brick building with on-site parking (Figure 3).

To the south of the site is No. 46-48 Restwell Street, which also contains a two storey commercial brick building with on-site parking (Figure 4).

The subject site has two properties which share its eastern (rear) boundary, No. 44 Raymond Street which contains a two storey commercial building (see Figure 5) and Nos. 53 – 55 Stanley Street which is currently a vacant site (Figure 6).





Figure 3 No.38 Restwell Street (2019)

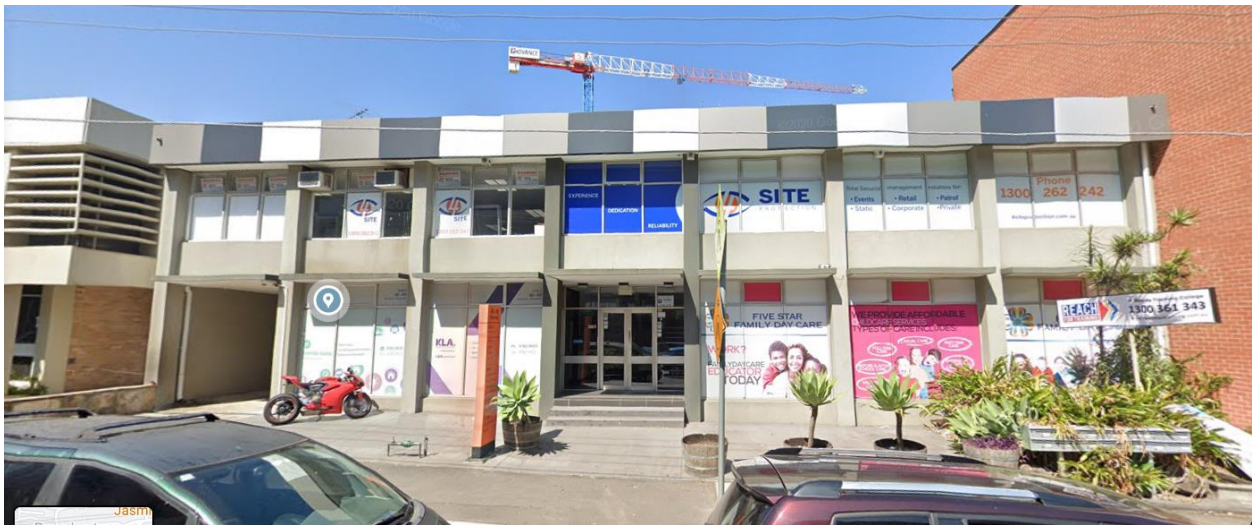


Figure 4 No.46 Restwell Street (2020)



Figure 5 No.44 Raymond Street (2019)



Figure 6 No.53 – 55 Stanley Street (2019)

## 2.3 CHARACTER OF THE LOCALITY

The site is located within the Bankstown city centre and is in close proximity to a number of different services and amenities.

The built form of the surrounding area is characterised by a variety of commercial, retail and residential buildings of varying density and character.

Restwell Street is a relatively wide street, with a continuous avenue of footpaths on either side of the road.

## 2.4 CONNECTIVITY AND ACCESS TO PUBLIC TRANSPORT

The subject site is well serviced by public transport and is within close proximity to train services. It is located 350m walking distance to Bankstown train station, which provides access to Sydney CBD, Kingsford Smith Airport and other surrounding suburbs through high capacity public transport connections.

Located throughout the area are a number of bus services, which provide access to the surrounding suburbs.





## 3. Description of the Proposal

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### 3.1 BACKGROUND

A development application (Council Ref: DA-312/2019) was lodged with Canterbury Bankstown Council on 24 May 2019 for “alterations and additions to the existing building and change of use to an educational establishment comprising a primary school with associated car parking and landscaping.”

The DA application was assessed by Canterbury Bankstown Council resulting in a number of amendments to the application by the applicant, including removal of the proposed adult education component and reorganisation of the traffic and parking arrangements. The DA was subsequently determined, by way of refusal, by Council on 23 July 2020.

An appeal against the determination was lodged with the Land and Environment Court in January 2020, where after the Applicant’s solicitor advised the Applicant that the proposal constituted SSD and as such Council (and the Court) lacked the requisite power (or jurisdiction) to approve the proposal. Accordingly the appeal was discontinued.

This report constitutes the first step in the SSDA process being a written application to obtain the Secretary’s Environmental Assessment Requirements (SEARs) as required under Clause 3 of Schedule 2 of the Environmental Planning and Assessment Regulations 2000 (EP&A Regulations).

### 3.2 OVERVIEW

The proposal involves internal alterations to an existing commercial building for use as an education facility. The proposed facility will include a Primary School for Kindergarten to Year 6 during weekdays throughout the school year.

The proposed educational establishment is to be known as Queen Anne Primary School. Operational details and a description of the proposed works are provided below.

### 3.3 OPERATIONAL DETAILS

The proposal includes a private independent Primary School with 140 children and 10 staff members on site.

The school will be occupied over a three (3) year period, commencing with Grades K to 2 in its first year of operation and then two classes per year thereafter until Grade 6. This will be employed in order to ensure that growth of the school is stable and provides a safe and productive environment for students and teachers.

A Green Travel Plan is proposed to be prepared which will include a package of measures for implementation by the school to encourage more sustainable and healthy travel for the journey to and from school and work for students and staff. It is a means for the school organisation to reduce the use of cars by staff and parents, particularly driving to and from the school in peak periods. This will include the proposed provision of a private mini-bus service to pick up and drop of students enrolled at the school.

A detailed Traffic Impact Assessment and Plan of Management (POM) will be submitted in EIS which provides details of the proposed operation, play areas, and traffic arrangements.



## 3.4 PROPOSED WORKS

The proposed works are primarily located internally with minor external changes, and will not involve alterations to the existing building envelope or GFA.

### 3.4.1 Demolition Works

The majority of the proposed demolition works are to occur internally on the ground and first floor of the existing bank and commercial fitout. Demolition will also occur to the existing carport and kerbing at the rear of the site.

### 3.4.2 Alterations

Proposed alterations include internal and external works to the existing site and building in order to accommodate the proposed education facility.

#### Internal Works

The internal works involve modifications to the existing walls and layout in order to accommodate 140 children for the primary school. Design changes to the ground floor will introduce an entry and reception, multi-purpose hall, single classroom, male, female and accessible toilet and lift accessibility to level one.

The first floor is accessed from the proposed lift and existing stairs and provides six classrooms, an arts and craft room, male, female and accessible toilets, staff rooms, offices and existing plant rooms.

#### External Works

External works include the provision of outdoor play areas for the facility. The rear of the site and along the northern boundary will provide outdoor play area for children with barrier fencing.

Proposed external works to the front façade will involve upgrading the façade to provide a more modern appearance. The works include the provision of new integrated signage for the primary school.

## 3.5 LANDSCAPING

The following landscaped works are proposed;

- Landscaping within the front setback between the primary building façade and Restwell Street. This will provide an enhanced green space and school garden (not to be utilised as a play area), which will incorporate vegetation to appropriately screen and provide security and privacy from the public; and
- Landscaped works along the northern boundary and rear of the site within the outdoor play area which will accommodate a variety of vegetation, surfaces, play equipment and spaces.





## 4. Environmental Planning Framework

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### 4.1 STATUTORY PLANNING POLICIES

The legislation and environmental planning instruments applying to the proposed development include, but are not limited to:

- *State Environmental Planning Policy (State & Regional Development) 2011;*
- *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017;*
- *State Environmental Planning Policy No. 55 - Remediation of Land;*
- *Bankstown Local Environmental Plan 2015 (BLEP 2015).*

### 4.2 STATE ENVIRONMENTAL PLANNING POLICY (STATE & REGIONAL DEVELOPMENT) 2011

The proposal is SSD, pursuant to clause 15 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 (SEPP SRD), being “*development for the purpose of a new school (regardless of the capital investment value).*”

### 4.3 STATE ENVIRONMENTAL PLANNING POLICY (EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES) 2017

The State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (“Education SEPP”) applies to development proposals for education facilities and child care centres and aims to standardise planning assessment and licencing requirement, introduce exempt and complying categories of development and encourage upgrading and improvements to existing premises. Schedule 4 of the Education SEPP outlines the design quality principles that are to be considered in the design of a facility.

A detailed assessment of the proposal against the Education SEPP will be undertaken within an EIS to be submitted with the application.

### 4.4 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 - REMEDIATION OF LAND

The provisions of State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) require the consent authority to consider whether land is contaminated and if it is contaminated whether it can be made suitable for the proposed purpose. The EIS will be supported by a Phase 1 Preliminary Assessment of the site.

### 4.5 BANKSTOWN LOCAL ENVIRONMENTAL PLAN (BLEP 2105)

The Bankstown Local Environmental Plan 2015 (BLEP 2015) applies to the subject site. The subject site is located within the B4 Mixed Use zone which allows Educational Establishments as permitted with consent. Under the BLEP 2015, an Educational 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 BLEP 2015 also defines school as;

*'a government school or non-government school within the meaning of the Education Act 1990.'*

The proposed primary school will be run by a non-government institution and is compatible with the above definition. It is therefore considered that the proposed change of use is defined as an educational establishment in accordance with the BLEP 2015, and is therefore permissible in the Mixed Use zone.

In correlation with the above, the proposal is also consistent with the objectives of the B4 Mixed Use zone, which stipulate;

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To maintain the role of the Bankstown CBD as a major metropolitan centre.

## **4.6 BANKSTOWN DEVELOPMENT CONTROL PLAN 2015**

### **4.6.1 Bankstown Development Control Plan 2015**



The Bankstown Development Control Plan 2015 (BDCP 2015) applies to the subject site and the proposal will have regard to the requirements of the DCP which will apply to the development, however it is noted that the DCPs do not apply to SSD, as per Clause 11 of the SEPP SRD. The DCP contains controls specific to educational establishments, including controls regarding classroom size, building length, number of storeys, setbacks, landscaping, car parking, site layout, building envelope and amenity impacts that will be considered

## **4.7 STRATEGIC PLANNING FRAMEWORK**

The relevant strategic planning policies which apply to the proposed development include:

- NSW State Priorities;
- The Greater Sydney Regional Plan, A Metropolis of three cities;
- Future Transport Strategy 2056;
- State Infrastructure Strategy 2018 – 2038 Building the Momentum;
- Sydney's Cycling Future 2013;
- Sydney's Walking Future 2013;
- Sydney's Bus Future 2013;
- Crime Prevention Through Environmental Design (CPTED) Principles;



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- Better Placed: An integrated design policy for the built environment of New South Wales (GANSW, 2017);
  - South District Plan; and
  - Canterbury-Bankstown Council Draft Local Strategic Planning Statement.

The EIS will assess the proposal against these relevant strategic planning policies.



## 5. Preliminary Assessment

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The expected environmental impacts associated with the proposed development that will be assessed in the EIS for the SSDA include:

### 5.1 TRANSPORT AND ACCESSIBILITY

A traffic and parking impact assessment will form part of the EIS and will address issues relating to impacts on the existing road network and parking, arrangement of any on-site parking, potential delays and peak traffic movements generated by the proposed primary school. An assessment of pedestrian permeability and networks will also form part of the assessment.

### 5.2 BUILT FORM AND URBAN DESIGN

The proposal involves minimal external alterations to the existing commercial building involving upgrading works to the façade of the building to beautify the appearance of the building. Landscaping works within the front setback will also soften the appearance of the building and its relationship with the existing streetscape.

The majority of the required works are internal in order to provide classrooms, play areas and staff areas for the school.

A full assessment of the impacts on the public domain will be undertaken as part of the EIS. Additionally, a detailed design report, responding to Schedule 4 Schools – design quality principles of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, will be submitted with the EIS.

### 5.3 STAGING

The proposed occupation of the primary school will be staged. Details of the staging will be provided as part of the EIS.

### 5.4 NOISE AND VIBRATION

An acoustic assessment addressing potential acoustic impact on nearby properties will form part of the EIS. An Operational Noise Report will be provided as part of the EIS. The report will provide a detailed assessment of potential noise impacts caused by the operation of the school, and recommendations to mitigate these impacts.

### 5.5 FLORA AND FAUNA

The site is an existing commercial site in the Bankstown CBD and does not contain any existing flora or fauna.

### 5.6 WASTE

A Construction and Demolition Waste Management Plan will be prepared and accompany the EIS. The Plan will detail waste to be generated during demolition and construction, and outline proposed measures to dispose of the waste offsite. An Operational Waste Management Plan will also be submitted as part of the EIS and detail proposed





waste servicing arrangements, loading zones and ongoing waste management practices to be employed at the site. All demolition, construction and operational waste will be reused or recycled where possible.

## **5.7 BCA AND ACCESS**

The proposed school will be designed in accordance with the requirements of the Building Code of Australia and will provide legible, safe and inclusive access for all. This will be addressed within a Building Code of Australia and Accessibility Report to be provided as part of the EIS.

## **5.8 CONSTRUCTION MANAGEMENT**

A Preliminary Construction and Environmental Management Plan will be prepared and provided as part of the EIS.

## **5.9 SAFETY AND SECURITY**

The EIS will outline how specific CPTED principles (surveillance, access control, territorial re-enforcement and space/activity management) have been integrated into the design of the school to deter crime, manage space and create a safe environment for students, staff and visitors.

## **5.10 ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT**

The EIS will include details of any opportunities to incorporate ESD measures within the project.

## **5.11 CONSULTATION**

Consultation will be undertaken with relevant public authorities, the community and Council as per the Department of Planning, Industry and Environment Community Consultation Guidelines.

Relevantly, the previous DA was placed on public exhibition by Canterbury Bankstown Council, no public submission were received.

Upon receiving the Secretary's Environmental Assessment Requirements, a strategy will be prepared to include any communication and consultation activities that may be required.





## 6. Conclusion

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By virtue of Clause 15 (“Educational Establishments”) of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011, the proposal is State significant development being “*development for the purpose of a new school (regardless of the capital investment value)*”.

This Scoping Report has been prepared in support of the proposed development for a proposed new primary school (Queen Anne Primary School) at No. 40 Restwell Street, Bankstown. The report has described the proposal, identified the relevant strategic and statutory context, identified the scale and nature of the impacts of the proposal and considered the approach to community engagement.

We therefore request that the Planning Secretary issue the environmental assessment requirements (SEARs) for the project to enable progression of the application.