



14291
27 November 2014

Mr David Gibson
Team Leader, Industry and Key Sites
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2000

Attention: Thomas Mithen

Dear David

MLC BURWOOD SENIOR SCHOOL CENTRE (SSD 6484) RESPONSE TO SUBMISSIONS

The Environmental Impact Statement (EIS) for the MLC Burwood Senior School Centre (SSD 6484) was publicly exhibited between 9 October 2014 and 7 November 2014.

In total, four agency submissions were received. No public submissions were received. None of the submissions raised any concerns regarding the proposal, rather they provided comments and / or suggested conditions of consent. Importantly, it is noted that Burwood Council 'raise no objection to the development proposed, subject to conditions'.

This letter and its attachments set out the proponent's response to the additional information requested by the Department of Planning and Environment (the Department) in your letter dated 20 November 2014.

1.0 DEPARTMENT'S REQUEST FOR FURTHER INFORMATION

A response to each of the Department's requests is provided below. We note that some of the information that has been requested formed part of the EIS submission. For ease of reference, the response follows the same order as your letter.

Provide a table setting out the start and finish times of the senior and junior school and after school activities

It is difficult to provide precise start and finish times, as a number of students participate in a range of before and after school activities. The number of students who attend these activities varies throughout the year, as do the start and finish times in response to different activities. The table below outlines the formal start and finish times for the junior and senior schools, and indicative times for before and after school activities. The formal start and finish times are not proposed to change as a result of the development.

	Junior School	Senior School
Start time	8:45am	8:15am
Finish time	3:20pm	3:15pm
Before school activities	7am (earliest start time for typical before school activities)	
After school activities	6pm (latest finish time for typical after school activities)	

Confirm the maximum number of staff employed and whether the total number of staff is proposed to increase

The School employs a maximum of 200 full time equivalent (fte) staff, comprising a mix of teaching and non-teaching staff. No increase is proposed to the number of staff as part of this application.

In their submission, Council has requested that a condition be imposed to limit the student population to 1,200, primarily as a means of ensuring that there will be no additional traffic or parking impacts. Whilst MLC notes Council's concerns, it does not support a move to condition the maximum number of students and staff on the campus for reasons set out below.

As outlined in the EIS, the proposed development seeks to improve the School's learning and teaching facilities, and is not being driven by a desire to increase student or staff capacity. The School's current enrolment sits at around 1,200 - 1,230 students and the proposed development will not directly result in any increase to this number. MLC's student and staff numbers are largely self-regulating, as the School's facilities (including the new development) do not have capacity to accommodate a substantial increase in population. This is demonstrated by the My School figures which show that in the last six years, the School's student and staff population has remained relatively stable. Notwithstanding this, the School has in previous years had up to 1,355 students on the campus (in 2003, as recorded in the School's census data issued to the NSW Government). The campus has the potential to accommodate this number of students again, irrespective of the proposed development.

Any condition limiting the population is considered impractical as the School's student and staff populations can fluctuate for a number of reasons such as changes to the curriculum, the size of individual year groups, events such as staff conferences, and additional students visiting on temporary exchange programs. Further, the intention of any condition around staff and student numbers would be to minimise parking and traffic impacts. We note that the School has operated without any significant parking or traffic concerns for a number of years. This is further evidenced by the lack of public submissions made in response to the public exhibition of the SSD DA. MLC manages traffic and parking impacts through a range of strategies, which currently include:

- Encouraging public transport use, and publishing links to public transport services on the School's website;
- Ensuring all junior school pick-up and drop-off movements occur on the School's land, minimising any impacts on the road network; and
- Operating 4 private bus routes which provide transport services for student who live in areas which are not easily accessible by public transport.

Traffic and parking impacts would be a key consideration in the assessment of any future development application, at which time the scope of the development (and any proposed increase in staff or student numbers) could be considered. Imposing a condition ahead of any development which seeks to increase the student or staff population is pre-emptive and unnecessary.

The proposed development does not seek to increase the School's student population above the historical maximum of 1,355 students. However, if the Department does intend to impose conditions of consent around student and staff numbers, MLC requests that consideration be given to the following parameters to allow for the type of circumstances described above, without causing the School to breach its conditions of consent. For example:

- Any condition around student numbers should be limited to student enrolments for the purposes of the *Education Act 1990*, as recorded on the My Schools website as this is easily verifiable.
- Any condition around staff numbers should reference full time equivalent (fte) staff, including staff in teaching and non-teaching roles, this would accommodate specialist teachers who may only be on-site for a very limited number of hours (as low as 1-2 hours) per week.

Provide a detailed section plan through the interface with the adjoining property at No. 31 Park Road (including the dwelling house) showing the proposed landscape treatment, boundary fencing (including wall height and construction type) and dimensions to the building elements on the subject site

This detail is provided at page 22 of BVN's Design Report (provided at Appendix D of the EIS submission). This plan is re-attached for convenience. As detailed on the plan, the following treatments have been incorporated into the design at the interface with 31 Park Road:

- A minimum 6 metre boundary setback to the building base and awning;
- A minimum 7.7 metre boundary setback to the terrace privacy screen;
- A further setback to the building facade on Level 2 to create the roof terrace;
- Provision of a mature planting screen along boundary edge to create a buffer; and
- Screening of the roof terrace to provide a visual and acoustic buffer to 31 Park Road.

Address any potential noise impacts from the roof terrace at the northern end of the main building to the adjoining residential properties to the north

As outlined in the Construction and Operational Noise Report (provided at Appendix D of the EIS submission) the terrace adjacent to 31 Park Road will be used for teaching purposes, and will not be a recreation space. The space forms an extension of the adjacent science labs, and so will primarily be used when students require natural light for some aspect of their lesson, for example using microscopes, undertaking experiments using sunlight etc. As a result, the use of the terrace will not have any adverse acoustic impacts on the neighbouring properties. Similarly, due to the nature of the use the space will primarily be utilised during formal school hours (i.e. between 8:15am and 3:15pm).

Whilst the School does not envisaged that the terrace will be used outside of these times, there may be limited instances when the terrace is used as an overspill area to serve refreshments during functions. Notwithstanding this, the terrace will not be used for student recreation at any time.

Rectify the assessment of noise and privacy impacts in the EIS which incorrectly refer to the impacts to 31A Park Road which is part of the school site

This error has been rectified. The relevant page is attached for insertion into the EIS.

Provide an outline of the existing buildings to be demolished on the elevation plans along the street frontages comparing the existing and proposed building heights and include the height control line in Council's LEP 2012

This detail is largely provided at page 21 of BVN's Design Report (provided at Appendix D of the EIS submission). The plan has been updated to include the LEP 2012 height limit and is attached.

Provide an overall car parking plan showing the location and number of on-site car spaces for both the junior and senior school and the pick-up / drop-off areas

MLC has prepared a plan showing this detail (refer to attachment).

As outlined on the plan, there are a total of 190 parking spaces across the senior and junior school campuses. Seven (7) bus parking spaces are also provided on the campus. The majority (148) of the car parking spaces and all of the bus parking spaces are located in the underground car park below the hockey field. The car parking spaces are not allocated for use by either the junior or senior schools. The spaces are available for use by staff and visitors, with the exception of the six (6) spaces on the Kent House site which are used exclusively by staff.

Pick-up and drop-off occurs on Rowley and Grantham Streets for the senior school campus. There are 33 on-street setdown/pickup spaces available on these streets which are a combination of 'no parking' and 15 minute parking spaces. Pick-up and drop-off for junior school students occurs within the underground carpark, which is accessed off Britannia Avenue.

2.0 CONCLUSION


MLC School has considered the Department's comments, and has provided the additional information required.

We trust that the responses provided above will enable the Department to finalise their assessment of the SSD DA, and reiterate that any condition around start and finish times, or student and staff numbers, would unduly interfere with the School's ability to perform its function.

We note that MLC would like to commence demolition works during the upcoming school holidays, in order to minimise disruption on students and staff. We would be happy to provide any assistance required to enable the Department to expedite this application in order to achieve this timeframe.

Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or ktudehope@jbaurban.com.au.

Yours faithfully,

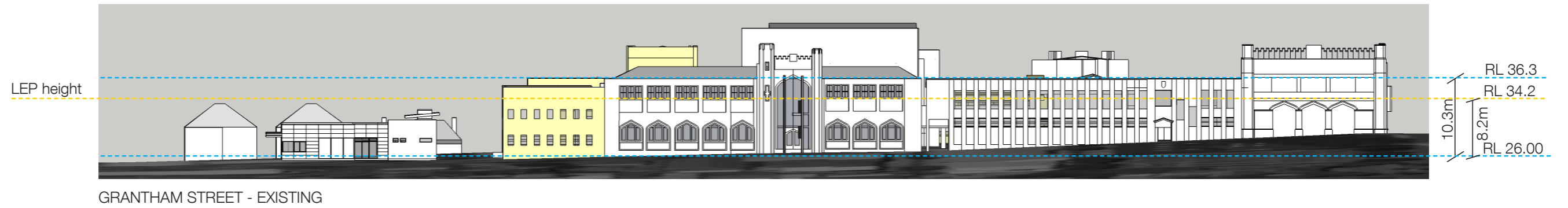
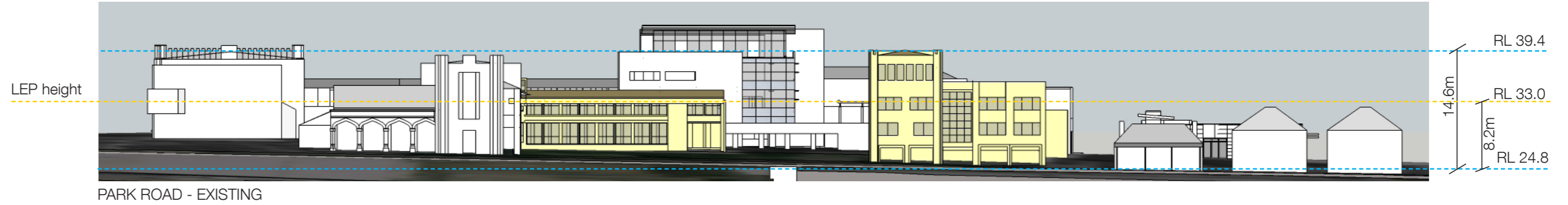
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Kate Tudehope
Senior Planner

5.0 Elevations and Heights

<i>MLC Building heights - Senior Campus</i>		RL
<i>ILC - Park Road</i>		43.3
<i>The chapel - Park Road</i>		42.44
<i>Sutton wing - Grantham street</i>		39.4
<i>Wade house - Grantham street</i>		36.3
<i>Drama theatre - Rowley street</i>		36.9
<i>Potts hall - Rowley street</i>		39.6

	Existing	Proposed
	Maximum height (meters)	Maximum height (meters)
Park Road	14.6	14.6
Grantham Street	10.3	10.3
Control	8.2	8.2



- existing buildings to be demolished
- existing RL
- proposed RL of new build
- line of existing buildings

5.6.4 Operational Noise

Wilkinson Murray has prepared a Construction and Operation Noise Report (refer to **Appendix E**). Operational noise is addressed below, construction noise and vibration is addressed separately at Section 5.10.2.

The new teaching model supports interactive external learning areas as part of the collaboration space. These spaces, such as the science terrace, provide students with hands on opportunities which better facilitate understanding and learning.

New external learning spaces that are proposed as part of this application include the:

- Art terraces for sculpture and ceramics;
- English and History amphitheatres for performance and re-enactment; and
- Science terraces for vegetable gardens, PV panels, biology pets and a telescope.

As these external spaces are for learning rather than recreation, noise levels will be low and controlled. Not only is there a 9.25m building separation to 31 Park Road, mature planting screens will be provided along the boundary edge to create a buffer, and screening will be installed to the roof terrace to minimise potential noise emissions.

Wilkinson Murray confirms that the proposed development incorporates design measures to meet general requirements regarding acoustic impacts by:

- Locating the internal play area of the development in a central location that is surrounded by buildings to prevent noise impacts on surrounding residences;
- Not locating pop-outs on the northern façade of the new Teaching and Learning Building; and
- Using the outdoor spaces adjacent to 31 Park Road for learning which will only result in low level noise levels from this space.

Mechanical noise has been assessed against the *NSW Industrial Noise Policy (INP)*. Whilst details of the mechanical plant have not yet been finalised, an initial review indicates the noise level from plant at nearby residences (at 20m from the noise source) will be in the order of 36dBA, which is well below the noise criterion of 46dBA. On this basis, it is unlikely that acoustic treatment will be required.

5.7 Tree Removal and Ecological Impacts

An Arboricultural Report has been prepared by Rain Tree Consulting Arboricultural Management to assess the impact of the proposed development on the 76 trees on the site (refer to **Appendix T**). The report assesses the potential impact of the proposal on the subject trees, as well as providing recommendations and tree protection measures to ensure the long-term preservation of the trees being retained. The location of the trees on the site is shown at Figure 1 of the Arborist Report.

Tree Significance

The 76 trees assessed (which includes two (2) trees within the Council verge on Grantham Street) includes a variety of non-local native, locally indigenous and exotic (introduced) species.

Of the 74 trees on the site, 20 are listed as exempt tree species and can be removed without consent.

Tree Removal

A total of 55 trees are to be removed as part of the development. These include:

- 20 trees that are exempt tree species within Burwood LGA, and so are able to be removed without a Tree and Vegetation Removal Permit, or development consent.

- 35 trees that are protected, and comprise:
 - Three (3) identified as having low retention value;
 - 25 identified as having medium retention value; and
 - Seven (7) identified as having high retention value.

The majority of these trees fall within the footprint of main building or the landscaping works. The remaining trees' Structural Root Zones will be impacted by the proposed construction, and so cannot be retained.

It is noted that 23 of the 25 trees which are identified as having moderate retention value form part of a screening hedge of Lilly Pillies along the site's existing northern boundary. The seven trees identified as having high retention value comprise Jacarandas, Lilly Pillies and a Bush Cherry.

To compensate for the proposed tree removal, approximately 64 new trees are proposed to be planted. This includes 54 native and 10 exotic tree species (refer to Section 3.5).

Mitigation Measures

In addition to the provision of substantial replacement plantings, the report proposes a number of recommendations to protect the 19 trees that are to be retained within the construction areas.

The generic Tree Management Plan puts forward a combination of tree protection measures, including fencing and ground protection, which will be provided in accordance with AS4970-2009. These measures are reflected in the Mitigation Measures at Section 8.0.

5.8 Stormwater Management and Flooding

A Civil Engineering Design Report has been prepared by TTW which outlines the stormwater management and water sensitive urban design concept for the site, and provides an assessment of potential flooding impacts. The report is provided at **Appendix J** and the findings are summarised below.

Stormwater

A Stormwater Drainage Concept Plan is appended to the Civil Engineering Design Report. The design of the stormwater system for the proposed development will be in accordance with the Burwood Council Stormwater Management Code Australian Rainfall and Runoff (AR&R, 1987), AS3500.3 – National Plumbing and Drainage Code Part 3 – Stormwater Drainage, and accepted engineering practice. Runoff from buildings is designed and documented by the hydraulic engineer in accordance with AS3500.3 – National Plumbing and Drainage Code Part 3 – Stormwater Drainage.

As discussed at Section 3.7, an OSD system will be installed on site and existing sewer and water mains provision is adequate to support the requirements of the proposed development.

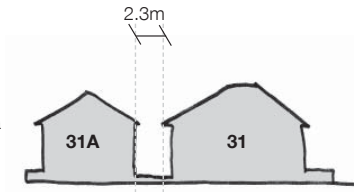
Water Sensitive Urban Design

The WSUD measures that have been employed on the site are outlined in TTW's report. Stormwater will be collected from roof and hard stand areas and directed to water reuse tanks and the OSD tank via roof gutters, pits and pipes. Prior to reuse, water will be cleaned by the incorporation of devices such as first flush, gross pollutant, oil and silt arrestors and trash screens into the stormwater system. Potential nutrients, gross pollutants, oil and silt will be removed from the collected water via pollutant control devices.

6.0 Impact on neighbours

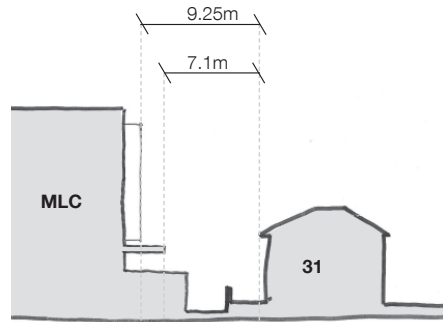
Key items that have been considered are:

- No overshadowing of neighbouring property
- Min 6m setback to building base & awning
- Min 7.7m building separation
- Further set back of building facade on level 2 to create a roof terrace.
- Mature planting screen along boundary edge to create buffer - landscape architect to select appropriate planting
- Screening to roof terrace for visual and acoustic buffer to neighbour



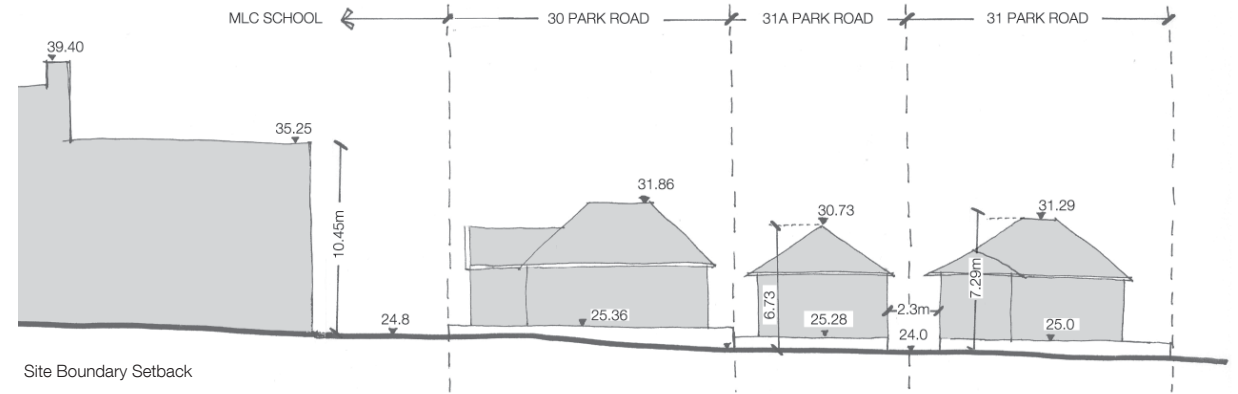
Building separation

Existing separation between 31A & 31 Park Rd

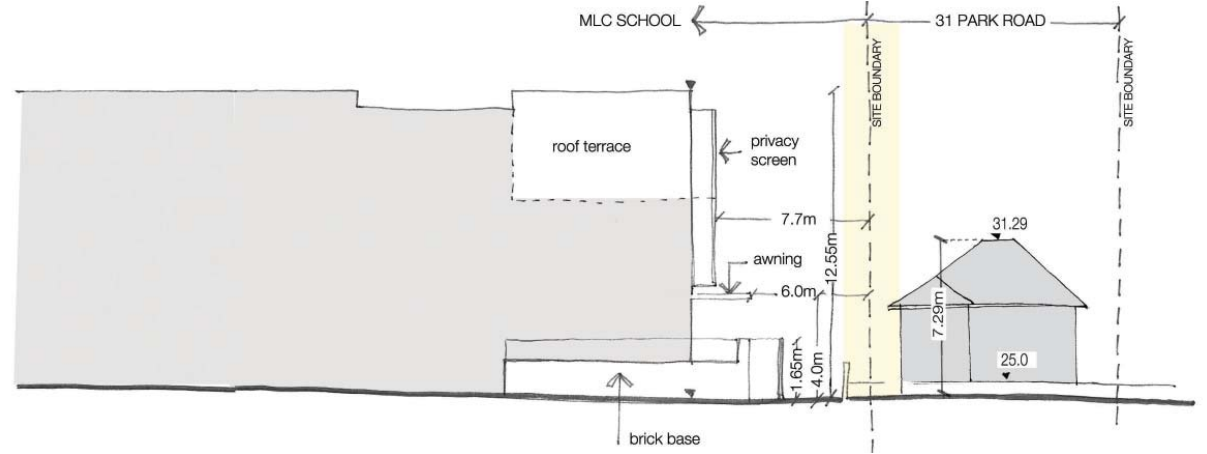


Building separation

Proposed separation between MLC & 31 Park Rd (31A demolished)



Site Boundary Setback



PROPOSED NORTHERN BOUNDARY CONDITION BETWEEN MLC AND 31 PARK ROAD



MLC - SITE MAP

