



Planning &
Environment

**STATE SIGNIFICANT DEVELOPMENT
ASSESSMENT REPORT:
O'Connell Street Primary School, Parramatta
(SSD 7372)**



Environmental Assessment Report
Section 89H of the *Environmental Planning and
Assessment Act 1979*

February 2017

ABBREVIATIONS

Applicant	NSW Department of Education
CBD	Central Business District
CIV	Capital Investment Value
Consent	Development Consent
Council	City of Parramatta Council
DA	Development Application
DCP	Development Control Plan
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPI	Environmental Planning Instrument
FSR	Floor Space Ratio
INP	Industrial Noise Policy
LoS	Level of Service
LTCMP	Long Term Contamination Management Plan
Minister	Minister for Planning
PLEP	Parramatta Local Environmental Plan 2011
RMS	Roads and Maritime Services
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SHR	State Heritage Register
SSD	State Significant Development

Cover Photograph: Aerial View – Former Kings School Site, Parramatta (*Source: EIS*)

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EXECUTIVE SUMMARY

This report is an assessment of a State significant development (SSD) application lodged by the NSW Department of Education (the Applicant), seeking consent for the establishment of a primary school at the former Kings School site in Parramatta.

The project has a capital investment value (CIV) of approximately \$44.1 million and would generate 100 construction jobs and 61 operational jobs. The proposal would provide high quality educational facilities and services for up to 1,000 primary school-aged students in Western Sydney.

The development is SSD under clause 15 of Schedule 1 of the *State Environmental Planning Policy (State and Regional Development) 2011* as it is development for the purpose of an educational establishment with a CIV of more than \$30 million.

The site is zoned B4 Mixed Use under the *Parramatta Local Environmental Plan 2011*. The proposed development is permissible with consent.

The Minister for Planning is the consent authority. In accordance with the Minister's delegations dated 16 February 2015, the Executive Director, Priority Projects Assessments can determine the application as the City of Parramatta Council has not objected to the proposal, no political disclosure statement has been made and less than 25 submissions in the nature of objections were received.

The proposal was exhibited for 47 days from 30 June 2016 until 15 August 2016 during which 12 submissions were received including eight submissions from public authorities and four submissions from the general public. The key issues raised in the submissions included: impacts on cultural heritage; traffic and car parking including student set-down and pick-up activities; operational noise impacts; and fencing of the school oval.

The Applicant provided a Response to Submissions (RtS) report which included further information and project amendments in response to the key issues raised during the public exhibition period. The RtS included: a supplementary traffic and parking assessment including revised traffic modelling; removal of boundary fencing along the school oval; and design amendments resulting in additional roof cowls and mechanical plant.

The Department has assessed the merits of the proposal and considers the key issues associated with the project to include: impacts on cultural heritage and historical archaeology, traffic and car parking, operational noise and the proposed boundary fencing. The Applicant has undertaken measures to ensure the protection of existing cultural heritage and archaeological deposits and has removed the proposed boundary fencing from the application until further consultation to occur with the relevant agencies. The Department is satisfied that the impacts of the proposed development have been addressed in the Environmental Impact Statement and RtS and can be adequately managed through the recommended conditions.

The Department considers the application is consistent with the objects of the *Environmental Planning and Assessment Act 1979* including ecologically sustainable development, State Priorities, *A Plan for Growing Sydney* and the draft *West Central District Plan*. The Department is satisfied that the subject site is suitable for the proposed development and would be in the public interest. It is, therefore, recommended that development consent be granted, subject to conditions.

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1. BACKGROUND AND PROPOSED DEVELOPMENT

1.1 Background

The NSW Department of Education (the Applicant) proposes to establish a new public primary school for approximately 1,000 students at the former Kings School site in Parramatta.

The proposed development involves: demolition of internal building elements and ground floor slabs; refurbishment of existing buildings across the site to accommodate new classrooms, office space, a library, canteen and common learning areas; construction of a new school hall and covered outdoor learning area; reconfiguration of existing car parking areas; removal of underground fuel storage tanks; tree removal; and landscaping to accommodate active and passive recreational use.

1.2 Site Description

The site encompasses a total area of approximately 2.47 ha and is located immediately north of the Parramatta central business district (CBD), on the northern side of the Parramatta River. Parramatta train station is located approximately 1 km to the south and the Sydney CBD 20 km to the west. The site is formally described as Lot 1 DP 1112822 and Lot 6 DP 1182647 and relates to land at 3 Marist Place and 24A O'Connell Street, Parramatta in the Parramatta local government area.

The site slopes gently from north to south and is bound by Victoria Road to the north, Marist Place to the east, the Parramatta River to the south and O'Connell Street to the west. There are five existing buildings located on the site, most of which have been unoccupied for several years and are in need of restoration. The site context and site location are shown at **Figure 1** and **Figure 2** respectively.



Figure 1: Site context – proposed primary school, Parramatta (source: TZG Architects)

The site is culturally significant and is listed on the State Heritage Register (SHR) for both its original function as the former Kings School Group and more recently as the Marsden Rehabilitation Centre. The site also contains culturally significant landscape features including the foreshore lands of the Marsden Rehabilitation Centre adjoining the Parramatta River and several trees of heritage significance.

Surrounding Features and Future Developments

There are a variety of development types and land uses surrounding the site. Immediately adjoining the northern boundary of the site is a parcel of land fronting Victoria Road (that once comprised part of the former Kings School) which has approval for tree removal, demolition of existing structures, construction of an office building, chancery building, parish hall, and a six storey 77 unit residential flat building. The development was approved by the Sydney West Joint Regional Planning Panel on 24 November 2015 (DA/799/2014) and is currently under construction.

To the west and on the opposite side of O'Connell Street is the Parramatta Swimming Centre and 21,500 seat Parramatta Stadium. Both facilities are proposed to be demolished in stages to accommodate the construction and operation of the new 30,000 seat Western Sydney Stadium. The concept proposal for the new stadium complex and Stage 1 demolition works is SSD and was approved by the then Minister for Planning on 7 December 2016 (SSD 7534). Construction works associated with the stadium have recently commenced and are expected to be completed by 2019.

To the east is the Prince Alfred Square public recreation area. The Parramatta River adjoins the southern boundary of the site with the Parramatta CBD on the opposing side of the river. **Figure 2** shows the location of the subject site and surrounding features.

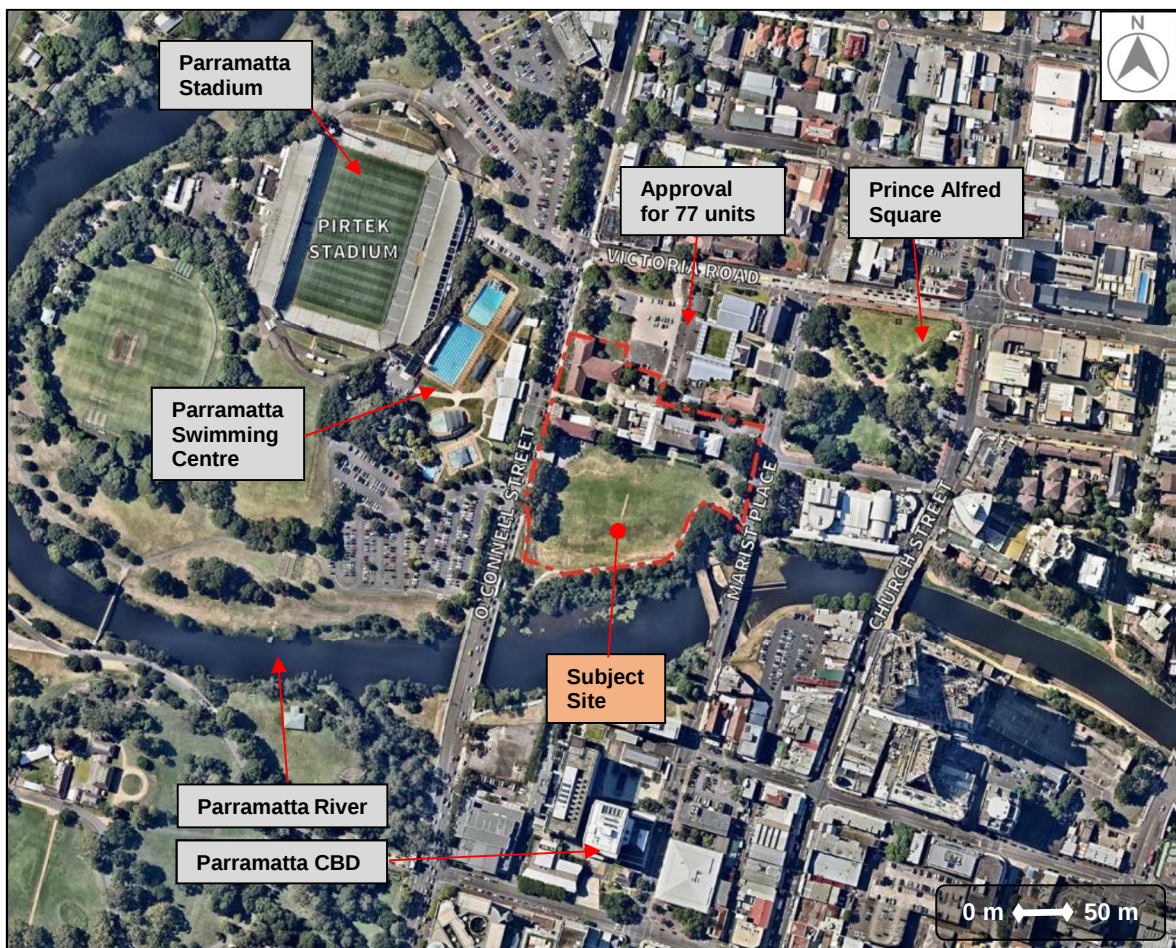


Figure 2: Site location – proposed primary school, Parramatta (source: EIS)

Figure 3 shows the location of existing and former buildings across the site (identified as Buildings A to H). Buildings E, F and H have been demolished under a separate application approved by the City of Parramatta Council (Council) (DA/81/2016). Details of the future use of remaining buildings A, B, C, D and G are outlined in **Table 2**. Photographs of the site are shown at **Figures 4 to 6**.



Figure 3: Site plan of existing and former buildings (source: SSE, JBA)



Figure 4: View north toward Building C (left), Building B (centre), Building A (right) and oval



Figure 5: View South from Building B toward the Parramatta River and Parramatta CBD



Figure 6: Building D viewed from O'Connell Street

1.3 Project Description

Table 1 provides a summary of the proposal's key components and features. **Figure 7** shows the proposed site layout including the existing buildings to be retained and location of proposed new structures.

Table 1: Key development components

Development Summary	• Use of the site as a primary school for approximately 1,000 students, including before and after school care; • site remediation works and demolition of existing internal building elements and ground floor slabs; • refurbishment of Building A to accommodate administration and office space; • refurbishment of Building B to accommodate a new library and classrooms; • refurbishment of Building C to accommodate staff areas, canteen, classrooms and common learning areas; • refurbishment of Building D to accommodate classrooms and practical activities spaces; • construction of a new school hall and covered outdoor learning area (COLA); • a new covered sports court to the north of Building C • a bus pick-up and drop-off area along Marist Place; • a student pick-up and drop-off area along Marist Place and Market Street; • a new pedestrian crossing of Marist Place adjacent to the main school entry; • reconfiguration of existing parking areas off O'Connell Street and Marist Place; and • tree removal and landscaping works to accommodate active and passive recreation spaces.
Car Parking	• A total of 38 on-site car parking spaces proposed, including: - o 27 staff-only car parking spaces accessible from O'Connell Street; - o 11 visitor car parking spaces accessible from Marist Place; - o a 60 m long 'bus zone' with space for three buses along the western Marist Place kerb alignment (between the southern site boundary and proposed vehicular access driveway); - o 215 m of formalised student set-down and pick-up area along Marist Place and Market Street; and - o a formalised loading dock adjacent to the western site boundary, accessible via the staff car park.
Building Heights	• Existing building heights range in height from 10.4 m and 18.7 m; • the new school hall has a maximum height of 9.6 m; • the roof of the new sports court has a maximum height of 8.32 m above existing ground level; and • the new additions to Building C have a maximum height of 10 m above existing ground level.
Gross Floor Area (GFA)	9,119 sqm
Floor Space Ratio (FSR)	0.37:1
Capital Investment Value (CIV)	\$44,124,000
Jobs	100 during construction and 61 once operational
Construction Hours	7 am – 6pm Mon-Fri & 7:30 am – 3:30 pm Sat

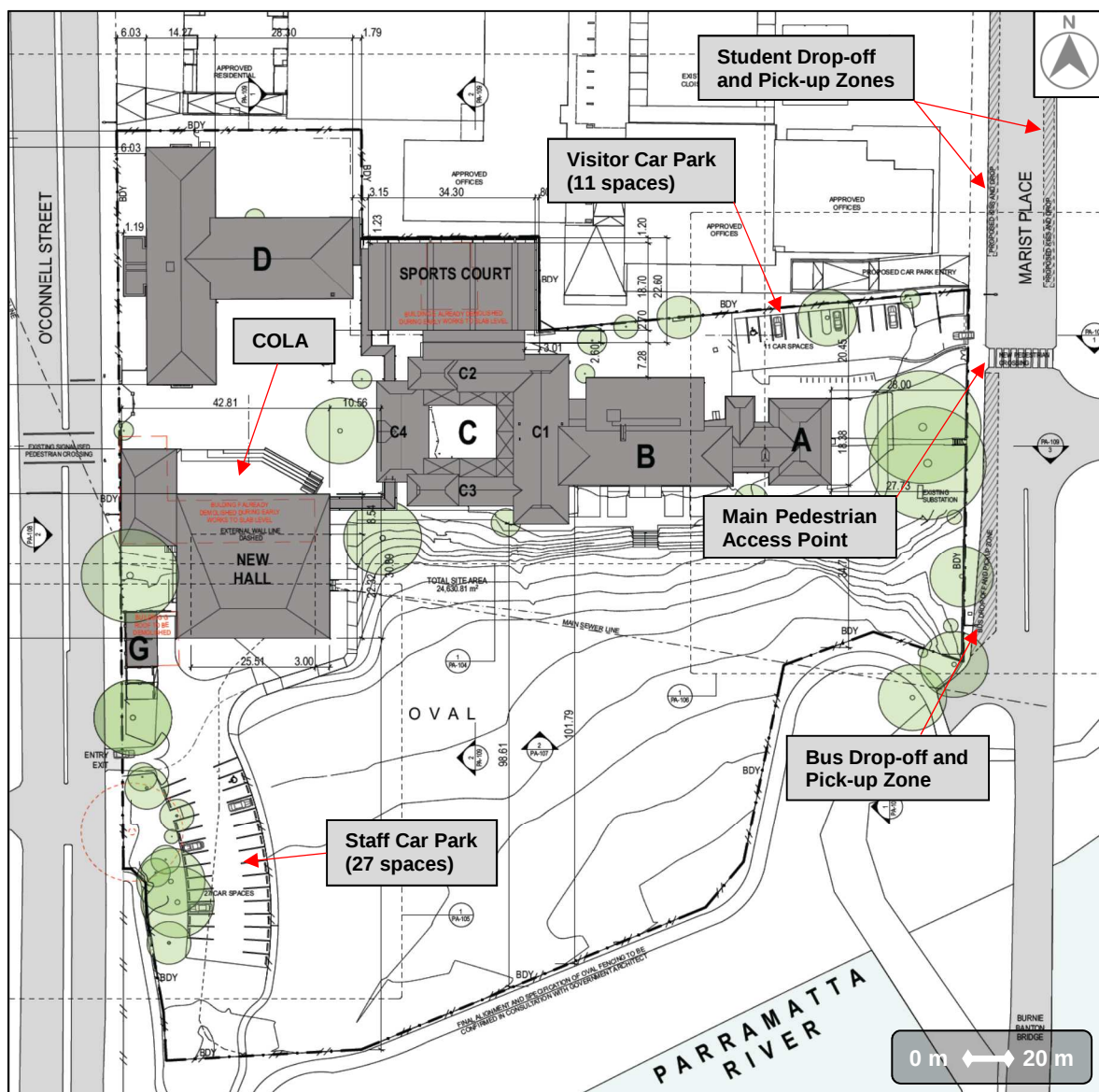


Figure 7: Proposed site layout – O'Connell Street and Marist Place, Parramatta (source: EIS)

Demolition and Refurbishment of Existing Buildings

Internal demolition and refurbishment works are proposed to each building retained on the site. The works are proposed in addition to the demolition and preliminary site works approved under DA/81/2016 by the Council on 14 June 2016. **Table 2** specifies the demolition and refurbishment works proposed to each building.

Table 2: Demolition and refurbishments to existing buildings

Building A	Demolition of: lightweight partition walls; plasterboard ceilings; redundant services; and laminate joinery items. Refurbishments to accommodate administration and office space, including: new lightweight walls; ceramic tiling and sanitary fittings to bathrooms; glass screen and doors in the ground floor corridor; joinery to kitchenette; alterations to landscape levels adjacent to the building; internal and external lighting; and new ramp to front entry.
Building B	Demolition of: redundant services; ground floor glass screen walls; central glass stair; infill panels; modern stationary fittings; modern ceilings (where required); and reduction in the size of the western fire stair. Refurbishments to accommodate library, resource centre and classrooms, including: new lightweight walls and doors to create classrooms; ceramic tiling and sanitary fittings to bathrooms; joinery to classrooms, practical activity rooms and

	kitchenettes; new floor finishes and ceilings; reduction in size of the western fire stair; internal and external lighting; and refurbished existing rooftop plant.
Building C1	Demolition of: ground floor additional slab (facing the courtyard); the enclosed 'verandah' wall facing the courtyard on three levels including all windows and doors; internal fit-out and finishes; the corrugated iron roof (to be replaced); lightweight walls on level two; the entrance porch on the eastern side (north end); and creation of a new opening in the eastern wall to connect to Building B on the ground and first floors.
	Refurbishments to accommodate staff areas, canteen, classroom and common learning areas , including: new lightweight internal walls; ceramic tiling and sanitary fittings to bathrooms; joinery to classrooms, practical activity rooms and kitchenettes; new floor finishes and plasterboard ceilings; and internal and external lighting.
Building C2	Demolition of: kitchen northern annex slab and part of the ground floor slab; all plant and existing services associated with the kitchen; timber-framed doors to the first and second floors; external steel-framed fire stairs and doors to fire stairs; internal fit-out and finishes; the corrugated iron roof (to be replaced); creation of openings in the northern wall on the ground; and first floors to new annex and creation of new openings to the courtyard (southern elevation).
	Refurbishments to accommodate staff areas, canteen, classroom and common learning areas , including: contemporary addition to the north over two levels; replacement of some existing flooring on the ground, first and second floors with a new concrete slab for improved structural stability; new lightweight walls and doors; ceramic tiling and sanitary fittings to bathrooms; joinery to classrooms and practical activity rooms; new floor finishes and plasterboard ceilings; internal and external lighting; and new windows to former fire stair door openings (western elevation).
Building C3	Demolition of: internal non load-bearing walls; timber-framed doors to the first and second floors; internal stairs; eastern fire stairs and doors to fire stairs; the corrugated iron roof (to be replaced); and creation of new openings to the courtyard (northern elevation).
	Refurbishments to accommodate staff areas, canteen, classroom and common learning areas , including: new concrete slabs to ground, first and second floors; new canteen window and access door to the courtyard (northern elevation); new lightweight walls and doors; joinery to practical activity spaces; new floor finishes and plasterboard ceilings; and internal and external lighting.
Building C4	Demolition of: ground level flooring (to be replaced), concrete stairs; creation of new openings in the ground floor walls; and creation of new openings to the courtyard (eastern elevation).
	Refurbishments to accommodate staff areas, canteen, classroom and common learning areas , including: new lightweight walls and doors; new openings, windows and doors to courtyard (eastern elevation); new floor finishes and plasterboard ceilings; internal and external lighting; and replacement of timber floor on ground level and structure as required.
Building C Courtyard	Demolition of ground floor slabs.
	Refurbishments to accommodate new covered external walkways, stairs and ramps, and landscaping treatments.
Building D	Demolition of: internal floors and walls to the eastern wing on three levels and centre of the north-south wing; amenities on the ground floor; louvre windows and level two verandahs on the northern side; redundant sewer lines and vents; roof over the former ablutions wing at ground level (western side); creation of a new opening to ground floor (eastern elevation of northern wing); and creation of central lift shaft extending through the building.
	Refurbishments to accommodate classrooms and practical activities spaces , including: new concrete floors and columns to the interior of the eastern wing; new lightweight walls to create new classrooms and associated facilities; ceramic tiling and sanitary fittings to bathrooms; joinery to classrooms and practical activity spaces; new floor finishes and plasterboard ceilings; alterations and replacement of some existing windows and window openings; adjustments to landscape levels adjacent to building where damp-proof course is breached; and internal and external lighting.
	Demolition of remaining floor slabs and part of the roof wall, where required.

Building G	Refurbishments to accommodate new school hall incorporated as part of the existing building and the O'Connell Street façade, and part of the east/west walls would be conserved and adapted as a maintenance store and to enclose the courtyard.
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Proposed New Structures

Proposed new structures to be constructed on the site include:

- a multi-purpose school hall;
- sports court; and
- structural additions to the Building C group.

The proposed new **school hall** would be located in the vicinity of former Building H (approved for demolition under DA/81/2016) as shown in **Figure 7**, and would incorporate:

- a 1,223 sqm multi-purpose hall with a maximum height of 9.6 m (wall height of 6.95 m) located toward the western site boundary facing O'Connell Street;
- facilities including a store room, kitchen, offices, sprinkler pump rooms and amenities;
- a 200 sqm integrated covered outdoor learning area to the north; and
- a brick façade with steel roof and external covered walkways or 'learning verandahs'.

Figure 8 shows the ground floor plan of the proposed school hall. A photomontage of the building as viewed from O'Connell Street is shown at **Figure 9**.

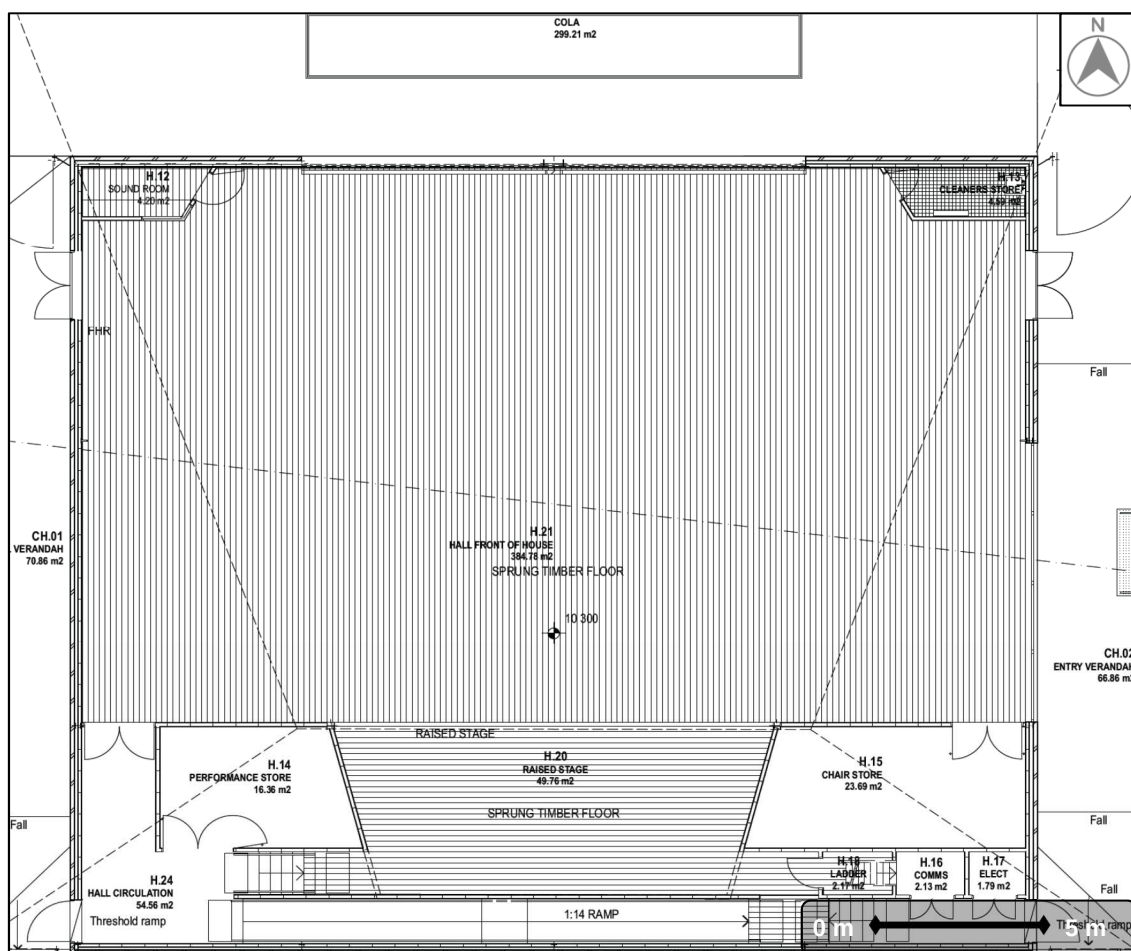


Figure 8: Proposed school hall – ground floor plan (source: EIS)



Figure 9: Photomontage of proposed school hall – viewed from O'Connell Street (source: EIS)

The proposed **sports court** would be located north of existing Building C and would incorporate:

- a steel roof with a maximum height of 8.32 m for weather and UV protection;
- a 2 m high retaining wall, setback 1.2 m from the northern site boundary; and
- capacity for full-court basketball games and space for the entire school population for events.

The proposed **additions to the Building C group** includes a contemporary addition over two levels on the northern façade of Building C2. The maximum height of the building additions would be 8.62 m. Additions are also proposed to the Building C courtyard in the form of covered external circulation areas including walkway, stairs and ramps to a maximum height of 10 m above the existing ground level.

Vehicular Access and Car Parking

The proposal includes combined access/egress driveways to two separate car parking areas, including:

- a staff-only car park comprising 27 car parking spaces, accessible from O'Connell Street approximately 50 m south of the existing signalised pedestrian crossing. A formalised loading dock for heavy vehicles is also proposed at this location; and
- a combined staff and visitor car park comprising 11 car parking spaces, accessible from Marist Place approximately 10 m north of Market Street.

Vehicle Set-Down and Pick-Up Areas

The proposal would generate demand for short-term parking associated with the set-down and pick-up of students prior to and following the completion of each school day. The application proposes the provision of a combined 215 m of formalised on-street set-down and pick-up area, including:

- 85 m along the eastern side of Marist Place (capable of accommodating up to 14 vehicles);
- 50 m along the western side of Marist Place (capable of accommodating up to eight vehicles); and
- 80 m along the northern side of Market Street (capable of accommodating up to 13 vehicles).

The combined set-down and pick-up areas would provide for a total of 35 vehicles at any one point in time. This activity, combined with the general operation of the school would result in increased demand for pedestrians seeking to cross Marist Place. The proposal, therefore, includes a formalised pedestrian crossing over Marist Place immediately north of Market Street to provide safe and efficient connectivity between the school grounds and the formalised set-down and pick-up area.

Bus servicing of the site is proposed to occur along the western side of Marist Place. This would require modifications to the existing on-street parking restrictions at this location, resulting in a 60 m long 'bus zone' (capable of accommodating up to three buses) during the school start and finishing times.

Landscaping Works

The application proposes substantial new landscaping elements across the site, including:

- plantings along the O'Connell Street and Marist Place frontages;
- landscaping within the proposed new playground north of existing Building D and within the car parking areas;
- enhancement of the oval through the removal of weed species and selective screen plantings; and
- paving of the courtyard between existing Buildings C and D with additional tree plantings.

1.4 Project Need and Justification

The project would provide much needed educational facilities and services for up to 1,000 primary school-aged children in the wider Parramatta area. The new school will also play an important role in accommodating students from Parramatta Public School while that school is undergoing redevelopment. Furthermore, the proposal aligns strongly with the *Premier's Priorities* and *A Plan for Growing Sydney* in providing new schools to meet the growing needs of Parramatta as Sydney's second CBD, and making provision for improved resources, teaching and educational outcomes for students.

The project also involves the adaptive re-use of existing buildings and facilities on a historically significant site that was formerly used as an educational establishment. The proposal to develop a primary school is therefore considered to be in keeping with the site's historical use.

Up to 100 jobs during construction and 61 jobs once operational would be created by the project.

2. STATUTORY AND STRATEGIC CONTEXT

2.1. State Environmental Planning Policy (State and Regional Development) 2011

The proposal is classified as SSD as it is development for the purpose of an educational establishment, with a CIV in excess of \$30 million, as defined under clause 15 of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011*. Therefore, the Minister for Planning is the consent authority.

2.2. Delegated Authority

In accordance with the Minister's delegation dated 16 February 2015, the Executive Director, Priority Projects Assessments can determine the subject application as Council has not objected to the proposal, no political disclosure statement has been made and less than 25 public submissions in the nature of objections have been received.

2.3. Permissibility and Zoning

The proposal is defined as an educational establishment under the *Parramatta Local Environmental Plan 2011* (PLEP) and is located in the B4 Mixed Use zone. Objectives of the zone primarily include the integration of suitable business, office, residential, retail and other

development in accessible locations so as to maximise public transport patronage and encourage walking and cycling. Educational establishments are permissible with consent.

2.4. Environmental Planning Instruments

The Department's consideration of relevant environmental planning instruments (EPIs) is provided at **Appendix B**. The proposal is consistent with the relevant requirements of the EPIs, namely *State Environmental Planning Policy (State and Regional Development) 2011*; *State Environmental Planning Policy No 55 – Remediation of Land*; and *State Environmental Planning Policy (Infrastructure) 2007*.

2.5. Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects of the EP&A Act, as set out in section 5 of the Act (see glossary at **Appendix C**). The proposal complies with the objects of the EP&A Act as it supports the orderly and economic use of land identified for the purpose of an educational establishment. The proposal also promotes the social and economic welfare of the State through the orderly redevelopment of an existing school for social infrastructure.

2.6. Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991* (see glossary at **Appendix C**). Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) *the precautionary principle,*
- (b) *inter-generational equity,*
- (c) *conservation of biological diversity and ecological integrity,*
- (d) *improved valuation, pricing and incentive mechanisms.*

The Department has considered the project in relation to the ESD principles. The Precautionary and Inter-generational Equity Principles have been applied in the decision making process via a thorough and rigorous assessment of the environmental impacts of the project. The Conservation of Biological Diversity and Ecological Integrity is acceptable given the proposal is located on a previously developed and disturbed site and will not result in the loss of any threatened or vulnerable species, populations, communities or significant habitats. Improved Valuation, Pricing and Incentive Mechanisms have been considered by avoiding, re-using, recycling and managing waste during construction and operation of the proposal to ensure responsible usage of environmental resources.

The Applicant has also incorporated ESD initiatives into the design of the proposed development, including energy efficient lighting and water sensitive urban design solutions, as outlined under Section 5.15 of the EIS which has been prepared in accordance with the requirements of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation). The Department has considered the development in relation to the ESD principles and is satisfied that the proposed sustainability initiatives would encourage ESD, in accordance with the objects of the EP&A Act and EP&A Regulation. A condition of consent is also recommended requiring the Applicant to submit details of all design elements to the Certifying Authority demonstrating that all new buildings incorporate ecologically sustainable development initiatives equivalent to the benchmarks outlined under The Green Star – Education v1 rating tool.

2.7. Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

2.8. Strategic Context

The Department considers that the proposal is appropriate for the site given:

- it is consistent with the NSW State Priorities to create jobs, build infrastructure to provide better quality education facilities, and improve access to and participation in high quality education;
- it is consistent with *A Plan for Growing Sydney*, particularly Direction 1.10 as it would deliver new primary school facilities to help meet the needs of Sydney's growing population in established urban areas;
- it is consistent with the *State Infrastructure Strategy Update 2014*, as it would provide the social infrastructure required to deliver educational services for a competitive, innovative economy; and
- it is consistent with the Greater Sydney Commission's draft *West Central District Plan*, as it would provide educational facilities to meet the projected significant growth of the primary school-aged population in Parramatta.

2.9. Secretary's Environmental Assessment Requirements

The EIS is compliant with the Secretary's Environmental Assessment Requirements (SEARs) and is sufficient to enable an adequate consideration and assessment of the proposal for determination purposes.

3. EXHIBITION CONSULTATION AND SUBMISSIONS

3.1. Exhibition

In accordance with section 89F of the EP&A Act and clause 83 of the EP&A Regulation, the Department is required to place the application and accompanying information on public exhibition for a minimum period of 30 days. The Department exhibited the EIS from 30 June 2016 until 15 August 2016 (a total of 47 days). The EIS was made available on the Department's website and for viewing at the following locations:

- Department of Planning and Environment, Information Centre, Sydney; and
- The City of Parramatta Council, Parramatta.

The Department advertised the public exhibition in the *Sydney Morning Herald*, the *Daily Telegraph* and *Parramatta Advertiser* on 29 June 2016. The Department also notified adjoining landholders and relevant State and local government authorities in writing.

The Department received 12 submissions during the exhibition of the application including eight from public authorities and four from the general public. A summary of the key issues raised in the submissions is provided below.

3.2. Public Authority Submissions

No public authority objected to the proposal. However, the City of Parramatta (Council), Roads and Maritime Services (RMS), Transport for NSW (TfNSW), the Environment Protection Authority (EPA), Office of Environment and Heritage (OEH), the Heritage Division of OEH, NSW Health and Sydney Water provided comments for consideration in the Department's assessment of the application. A summary of the agencies comments is provided below.

Council provided the following comments for consideration:

- concern is raised regarding the proposed perimeter fencing of the parade ground/school oval which will restrict public access and use of the facility outside of school hours. Council proposes a strategy be developed whereby access to the oval is maintained for community and Council activities including major events;
- the proposed school will need to consider integration with the proposed Western Sydney Stadium which will replace Parramatta Stadium in two to three years, including how

- significant crowds of people travelling to and from the stadium will be directed through and/or around the school site and consideration of additional traffic;
- concern is raised regarding the design of the proposed new hall as the combination of roof slopes and its asymmetrical profile would look out of context with existing symmetrical buildings, potentially impacting on the site's existing heritage views;
 - realignment of the O'Connell Street car park in conjunction with realignment of the boundary fence should be considered to provide a stronger response to historical uses, including the parade ground/oval and relationship to existing buildings. It is also recommended the ground surface of the car park be treated with 'grasscrete' or similar style to respond to the site's heritage landscape setting;
 - the total number of set-down/pick-up parking spaces along Marist Place and Market Street is overestimated. This indicates there will be significant unmet car parking demand at this location. It is recommended that additional measures be provided to accommodate and/or mitigate parking demand;
 - it is recommended that a pedestrian refuge be included on Market Street at the Marist Place end to allow crossing of a single lane of traffic at a time;
 - the proposed number of bicycle racks is insufficient for the number of students and staff. Additional spaces should be provided in a secure, undercover bike cage located in proximity to the main entrance;
 - the removal of street tree T72 on O'Connell Street should be compensated by a replacement tree in order to maintain pedestrian amenity; and
 - the outdoor play-spaces should incorporate more shade, preferably through additional deciduous trees.

RMS advised that it does not support any proposed pedestrian access to the proposed school from O'Connell Street. This would require a low-speed School Zone to be established on a major feeder road into the Parramatta CBD which would have an adverse impact on traffic movement at this location.

TfNSW provided the following comments for consideration:

- route options for the future Parramatta Light Rail are currently being assessed and could result in changes to existing parking and access arrangements in the vicinity of the site. Further consultation with TfNSW is therefore recommended to ensure the development is integrated with a possible future light rail corridor;
- the proposed student set-down/pick-up, parking and bus zone configuration along Market Street requires further assessment to ensure the needs of bus operations are accommodated without compromising the safety of pedestrians;
- a detailed pedestrian route assessment should be undertaken to the satisfaction of Council and RMS which assesses key routes to the proposed school and identifies measures to maintain the safety of students and other road users;
- a Green Travel Plan should be prepared which identifies measures to reduce private car trips for students and staff;
- measures to encourage active transport should be implemented including the provision of bicycle parking and end of trip facilities; and
- a Construction Traffic Management Plan should be prepared in consultation with Council, RMS and TfNSW which addresses potential impacts to traffic, pedestrian, cyclist and bus services in the vicinity of the site during construction.

The **EPA** provided the following comments for consideration:

- it is recommended that a detailed assessment of potential site contamination be undertaken following demolition of the existing buildings, and that the Applicant engage an accredited site auditor to ensure the site is suitable for the proposed use;
- concern is raised regarding impacts on surrounding residences and sensitive land uses during construction including noise generated during demolition and site preparation

- works, handling and transportation of contaminated waste and materials, dust management, waste management and erosion and sediment control; and
- concern is raised regarding operational impacts on surrounding residences and sensitive land uses particularly in regards to noise arising from activities such as waste collection, loading dock activities and mechanical services, operational waste management procedures, and water and energy conservation and efficiency measures.

OEH provided the following comments for consideration:

- the Aboriginal Heritage Impact Assessment provided with the EIS is insufficient in its current form. Further information is requested, particularly with regards to consultation, the results of decontamination testing and consequential impacts on Aboriginal objects, the results of any historical archaeology testing, and the archaeological salvage methodologies that were employed; and
- no concerns are raised in relation to the site's flood hazard, however, the Applicant should investigate the potential to link the school's warning system to the Parramatta River flood warning system (the installation of which is currently under investigation by Council).

Heritage Council of NSW provided the following comments for consideration:

- impacts of the development should be managed to preserve the cultural significance of the site with ongoing consultation to occur with the Heritage Council; and
- several conditions of consent were recommended to ensure appropriate conservation measures are applied to the development and to ensure protection of the existing built heritage, landscape and historical archaeological features.

NSW Health raised concern with the proposed fencing of the parade ground/oval as it is the only significant open and flat recreational space in close proximity to the Parramatta CBD. NSW Health supported Council's request for an innovative and sympathetic fencing solution at this location, and for arrangements that would enable community use of the oval.

Sydney Water advised that existing trunk water and wastewater systems currently have adequate capacity to service the proposed development.

The Department has fully considered the issues raised in the agency submissions in its assessment of the development.

3.3. Public Submissions

Four public submissions were received during exhibition, all from special interest groups. One submission objected to the proposal, one provided support and two neither objected nor supported the proposal but did provide comments. **Table 3** outlines the issues raised in the submissions.

Table 3: Public submissions summary

No.	Submitter	Issues
1	Bicycle NSW (Comments)	- Construction of the development should not impede the Parramatta Valley Cycleway which is an essential regional cycling route; and - construction traffic plans should recognise the importance of the cycleway and ensure the safety of bicycle riders.
2	Australian Garden History Society (Sydney & Northern NSW branch) (Objects)	Objection is made primarily in relation to the removal of 'Tree 74' (a mature Carob Tree) as it is identified in the Statement of Heritage Impact as being of high visual significance, and is one of several trees on the site over 100 years of age.
3	Camwest (Supports)	The existing cycleway along the southern boundary of the school is an important link for commuters and recreational cyclists and should remain accessible during construction and operation of the school; and

		• additional bicycle parking facilities and end-of-trip facilities should be provided, particularly for staff who ride to work.
4	Our Lady of Mercy College Parramatta (Comments)	• The proposal is supported in principle due to the predicted population growth, however, concerns are raised in regards to traffic management and the future safety of students and staff as traffic is already problematic in the locality with three existing schools operating in close proximity to the site; • the proposal will increase the demand for car parking, in addition to demand generated by the future residential flat building and commercial development adjoining the site; • the student set-down and pick-up area proposed along Marist Place and Market Street is also currently used by students of Our Lady of Mercy College, creating further congestion in this area; and • additional staff supervision will likely be required to ensure students can safely access buses in Market Street.

3.4. Applicant's Response to Submissions

The Applicant provided a response to the issues raised during public exhibition within a Response to Submissions (RtS) report. The RtS included the following further information and project amendments:

- removal of the proposed boundary fencing of the school oval;
- an updated traffic assessment including a cumulative construction traffic assessment of both the proposed development and adjoining construction sites;
- design amendments involving the inclusion of air conditioning systems resulting in additional roof cowls, louvers and additional plant; and
- clarification and updated position on a number of issues raised by OEH regarding the Aboriginal cultural heritage assessment methodology and outcomes.

The RtS was referred to all agencies who raised concerns during the EIS public exhibition period. As the project amendments were considered minor in nature, the RtS was not publicly exhibited. The RtS documentation was, however, made available on the Department's website.

Council supported the removal of the proposed boundary fencing from the application. Concerns remained, however, regarding the proposed location and number of bicycle parking spaces. Council is of the opinion that an insufficient number of bicycle parking spaces have been provided and that staff and student bicycle parking should be separated. Council also requested appropriate end-of-trip facilities for staff be provided. Council also noted that the proposed raised pedestrian crossings at Market Street and Marist Place are unlikely to meet RMS warrants which would require the crossings to be replaced with a refuge island.

TfNSW re-iterated its concerns regarding the proposed student set-down and pick-up area proposed on the northern side of Market Street and advised that any disruptions to existing bus layover operations is not supported.

OEH advised that it had no further comment to make on the proposal. The Heritage Council provided further recommended conditions of consent. In particular, it was recommended that any decision to remove 'Tree 74' (Western Carob Bean Tree) be deferred until the Applicant's arborist provides further information on the tree's condition and life expectancy. It was also requested that any future applications related to the installation of fencing be submitted to the Heritage Council for comment.

The EPA confirmed its recommendation that the Applicant be required to engage an accredited site auditor to determine the suitability of the site for its intended use. The EPA further confirmed its comments and advice made in its submission relating to operational noise impacts on surrounding residences and sensitive land uses.

4. ASSESSMENT

4.1. Section 79C Evaluation

Table 4 identifies the matters for consideration under section 79C (see glossary at **Appendix C**) that apply to SSD, in accordance with section 89H of the EP&A Act. The table represents a summary for which additional information and consideration is provided for in Section 4.2 (Key and Other Issues) and relevant appendices or other sections of this report and the EIS, referenced in the table.

The EIS has been prepared by the Applicant to consider these matters and those required to be considered in the SEARs and in accordance with the requirements of section 78(8A) of the EP&A Act and Schedule 2 of the EP&A Regulation.

Table 4: Section 79C(1) matters for consideration

Section 79C(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Complies - see Appendix B
(a)(ii) any proposed instrument	Not applicable
(a)(iii) any development control plan	See Appendix B *
(a)(iiia) any planning agreement	Not applicable
(a)(iv) the regulations	The DA satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to DAs (Part 6 of the EP&A Regulation), public participation procedures for SSDs and schedule 2 of the EP&A Regulation relating to EISs
(a)(v) any coastal zone management plan	Not applicable
(b) the likely impacts of that development	Appropriately mitigated or conditioned - refer to Section 4.2
(c) the suitability of the site for the development	Suitable - Refer to Sections 2.8 and Section 5
(d) any submissions	Refer to Sections 3.2 to 3.4
(e) the public interest	Refer to Section 1.4
Biodiversity values exempt if: (a) On biodiversity certified land (b) Biobanking Statement exists	Not applicable

* Under clause 11 of the State Environmental Planning Policy (State and Regional Development), DCPs do not apply to SSD. Notwithstanding, consideration has been given to relevant DCPs at Appendix B.

4.2. Key and Other Issues

The Department has considered the EIS, the issues raised in submissions and the Applicant's response to these issues in its assessment of the application. The Department considers the key issues to be:

- heritage;
- traffic, car parking and access;
- operational noise; and
- oval fencing.

4.2.1. Heritage

European Heritage

The site is listed on the SHR and the Department of Education Section 170 Register as it is within the curtilage of the 'Kings School Group (former)' (No. 00771) and the 'Marsden Rehabilitation Centre Group' (No. 00826). The site is also located in proximity to the SHR listed site 'Parramatta Park and Old Government House' (No. 00596) where a visual relationship exists between the two sites.

The heritage significance of the site applies to both the existing buildings across the site and its archaeological and landscape setting. The former Kings School was the first large public secondary boarding school to be established in the colony of NSW, occupying the site from 1836 to 1964. Many of the existing buildings were the work of prominent Australian architects, and the site is evidence of the role of major social institutions in the evolution of the physical and cultural framework of the regional town of Parramatta during the nineteenth century.

Figure 10 shows the levels of significance across the site with regards to the existing built heritage, landscape heritage and visual significance.

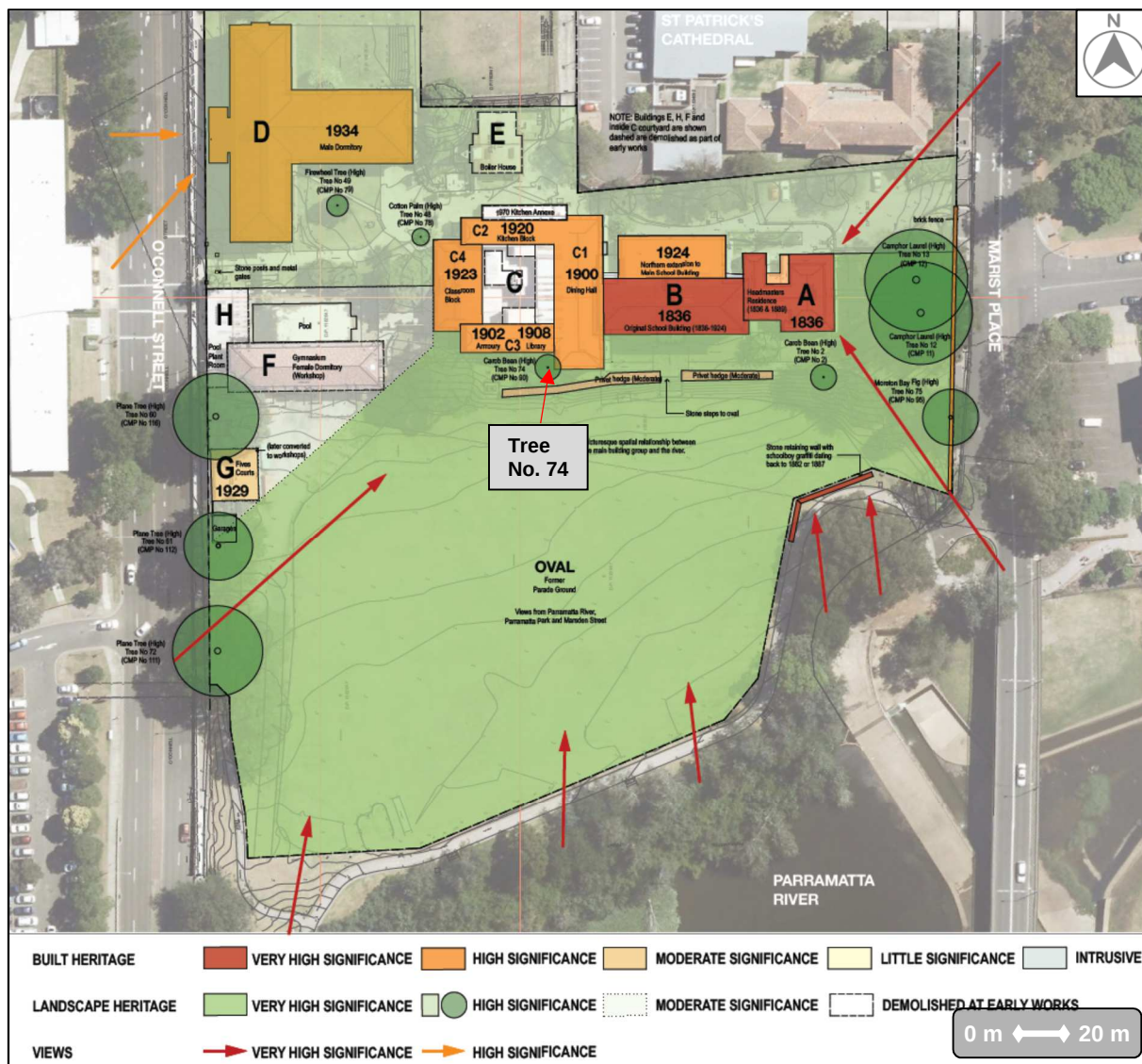


Figure 10: Levels of significance – former Kings School (source: EIS)

The proposal involves the adaptive re-use of existing Buildings A, B, C and D, and construction of a new school hall on the site of former Buildings F and H. The EIS included a Statement of Heritage Impact which identified the site as having very high heritage significance that applies to the existing buildings, archaeology and landscape setting. In particular, Building A (former Headmaster's residence) and Building B (original Kings School building) are identified for their architectural and historical significance.

The Heritage Council advised that the proposal is generally considered a positive result for the adaptive re-use of the site as an educational facility and is generally in line with the policies outlined in the Conservation Management Plan for the site. Ongoing consultation was

requested by the Heritage Council, particularly with regards to any further development associated with perimeter fencing along the southern boundary of the site.

Several old and significant trees which relate to the occupation of the site by the former Kings School currently remain. The EIS identified ten existing trees which are of regional or state significance of which two are proposed for removal due to poor health and to protect public safety. The Heritage Council specifically raised concern with the proposed removal of Tree No. 74 (as identified in the EIS – a Western Carob Tree) and requested deferral of any decision on the application until the Applicant's arborist responds to the recommendations and findings of the 2010 and 2014 arborist's reports about the tree's condition and life expectancy. Removal of Tree No. 74 was also an issue raised in the public submissions due to its high visual significance, and due to it being one of several trees on the site over 100 years of age. The location of Tree No. 74 is shown in **Figure 10**.

The RtS notes that the arborist's report had previously considered the condition of Tree No. 74 and recommended it be replaced with an identical species due to its poor condition including extensive trunk decay. The Department is satisfied with the arborist's findings and has recommend a condition requiring the Applicant to plant an identical species, positioned in close proximity to the location of the existing tree.

The Heritage Council proposed recommendations to ensure protection of the site's significant building fabric, elements and culturally significant landscape features, including that all tradesman be made aware of the significant building fabric on site. The Department has considered the advice from the Heritage Council and subsequently included the following recommended conditions of consent:

- a suitably qualified and experienced heritage architect shall be appointed to monitor construction works and ensure no significant fabric is damaged or removed without approval from the architect;
- an Archaeological Management Plan shall be prepared to guide the management of historical archaeology before, during and following the site works;
- test excavations should be undertaken to confirm the presence of local and state significant archaeological evidence prior to confirming the final footing design for the proposed sports court north of Building C;
- appropriate ground protection systems are to be in place to prevent damage to any unidentified sub-surface archaeology resulting from the use of heavy machinery;
- tree protection measures shall be implemented during construction under the supervision of a qualified arborist; and
- the detailed design of future boundary fencing shall be developed in consultation with the Heritage Council, including the height, alignment and materials used.

The Department considers the proposed use of the site is in keeping with its former use as an educational establishment, therefore maintaining the site's historical integrity. The recommended conditions of consent are proposed in order to ensure the site's existing heritage values are maintained during construction and future operation of the proposed primary school.

Aboriginal Heritage

The EIS (as updated by the RtS) included an assessment of potential impacts on Aboriginal heritage which included the results of test excavations conducted at various locations across the site. The test excavations were conducted in areas considered to be of high or moderate archaeological potential and in areas of potential direct or indirect impacts around existing structures.

The site's location in proximity to the Parramatta River, a key natural resource, indicates it was likely occupied by Aboriginal people in the past. However, the site has been subject to extensive disturbance from previous development works which have likely had a detrimental

impact on any remaining cultural deposits, particularly across the northern portion of the site. Consequently, test excavations were concentrated towards the southern portion of the site and mostly in the area of the proposed new school hall. A total of 23 test excavations were conducted which recovered 61 Aboriginal objects. Of these, 57 artefacts were found within a single test pit (No. 5) located toward to the east of Building G. These comprised predominately indurated mudstone/tuff/chert flakes, with lesser proportions of silcrete and milky quartz.

The EIS proposed a number of recommendations to mitigate impacts of the proposal on existing Aboriginal cultural heritage, including:

- archaeological mitigation measures in the form of salvage excavations should be undertaken prior to development of the proposed school hall which has the potential to impact on a known artefact scatter and deposit (Old Kings School AS1);
- consultation is to be maintained with Aboriginal stakeholders;
- further assessment should be undertaken if relocation of any element of the development occurs outside of the area assessed as part of this application; and
- the Applicant should advise all relevant personnel and contractors of the relevant heritage considerations, legislative requirements and recommendations.

The Department acknowledges the site's significance with regards to Aboriginal heritage and in order to ensure protection of the existing historical archaeology, the following conditions of consent have been recommended:

- a suitably qualified and experienced Heritage Archaeologist shall be appointed to monitor construction works;
- affected historical archaeological deposits of local significance are to be subject to professional archaeological excavation or recording prior to the commencement of construction; and
- in the event that surface disturbances identify new Aboriginal objects, all works must halt in the immediate area, and a suitably qualified archaeologist and registered Aboriginal representatives must be contacted to determine the significance of the objects.

Subject to the implementation of the above measures, the Department is satisfied that any impacts from the proposed development on Aboriginal heritage can be managed in accordance with acceptable practice.

4.2.2. Traffic, Car Parking and Access

Construction Traffic

Construction of the project is proposed to be carried out in four stages and will require materials to be transported to and from the site by Medium Rigid heavy vehicles. The estimated number of vehicles required during each stage of construction is outlined at **Table 5**.

Table 5: Estimated number of construction vehicles

Stage	Proposed Works	Vehicles per day	Vehicles per hour
1	Demolition of site relevant structures	60	6
2	Remediation of demolished areas	30	3
3	Construction of new site structures	60	6
4	Construction of internal circulation areas and car parking	30	3

The EIS indicates that reasonable levels of service are currently experienced across the surrounding road network, and concluded that the limited number of construction vehicle movements generated by the proposal would not result in significant road network impacts.

The Department considered the EIS did not adequately assess construction traffic impacts associated with the simultaneous construction of both the proposal and adjoining large-scale developments which are either under construction or scheduled to commence construction.

This includes the 77 unit residential flat building on the corner of O'Connell Street and Victoria Road (DA/799/2014 – currently under construction) and the Stage 1 works for the Western Sydney Stadium involving demolition of the existing stadium and the Parramatta Swimming Centre (SSD 7534 – approved on 7 December 2016). The Department subsequently requested the Applicant undertake further assessment.

The Applicant advised in the RtS that construction access associated with the adjoining developments would be via Victoria Road and O'Connell Street, and is therefore separated from the construction vehicle access point to the school site which is proposed via Marist Place. Furthermore, construction activities are projected to generate less traffic than the proposed future use, and during periods when more construction vehicle traffic is generated (i.e. a concrete pour), drivers will be instructed by radio when to arrive at the site to ensure that there is no vehicle queuing or parking within the adjoining road network. It is proposed that construction vehicle movements to and from the site be minimised and eliminated where possible during road network peak periods (i.e. 7 am – 9:30 am and 2.30 pm – 6 pm). Qualified traffic controllers will be used to assist all site access movements during vehicular ingress and egress. Parking for construction workers will be provided for on-site within the existing passenger vehicle parking areas contained within the north-eastern corner of the site, and at no time will construction vehicles be allowed to park within the adjoining public road network.

The Department considers the cumulative construction traffic impacts across the broader road network as a result of the project can be managed as part of a recommended Construction Traffic and Access Management Plan (TAMP), to be prepared prior to the commencement of construction and to the satisfaction of the Certifying Authority. The TAMP is required to:

- be prepared by a suitably qualified expert and in consultation with Council, TfNSW (CBD Coordination Office) and the Applicants of adjoining construction sites including the Western Sydney Stadium (SSD 7534) and residential flat building (DA/799/2014);
- provide discussion of potential cumulative construction impacts on the surrounding road network as a result of the simultaneous construction of adjoining developments;
- provide details of management measures to minimise cumulative traffic impacts, including temporary road work traffic control measures and measures to minimise peak period congestion; and
- provide details of measures to maintain or provide alternative safe and accessible routes for pedestrians throughout the duration of construction.

Operational Traffic

The Applicant provided a traffic and parking assessment as part of the EIS and a supplementary traffic assessment as part of the RtS to address issues raised during the exhibition period.

Increased Traffic Generation

The issue of increased traffic generation was raised in the public submissions by Our Lady of Mercy College, located on Victoria Road immediately to the north of the site. It was noted in the submission that traffic is already problematic in the vicinity of the site due to the operation of three existing schools in the locality.

The EIS and RtS included traffic impact assessments to determine average transport mode shares and impacts on existing Levels of Service (LoS) at key intersections. In determining the average transport mode share for students travelling to and from the school, the supplementary traffic assessment submitted with the RtS considered mode share data collated from four primary schools operating in the metropolitan Sydney area. The data revealed an average of 67.4 per cent of students arriving to school by car on a daily basis. The average car occupancy rate was 1.6 students per car, per day.

The supplementary traffic assessment used the average mode share percentage and car occupancy rate derived from the surveyed schools and applied it to the assessment of the

proposed O'Connell Street Primary School. The school is proposed to have a student population of 1,000 which would create an average daily demand of 424 cars (during both the AM and PM peak periods), representing a trip generation rate of 0.424 cars per student, per day (concentrated predominately throughout the school drop-off (AM) and pick-up (PM) times).

Using the predicted trip generation rate, SIDRA modelling was conducted to determine impacts on the existing LoS at key intersections in proximity to the site, including:

- Victoria Road and O'Connell Street;
- Victoria Road and Marist Place; and
- Marist Place and Market Street.

Table 6 shows the current and predicted LoS at the above intersections during the AM and PM peak periods as a result of the project.

Table 6: Level of service and average vehicle delay

Intersection	Current Conditions		Post-Development Conditions	
	AM Peak	PM Peak	AM Peak	PM Peak
O'Connell Street and Victoria Road				
Average Vehicle Delay (seconds/vehicle)	41.5	30.3	41.9	31.4
Level of Service	C	C	C	C
Victoria Road and Marist Place				
Average Vehicle Delay (seconds/vehicle)	12.6	16.6	17.3	37.9
Level of Service	A	B	B	C
Marist Place and Market Street				
Average Vehicle Delay (seconds/vehicle)	2.3	3.0	2.7	4.0
Level of Service	N/A	N/A	N/A	N/A

As outlined in **Table 6**, traffic generated by the proposal would marginally impact on the intersection of Victoria Road and Marist Place, where LoS is predicted to fall from 'A' to 'B' in the AM peak and from 'B' to 'C' in the PM peak. The intersection of O'Connell Street and Marist Place would retain a LoS 'C', despite the increase in traffic generated once school operations commence. The RtS concluded the SIDRA analysis and LoS results demonstrate the proposed school can be accommodated by the existing road network, with little impact on existing road users at these intersections.

Whilst the concerns raised by Our Lady of Mercy College are acknowledged, the Department is satisfied the surrounding road network has capacity to accommodate the predicted number of vehicles generated by the proposed development and would have a minor impact on the functioning of the existing network.

Car Parking

The EIS determined the demand for car parking would be distributed across the following three categories:

- long-term staff car parking;
- short-term visitor parking (largely associated with parents visiting the school); and
- short-term parking for parents (associated with student set-down and pick-up activities).

The application proposes 38 on-site car parking spaces in total. Of these: 27 spaces are designated for staff at the existing eastern car park, accessed via O'Connell Street; and 11 spaces are designated for both staff and visitors at the western car park, accessed via Marist Place. **Figure 7** shows the proposed locations for staff and visitor on-site car parking.

The EIS determined the primary factors generating the demand for on-site car parking to be the number of staff employed by the school and the level of public transport available for staff to travel to and from the site. The PLEP and Parramatta Development Control Plan 2011 do not specify a minimum rate of car parking for educational establishments. A merit assessment is therefore required to determine whether the proposed number of car parking spaces is satisfactory.

The proposal is expected to generate employment for 61 people and provide a total of 27 on-site car parking spaces designated for staff usage. This equates to approximately 44 per cent of staff members being allocated a car parking space. The remaining 56 per cent would be expected to travel to and from the site via public transport, active transport (walking, cycling etc.) or find alternative off-site car parking.

The public submission received from Our Lady of Mercy College raised concern regarding increased car parking demand generated by the proposal, in addition to demand generated by the existing school and the approved residential flat building and commercial development currently under construction at corner of Victoria Road and O'Connell Street.

The Department recognises there is limited opportunity to provide additional on-site car parking given the site's cultural heritage and archaeological constraints. This includes challenges around limiting impacts on the site's significant historical views and preventing the disturbance of any remaining archaeological deposits.

The Department notes, however, that the site is adequately serviced by public transport with a number of options available for future staff and students. These include several existing bus routes, a heavy rail option with Parramatta train station located 1 km from the site, and the potential for a future light rail option in the longer-term, which is currently being planned to service the Parramatta CBD. The Department has also recommended a condition of consent requiring the preparation and implementation of a Green Travel Plan in consultation with Council and TfNSW. The Plan is required to promote the use of active and sustainable transport modes by both staff and students, and is to be updated annually.

The Department is satisfied the provision of 27 on-site car parking spaces for staff is acceptable given the site's constraints and due to the site being well serviced by existing public transport operations. In regards to visitor car parking, the Applicant has assumed the proposal would generate up to ten short-term visits per day, primarily involving parents who have appointments with school staff or for school deliveries. The provision of 11 visitor car parking space is considered adequate for the site.

Student Set-Down and Pick-Up

The application proposes a formalised student set-down and pick-up area along both sides of Marist Place and Market Street. Capacity for 44 vehicles is proposed, at any one point in time, for short-term parking. **Figure 11** shows the proposed student set-down and pick-up locations (with blue circle providing scale).

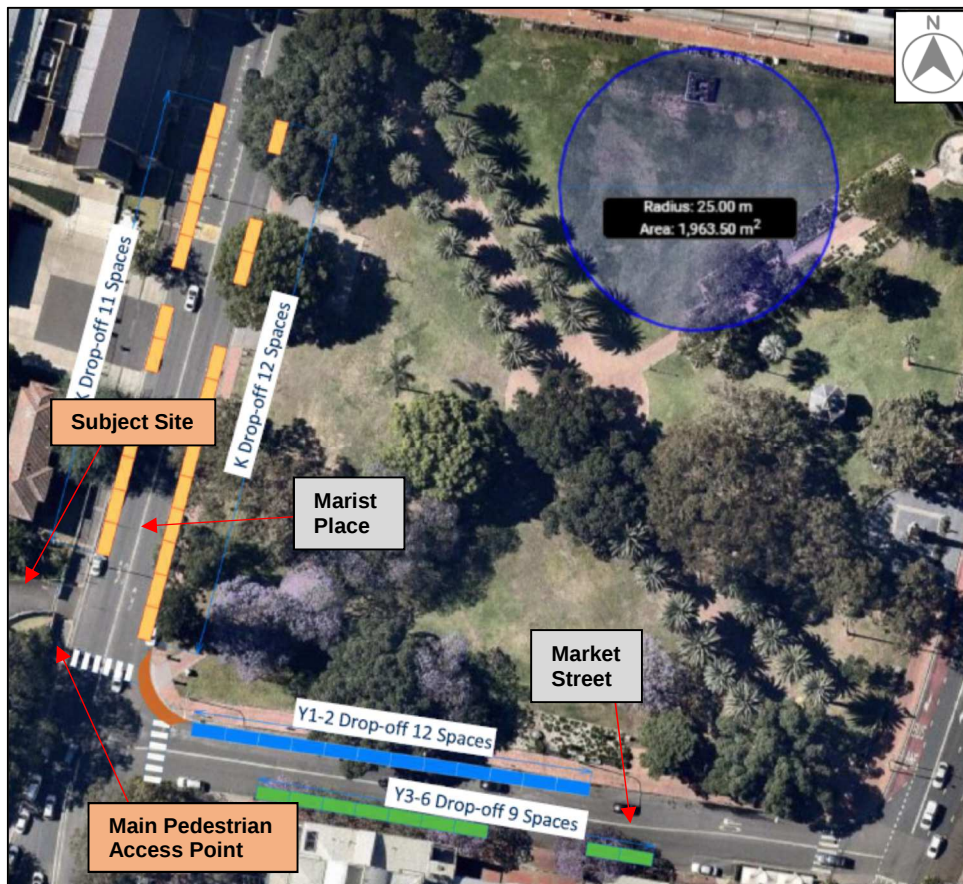


Figure 11: Set-down and pick-up locations – Marist Place and Market Street (source: RtS)

TfNSW advised in its submission on the EIS that the northern side of Market Street is currently used by the State Transit Authority for bus layover operations. TfNSW subsequently requested further assessment to determine whether the proposed student set-down and pick-up activities could be accommodated without impacting on the existing bus operations along Market Street, or compromising the safety of pedestrians. Council also raised concerns with the suitability of Market Street to accommodate the required number of spaces for student set-down and pick-up activities.

TfNSW further requested the Applicant conduct a pedestrian route assessment within 12 months of commencement of school operations to confirm that the established pedestrian crossings and access routes to the school have sufficient capacity to provide safe and efficient student access.

Following submission of the RtS, the Applicant consulted further with TfNSW and Council concerning the issue. It was agreed between all parties that a decision on the future student set-down and pick-up operations on the northern side of Market Street could be resolved prior to the commencement of school operations and subject to Council investigating alternate locations to accommodate the current bus layover operations.

The Department is satisfied that pedestrian safety can be achieved in accessing the school site, and to ensure that this occurs, has recommended a condition requiring the Applicant to consult further with TfNSW and Council and investigate suitable options to ensure both uses can operate efficiently, without compromising pedestrian safety. An agreement must be reached with TfNSW and Council prior to the commencement of school operations. Furthermore, to ensure that students are able to safely cross both Marist Place and Market Street, the Department has recommended a condition requiring the Applicant to investigate suitable pedestrian crossing options at this location, without causing extensive vehicle queuing or traffic delays. Crossing options are to be considered in consultation and agreement with

Council and RMS and may include, but not be limited to, the establishment of a signalised pedestrian crossing or other suitable treatment. The crossing options are to be implemented prior to the commencement of school operations.

To address the pedestrian safety concerns raised by TfNSW, the Department has recommended that the Applicant provide a Pedestrian Route Assessment within 12 months of the commencement of school operations. The assessment is required to be carried out in consultation with TfNSW CBD Coordination Office and RMS and must detail whether the established pedestrian crossings and access routes to the school are providing safe and efficient access for students, and whether a sufficient number of bicycle parking spaces are provided.

Bicycle Parking

The application proposes a total of 40 on-site bicycle parking spaces for staff and students. Council considered the proposed number of spaces to be insufficient and requested additional spaces be provided in a secure, undercover storage area. TfNSW also considered there to be a shortage of proposed spaces considering the EIS mode share assumptions determined that 50 per cent of students would either walk or cycle to and from the school. Council also requested appropriate end-of-trip facilities be provided for staff who will cycle to and from school.

The revised traffic assessment provided as part of the RtS included transport mode share data collated from surveys at four existing primary schools located in medium-density residential areas. The survey data indicated a mode share range of between 0.41 per cent and 1.25 per cent for bicycles, with an average mode share of 0.97 per cent. This mode share range, when applied to a school population of 1,000 students, indicates a demand of between five and 13 bicycle parking spaces in total. The revised traffic assessment determined that the 40 bicycle parking spaces proposed as part of the application is therefore adequate, with a margin of up to 27 spaces for staff usage and future growth should students be encouraged to cycle to school.

Based on the assumptions provided in the Applicant's revised traffic assessment, the Department is satisfied the provision of 40 bicycle parking spaces for the site is adequate. A recommended condition therefore requires a minimum of 40 spaces be provided within a secure, covered facility with an appropriate number of spaces to be designated for staff usage only. It is further recommended that the Applicant be required to provide appropriate end-of-trip facilities (including showers and changing areas) for school staff.

To address the concerns raised in the public submissions regarding accessibility to the existing pedestrian and cyclist path running alongside the southern boundary of the site, the RtS confirms that the infrastructure will not be impeded during either construction or operation of the project.

4.2.3. Operational Noise

The operational noise emissions generated by the proposal is likely to include: road traffic noise from increased traffic generation; mechanical plant; ground maintenance works; and use of school facilities by external parties outside of school hours.

The proposed school would generally operate within standard school hours between 9 am and 3 pm on weekdays (during school term). The school hall would be used for out-of-hours school care between 7 am and 9 am and 3 pm and 6 pm on weekdays (also during school term). Out-of-hours use of the school hall, resource centre and the oval by external parties may also occur on occasions.

The EIS included an acoustic assessment which detailed the existing ambient and background noise levels and provided a quantitative assessment to determine whether the relevant noise

criteria could be achieved based on the proposed school operations. In order to determine the existing background and ambient noise levels representative of the surrounding area, two unattended noise loggers were placed on the site for a one week period. Short-term attended noise monitoring was also carried out to obtain data for traffic and aircraft noise. The recorded noise levels were used to establish a limiting criteria for noise generated during operation of the proposed school.

The location of noise monitoring (both attended and unattended) undertaken at the site and at the nearest noise sensitive receivers is shown at **Figure 12**. The results of the background noise monitoring and ambient noise levels are provided at **Table 7**.

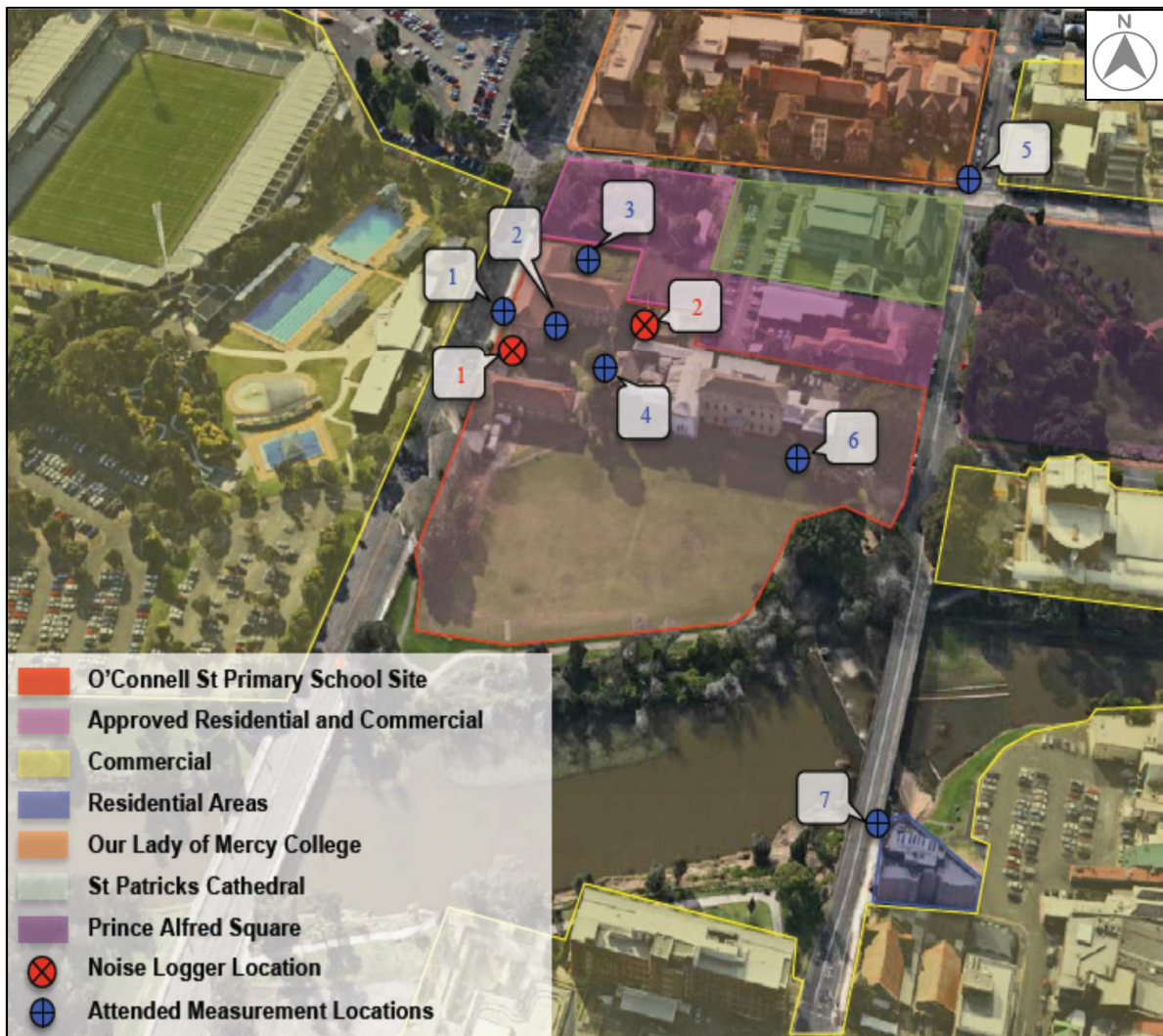


Figure 12: Noise monitoring locations and surrounding receivers (source: EIS)

Table 7: Results of background noise monitoring and ambient noise levels

Location	Background Noise Levels (RBL), dB(A)			Leq Ambient Noise Levels, dB(A)		
	Day 7am-6pm	Evening 6pm-10pm	Night 10pm-7am	Day 7am-6pm	Evening 6pm-10pm	Night 10pm-7am
Logger 1 O'Connell Street	54	52	40	67	66	63
Logger 2 Centre of Development Site	47	46	37	53	54	50

The EIS considered the most notable operational noise impacts would result from the use of mechanical plant (including air conditioning units) and performance noise associated with after-hours use of the school hall.

Mechanical Plant

The *Industrial Noise Policy* (EPA, 2000) (INP) provides guidance for determining noise limit criterion for external noise emissions associated with mechanical plant. The EIS has assumed mechanical plant would operate during the day (7 am to 6 pm) and evening (6 pm to 10 pm) periods, including for facility maintenance purposes, such as cleaning.

Table 8 details the corresponding allowable noise emissions for mechanical plant, based on the site's existing background and ambient noise levels (outlined at **Table 7**) and the relevant INP criteria.

Table 8: Noise emission limits – mechanical plant

Receiver Type	Period	INP Criteria			
		Acceptable Noise Level	Amenity Leq (period), dBA	Intrusiveness Leq (15-minute), dBA	INP Project Specific ³
Residential	Day (7am-6pm)	60	60	52	51
	Evening (6pm-10pm)	50	44	51	44
	Night (10pm to 6am)	45	40	42	40
Place of Worship	When in use	50 ⁴	43	-	43
Passive Recreation Area	When in use	50	43	-	43
Commercial premises	When in use	65	65	-	65
School Classroom	Noisiest 1-hour period When In Use	45 ⁴	43	-	43

The Department has recommended a condition of consent requiring the operation of any plant, machinery or other equipment comply with the INP which requires mechanical plant to not exceed 5 dB(A) above the existing background noise level when measured at the boundary of the nearest sensitive receiver. The Department is satisfied the recommended condition will mitigate the impact of mechanical plant noise emissions for nearby sensitive receivers.

Performance Noise – School Hall

There is no specific guideline or criteria for assessing noise emissions from school halls connected to educational establishments. In the absence of any such criteria, the EIS makes reference to the octave band criteria applied to licenced premises by the Office of Liquor, Gaming and Racing (OLGR) and criteria applied to 'Entertainment Uses' by the City of Sydney Council. The EIS deemed it necessary to consider noise limits in octave bands as amplified music will likely be used for performances in the school hall.

The OLGR and City of Sydney Council criteria outline the following noise restrictions for licenced premises and entertainment uses:

- between 7 am to 12 am (midnight): L_{A10} from the premises is not to exceed the existing background noise level by more than 5dB(A), in any octave band from 31.5 Hz to 8 kHz, inclusive; and
- between 12 am (midnight) and 7 am: L_{A10} from the premises is not to exceed the existing background noise level, in any octave band from 31.5 Hz to 8 kHz, inclusive.

Applying the above criteria, **Table 9** details the corresponding allowable noise emissions based on the site's existing background noise levels (outlined in **Table 7**) for the day and evening periods.

Table 9: Noise emission limits – school hall

Location	Time	Descriptor		Measured sound level, dB re 20 μ Pa									
				Overall dB(A)	Octave band centre frequency ¹ , Hz								
					31.5	63	125	250	500	1k	2k	4k	8k
Residential/ Commercial	Day (7am- 6pm)	Background Noise Level	L_{90}	47	58	57	51	44	43	43	39	32	23
		Corresponding Project Criteria (OLGR/CoS)	$L_{10} \leq$ $L_{90} + 5\text{dB}$	52	63	62	56	49	48	48	44	37	28
	Evening (6pm- 10pm)	Background Noise Level	L_{90}	46	57	56	50	43	42	42	38	31	22
		Corresponding Project Criteria (OLGR/CoS) ²	$L_{10} \leq$ $L_{90} + 5\text{dB}$	53	64	63	57	50	49	49	45	38	29

* Criteria for the night time period (10 pm to 7 am) has not been considered as the school hall will not be used during this period.

The proposal has been designed to meet the above criteria and in order to ensure that this occurs, the Department has recommended a condition of consent requiring noise associated with use of the school hall to not exceed the criteria outlined in **Table 9** above, when measured from the boundary of any noise sensitive receiver. The Department is satisfied the recommended condition will protect nearby noise sensitive receivers who may be impacted by use of school hall outside of standard school hours.

Construction Noise

The EPA also raised concern regarding construction noise including impacts on surrounding residences and sensitive land uses, including noise generated during demolition and site preparation works. The Department notes that demolition and site preparation works have been approved under a separate application approved by Council (DA/81/2016). Nonetheless, the Department recommends that all construction works associated as part of this application be carried out in accordance with the noise management levels detailed in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009). For any activities that may exceed these noise management levels, feasible and reasonable noise mitigation measures must be implemented, as detailed in a Construction Noise and Vibration Management Plan (CNVMP), to be prepared to the satisfaction of the Certifying Authority.

The Department is satisfied that construction noise impacts can be managed through compliance with the recommended conditions, including the CNVMP.

4.2.4. Oval Fencing

The application originally proposed the establishment of a 1.2 m high fence along the southern boundary of the site (around the school oval). The fencing was designed to ensure the school and oval would be enclosed from the existing public thoroughfare extending along the northern bank of the Parramatta River. The final design and alignment of the fence was subject to ongoing consultation between the Applicant and relevant agencies at the time of exhibition of the EIS. **Figure 13** shows the proposed alignment of the boundary fencing.

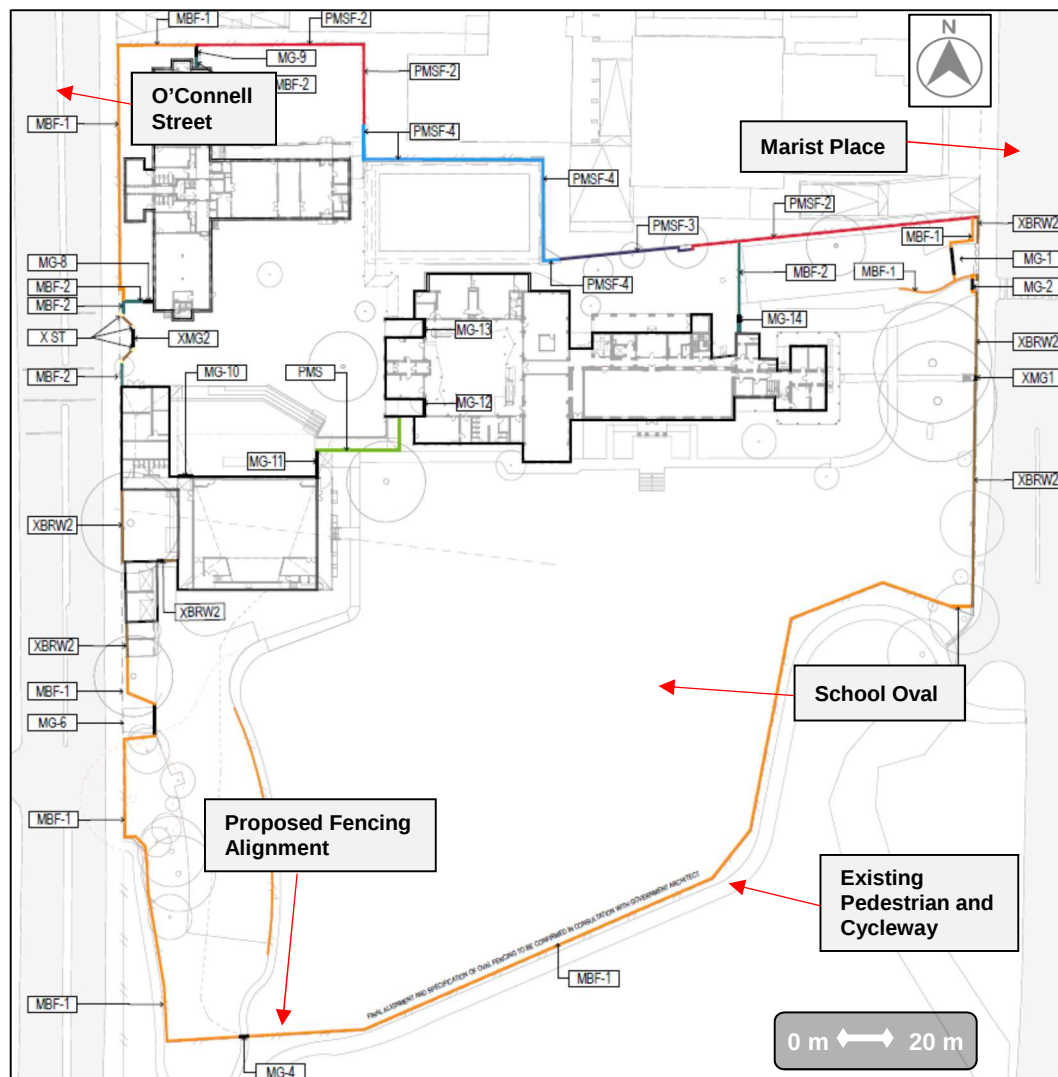


Figure 13: Originally proposed boundary fencing alignment (source: EIS)

The proposed fence was not supported by Council on the basis that it would prevent public usage of the oval outside of school hours. Maintaining access to the oval for the general public would also ensure consistency with the aims and objectives of Council's *Parramatta City River Strategy, Design and Activation Plan* (2015). Council considered there to be opportunity to realign the fence along the oval's northern perimeter, which would address the Applicant's security concerns and continue to allow community access for events and general recreation. Council's request was supported by NSW Health who considered the prevention of public access to the oval would impact on opportunities for physical activity given the site is the only significant open and flat space in close proximity to the Parramatta CBD.

The Department requested the Applicant give consideration to an arrangement with Council where public use of the oval be available outside of school hours. It was further requested that measures be considered to increase pedestrian permeability across the oval (e.g. incorporating gates into the design which could be opened after school hours) or through the realignment of the southern setback of the proposed fence.

The Applicant advised in the RtS that an agreement regarding the future composition of the fence including height and alignment was yet to be reached with the relevant agencies. Subsequently, the proposed fencing was removed from the application. The Applicant indicated an intention to seek approval for the fence as part of a future modification application, once the relevant agencies had reached an agreement on the design.

The Department considers fencing of the school site is necessary to ensure the safety of primary school-aged children from accessing the adjoining Parramatta River and to deter unauthorised access to the school grounds during and after school hours. A condition of consent is therefore recommended requiring the Applicant to provide a fencing solution prior to occupation of the school. The detailed design of the fencing including height, alignment and material is to be developed in consultation with Council and relevant agencies, including the Heritage Council. The final design of the fencing is to be submitted to the Secretary for approval prior to installation.

4.2.5. Other Matters

Contamination

The site has historically been used as an educational establishment and rehabilitation centre, with no evidence of potentially contaminating activities having been undertaken. A Detailed Site Investigation provided as part of the EIS identified:

- the presence of two disused underground fuel storage tanks which formed part of a historically operating boiler house located east of former Building E (demolished under DA/81/2016);
- concentrations of heavy metals and polycyclic aromatic hydrocarbons (PAHs) in surface and near-surface soils; and
- small fragments of asbestos-containing materials at two locations across the site, attributable to the former use of fill and hazardous building materials.

The EIS also included a contamination report to address matters relating to *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55). Contamination in soils and groundwater across the site was determined to be minor in nature and limited in extent, including being less than the relevant EPA endorsed guidelines for land to be used as a primary school. Subsequently, the EIS deemed the site suitable for its intended use, subject to appropriate management measures. This includes the implementation of a Long Term Contamination Management Plan (LTCMP) once construction works are complete.

The EPA stated in its submission that the detection of asbestos in soils indicated that some remediation works will likely be required in accordance with SEPP 55. It was subsequently recommended that the Applicant be required to prepare and implement a Remediation Action Plan for the site, and to engage a site auditor accredited under the *Contaminated Land Management Act 1997* to determine the suitability of the site for its intended use.

The Applicant advised in the RtS that appropriate measures for managing the presence of contamination during construction and into the longer-term are outlined in the EIS. The Applicant further considered a site audit statement is not required on the basis that:

- the site has long been utilised as a school with no history of any form of commercial or industrial uses being carried out on the site;
- soil contamination is limited in both its nature and extent across the site; and

- the potential risk of harm to human health for future users of the site is considered to be negligible and will be managed through the implementation of a LTCMP.

In response to the RtS, the EPA confirmed its recommendation that the Applicant be required to engage a site auditor to assess the suitability of the site.

The Department has considered the information provided in the Applicant's contamination assessment and the advice provided in the EPA's submissions. Given the EIS has determined there to be some degree of contamination to be present in near-surface soils across the site, the Department has recommended that:

- the Applicant be required to submit, to the satisfaction of the Certifying Authority, a Site Audit Report and Site Audit Statement which have been prepared by an EPA accredited site auditor;
- the Site Audit Report and Site Audit Statement must verify that the site is suitable for its intended use and must be provided prior to the commencement of school operations; and
- a LTCMP shall be prepared prior to the commencement of school operations and in consultation with the accredited site auditor. The LTCMP is to ensure that users of the site are not exposed to potentially contaminated soils located beneath constructed surfaces of the school and that to protect the health of all future users of the site.

In addition, a recommended condition of consent requires the Department to be notified, and for any construction works to cease, should any new information be discovered which has the potential to alter previous conclusions about site contamination. The Certifying Authority will determine whether further investigation, or the need for remediation, is required before construction works can recommence.

Building Heights, Bulk and Density

The existing layout of the site will remain largely unchanged as the proposal primarily involves the retention, internal refurbishment and adaptive re-use of existing buildings. Newly built structures across the site would be limited to the new school hall, sports court and additions to the Building C group. All new building elements and structures proposed as part of the application will be lower than the height of the existing site buildings, which range between 10.4 m and 18.7 m tall.

The maximum height of any new building element is 10 m above existing ground level (the new additions to Building C). The height of the proposed school hall is designed to be substantially less than the existing site buildings to ensure it does not dominate the existing heritage character of the site. The structure would have a maximum overall height of 9.6 m with an angled roof to provide visual interest when viewed from O'Connell Street. Whilst Council raised some concern with the different roof slopes of the proposed roof form, the Applicant is of the opinion that the design of the school hall provides an appropriate balance between maintaining the existing heritage setting and incorporating contemporary design.

The proposal is not expected to significantly increase the existing bulk and scale of the site due to the majority of works involving the internal refurbishment of existing buildings. The EIS considered that the removal of unsympathetic additions to Building C and improvements to landscaping and finishes would improve the overall visual presentation of the site.

In regards to site density, the proposal seeks approval for the use of 9,119 sqm of floor space, equating to a floor space ratio of 0.37:1. This is consistent with the maximum floor space ratio of 0.4:1 required under the PLEP. The majority of floor space would be contained within the existing site buildings. The new school hall would comprise 1,223 sqm of GFA or approximately 13 per cent of the total GFA of the site.

The Department considers the design and built form of proposed new structures would not result in adverse visual impacts on the surrounding area and is acceptable in terms of the

relationship with the site's existing heritage significant structures and landscape features. The proposal provides an acceptable balance between contemporary school needs and the historical setting of the locality, particularly when considering that a large contemporary sporting stadium is planned directly opposite the subject site in O'Connell Street.

Waste

The Applicant has prepared a Waste Management Plan as part of the EIS which assessed the waste quantities, storage and management procedures to be carried out during demolition, construction and operation of the project.

The EPA recommended the Applicant manage waste in accordance with the waste hierarchy established under the *Waste Avoidance and Resource Recovery Act 2001*. The EPA further recommended all wastes generated by the project be properly assessed, classified and managed in accordance with the EPA's guidelines to ensure proper treatment, transport and disposal at a landfill legally able to accept such waste.

The Department has recommended the following conditions of consent to ensure appropriate waste control and management practices are carried out:

- all waste generated by the project is assessed, classified and managed in accordance with the *Waste Classification Guidelines Part 1: Classifying Waste* (DECCW, 2009);
- the body of any vehicle or trailer transporting waste or excavation spoil is covered before leaving the premises to prevent any spillage or escape of any dust, waste or spoil; and
- mud splatter, dust and other material likely to fall from or be cast off the wheels, underside or body of any vehicle, trailer or motorised plant leaving the site is to be removed before leaving the premises.

The Applicant also advised in the RtS that waste management will be addressed as part of the school's Operational Management Plan, which will be prepared prior to occupation of the site.

5. CONCLUSION

The Department has reviewed the EIS and considered advice from the public authorities, including Council. Concerns raised in the submissions have been considered and all environmental issues associated with the proposal have been thoroughly addressed.

The Department considers the key issues associated with the assessment of the project relate to heritage, traffic and car parking and noise. Conditions of consent have been recommended to satisfactorily address these matters.

In relation to heritage, the Applicant is required to prepare an Archaeological Management Plan to protect the site's historical archaeology and appoint a Heritage Architect to monitor works during construction.

Whilst the Department is satisfied that pedestrian safety can be achieved in accessing the school site, in order to ensure this occurs, the Applicant is required to further consult with TfNSW and Council to ensure appropriate arrangements are made for student set-down and pick-up activities, prior to the commencement of school operations. The Applicant is also required to investigate potential pedestrian crossings options of both Marist Place and Market Street.

In relation to noise, specific operational noise limits have been imposed on the school hall and mechanical plant. The Applicant is also required to construct the project in accordance with a Construction Noise and Vibration Management Plan and within the noise management levels

stipulated in the *Interim Construction Noise Guideline* (Department of Environment and Climate Change, 2009).

The Department is satisfied the proposal would provide a significant public benefit through the provision of high quality educational facilities and services for up to 1,000 primary-school aged students in Western Sydney. The proposal would also provide 61 operational jobs and 100 jobs during construction. Furthermore, the application is considered to be consistent with the objects of the EP&A Act including ecologically sustainable development, the NSW State priorities, *A Plan for Growing Sydney* and the draft *West Central District Plan*.

The Department has recommended conditions of consent to ensure that the construction and future operation of the school will maintain the existing amenity of the surrounding locality. The Department is satisfied the application satisfactorily responds to issues raised during the assessment of the project and, therefore, recommends the SSD application be approved, subject to the recommended conditions of consent.

6. RECOMMENDATION

In accordance with section 89E of the EP&A Act, it is recommended that the Executive Director, Priority Projects Assessments, as delegate of the Minister for Planning:

- a) **consider** all relevant matters prescribed under section 79C of the EP&A Act, as contained in the findings and recommendations of this assessment report and appended documentation; and
- b) **grant consent** to the State significant development application for the construction and operation of the O'Connell Street Primary School (SSD 7372) in Parramatta, subject to the recommended conditions of consent; and
- c) **sign** the attached development consent attached at **Appendix D**.

Prepared by: Brent Devine, Senior Planner

Endorsed by:


10/02/2017
Karen Harragon
Director
Social & Other Infrastructure Assessments

Approved by:


21/2/17
David Gainsford
Executive Director
Priority Projects Assessments

APPENDIX A RELEVANT SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning's website as follows.

1. Environmental Assessment
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7372
2. Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=list_submissions&job_id=7372
3. Applicant's Response to Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7372

APPENDIX B CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENT(S) AND DCP(S)

State Environmental Planning Policy (State and Regional Development) 2011

The aims of this SEPP are to identify SSD and State significant infrastructure and confer the necessary functions to joint regional planning panels to determine development applications.

The proposal is for SSD in accordance with section 89C of the *Environmental Planning and Assessment Act 1979* because it is development for the purpose of an educational establishment with a CIV in excess of \$30 million, under clause 15 of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011*.

State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 aims to provide a state wide approach to the remediation of contaminated land. In particular, SEPP 55 aims to promote the remediation of contaminated land to reduce the risk of harm to human health and the environment by specifying under what circumstances consent is required, specifying certain considerations for consent to carry out remediation work and requiring that remediation works undertaken meet certain standards.

A contamination assessment undertaken for the site which identified:

- the presence of two underground storage tanks;
- concentrations of heavy metals and polycyclic aromatic hydrocarbons (PAHs) in surface and near-surface soils; and,
- small fragments of asbestos-containing materials at two locations, attributable to the former use of fill and hazardous building materials.

The EIS determined contamination across the site to be generally minor in nature and limited in its extent. Furthermore, the site has long been utilised as a school with no history of any form of commercial or industrial uses being carried out. The Applicant subsequently considered that a Remedial Action Plan (RAP) is not necessary as the EIS sets out appropriate measures for managing the presence of contamination during construction and as part of a long-term Contamination Management Plan.

The Department has recommended the Applicant to submit to the Certifying Authority a site audit report and site audit statement, prepared by an EPA accredited site auditor. The site audit report and statement must verify that the site is suitable for its intended use as a primary school, and be submitted prior to the commencement of school operations.

State Environmental Planning Policy (Infrastructure) 2007

The aim of the Infrastructure SEPP is to facilitate the effective state wide delivery of infrastructure by providing greater flexibility in the location of infrastructure and service facilities, allowing the development of surplus government land, identifying relevant environmental assessment categories for development and relevant matters to be considered and providing for consultation with relevant public authorities.

Schedule 3 of the Infrastructure SEPP requires traffic generating development to be referred to the RMS. The proposal was referred to the RMS who did not support any pedestrian access to the site from O'Connell Street. The Department has subsequently recommended a condition of consent prohibiting pedestrian access from this location.

Clause 32 of the Infrastructure SEPP requires the consent authority to take into consideration the *School Facilities Standards* publications prior to determining an application for the purposes of a school. These standards provide a guide for the development of new schools, new facilities at existing schools and the refurbishment of existing facilities. The EIS notes that

the standards have been considered in the design and planning of the redevelopment of the site and that the project meets the relevant objectives of the standards.

Parramatta Local Environmental Plan 2011 (PLEP)

The development is consistent with the aim of the B4 Mixed Use zone in the PLEP to support the development of land for an educational establishment. Consideration of the relevant clauses of the LEP is provided in **Table 1**.

Table 1: Consideration of the PLEP 2011

PLEP	Criteria	Department Comment/Assessment
Clause 4.3	Height of buildings	The tallest structure proposed as part of the application is the new school hall with a maximum height of 9.6 m. This is consistent with maximum building height of 10 m for the site, as identified on the PLEP Height of Buildings Map. The Department is satisfied the proposal is consistent with this clause.
Clause 4.4	Floor space ratio (FSR)	The application proposes the use of 9,119 sqm of floor space, equating to a FSR of 0.37:1. This is consistent with the maximum FSR of 0.4:1, as identified on the PLEP FSR map. The Department is satisfied the proposal is consistent with this clause.
Clause 5.9	Preservation of trees or vegetation	Approval is being sought for the removal of 20 trees due to poor health or location adjacent to proposed new infrastructure. The Applicant's tree report noted the removal and replacement of these trees will have no lasting adverse impact on the arboricultural amenity of the site. Replacement plantings are proposed, as detailed in the submitted landscaping plans.
Clause 5.10	Heritage conservation	Development consent is required for works that may impact on a heritage item or Aboriginal item. The Department has conducted a thorough assessment of potential impacts on cultural heritage. The recommended conditions include a number of mitigation measures to limit impacts during construction.

Development Control Plans

It is noted that clause 11 of *State Environmental Planning Policy (State and Regional Development) 2011* provides that development control plans do not apply to SSD. Notwithstanding, consideration of relevant controls under the Parramatta Development Control Plan 2011 (DCP) is provided in **Table 2**.

Table 2: Consideration of the relevant Parramatta DCP provisions

DCP Provisions	Department's Assessment
3.3.6.1 Stormwater Drainage - Design to meet WELS Scheme targets - Prepare a Site Stormwater Management Plan (SSMP) incorporating water sensitive urban design measures	A stormwater management plan has been prepared for the site and water sensitive urban design measures incorporated into the design, including two on-site detention tanks (one new and one existing to be upgraded).
3.3.6.2 Water Efficiency - Reduce consumption of potable water - Reduce waste water discharge - Capture, treat and reuse wastewater where appropriate	The stormwater management report submitted with the EIS details the stormwater quality treatment measures to be employed during construction and operational phases of the development.
3.3.7 Waste Management Minimise and appropriately store and manage waste during demolition works	Satisfactorily addressed in the waste management plan submitted with the EIS. A condition of consent requires submission of a Construction Environmental Management Plan which must detail waste storage, recycling and litter control measures.

DCP Provisions	Department's Assessment
3.5.2 Archaeology • Appropriate conservation and management of archaeological resources	• A number of conditions of consent are recommended to ensure the protection of archaeological deposits. This includes the requirement to appoint a Historical Archaeologist to monitor construction works and the induction of construction personnel to be informed of the obligations to protect archaeological sites and relics.
3.6.2 Parking and Vehicular Access • Parking must be design to meet Australian Standards and the Building Code of Australia (BCA).	• A recommended condition of consent requires the final car parking and access plans to be designed in accordance with the Australian Standards and BCA requirements.
3.6.3 Accessibility and Connectivity • Improve pedestrian access and connectivity	• A recommended condition requires the Applicant to investigate suitable pedestrian crossing options for students to safely cross both Marist Place and Market Street to access the school. • To ensure the safety of students, no pedestrian access to the school will be permitted from O'Connell Street.
5.4 Preservation of Trees or Vegetation • Provide suitable replacement planting	• The Department is satisfied that the removal of trees within the building footprint will be satisfactorily offset with the planting of replacement trees.

APPENDIX C GLOSSARY

Ecologically Sustainable Development can be achieved through the implementation of:

- (a) *the precautionary principle - namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:*
 - (i) *careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and*
 - (ii) *an assessment of the risk-weighted consequences of various options,*
- (b) *inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,*
- (c) *conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,*
- (d) *improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:*
 - (i) *polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,*
 - (ii) *the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,*
 - (iii) *environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.(Cl.7(4) Schedule 2 of the Regulation)*

Objects of the Act

- (a) *to encourage:*
 - (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
 - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
 - (iii) *the protection, provision and co-ordination of communication and utility services,*
 - (iv) *the provision of land for public purposes,*
 - (v) *the provision and co-ordination of community services and facilities, and*
 - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
 - (vii) *ecologically sustainable development, and*
 - (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

Section 79C Evaluation

(1) Matters for consideration—general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- (a) *the provisions of:*

- (i) any environmental planning instrument, and
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
- (iii) any development control plan, and
- (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and
- (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),
that apply to the land to which the development application relates,
- (b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

Note. See section 75P(2)(a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.

Note. The consent authority is not required to take into consideration the likely impact of the development on biodiversity values if:

- (a) the development is to be carried out on biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995), or
 - (b) a biobanking statement has been issued in respect of the development under Part 7A of the Threatened Species Conservation Act 1995.
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APPENDIX D RECOMMENDED CONDITIONS OF CONSENT
