



New Penshurst Public School

*State Significant
Development Assessment
(SSD 8365)*

February 2019



February 2019

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Cover photo

Penshurst Public School Main Entry, Arcadia Street (Source: Applicant's EIS 2018)

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Glossary

Provide a clear and succinct list of the terms not commonly used in everyday language (below is a guide only and needs to be customised for the report).

Abbreviation	Definition
AHD	Australian Height Datum
ACM	Asbestos Containing Materials
BCA	Building Code of Australia
CIV	Capital Investment Value
Consent	Development Consent
COLA	Covered Outdoor Learning Area
Council	Georges River Council
Department	Department of Planning and Environment
Education SEPP	State Environmental Policy (Educational Establishments and Childcare Centres) 2017
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
FBA	Framework for Biodiversity Assessment
GANSW	Government Architect NSW
GTP	Green Travel Plan
HLEP 2012	Hurstville Local Environmental Plan 2012
Minister	Minister for Planning
OEH	Office of Environment and Heritage
RAP	Remediation Action Plan
RFB	Residential Flat Building
RMS	Roads and Maritime Services
RSE	Road Safety Evaluation
ROL	Road Occupancy License
RtS	Response to Submissions
SDCS	St Declan's Catholic School
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy

SoHI	Statement of Heritage Impact
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
TfNSW	Transport for New South Wales
TIA	Traffic Impact Assessment



Executive Summary

The NSW Department of Education (the Applicant) proposes to redevelop Penshurst Public School, Penshurst (PPS) (SSD 8373), comprising the demolition of all existing buildings, tree removal, site remediation and construction of a new four storey educational establishment including rooftop outdoor learning and play area and associated ancillary infrastructure, to accommodate up to 1,012 primary school students from an existing capacity of 506 students.

The EIS was publicly exhibited between 10 May 2018 until 8 June 2018. The Department of Planning and Environment (the Department) received a total of 25 submissions during the exhibition of the proposal, including seven submissions from public authorities including Council, and 18 submissions from the public (12 of which were in objection).

The matters raised in submissions included concerns regarding impacts on the existing heritage school building due to its proposed demolition, bulk and scale of the proposal, and traffic and parking impacts from the school's operations, construction impacts and operational noise impacts.

The Applicant's Response to Submissions (RtS), submitted on 23 October 2018, included amendments to the siting and design of the multi-purpose hall and waste services area, to accommodate a larger on-site car park and new screen planting to the northern site boundary. The Applicant also amended its development description to include consolidation of the site into a single allotment and revised several reports in response to comments and concerns raised.

The Applicant's RtS was made publicly available on the Department website and was referred to the relevant public authorities. An additional six submissions were received from public authorities, including Council. Outstanding issues raised in submissions included details concerning the justification for the demolition of Building A, clarification over trees proposed for removal and details demonstrating the selection of native and locally indigenous species, and the requirement for further SIDRA traffic modelling to address turning movements from Forest Road.

The Department identified heritage impacts, built form and urban design, and traffic and transport, including parking, as the key assessment issues.

The Department has considered the proposed built form and landscape design for the proposal and is satisfied the bulk and scale has been designed to appropriately sit within the context of the existing built environment. Recommended conditions of consent would ensure that additional native and locally indigenous plant species are used within the final landscape scheme for the site, providing more tolerant species that would maintain a green canopy within an surrounding the school site.

The Department has considered the traffic and transport impacts and is satisfied that the details submitted by the Applicant has shown that the proposal would not result in adverse traffic impacts and can be accommodated within the surrounding road network. The proposed expansion to a 20 space car park on-site, in conjunction with the implementation of the Applicant's proposed travel mode share targets outlined in the Green Travel Plan would ensure that impacts to existing on-street parking are minimised. Proposed revisions to existing on-site parking on Arcadia Street to new 5 minute restricted drop-off/pick-up zones (operating during school start and

finish times only) would assist in managing traffic and parking surrounding the school site and minimise conflict with parent vehicles and local residents.

The Department has concluded that the redevelopment of PPS would provide significant public benefit to the immediate local and surrounding district through the provision of increased enrolment capacities and new education facilities. The proposal is suitable for the site and the identified amenity and heritage impacts are considered acceptable on balance in the context of the significant social benefit the proposal would provide for the community.

The proposal would provide for significantly improved teaching and learning outcomes through the development of a new, purpose-built, modern educational establishment that provides improved resource and infrastructure efficiencies through facilities sharing and improved opportunities for shared community facilities. The impacts of the proposal have been addressed in the Environmental Impact Statement and can be adequately managed through the recommended conditions of consent. The Department concludes the proposal is in the public interest and recommends that the application be approved subject to conditions.



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1. Introduction

This report provides an assessment of a State significant development (SSD) application for the redevelopment of the new Penshurst Public School (PPS) at the corner of Forest Road and Arcadia Street at 510 Forest Road, Penshurst (SSD 8365). The proposal seeks approval for:

- demolition of existing buildings and structures and removal of 25 trees
- site remediation works and excavation
- construction of a new four storey educational establishment, with roof top learning and play areas
- on-site car parking and ancillary landscaping, infrastructure works and site consolidation.

The application has been lodged by the NSW Department of Education (the Applicant). The site is located within the Georges River local government area (LGA).

1.1 Site description

The site is irregular in shape and has an area of approximately one hectare. The site is legally described as Lots 3 to 15 DP 8173 (inclusive). The site is located approximately 15 kilometres (km) southwest of Sydney CBD, 300m north of Penshurst Train Station and 200m north of Penshurst's local town centre (see **Figure 1**).

The site is owned by the NSW Department of Education and has a 78.99m frontage to Forest Road and a 199.09m frontage to Arcadia Street. The site's south western side boundary with St Declan's Catholic School (SDCS) measures 148.87m, while its rear north western boundary measures 60.96m. The site slopes from an existing high point in the western corner of the site, approximately 7m across the site to the east towards Arcadia Street and approximately 4.5m to the southeast towards Forest Road.

The site is currently occupied by the existing PPS (see **Figure 2**), which comprises:

- school buildings, one to two stories, generally arranged along the site's Arcadia Street frontage and its south western boundary with St Declan's Catholic School
- a large hardstand bitumen area, located centrally between existing school buildings catering for passive and active recreation activities
- an outdoor sports court and large grassed open space recreation area at the corner of Forest Road and Arcadia Street approximately 1,700sqm in area
- an existing at-grade staff car park, accommodating up to 16 vehicles
- mature vegetation along its street frontage and rear north western boundary.

Pedestrian access is currently provided from both Forest Road and Arcadia Street, with the primary pedestrian access provided along Arcadia Street. Approximately 60m of the site's Arcadia Street frontage is sign posted as a 'Kiss and Ride' area between the hours of 8:00am and 9:00pm and 2:30 pm and 4:00pm on school days.

Vehicular access to the school is provided at two locations along Arcadia Street to the school's open space area at the front of the site and the existing staff car parking area at the rear of the site.



Figure 1 | Regional/Local Context Map (Source: Applicant's EIS 2018).



Figure 2 | Site context map (Source: Sixmaps 2018)

PPS contains existing heritage significant built form, including the 1925 School building fronting Arcadia Street (referred to as 'Building A') which is listed as a local heritage item (Item No.106) under Schedule 5 of the Hurstville Local Environmental Plan 2012 (HLEP 2012) (see **Figure 3**). Building A has also been listed on the NSW Department of Education's section 170 Register. Building A is not listed on the State Heritage Register or classified by the National Trust of Australia (NSW) and PPS is not located in a conservation area.

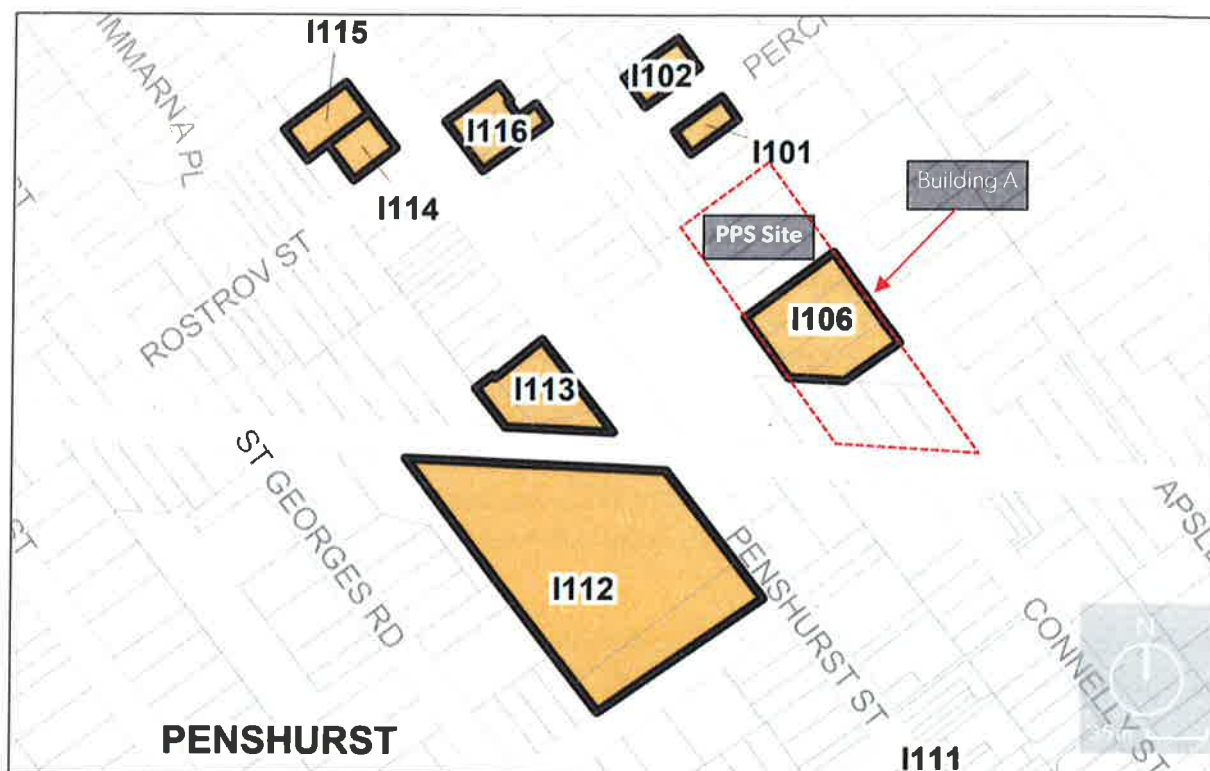


Figure 3 | Hurstville Local Environmental Plan 2012 - Heritage Map Extract (Source: DPE 2018).

1.2 Surrounding development

PPS is surrounded by varied land uses, including St Declan's Catholic Primary School and Church adjacent to the southwest (see **Figure 2**), existing low density residential development one to two storeys in height to the northwest, existing residential flat building (RFB) developments three to four storeys in height opposite to the northeast and a small industrial precinct opposite the site at the corner of Forest Road and Arcadia Street (see **Figure 1**).

Hurstville Aquatic and Leisure Centre and Penshurst Park is situated further northeast beyond the existing RFBs (see **Figure 1**). Hurstville Aquatic and Leisure Centre and Penshurst Park are currently undergoing a staged redevelopment that would provide an extension to the existing aquatic centre, additional car parking and upgrades to the existing park sporting facilities, including pitch upgrades and a new 275 seat grandstand and player facilities.

Beyond the site to the northwest lies predominantly low density residential development up to two storeys in height, while further south beyond Forest Road lies Georges River College Girls Campus and Penshurst local town centre, which is generally surrounded by medium to high density residential development typically up to four storeys in height.

2. Project

The proposal would provide for a new PPS for up to 1,012 primary school aged children (doubling the existing capacity of 506 students) and includes site preparation works involving demolition of buildings and structures, tree removal and site remediation; construction of a new four storey educational establishment building, including ground level administration and library building, communal multi-purpose hall/sports court and roof top playground and learning spaces; and ancillary landscaping and infrastructure works.

The proposed new PPS would provide 6,617.81sqm (increase of 3,0152.84sqm from existing 3,601.97sqm) of gross floor area (GFA) and 9,051.48sqm of play area (8.94 sqm/student). The EIS originally proposed a reduction in on-site car parking by one space to 15 spaces, with future student bicycle parking proposed along the site's Arcadia Street frontage.

The key components and features of the proposal, as refined in the Applicant's Response to Submissions (RtS), are provided in **Table 1** and are shown in **Figures 4** to **8**.

Table 1 | Main Components of the Project

Aspect	Description
Project Summary	Demolition, tree removal and site remediation works and construction of a new four storey educational establishment, including rooftop playground and learning spaces and ancillary landscaping and infrastructure works and site consolidation (subdivision).
Site preparation	- Demolition of all existing buildings and structures, including the local heritage 1925 school building, not including buildings and structure proposed to be removed under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) (see Figure 4). - Retention of existing mature trees along the site's perimeter and removal of 25 existing trees and vegetation. - Site remediation works of identified areas of environmental concern. - Site excavation works to facilitate the large floorplate of the proposed three to four storey building and northern sports courts with a typical FFL of RL 51 and construction of a retaining wall 3.5m to 4.5m in height along the south western boundary.
Subdivision	Consolidation of Lots 3 to 15 DP 8173.
Built form	- Construction of a three to four storey educational establishment, with a maximum building height of approximately 18.2m above existing ground level at Arcadia Street, comprising: - ground level administration/learning/library building - ground level communal hall/canteen/out of school hours (OOSH) - learning floor area on ground, first, second and third floor levels

- first floor outdoor learning space and vegetable garden
- rooftop outdoor learning space and uncovered play areas, including amenities buildings.

Public domain and landscaping	• Total of 9,051.48sqm of play areas (8.94 sqm/student). • Landscaping works, including the planting of 83 new trees, various shrubs, ground covers and concrete pattern finishes. • Retention/reinstatement of existing boundary fencing. • Construction of new 2.1m palisade fencing along a portion of Arcadia Street adjacent to new built form and new 1.5m palisade fencing along north western boundary with residential properties.
Site area	• 10,605sqm.
Gross floor area (GFA)	• 6,617.81sqm.
Uses	• Educational establishment.
Access	• Pedestrian access proposed from existing Forest Road and Arcadia Street access point, comprising of a main pedestrian entry from Arcadia Street. • Retention of existing vehicular access point along Arcadia Street.
Car parking	• 20 car parking spaces as amended by RtS (4 additional spaces).
Bicycle parking	• 10 staff spaces. • 12 student spaces.
Hours of operation	• Operational school hours of PPS are proposed to remain. • After school hours operation up to 10:00pm.
Signage	• Two wall-mounted business identification signs with the school name 'Penshurst Public School' located at the Arcadia Street ground level elevation and Forest Road second floor elevation.
Jobs	• Up to 200 construction jobs. • 28 additional full time PPS staff and 13 additional support staff jobs.
CIV	• \$41 million.

Site Preparation Works

The proposal involves demolition and site preparation works, comprising site remediation, demolition, tree removal and earthworks.

Site remediation works are proposed to remove existing ash/slag fill material in a garden bed adjacent to Arcadia Street, midway along the school's frontage. Remedial works are proposed to be carried out in accordance with the Remediation Action Plan (RAP) submitted with the EIS and updated by the RtS, prior to the commencement of demolition works.

To facilitate the new PPS, all existing buildings and structures, including the locally listed heritage school building are proposed to be demolished (see **Figure 4**). Existing trees and vegetation would also be removed from the site, excluding mature trees located along Forest Road, Arcadia Street at the rear common north western boundary that have been identified for retention (see **Figure 5**).

Earthworks are proposed to facilitate the establishment of site levels that closely match the existing ground levels along Arcadia Street to allow for accessible circulation throughout the school campus and to accommodate level building footprints and associated ground level recreation and sports courts. Cut is proposed up to and along the south western boundary, requiring the proposed construction of a retaining wall 3.5m to 4.5m in height to account for the proposed site level differences adjacent at St Declan's Catholic School.

PPS Layout and Design

The proposed new PPS would comprise of a new three to four storey educational establishment building split into four separate built form elements at the site's south western and south eastern boundaries. These buildings would be integrated through the centre by a curvilinear four storey structure (see **Figures 6 and 8**).

Core facilities are proposed to be located on the ground floor, including administration/staff facilities, library, hall and assembly area, with learning areas spread across all floor levels. The school's main entry is proposed on Arcadia Street, visually defined by a four storey void space over the pedestrian entry that breaks up the curvilinear above where it meets the site boundary. Outdoor learning and play space areas are proposed to be provided on the first and third floor levels. The proposed third floor roof top contains an outdoor learning space and uncovered active play areas with roof top metal shade structures.

The hall and canteen are located in the north western quadrant of the site adjacent to the northern sports court and assembly area, which are sited in the area of the site requiring the greatest level of earthworks to accommodate a finished floor level that integrates with the surrounding school layout.

Open space and recreational areas are proposed throughout the school campus and on roof levels (see **Figures 7 and 8**). The proposed northern sports court and assembly area is centrally located behind the main built form and is proposed to be visually and physically connected by an accessible walkway from Arcadia Street. This space is proposed to accommodate a covered outdoor learning area (COLA) that also functions as a covered 'café' area associated with the adjacent canteen.

A second COLA is proposed on the level 3 roof top, which has been designed for active play that incorporates a running track, soft fall areas and spaces that encourage active engagement and interaction with the surrounding space. Associated roof top shade structures are also proposed that would support climbing plants growing from planters at the base of the structures.

An open space area fronting Forest Road is proposed to have an informal, naturalistic character and has been designed to integrate with the stormwater overland flows to the southeast corner of the site.

The existing 16 space on-site car park is proposed to be reinstated with a new 20 space car park. The existing 'Kiss and Ride' zone along the site's Arcadia Street frontage is proposed to be expanded to provide new 'P5 Parking' zones within existing unrestricted parking on eastern and western sides of Arcadia Street.

Uses and Activities

The proposed new PPS would accommodate up to 1,012 students (increase of 567 primary school aged children), 59 full time staff (increase of 28 staff) and 31 additional support staff as needed (increase of 13 additional staff).

PPS comprises a Hearing Support Unit (HSU) that provides specialist teaching for deaf or hearing-challenged students, catering for pre-school aged children and primary school aged children. The proposed

redevelopment of the new PPS would retain the existing HSU functions that will be accommodated between the ground, first and second floors.

After hours activities are also proposed to be accommodated within the new school, including an Out of School Hours (OOSH) facility and shared facilities, including the school hall that can cater for up to 350 people.

Timing

Teaching and learning functions of PPS would be temporarily relocated to Peakhurst West Public School for the duration of construction activities at the PPS site as per the deferred commencement consent issued on 17 December 2018. The temporary intensification of the Peakhurst West site is limited to a maximum of two years from Day 1 Term 1 2019 (29 January 2019) and a maximum of 770 students on site at any one time to reduce traffic impacts on the local network.



Figure 4 | Proposed demolition plan (Source: Applicant's EIS 2018).



Figure 5 | Proposed tree retention/removal plan (Source: Applicant's EIS 2018).

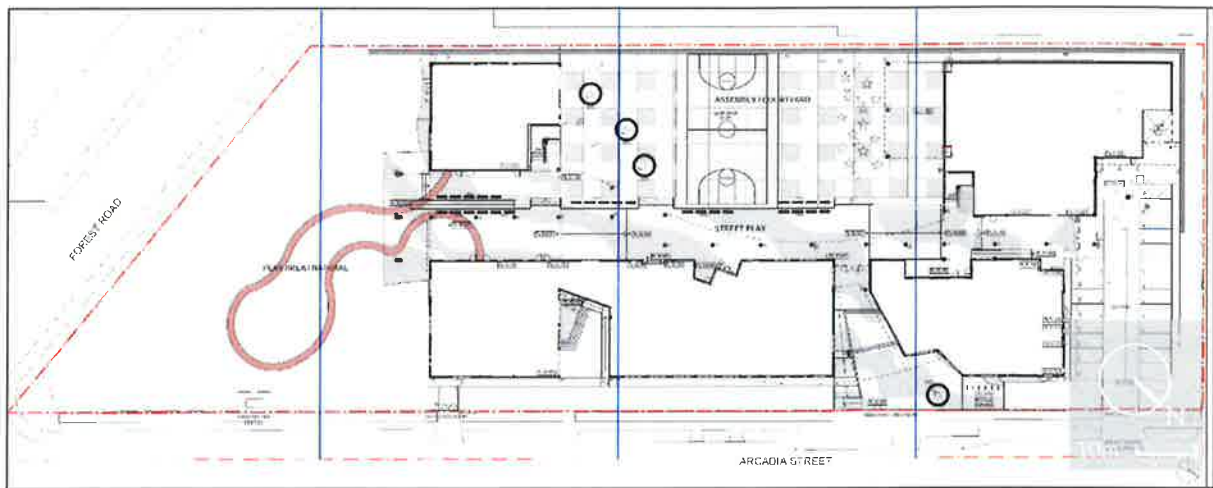


Figure 6 | Proposed site plan (Source: Applicant's EIS 2018).

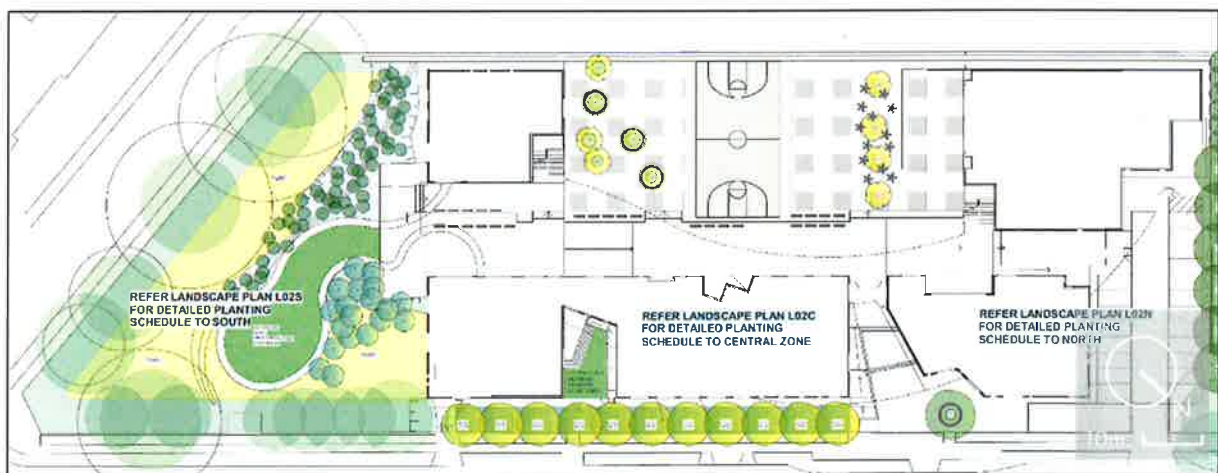


Figure 7 | Landscape plan (Source: Applicant's EIS 2018).



Figure 8 | Indicative westerly aerial perspective (Source: Applicant's EIS 2018).



3. Strategic Context

3.1 Project Need and Justification

Public school enrolments across NSW are anticipated to be 40,000 students higher in 2019-2020 than they were in 2015-16. In response to the need for additional public education infrastructure as a result of increased demand, the NSW Department of Education is delivering new schools and upgrading existing schools to meet this demand through the Government's \$1 billion Rebuilding NSW Schools fund.

The Applicant states that the redevelopment of PPS is necessary to meet the NSW Department of Education's need to provide suitable teaching spaces that meet increased demand in the area and future projected growth within the Georges River LGA. The proposal is also required to replace existing demountable classroom structures with permanent facilities in line with the Department's Education Facilities Standards and Guidelines (EFSG). The redevelopment of PPS would also provide for a significant improvement to existing outdoor space, with the proposed delivery of a roof top outdoor learning and active play space.

3.2 Strategic Context

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

- it is consistent with The Greater Sydney Regional Plan, A Metropolis of Three Cities, as it proposes new school facilities to meet the growing needs of Sydney
- it is consistent with the NSW Future Transport Strategy 2056, as it would provide a new educational facility in a highly accessible location and provides access to new employment opportunities close to public transport.
- it is consistent with the Greater Sydney Commission's South District Plan, as it provides investment in school infrastructure conveniently located near existing public transport services and opportunities to co-share facilities with the local community
- it is consistent with State Infrastructure Strategy 2018 – 2038 Building the Momentum, as it provides direct investment to address increased enrollment demands, would provide access to modern digitally-enabled learning environments for all students and would enable facilities to be co-shared with the local community
- it would provide direct investment in the region of approximately \$41 million, which would support up to 200 construction jobs and 41 new operational jobs.



4. Statutory Context

4.1 State Significant Development

The proposal is SSD under section 4.36 (development declared SSD) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as the development has a CIV in excess of \$20 million and is for the purpose of alterations or additions to an existing school under clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

The Minister is the consent authority under section 4.5 of the EP&A Act.

In accordance with the then Minister for Planning's delegation to determine SSD applications, signed on 11 October 2017, the Executive Director, Priority Projects may determine this application as:

- the relevant Council has not made an objection
- there are less than 25 public submissions in the nature of objection
- a political disclosure statement has not been made.

4.2 Permissibility

The site is zoned SP2 Infrastructure – Church and Educational Establishment under the HLEP 2012. The proposed continued educational use of the site and associated ancillary community uses are permissible with consent within the zone. Therefore, the Minister for Planning or a delegate may determine the carrying out of the development.

4.3 Other Approvals

Under section 4.41 of the EP&A Act, a number of other approvals are integrated into the State Significant Development approval process, and consequently are not required to be separately obtained for the proposal.

Under section 4.42 of the EP&A Act, a number of further approvals are required, but must be substantially consistent with any development consent for the proposal (e.g. approvals for any works under the *Roads Act 1993*).

The Department has consulted with the relevant public authorities responsible for integrated and other approvals, considered their advice in its assessment of the project, and included suitable conditions in the recommended conditions of consent (see **Appendix C**).

4.4 Mandatory Matters for Consideration

Environmental Planning Instruments

Under section 4.15 of the EP&A Act, the consent authority is required to take into consideration any environmental planning instrument (EPI) that is of relevance to the development the subject of the development application. Therefore, the assessment report must include a copy of, or reference to, the provisions of any EPIs that substantially govern the project and that have been taken into account in the assessment of the project.

The Department has undertaken a detailed assessment of these EPIs in **Appendix B** and is satisfied the application is consistent with the requirements of the EPIs.

Objects of the EP&A Act

The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent/approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects. Therefore, in making an assessment, the objects should be considered to the extent they are relevant. A response to the objects of the EP&A Act is provided at **Table 2**.

Table 2 | Response to the objects of section 1.3 of the EP&A Act

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	The proposed redevelopment of PPS would ensure the proper management and development of suitably zoned land that would promote the social welfare of the community and State. In addition, the proposal would provide new employment opportunities close to public transport.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal includes measures to deliver Ecologically Sustainable Development (ESD) principles, which are further outlined below this table.
(c) to promote the orderly and economic use and development of land,	The proposal is considered to be an orderly and economic use and development of the land as it is consistent with the site's land use zoning and historical use as an educational establishment.
(d) to promote the delivery and maintenance of affordable housing,	Not Applicable.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposal does not impact on threatened species, vulnerable species, significant habitats, populations or ecological communities. The proposal retains a number of mature established trees and includes new landscaping works, including 83 new trees, various shrubs and ground cover plantings.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposal seeks approval for the demolition of all existing buildings and structures from the site, including the existing locally listed 1925 School building (i.e. Building A). The Statement of Heritage Impact (SHI) submitted with the proposal, and supplemented in the Applicant's RtS, outlines that several options were

considered that involved the retention, partial demolition and complete removal. Consideration of heritage impact, including the submitted options analysis, is provided in **Section 6** of this report.

The Aboriginal Archaeological Assessment (AAA) prepared for the proposal notes that searches of the AHIMS database and site inspection/survey did not identify any sites, surface or sub-surface archaeological sites. Consultation with the Local Aboriginal Land Council did not reveal any other items or sites of significance. Aboriginal cultural heritage is considered in **Section 6** of this report.

-
- (g) to promote good design and amenity of the built environment,

The proposal has been designed to minimise potential environmental amenity impacts while maximising its internal amenity and ensure a development with 'good design' is achieved (**Section 5.2**).

-
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,

The proposal involves the construction of a new modern education building and associated recreational infrastructure. The design of the proposal incorporates energy and water efficient design initiatives that would minimise the consumption and use of natural resources. The proposal has also been designed to ensure compliance with minimum building standards required by the NSW Department of Education to ensure the health and safety of primary, secondary students and other children under care on-site is maximised at all times.

-
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,

The Department publicly exhibited the proposal (**Section 4.1**), which included consultation with Council and other public authorities and consideration of their responses (**Sections 4.1** and **5**).

-
- (j) to provide increased opportunity for community participation in environmental planning and assessment.

The Department publicly exhibited the proposal as outlined in **Section 4.1**, which included notifying adjoining landowners, placing a notice in newspapers and displaying the proposal on the Department's website and at Council during the exhibition period.

Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. 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:

- the precautionary principle
- inter-generational equity
- conservation of biological diversity and ecological integrity
- improved valuation, pricing and incentive mechanisms.

The Applicant has also identified a range of ESD initiatives within the design of the project to enable the proposal to achieve the equivalent of a minimum Green Star rating of 5, including:

- incorporation of information about the design and operation of the building's environmental features via a Building Users' Guide
- installation of building fabric that would be designed to meet or exceed the thermal and sealing performance of the Building Code of Australia (BCA)
- orientation of the building to maximise penetration of natural daylight to south facing windows/glazing while minimising unwanted passive solar heat gain
- installation of electrical metering to enable the management and efficient use of natural resources on site
- installation of solar photovoltaic cells on the roof to offset any daytime energy demand and reducing long term operating costs
- installation of energy efficient fittings and fixtures and use of rainwater tanks to harvest and reuse stormwater and drainage runoff
- use of low Volatile Organic Compounds, engineered wood products, and loose furnishings based on their recycled content, end-of-life recyclability and product stewardship agreements, to reduce environmental impacts and waste from furnishings over the life of the buildings
- implementation of water sensitive urban design in external areas to maximise permeable surfaces and minimise total suspended solids and the urban heat island effect.

The Applicant is targeting 5-Star Green Star rating in line with the Educational Facilities Standards and Guidelines (EFSG) design guide. As detailed above, the proposed ESD initiatives include highly efficient façade system, low impact materials, use of highly efficient water fixtures and the implementation of a system to educate occupants about the building performance and how it is influenced by occupant behaviour. The Department has recommended a condition that the details of the final ESD initiatives implemented be submitted to the satisfaction of the Certifying Authority prior to commencement of works.

The Department has considered the proposed development 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 proposed development. The proposed development is consistent with ESD principles as described in **Section 6** and **Appendix 26** of the Applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

Overall, the proposal is consistent with ESD principles and the Department is satisfied the proposed sustainability initiatives would encourage ESD, in accordance with the objects of the EP&A Act.

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.

Planning Secretary's Environmental Assessment Requirements

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

Section 4.15(1) matters for consideration

Table 3 identifies the matters for consideration under section 4.15 of the EP&A Act that apply to SSD in accordance with section 4.40 of the EP&A Act. The table represents a summary for which additional information and consideration is provided for in **Section 6** (Assessment) and relevant appendices or other sections of this report and EIS, referenced in the table.

Table 3 | Section 4.15(1) Matters for Consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of the relevant EPIs is provided in Appendix B of this report.
(a)(ii) any proposed instrument	The Department's consideration of the draft EPIs is provided in Appendix B of this report.
(a)(iii) any development control plan (DCP)	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD. Notwithstanding, consideration has been given to relevant DCPs at Appendix B .
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations <i>Refer Division 8 of the EP&A Regulation</i>	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(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	Appropriately mitigated or conditioned - see Section 5 of this report.
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Sections 3 and 5 of this report.
(d) any submissions	Consideration has been given to the submissions received during the exhibition period. See Sections 4 and 5 of this report.
(e) the public interest	see Section 5 of this report.

Biodiversity Conservation Act 2016

Under section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act), SSD applications are "to be accompanied by a biodiversity development assessment report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values".

The proposed works are not likely to have a significant impact on biodiversity values. The Office of Environment and Heritage and the Department have previously determined on 8 December 2017 and 19 January 2018, respectively, that the proposal is not required to be accompanied by a BDAR.

5. Engagement

5.1 Department's Engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 10 May 2018 until 8 June 2018 (30 days). The application was exhibited at the Department and on its website, at the Service NSW Centre and at Council's office.

The Department placed a public exhibition notice in the Sydney Morning Herald, Daily Telegraph and St George and Sutherland Shire Leader on 10 May 2018, and notified adjoining landholders and relevant State and local government authorities in writing. The Department representatives visited the site to provide an informed assessment of the development.

The Department has considered the comments raised in the public authority and public submissions during the assessment of the application (**Section 6**) and/or by way of recommended conditions in the instrument of consent at **Appendix C**.

5.2 Summary of Submissions

The Department received a total of 25 submissions, comprising seven submissions from public authorities and 18 submissions from the general public, 12 of which objected and two supported to the proposal. A summary of the issues raised in the submissions is provided at **Table 4** and **Table 5** below and copies of the submissions may be viewed at **Appendix A**.

5.3 Public Authority submissions

A summary of the issues raised in the public authority submissions is provided at **Table 4** below and copies of the submissions may be viewed at **Appendix A**.

Table 4 | Summary of public authority submissions to the EIS exhibition

Georges River Council (Council)

Council did not object to the proposal, however, provided the following comments for consideration:

- it is acknowledged the Education SEPP prevails over HLEP 2012, though it is requested that consideration be given to amenity impacts (i.e. noise and privacy) from the roof top play area
- consideration be given to amenity impacts associated with the after-hours use of the school with respect to vehicle movements, light spill and acoustic impacts
- further investigations are required of existing stormwater pipes within the site and the implications on the proposed hydraulic design for the proposal
- stormwater modelling of the local catchment area and street drainage network must be undertaken as part of the proposed stormwater design to determine its adequacy
- nine of the trees proposed to be removed are identified as being of high significant value and the proposal should be revised to accommodate safe retention

- concerns are raised with the finished reduced levels (RLs) of the development and potential post development impacts on existing trees proposed for retention
- strong concerns are raised in relation to the proposed inadequate provision of only 15 on-site car parking spaces and traffic generation
- the increased traffic generation cannot be accommodated in this precinct without the incorporation of a designated student drop-off/pick-up zone and accommodation of all staff car parking demands on-site
- the proposed demolition of the existing heritage significant school building is not adequately addressed and it is requested that the existing building be retained
- a robust construction management and traffic management plan must be developed and implemented for the site to ensure there is minimal and controlled impacts on the precinct and residents.

Sydney Water

Sydney Water advised that adequate capacity for water and wastewater systems exists and provided standard comments regarding the arrangement of future utilities.

Transport for NSW (TfNSW)

TfNSW provided a number of comments and recommendations, including:

- evidence must be provided that demonstrates the 17 space kiss-and-ride facility can accommodate the expected number of vehicle arrivals and mitigate potential unsafe parking practices
- implementation of timed parking within the school zone should be considered to accommodate short-term parking demands
- the design and location of the proposed expanded pick-up/drop-off facility should have greater consideration of the assumed trip distributions to the site, which indicate 55 per cent of additional vehicle movements would be from Percival Street, to improve its safety and efficiency
- further evidence must be provided that demonstrates inbound and outbound vehicle movements have been considered and the assessment has considered the configuration of the road network in inbound and outbound trip distribution assumptions
- a swept path analysis should be provided of car movements along Arcadia Street demonstrating the proposed parking restrictions can be implemented in the existing road geometry while still maintaining safe two-way vehicular movements
- additional data and the proposed student catchment should be provided to determine the likely demands on existing transport networks, with particular regard to bus usage
- the quantity of student bicycle parking should be provided and provisions also made for teachers to accommodate cycling as an alternative mode of transport.

TNSW also provided a number of recommended conditions of consent that should be imposed on any determination, including the requirement for the preparation and implementation of a Green Travel Plan and Traffic and a Parking Management Plan.

Office of Environment and Heritage (OEH)

OEH provided a number of comments and recommendations, including:

- the EIS should include an assessment of biodiversity impacts in accordance with the Framework for Biodiversity Assessment (FBA)
- it is recommended that the proposed landscaping includes street planting, a diversity of native endemic trees, shrubs and groundcover species from the relevant native vegetation community
- it is recommended that the roof top play area include a green roof in its design, to improve the energy efficiency of the building and increase the habitat and biodiversity at the site
- the Due Diligence Aboriginal Archaeological assessment is inadequate to assess the impacts of the proposal on Aboriginal archaeological and cultural heritage values and it is recommended that Aboriginal Cultural heritage be considered in relation to the proposed development.

Roads and Maritime Services (RMS)

RMS requested its comments and recommendations be addressed to allow the proposal to be fully assessed, including:

- two-way vehicle movements and existing trips have not been modelled
- no information has been provided that demonstrates how the traffic distribution assumptions have been made or details of existing vehicle distribution assumptions
- future base traffic volumes which consider the growth on Forest Road have not been used in the post development assessment and no additional pedestrians have been included in the post development intersection modelling
- SIDRA modelling must be provided to determine if the traffic modelling has adequately reflected the existing conditions.

Environment Protection Authority

EPA provided a number comments and recommendations, including:

- the need to conduct additional site investigations and prepare an updated Remediation Action Plan (RAP)
- the need for an accredited site auditor to review site investigations, unexpected finds protocol, and any remedial works or management plan
- the need for an asbestos works management plan for controlling dust emissions and be required to satisfy the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 with particular reference to Part 7 'asbestos waste'
- the need for a site audit statement and accompanying site audit report following the completion of remediation and validation
- the project specific noise levels (PSNL) nominated by the Application are not supported

- concern is raised with the proposed location of the communal hall and the waste storage/collection area adjacent to the north western boundary and it is recommended the waste storage/collection area be relocated away to minimise potential noise impacts on adjoining residences
- the proposed community use of school facilities outside normal school hours needs to be carefully managed to ensure noise impacts on nearby sensitive receivers are minimised
- the proposed outdoor multi-purpose sports fields must not be made available for community use during:
 - weekday mornings
 - later than 6 pm on week nights
 - periods outside of 8 am to 6 pm Saturdays
 - Sundays and public holidays.

The EPA also recommended a number of conditions of consent to be imposed on any determination made.

Heritage Division, Office of Environment and Heritage

The Heritage Division commented that the application does not present a strong argument for the demolition of the heritage significant school building, and it is preferable that it be retained as part of the new school.

The Heritage Division recommended a photographic archival recording condition in the event that consent is granted for the building's demolition.

5.4 Public submissions

A summary of the issues raised in the 18 public submissions is provided at **Table 5** below and copies of the submissions may be viewed at **Appendix C**.

Table 5 | Summary of the public submissions to the proposal

Issue
General
• Additional landscaping (i.e. vine covering/shade) should be provided for the proposed roof top play area. • Concerns are raised to the proposed demolition of the original school building, the proposed tree removal and potential overshadowing from the proposal on neighbouring St Declan's School. • Concerns are raised about noise and privacy impacts from the multi-storey school that would overlook adjoining properties. • Residents were not adequately consulted with and were only made aware of the proposal through Council correspondence after the SEARs were issued. • The location of the waste management and bin storage area at the rear of residential areas has the potential to cause unnecessary odour and pest impacts.

Construction Impacts

- Construction should be restricted to Monday to Friday to minimise impacts from identified construction noise and vibration exceedances and that impulsive and tonal noise be restricted to 9:00am to 4:00pm, Monday to Friday.
 - The proposed 7:00am to 7:00pm construction hours are not supported due to existing road congestion during peak times and safety concerns with construction vehicle movements on Arcadia Street.
 - The Applicant should provide details of construction employees and number of vehicles that will be parked on-site and the surrounding streets.
-

Traffic and Parking

- Consideration of the cumulative impacts of the proposed development of Penshurst Park and PPS should be given to mitigate any potential impacts. Inadequate consideration has been given to the impacts associated with the proposed increase in school capacity, specifically traffic safety and on-street car parking impacts.
 - The proposal should be designed to accommodate appropriate on-site drop-off/pick-up facilities and adequate car parking to accommodate the additional demand generated by additional staff.
 - Any proposed extension to the existing on-street pick-up/drop-off facility would only further impact on existing traffic congestion and on-street parking demands in the locality.
 - The existing on-street parking usage data presented is misleading and does not breakdown the survey results to present the most impacted streets. Use of the new school facilities for after-hours school or community events would have significant impacts on local street traffic congestion and parking impacts.
 - No mitigation measures are provided to offset impacts generated by additional on-street car parking demands generated by the proposal. Car parking surrounding the school should be time restricted to two hours, except for local residents.
 - A pedestrian bridge should be built across Forest Road to mitigate potential reduced safety for children due to the increased traffic and use of the intersection of Penshurst Street and Forest Road.
 - The submitted traffic report does not consider the capacity of existing public transport as requested by the SEARs.
 - The likely construction traffic haulage route would see heavy vehicles travelling through small quiet streets which is unacceptable. Construction vehicles should be conditioned to access the site via King Georges Road, via Percival Street then Arcadia Street.
 - The proposed temporary shuttle bus service for school children and associated Arcadia Street pick-up and set-down area is unacceptable due to safety concerns for children. The shuttle bus stop location should be relocated to Young Street adjacent to Gifford Park.
-

Social Impact

- A social impact assessment has not been prepared as requested by the SEARs.

5.5 Response to Submissions and supplementary information

Following the exhibition of the EIS the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions.

On 1 November 2018, the Applicant provided a Response to Submissions (RtS) (**Appendix A**) on the issues raised during the exhibition of the proposal. As part of its RtS, the Applicant made amendments to the application in response to concerns raised by the Department, Council and general public. Key amendments made include the modulation of the multi-purpose hall and southern primary school building blocks, provision of additional car spaces, to increase their southern boundary setback to minimise overshadowing impacts on neighbouring residential buildings.

The RtS was made publicly available on the Department website and was referred to the relevant public authorities. An additional six submissions were received from public authorities, including Council, OEH, TfNSW, RMS, Heritage Division and Sydney Water. A summary of the issues raised in the submissions is provided at **Table 6** and copies of the submissions may be viewed at **Appendix A**.

Table 6 | Summary of public authority submissions to the RtS

Council

Council reiterated its concerns regarding the proposed demolition of the locally listed heritage item and provided the following additional comments:

- no new justification has been provided relating to the removal of the heritage item on site
- it is acknowledged PPS is not considered rare in the LGA, but this should not be the basis for its removal
- it is acknowledged that upgrade works would be required to retrofit the building, but it is considered this could be faithfully conserved and sympathetically retrofitted with services and upgrades without unduly compromising heritage values
- it is considered the heritage value of the 1925 School building and 1927/1928 addition should be protected and that all efforts be made to ensure the heritage item is preserved.

OEH

OEH provided the following further comments:

- OEH does not consider the biodiversity review under the *Biodiversity Conservation Act 2016* to be warranted
- the Applicant should clarify the number of trees proposed to be removed
- the revised Landscape Plan still proposes deciduous plant species rather than the use of local native plants that would have numerous environmental and educational benefits, and OEH recommends that the Landscape Site Plan be amended to use local native plant species
- OEH raised concern with the proposed revised plant species *Sapium sebiferum* "Chinese Tallowood" along the site's Arcadia Street frontage, due to its invasive environmental weed characteristics and potential impacts on watercourses and native vegetation areas.

OEH provided a number of recommended conditions of consent, including conditions to address its primary concerns relating its comments regarding the provision of native plant species within the landscape design for the site.

TfNSW

TfNSW advised that no further comments were provided, acknowledging that the Applicant had accepted its previously recommended conditions of consent.

RMS

RMS provided the following further comments:

- it is recommended a revision of the existing SIDRA modelling be undertaken to address concerns regarding right turn movements from Forest Road into Penshurst Road and right turn movements from Forest Road into Cambridge Street
- no reason is provided why staff parking is not provided in accordance with Council's Development Control Plan
- consideration should be given to providing additional bicycle parking on-site to encourage active transport
- further clarification is required of recommended student travel bicycle mode share
- confirmation is required that the 6.4m vehicle length used to assess the waste vehicle swept path is the largest services size for the site.

Heritage Division

The Heritage Division responded to the RtS and stated that they have no further comment.

Sydney Water

Sydney Water responded to the RtS and stated that they have no further comment.

In response to submissions to the RtS and the Department's request for additional details concerning the traffic concerns raised, the Applicant provided a Supplementary RtS on 14 December 2018 that provided additional details on the predicted traffic impacts, concluding that the surrounding road network could accommodate the proposal.

6. Assessment

The Department has considered the EIS, the issues raised in submissions and the Applicant's RtS in its assessment of the proposal. The Department considers the key issues associated with the proposal are:

- heritage impacts
- built form and urban design
- traffic and transport.

Each of these issues is discussed in the following sections of this report. Other issues were taken into consideration during the assessment of the application and are discussed at **Section 6.4**.

6.1 Heritage Impacts

The Applicant proposes to demolish and remove all existing buildings and structures from the site to facilitate the redevelopment of PPS, with consent sought under this application for the demolition of all buildings and structures contained on Lots 8 to 11 DP 8173, which contains the locally listed school building heritage item, referred to as Building A. Consent for the demolition of the remainder of buildings will be sought separately by the Applicant via a different planning pathway.

PPS, initially established in 1925 following a formal application for the school's establishment in 1915, comprises five buildings of varying significance including the existing locally heritage significant 1925 School building (Building A) (see **Figures 9 and 10**), listed under Council's LEP as a local heritage item. Major additions to the school did not take place until the late 1990's when a redevelopment of the site added a new purpose built school hall and administration block, with internal changes to Building A also undertaken.

Building A's listing was considered to represent its local significance and was representative of the growth of the area since World War I. The building is also listed on the NSW Department of Education's section 170 Register (Section 170 of the *Heritage Act 1977*).

The Applicant's EIS, as amended by its RtS, was supported by a Statement of Heritage Impact (SoHI), Supplementary SoHI and Design Options Report, which provides an assessment of the site's redevelopment in the context of the loss of existing locally listed heritage items. This included an options analysis that considered Building A's retention, partial retention and complete removal.

Council commented during the exhibition of the proposal and reiterated in its comments following its review of the Applicant's RtS, that the proposed demolition of Building A has not been adequately addressed and that it should be retained. In addition to Council's comments, three public objections raised concerns with the loss of the original school buildings and demolishment of heritage buildings.

The Heritage Division echoed Council's concerns, commenting that the application did not present a strong argument for the demolition of Building A and that it is preferable it be retained as part of the new school. However, they further stated that should the building not be capable of being retained, recommended a condition of consent requiring the preparation of photographic archival recording.



Figure 9 | Identification of existing built form (Source: Applicant's EIS 2018).



Figure 10 | 1943 Aerial photograph detailing built form extent and air raid trenches (Source: Applicant's EIS 2018).

The SoHI also noted that more superior examples of inter-war period school and institutional buildings were located within the LGA, and that the loss of Building A would provide the most optimum use of the site and continue the ongoing provision of educational facilities on the site.

The Department also notes that the Applicant prepared a detailed design options report that considered ten different site outcomes, outlined below and depicted in **Figures 11** and **12**:

1. retain Buildings A, E and G and construct a new three storey school building at the site's Forest Road frontage
2. retain Building A and construct new three storey buildings at the northern end of the site and Forest Road, southern end of the site
3. demolish Building A and retain Building G and construct a new hall, library and administration building at the northeast of the site and new three storey homebase building at the western and southern edges of the site
4. demolish all buildings and construct new three storey building incorporating rooftop play
5. demolish all buildings and construction new multi-storey building, including a new seven storey building at the southern end of the site
6. demolish all buildings and construct new three storey building incorporating rooftop play with curved upper form (i.e. proposed SSD scheme)
7. retain Building A and construct new three storey hall, library and administration building at the north east of the site and new homebases in a three storey building at the west and south of the site
8. retain Buildings A and G and construct new homebases in two storey building at the northeast and new three storey hall, library and administration building at the west and south of the site
9. retain Building A and E and construct new two storey homebase building at the west and south of the site
10. retain Building A and G and construct new three storey hall, library and administration building at the northeast of the site and new homebases in a three storey building at the west and south of the site.

1	2	3	4	5
				
Fails student capacity objective	Fails student capacity objective	Fails student capacity objective		Height not supported by GRC
			BC3	
AS_01_001	AS_01_002	AS_01_003	AS_01_004	AS_01_005
Retain buildings A, E and G. Construct NEW home base spaces in three storey building at the south of the site	Retain Building A. Construct NEW three storey buildings at north and south of the site	Retain Building G Construct NEW Hall, Library and Administration at north-east of site, and NEW home bases in three storey building at west and south of site	ALL buildings demolished. Construct NEW three storey school incorporating rooftop play	ALL buildings demolished. Construct NEW multi-storey school incorporating a seven storey building at the south of the site

Figure 1 | Design options analysis 1 – 5 (Source: Applicant's EIS 2018).

6	7	8	9	10
				
	Fails student capacity objective	Fails student capacity objective	Fails student capacity objective	Fails student capacity objective
BC4				
AS_01_006	AS_01_007	AS_01_008	AS_01_009	AS_01_010
ALL buildings demolished. Construct NEW three storey school incorporating rooftop play. The upper levels are curved form.	Retain Buildings A and G. Construct NEW three storey Hall, Library and Administration at north-east of site, and NEW home bases in three storey building at west and south of site	Retain Buildings A and G. Construct NEW home bases in two storey building at north-east of site and NEW three storey Hall, Library and Administration at west and south of site	Retain Buildings A and E. Construct NEW home bases in two storey building at west and south of site	Retain Buildings A and G. Construct NEW three storey Hall, Library and Administration at north-east of site, and NEW home bases in three storey building at west and south of site

Figure 12 | Design options analysis 6 – 10 (Source: Applicant's EIS 2018).

The Department notes that all options that seek to retain some or all existing buildings fail to meet the required play space requirements for the expected number of students that must be accommodated on site, and retention of Building A limited the ability to provide a hall and COLA space that met the necessary floor space requirements. Other compromises identified where existing built form was retained includes:

- only three options met the required student capacity objectives, though would require the demolition of all existing buildings, however, one of the design options had a proposed height that was not supported by Council
- necessity to undertake a multi-stage construction process
- Building Code of Australia (BCA) non-compliance issues requiring significant upgrades to retained buildings
- does not support, or limits the implementation, of the NSW Department of Education's innovative pedagogy education principles

- a sustainable and contemporary outcome would not be achieved.

The Applicant also considered the options reviewed against the seven design quality principles of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP), where it was found that retaining Building A or other existing built form would:

- result in significant impacts to existing mature vegetation on the site as a less centralised built form across the site would be needed to cater for the intensification
- restrict the ability to deliver an accessible and inclusive site design and buildings
- constrain the delivery of a variety of outdoor play spaces and learning environments
- would potentially result in adverse amenity impacts on adjoining neighbours because it would force new buildings to be higher.

The design options analysis clearly details that Option 6 provides the most beneficial outcomes for the site, in terms of addressing the NSW Department of Education's requirements and addressing the Education SEPP design quality principles.

The Department notes the views presented by Council, the Heritage Division and public submissions and has considered the likely heritage impacts associated with the proposal. Furthermore, the Applicant's supplementary heritage assessment submitted part of the RtS identified that in response to concerns raised regarding the demolition of heritage items, the potential impacts from the demolition will be reduced by the following measures (in addition to photographic archival recording):

- provision of interpretive material in the new building and on the school site. Materials such as signs and plaques also landscaping elements to illustrate the former history, buildings and development of the site and former building footprints
- in response to GANSW concerns, an interpretive installation has now been located in the School entry
- the provision of an interpretive installation incorporating bricks and details from the 1925 building on the site.

As discussed earlier, the Department notes as stated in the SoHI and supplementary heritage assessment that there are a number of other schools and institutional buildings within the LGA that are considered to have equivalent or greater Inter-war Free Classical architectural qualities in addition to be more prominent landmark style buildings, when compared to PPS (due to the setback from the main corner and prominent frontage of the corner of Forest Road and Arcadia Street).

The Department considers the Applicant has satisfactorily demonstrated that the demolition and removal of all existing buildings, including Building A, provides the most suitable outcome for the site in terms of its continued delivery of contemporary education, and to ensure the current and future education demands of the local community are met.

The Department supports the proposed demolition of Building A in view of the above and in the context of the significant social benefit the proposal will provide for the community. The Department has recommended conditions to manage the heritage impacts including the requirement for the Applicant to undertake Photographic Archival Recording of Building A, for a heritage interpretation plan to be prepared and incorporated into the site and landscape design for the site and in addition to the retention measures above, where possible salvage heritage materials from the demolition to be reused on site within buildings or landscaping. The Department considers that the implementation of these conditions ensures that the historical

development of the site is identifiable in addition to preserving a sense of the existing character of the heritage buildings on the PPS site.

6.2 Built form and urban design

The Applicant's EIS, as amended by its RtS, was supported by architectural and landscape drawings and an Arboricultural Impact Assessment Report (Arborist Report). No concerns regarding the proposal's bulk and scale or design were raised by Council. However public concerns were raised regarding potential overshadowing on the neighbouring St Declan's Catholic School (SDCS) and concerns with proposed tree removal and landscape species selections.

6.2.1 Bulk and scale

The proposal, as modified in the Applicant's RtS, comprises the redevelopment of the existing PPS, involving the demolition of existing buildings and construction of a new three to four storey educational establishment. The design of the redeveloped PPS is split into four separate built form elements at the site's south western and south eastern boundaries, which are integrated by a continuous curvilinear three storey structure and rooftop play area provided above. It is also noted that the site is not subject to a building height control under the HLEP 2012. The new school building would have a maximum building height of 18.2m above existing ground level and a total GFA of 6,617.18sqm, with the three storey curvilinear built form sitting atop of a single storey podium (see **Figures 13 to 15**).



Figure 13 | Southern aerial view (Source: Applicant's EIS 2018).



Figure 14 | Eastern aerial view (Source: Applicant's EIS 2018).

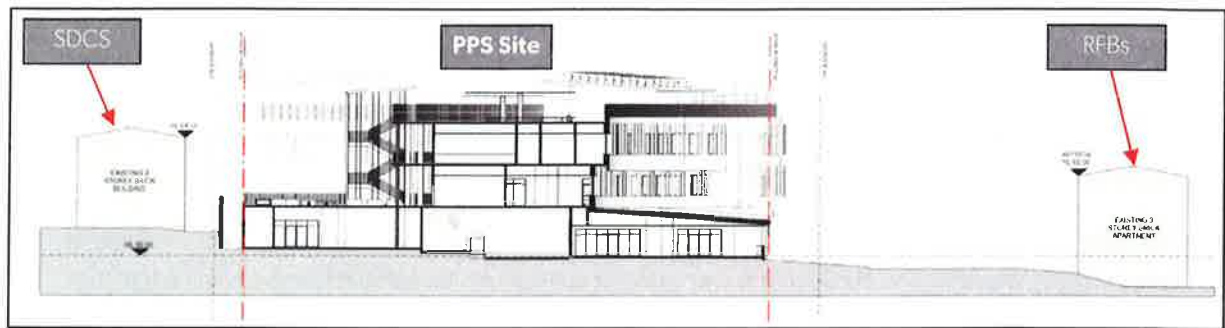


Figure 15 | Southwest to northeast site cross section (Source: Applicant's EIS 2018).

The exception to this is the proposed multi-purpose sports hall, which is located in the north western corner of the site. The hall would extend to up to four storeys in height adjacent to the common boundary with SDCS, accommodating a rooftop COLA and integrated shading structure. Notwithstanding, significant amenity impacts from the proposed bulk and scale and potential overshadowing impacts are unlikely as:

- the part four storey building height is limited to a small section of the elevation adjoining SDCS built form and roofed elements not on open space, play areas or directly opposite windows
- a small increase in overshadowing was only predicted at 9:00am during the Winter Solstice period as shown in **Figure 16** below
- the scale of the proposal would be generally in keeping with the maximum height scale and bulk of development within the locality.



Figure 16 | Existing and proposed overshadowing to neighbouring sites (Source: Applicant's EIS 2018).

Responding to concerns raised regarding the design of the proposal by the public and the Government Architect NSW (GANSW), the Applicant advises that the Schedule 4 Design Quality Principles of the Education SEPP were met through the provisions or greater details in plans identifying how the proposal seeks to minimise detrimental bulk and scale impacts, reuse of heritage landscape in landscaping and further critical justification as to why the proposed design was chosen out of the design options.

The Applicant notes that the final design is the result of several design iterations that considered a number of options, including the retention of Building A. This was not considered acceptable however noting that the retention of the existing heritage building may have necessitated the construction of a new multi storey school building, that would be significantly out of context with the existing built environment.

The Applicant also states that the materials and finishes have been selected to ensure a robust and enduring finish is provided with low maintenance, brick work at the base referencing the existing school buildings, and metal wall cladding on upper levels providing a contemporary contrast to the overall design.

The Department notes that while the school would be the greatest in height within the immediate surrounds on Arcadia Street, for the locality in general the proposed maximum four storeys is not considered to be out of context noting that opposite the school site on Forest Road there are four storey RFBs and commercial style developments.

The proposed built form has been satisfactorily setback from the northern sensitive residential land uses, and its interface with existing built form on the SDCS site would ensure that the proposed scale of the new buildings would not dominate the existing school's outlook. In this regard, the Department considers the proposal is satisfactory and provides a balanced response to the need to provide for the demand generated by growing student enrolments, having regard to the following:

- the curvilinear and varied setback built form provides a visual juxtaposition to the ground level podium rectilinear built form that creates visual interest in addition to reducing any potential detrimental bulk and scale impacts that would result from a more rectangular built form for all four storeys of the design
- the design of the new built form would not create unacceptable overshadowing impacts on the adjacent school site, and multiple ground and elevated passive and active recreational spaces are integrated throughout the site to ensure satisfactory access to sunlight
- the design of the proposal incorporates a range of forms, spaces, materials and finishes to add variety, articulation and interest, particularly for students as they engage with the school and new built form
- the eastern elevation has been designed as a new boundary for the school, with a well-defined main pedestrian entrance provided on Arcadia Street, maximising territorial reinforcement and access control
- the larger bulk and scale of the proposal is centrally located and appropriately setback from northern lower scale residential properties to minimise potential off-site impacts and combined with site landscaping, provides a gradual transition of bulk and scale between neighbouring building heights on Arcadia Street
- the scale of the multi-purpose hall has been minimised through careful site planning and by undertaking a minor cut in the north western corner of the site to ensure the bulk of the built form is contained within the school site.

In consideration of the above, the Department considers that the proposal would not have detrimental impacts on surrounding land uses in regards to height, scale or bulk.

6.2.2 Amenity and privacy impacts

In response to potential impacts upon amenity and privacy for surrounding properties, Council requested consideration be given to amenity impacts associated with the use of the rooftop play areas and after hours use with respect to privacy impacts, light spill and vehicle movements. Furthermore, EPA and public submissions raised concerns with the location of the proposed waste management and bin storage area at the rear of residential areas and potential odours and pest impacts. Visual privacy concerns were also raised by the public due to the multi-storey built form.

To address potential overlooking to the west and north, the Applicant proposes the installation of a 1.8m balustrade that would prevent students from overlooking neighbouring properties in these locations. In addition, screen planting is proposed along the northern boundary of the site that would provide a visual screen between PPS and existing residential properties.

The Department acknowledges the design measures incorporated into the proposal and considers these measures, along with the implementation of an operational management plan to manage rooftop play spaces, would satisfactorily mitigate any potential privacy issues to acceptable levels. The Department has recommended conditions of consent requiring the Applicant prepare an operational plan of management that includes measures to manage the use of rooftop play areas in order to reduce any potential detrimental amenity and privacy impacts.

6.2.3 Landscape and urban design

The landscaping and open space scheme for the PPS redevelopment would provide for a total play area of 9,051.48 sqm, consisting of external open space, outdoor court and rooftop play spaces (see **Figure 17**). The proposed sports court and assembly area is centrally located behind the main built form and would be visually and physically connected by an accessible walkway from Arcadia Street.

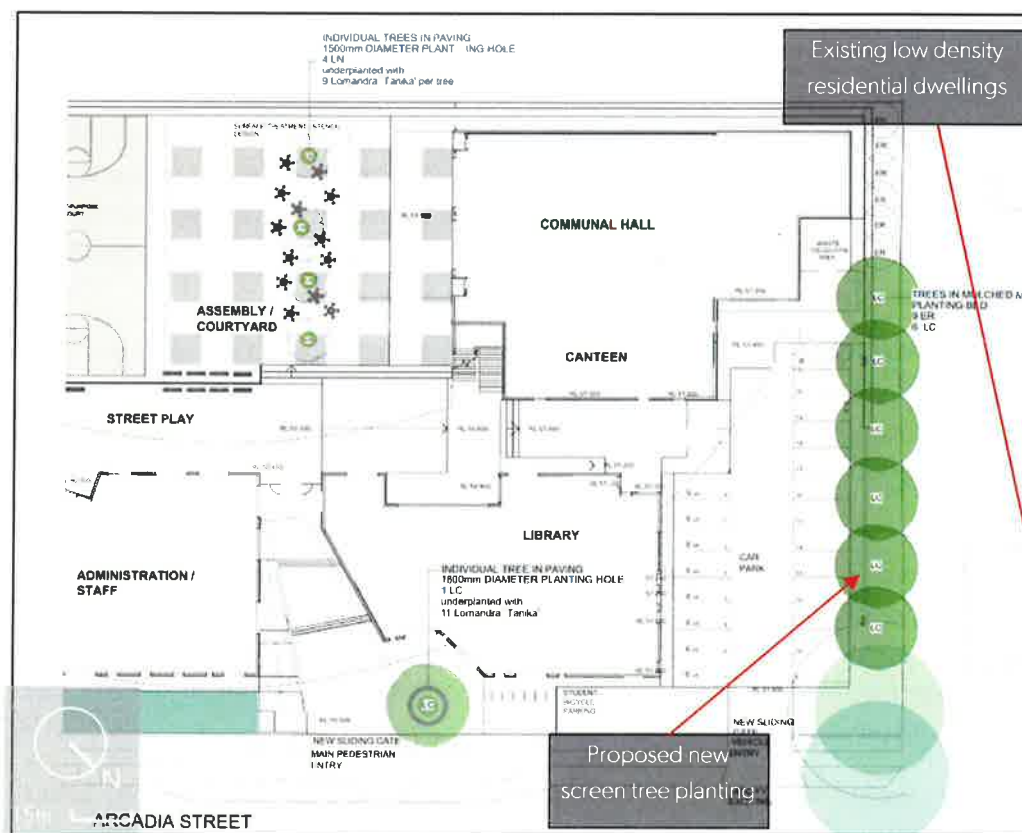


Figure 17 | Proposed landscape scheme – northern end of site (Source: Applicant's RtS 2018).

In particular, the proposal will include:

- the removal of 45 trees and planting of 83 new trees, various shrubs, ground covers and concrete pattern finishes
- the retention/reinstatement of existing boundary fencing and construction of new 2.1m palisade fencing along a portion of Arcadia Street adjacent to new built form and new 1.5m palisade fencing along north western boundary with residential properties
- an open space area fronting Forest Road incorporating an informal, naturalistic character with an integrated stormwater swale
- a first floor outdoor learning space and vegetable garden
- level 3 roof top that incorporates a running track, soft fall areas and spaces to encourage active engagement and interaction with the surrounding space. Associated roof top shade structures are also proposed that would support climbing plants growing from planters at the base of the structures.

The Department identified issues with the proposed removal of several trees from the northern boundary and the associated impact this natural visual break would provide to future built form, and requested further details to demonstrate how the northern boundary would be treated to assist in providing a visual screen for adjoining residents.

Council raised concerns with the proposed removal of nine trees identified as being of high significant value. Comments were also received from OEH who raised concerns with the plant species selected and lack of native or locally indigenous species and recommended the landscape plan be updated accordingly to address this issue.

The Applicant responded that the proposed site layout and design necessitated the removal of the identified trees in accordance with Australian Standards AS4970-2009 (Protection of Trees on Development Sites). However, complementary tree planting was proposed to supplement vegetation proposed to be removed, including the provision of advanced 400L pot size trees along the northern boundary of the site. These trees would also provide a suitable visual screen for the existing residential properties to the north (see **Figure 17**). The Department also notes that existing mature vegetation along the site's Forest Road frontage and at the corner of Forest Road and Arcadia Street would be retained. The retention of this vegetation would significantly assist with the integration of the proposal back into the surrounding locality and minimise any potential off-site visual impacts when observed from the surrounding public domain.

While the Department considers the landscape scheme for the proposal to be acceptable, it is considered that additional native and/or locally indigenous plant species are capable of being incorporated into the design. Accordingly, conditions of consent have been recommended requiring an amended landscape plan be submitted addressing this matter.

In response to Government Architect NSW (GANSW) concerns raised about fencing, the Applicant notes that the fencing strategy would provide the appropriate level of security of students and staff in accordance the requirements of the NSW Department of Education. The Department notes that PPS is currently fenced around its Arcadia Street and Forest Road perimeters with a 2.1m high palisade fence and is proposed to be predominantly retained or reinstated following the completion of construction activities, ensuring the outcome remains consistent with the established character of the site.

The Department is satisfied that concerns raised by the public authority and general public submissions regarding the loss of mature vegetation and plant species has been appropriately addressed by the Applicant or through recommended conditions of consent. New trees and vegetation would be located throughout the site

and integrated within existing vegetation, to assist in minimising visual impacts associated with the proposed new built form when viewed from the surrounding public domain and adjoining properties.

6.3 Traffic and transport

The Application was supported by a Transport Impact Assessment (TIA) (updated with its RtS), which provides an assessment of the proposal's potential traffic and transport impacts. The Application also included a Green Travel Plan (GTP), that proposes a range of initiatives to increase the share of alternate modes of transport.

The proposal includes the expansion of the existing 16 space on-site car park, located at the northern end of the site and accessed from the existing Arcadia Street crossover. A minimum 32 bicycle parking spaces are also proposed, including 10 staff spaces and 12 student spaces. The Applicant's revised TIA also proposes a range of modifications to existing on-street parking controls to facilitate the installation of 13 additional 'P5 Parking' restricted parking spaces for parent drop-off and pick-up activities.

A review of the site's existing accessibility indicates that excellent pedestrian networks exist around the school, however, dedicated bicycle infrastructure is lacking. The site is well serviced by bus and train public transport options, with 10 bus stops located within close proximity of the site and Penshurst Train Station located approximately 700 m south of the site.

The Department requested the Applicant update its TIA to consider the after-hours use of the multi-purpose sports hall during large events and provide further details on the adequacy of the kiss and ride facility, the location of any bus parking requirements, details of the largest services vehicle and that a GTP be prepared and submitted.

Council raised concerns with traffic impacts associated with the proposal and believed the increased traffic could not be accommodated in the precinct without the incorporation of a designated student drop-off/pick-up zone and accommodation of all staff car parking on-site.

TfNSW recommended that further justification be provided on the likely on-street car parking impacts, in the context of there being no additional on-site car parking proposed.

A number of public submissions also raised concerns with the proposal's impact on already congested roads and impact on on-street car parking, commenting on the cumulative parking impacts associated with the redevelopment of Penshurst Park, the requirement for dedicated pick-up and drop-off facilities and impacts from any afterhours use.

Strong community concerns were also raised regarding the proposed location of the temporary pop-up school shuttle bus stop on Arcadia Street and the inadequacy of the width of the street to accommodate such activities.

6.3.1 Traffic impacts

Construction

Council commented that a robust construction management and traffic management plan must be developed and implemented for the site to ensure there is minimal and controlled impacts on the precinct and residents.

Some public submissions also objected to the proposed 7:00am to 7:00pm construction hours due to existing road congestion during peak times and safety concerns with construction vehicle movements on Arcadia Street. It was also requested that details of the number of construction vehicles and likely impacts to existing on-street parking from construction workers be disclosed.

The Applicant's TIA advises that a Construction Traffic Management Plan would be prepared that would provide management measures to ensure traffic and parking impacts from construction activities are minimised. Notwithstanding, it was noted in the Applicant's preliminary Construction Environmental Management Plan

submitted with the RtS that construction vehicles are likely to comprise private worker vehicles, while heavy rigid vehicles and articulated vehicles are also expected to visit the site for deliveries. These movements would be minimised during commuter peak through appropriate material handling procedures, construction traffic management plans and through the use of qualified traffic controllers. It also nominates Penshurst Street, Percival Street, and Arcadia Street as the preferred site access route during construction, with vehicles exiting the site via Arcadia Street and Forest Road (left out) (see **Figure 18**).

The proposed construction activities have the potential to have detrimental impacts on the surrounding road network. RMS requested that the Applicant obtain a Road Occupancy License (ROL) in the event that any works during construction activities result in impacts on traffic flows on Forest Road. The Department considers that acquirement of a ROL will appropriately address traffic flow impacts on Forest Road during construction activities and a condition has been recommended for the Applicant to obtain the ROL from the Transport Management Centre.



Figure 18 | Proposed construction vehicle route (Source: Applicant's RtS 2018).

Construction traffic generated by the proposal is not anticipated to exceed volumes which is currently occurring associated with existing PPS operations, noting that:

- the existing PPS school population has an approximate 40 per cent private vehicle modal split for journeys to and from school, equating to approximately 200 morning and afternoon vehicle trips
- up to 200 construction jobs are likely to be created over the duration of construction, not at any one time and therefore the vehicle trips potentially generated would be significantly less than 200 vehicle movements during the morning and afternoon peak periods
- the limited availability of existing on-street car parking would deter construction workers from driving their vehicles, and if undertaken, would likely involve a car pooling arrangement, thereby further minimising potential vehicle trips and parking impacts.

In response to the RtS, RMS required that all demolition and construction vehicles are to be contained wholly onsite and that vehicles must enter the site, prior to stopping. RMS further reiterated that a construction zone would not be permitted on Forest Road.

Accordingly, the Department has recommended conditions of consent requiring the preparation of a final Construction Traffic and Pedestrian Management Plan and to ensure sufficient parking facilities are provided on-site for heavy vehicle and workers as well as to ensure that existing on-street parking provisions are not utilised by construction workers.

Operational

PPS is currently serviced by several State and Regional roads, providing high levels of accessibility to surrounding localities, including Forest Road, Penshurst Street and Arcadia Street (primary school vehicle and pedestrian access point) (see **Figures 1 and 2**). The Applicant's TIA assessed the potential impacts of the proposal on the following intersections (see **Figure 19**):

- Forest Road / Penshurst Street (signalised)
- Forest Road / Arcadia Street / Connelly Street ('Give Way')
- Forest Road / Cambridge Street ('Give Way').

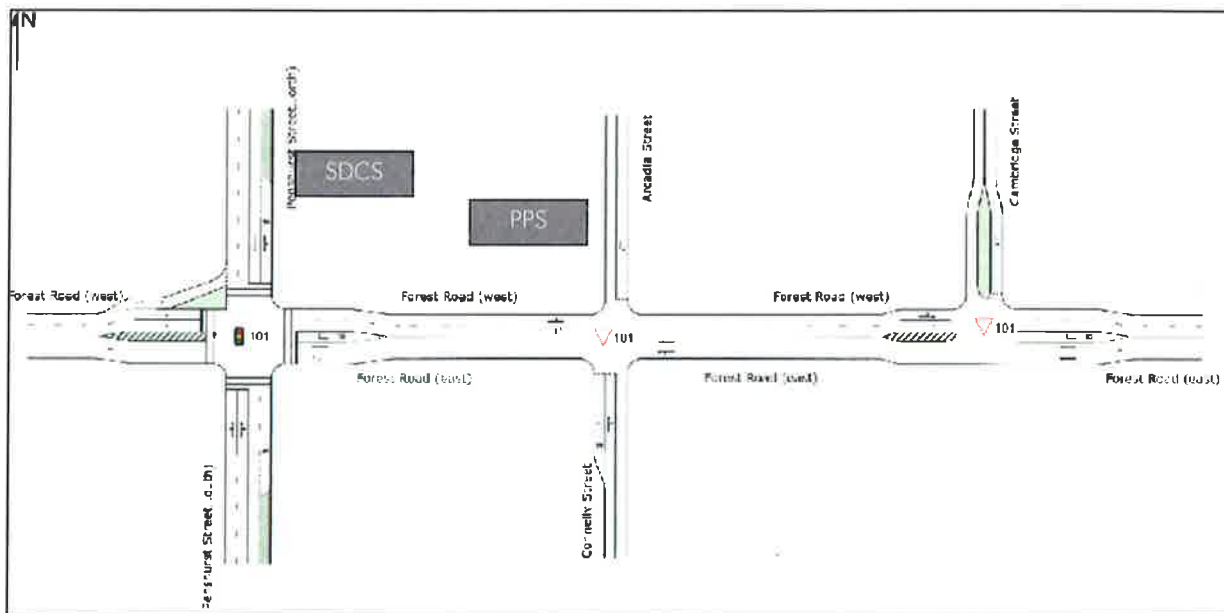


Figure 19 | Local road network intersections analysed (Source: Applicant's RtS 2018).

Traffic surveys identified peak operations to range between 7:45am and 9:00am and 2:45pm to 4:00pm and the existing intersection performances varied, generally operating between a level of service (LoS) of A to D, with individualised poor turning movement performances (LoS F) at Forest Road / Connelly Street and Forest Road / Cambridge due heavy opposing traffic along Forest Road.

TfNSW commented that further evidence should be provided that demonstrates inbound and outbound vehicle movements have been considered and that the assessment has considered the configuration of the road network in inbound and outbound trip distribution assumptions.

The Applicant's TIA, revised with its RtS, notes that two-way trips were modelled as it was expected that the inbound and outbound movements from parent traffic would occur during a single hour. In this regard and taking into account the predicted car mode share for students (i.e. 40.4 per cent during the AM peak and 42.4 per cent in the PM peak), the proposal was predicted to generate an additional 166 two-way trips during the morning peak (increased from 130 existing AM peak trips) and 174 two-way trips during the PM peak.

In response to RMS's concern about traffic distribution assumptions, the revised TIA also provided details on how these assumptions have been made and noted that future traffic growth on Forest Road was negligible (0.04 percent per year) and therefore not incorporated into the traffic modelling.

Based on forecast route assignment for the surrounding locality, the additional trips and distributions were assessed against the existing intersection performances. The TIA found that:

- the Forest Road / Penshurst Street intersection performance would slightly reduce during the AM and PM peak periods, though generally maintain a LoS between C and D, with only slight increases to the average delays for turning movements into and out of Forest Road
- the Forest Road/Arcadia Street Connelly Street intersection performance would generally remain at a good LoS of between A and B, though retained the LoS F for right hand turning movements from Connelly Street into Forest Road during the AM and PM peak periods due to existing heavy through traffic on Forest Road. Due to the poor intersection performance, vehicles seeking to access PPS would be more likely to perform a left hand turning movement into Forest Road and then turn right at the Forest Road / Penshurst Street signalised intersection, which is predicted to continue to operate at a satisfactory LoS
- the Forest Road / Cambridge Street intersection performance would also remain generally unchanged, operating at a good LoS of between A and B. However, identified poor performances for right turn movements during the AM peak from Forest Road into Cambridge Street would remain at a LoS of F due to existing heavy Forest Road through traffic.

In response to continued concerns raised by the RMS in relation to intersection performances, particularly the Penshurst Street/Forest Road signalised intersection, the Applicant provided a Supplementary RtS that included additional SIDRA modelling. The results of the additional SIDRA modelling, taking into account the additional intersection cycle time indicate:

- regarding the Penshurst Street / Forest Road signalised intersection, the increased cycle time (140 seconds versus 90 seconds) improved the overall intersection LoS and the maximum queue length of the 95th percentile is 24.1 metres during the AM peak and would be contained within the 35 metre long right-turn bay on Forest Road
- regarding the Forest Road / Cambridge Street intersection, the Applicant has clarified that no additional traffic movements have been applied as there are other routes available and that the existing poor performance of the right turn movement from Cambridge Street into Forest Road would not significantly worsen.

A successful outcome is dependent on the implementation of the measures proposed in the GTP that are designed to reduce vehicle trips generated by staff and pick-up/drop-off journeys. The Department has given consideration to the appropriateness of the GTP in **Section 6.3.2** and recommended conditions of consent accordingly.

The Department is therefore satisfied that the proposal would not adversely exacerbate existing traffic conditions in the surrounding road network and impacts associated with vehicle trips to and from the site are to be actively managed and minimised through the implementation of a GTP for the school.

6.3.2 Parking, pick-up and drop-off zone and Green Travel Plan

Parking provisions

Council's DCP states that 1 space per 2 employees is required for schools. The proposed redevelopment of PPS would result in a total of 59 full-time equivalent staff (an additional 28 staff), generating an on-site parking demand of 30 spaces. Council initially raised strong concerns with the proposed provision of only 15 on-site car parking spaces. No further comments were received following its review of the RtS and updated on-site parking provisions.

TfNSW also requested details of the quantity of proposed of student bicycle parking and provisions to be made for teachers to accommodate cycling as an alternative mode of transport.

The Applicant had originally sought approval to reinstate the existing car park that would have reduced the parking provisions on-site by one space. In its RtS, the Applicant outlines that revisions to layout of the multi-purpose sports hall in the northwest corner of the site has facilitated a redesign of the on-site car park and allowed for an increase to proposed on-site parking provisions. Accordingly, provision for 20 on-site car parking spaces is now proposed, representing an increase of 4 spaces of the 16 currently provided.

Details were also provided concerning the provision of 10 staff bicycle parking spaces within an enclosed area of the multi-purpose hall and 12 student bicycle parking spaces at the front of the site, adjacent to the Arcadia Street entrance.

The existing on-site parking provisions provide for 1 space per 1.93 staff (16 car spaces based on 31 existing staff), which would be reduced to 1 space per 2.95 staff (20 car spaces based on the proposed 59 staff). Based on these rates, Council's Hurstville DCP No.1 requires 29.5 spaces, resulting in a shortfall of 9.5 spaces. The inclusion of the proposed total 31 additional staff to the parking calculation requirements would require a total of 45 spaces, resulting a shortfall of 25 spaces. However, Council's DCP does not separate between full time staff and additional and or part time employees. Therefore, for the purpose of identifying and assessing the parking requirements for the site, the total number of full time equivalent staff (59 staff) should be considered as it is most likely that these employees would be those that would be utilising the car parking spaces on site on a daily basis.

While the proposed number of car parking spaces is below the minimum number required under Council's DCP, the Department notes that the sustainable travel measures proposed to be implemented as outlined in the GTP would provide improved modal share outcomes for the site and reduce the demand for both on-site and on-street parking. Specifically, the reduced private modal share for staff is proposed to be reduced from the current 83 per cent to 73 per cent, reducing the parking demand to approximately 43 staff members or approximately 1 space per 2.15 staff, which would be more closely aligned to Council's DCP rate of 1 space per 2 employees.

The Department notes that in accommodating the increased parking provisions, the Applicant has pushed the services area into the north western corner of the site, necessitating additional cut to the existing site. Based on the Australian Standards for minimum dimensions for car parking spaces (i.e. 2.4m x 5.4m) and aisle widths (i.e. 6.2m wide), an additional area ranging between approximately 110 sqm to 140 sqm depending on the configuration. In this regard, requiring the Applicant to increase the on-site parking provisions even further would impact on the proposed staff bicycle and end-of-trip amenities areas, waste services and storage areas. Amending these areas to accommodate the additional parking would have flow-on impacts to those areas immediately adjacent, being the school canteen and multi-purpose hall and would have detrimental impacts to the overall design and layout of the proposed school site.

It is also acknowledged that while the Applicant states that the school's new facilities are not sought to be utilised for the community purposes as part of this proposal, as a public school the potential exists that this scenario may change in the future. The Department notes that existing and future site constraints would preclude any on-site car parking and existing on-street car parking within surrounding residential streets would be sought after during the PM peak periods. Accordingly, the Department recommends that in preparing the future Operational Management Plan for the school, appropriate consideration is given to the type of uses/events that may be capable of being accommodated within the school's new facilities, particularly the new multi-purpose hall, and prepare appropriate parking and traffic management measures for implementation during such events. Such measures will help to safeguard the existing amenity within the surrounding residential areas and minimise potential conflicts.

In view of the above, the Department is satisfied that the Applicant has maximised the potential for on-site parking provisions and that the 9.5 space shortfall (under Council's DCP) proposed is satisfactory for the following reasons:

- site constraints limit the ability to provide any additional on-site car parking than what has already been achieved
- the proposal has been designed to strike a balance between ensuring the required improved educational establishment and associated facilities are provided while maximising the ability to increase existing on-site car parking provisions
- the new car park would be redeveloped within the footprint of the existing parking area, utilising the existing driveway cross over, that would ensure no new impacts from vehicle operations are generated along Arcadia Street
- the new car park would benefit from new advanced screen planting proposed along the northern site boundary, that would soften the hardstand area and provide suitable shading
- the site is well serviced by bus and train public transport options, with 10 bus stops located within close proximity of the site and Penshurst Train Station within reasonable walking distance, located approximately 700m south of the site
- appropriate sustainable travel measures would be implemented, reviewed and owned by the school through the GTP to encourage a shift away from the reliance on singular private vehicle journeys to work.

The proposed bicycle parking provisions of 32 spaces (10 for staff and 12 for students) is considered satisfactory for the proposed increased staffing and student numbers proposed at the school, noting the low usage rates as surveyed. The Department notes Council's DCP does not prescribe rates for schools, however the proposed provisions exceeds the Planning Guidelines for Walking and Cycling' (NSW Government 2004) which requires a maximum of 9 spaces if all staff types are considered. The installation of the proposed bicycle parking facilities would assist in encouraging a shift away from private vehicle transport modes and would align with the targeted modal share changes outlined in the Applicant's GTP.

The Department has recommended conditions of consent requiring the provision of a minimum 20 car parking spaces and 32 bicycle parking spaces, as detailed above. Additionally, a condition of consent has also been recommended to ensure a GTP is prepared, implemented, monitored and reviewed to minimise impacts on surrounding streets.

Kiss and ride

Initial concerns were raised in submissions with the adequacy of the kiss and ride facility to accommodate the demand generated by the proposal, and that consideration be given to the assumed trip distributions, including vehicle movements from Percival Street.

In its revised TIA, the Applicant proposes to convert existing unrestricted parking areas on the eastern and western sides of Penshurst Public School's Arcadia Street frontage into 13 'P5 Parking' spaces and for appropriate signage to be installed to enforce their operation on school days only between 8:00am to 9:30am and 2:30pm – 4:00pm (see **Figure 20**).



Figure 20 | Proposed pick-up and drop-off P5 Parking zone conversation areas (Source: Applicant's RtS 2018).

The Applicant's TIA outlines that based on existing surveyed demand, vehicle dwell times and observations, the proposed increase in student numbers would necessitate the accommodation (existing and proposed) of approximately 295 vehicles during the AM peak. The estimated queuing during this period was observed to decrease over the current scenario, assuming a conservative two minute dwell time for each vehicle, and remained the same under the 95th percentile.

It was also assessed that PM peak operations of the existing kiss and ride facility varied from that during the AM peak period due to changed driver behaviours and longer waiting times from parents arriving significantly earlier than when school finishes. Notwithstanding, based on data from other nearby schools, it was noted that a median dwell time of 1.25 minutes was observed, providing a similar outcome to that predicted during the morning peak period.

The TIA also promotes the benefits of the proposed P5 parking spaces over the kiss and ride 'No Parking' zones, due to observed poor driver behaviour and the desire for parents to walk their young children to the school entrance. It recommended stronger enforcement of existing parking restrictions to maintain the amenity of existing on-street car parking provisions for local residents. A condition has been recommended for the performance monitoring of the kiss and ride to ensure that there are no detrimental performance or road safety related impacts.

The Department is satisfied that the combination of the proposed new P5 parking spaces and the existing kiss and ride spaces (24 spaces in total) would satisfactorily accommodate the drop-off and pick-up demand generated by the proposal. A condition has been recommended requiring the Applicant seek approval from

Council's Local Traffic Committee for the conversion of the 13 nominated spaces and for the installation of appropriate street signage and implement the kerbside changes prior to the commencement of operation.

Green Travel Plan (GTP)

Given the lack of on-site parking provisions and the lack of available capacity within existing on-street parking area surrounding the site, staff would be encouraged to use alternate transport mode shares through the implementation of a GTP. The proposed GTP objectives include:

- nominate a travel plan coordinator or form a GTP committee to implement, promote and monitor the plan
- attaining a high modal share for public transport, cycling and walking to school journeys and reducing the modal share for private vehicle journeys
- ensuring adequate facilities are provided at the site to enable staff, visitors and students to commute by sustainable transport modes, including the provision of on-site facilities for staff to encourage active travel
- improve wayfinding signage between the school and nearby public transport services/stops
- encourage carpooling and offer on-site parking incentives (i.e. preference for hybrid vehicles or pooled vehicles) and disincentives (i.e. on-site parking fee) to manage and restrict its use
- consultation with Council to discuss measures including improvements to cycling infrastructure and conversion of unrestricted parking to time restricted parking
- raising awareness of sustainable transport amongst staff, students and visitors through promotion and marketing and preparation of a Travel Access Guide.

In addition, the GTP outlines a number of travel mode targets based on the existing staff and student travel surveys undertaken in early 2018, the results of which demonstrate capacity for change, particularly regarding the existing high private vehicle usage rate and accessibility of public transport and walkable school catchment.

To ensure these proposed targets are met, the GTP includes measures to support a shift in travel mode share behaviour and will require review and monitoring to ensure objectives and targets to be reviewed annually and steps put in place to ensure they continue to be targeted and achieved.

To ensure this occurs, the Department has included a condition of consent requiring the preparation of a final GTP in consultation with Council and TfNSW, that incorporates suitable travel mode share targets and objectives to achieve those targets for both staff and student travel movements. Subject to the implementation of the GTP, the Department is of the opinion that reductions in private vehicle use and an increase in more sustainable travel modes can be achieved.

Pedestrian Movements

As the proposal seeks to approximately double the existing student capacity of the school, the associated pedestrian movements within and around the vicinity of the PPS road network would accordingly increase. The Applicant's TIA identified that the peak pedestrian movements occurred through three gates on Arcadia Street and one gate on Forest Road within a 15 minute period before school starting and 15 minutes after the conclusion of the school day.

In response to the RtS and the pedestrian trips data provided in the TIA, RMS recommended that a Road Safety Evaluation (RSE) be undertaken on all relevant sections of road utilised for bus and private vehicle pick-up and drop-off prior to operation.

The Department considers that the implementation of an RSE will appropriately identify key pedestrian and vehicular traffic conflicts and will ensure that suitable road safety measures and/or traffic management measures

are identified. In order to ensuring that there are no detrimental safety impacts from the increase in pedestrian movements as a result of the proposed development, the Department has recommended a condition requiring the undertaking of the RSE prior to operation, and for the implementation of any identified road safety measures and/or traffic management measures (based on the findings of the RSE).

6.3.3 Site vehicle access

TfNSW requested that a swept path analysis should be provided of car movements along Arcadia Street, demonstrating the proposed parking restrictions can be implemented in the existing road geometry while still maintaining safe two-way vehicular movements.

The Applicant's TIA provided details of the largest vehicle proposed to access the site, being a 6.4m long rigid waste vehicle. The swept path analysis of this type of vehicle (see **Figure 21**) demonstrates that satisfactory space would be provided on-site to accommodate its movements.

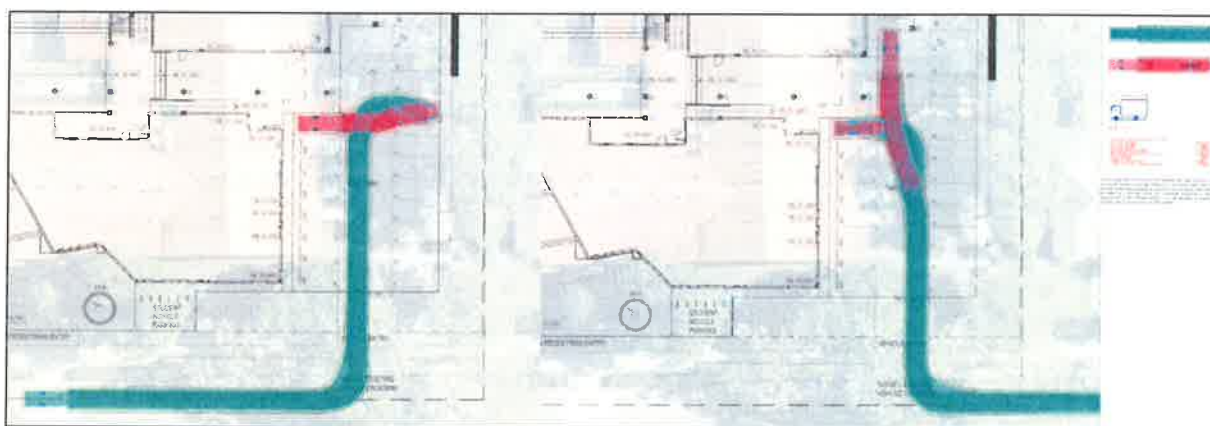


Figure 21 | Vehicle swept path analysis (Source: Applicant's RtS 2018).

In response to public concerns raised regarding the limited capacity for Arcadia Street to accommodate set down and pick up operations for a proposed temporary pop-up school shuttle bus, the RtS stated that Arcadia Street would not be utilised for the transfer of existing PPS students to the temporary pop-up school and that the location of the transfer bus stop would be investigated separately to this application.

6.4 Other Issues

The Department's consideration of other issues is provided at **Table 7**.

Table 7 | Department's assessment of other issues

Issue	Findings	Recommended Condition
Noise and Vibration	- The EIS included an Acoustic Assessment report (AR), prepared by Day Design Pty Ltd, which assessed the potential construction and operational noise and vibration impacts on the nearest sensitive receivers. - The AR, as revised by the RtS, identifies sensitive receivers to comprise of existing low density residential properties to the north, existing residential flat buildings to the west and SDCS immediately adjacent to the west. - The existing noise environment is characterised by the existing PPS, SDCS, existing surrounding residential	

development east, industrial noise sources to the southeast and road traffic noise from Forest Road.

- The AR considered the impacts of the proposal in terms of construction and operational noise.

Construction noise

- The Interim Construction Noise Guideline (ICNG) outlines the process for establishing noise management levels (NMLs) to minimise construction noise impacts on sensitive receivers.
- Applicant's AR notes that construction works were predicted to result in exceedances of the construction noise management level (i.e. RBL + 10 dB(A)) and highly noise affected criteria (i.e. 75 dB(A)) would require the preparation of a detailed construction noise and vibration management plan prior to works commencing to manage those impacts.
- Several mitigation measures to assist with minimising potential construction noise and vibration impacts were recommended by the Applicant, including:
 - staging of construction activities
 - scheduling noisy demolition and construction activities
 - limiting impact noise where possible
 - restriction of impulsive and tonal noise
 - preparation and implementation of a traffic management plan to ensure construction vehicles arrive and depart during construction hours
 - considered siting of mechanical plant and noisy mobile plant
 - installation of a temporary sound barrier
 - acoustically treating mobile plant and selecting all plant and machinery with consideration to low noise options
 - community consultation and liaison and implementation of appropriate measures to manage noise complaints.
- Concerns were raised by the public during the exhibition of the proposal in relation to prolonged construction noise impacts.
- The Department notes the close proximity of sensitive receivers surrounding the site and predicted noise level exceedances during construction activities.
- The proposed construction noise mitigation measures are considered suitable, and their implementation will provide assist in providing relief for surrounding receivers during periods of high noise emissions.
- The Department has also recommended conditions of consent requiring the preparation of a detailed Construction and Noise Vibration Management Plan that includes, but is not limited to, the following:
 - an out-of-hours work protocol, including a detailed assessment of any works outside of standard construction hours, mitigation measures and notification/complaints arrangements as part of the required Construction Noise and Vibration Management Plan
 - the exclusion of activities resulting in high-impact noise (including impulsive or tonal noise emissions) from the works outside of standard hours of construction.
 - the requirement that all construction activities comply with best practice vibration management criteria to ensure

- no adverse impact to existing buildings or structures
- the implementation of respite periods
- the requirement for the installation and monitoring of noise monitoring at sensitive receiver locations, including alert triggers to stop works when sensitive receivers become 'highly noise affected' (i.e. noise levels exceed 75 dB(A) in accordance with the ICNG)
- the requirement to comply with the ICNG construction noise management levels (RBL + 10 dB(A) where feasible and reasonable.

Operational noise

- The Applicant's AR, revised with its RtS, details that road traffic noise impacts from Forest Road and outdoor play noise emissions affect the L_{eq} amenity criteria for the proposal.
- Generally, emissions from school operations were predicted to comply, though minor exceedances of the noise trigger levels at SDCS were predicted. It was noted that any such exceedance would be generally limited to recess and lunch periods and typical of the land use.
- The Applicant's AR recommended treatment measures to the building's façade to ensure noise intrusions from Forest Road traffic noise did not adversely impact on student and teacher amenity levels.
- The AR detailed that predicted noise emissions from the use of the multi-purpose sports hall for sporting activities would comply with the relevant daytime and evening project noise trigger levels, with the exception of an exceedance during evening events at SDCS. It was therefore recommended that all windows and doors remain shut during such evening
- The Department is satisfied that the intensified use of the site would not result in adverse amenity impacts and that the Applicant has satisfactorily demonstrated that the use and operation of the indoor sports hall would comply with the established project noise trigger levels, subject to its appropriate management.
- Subject to the implementation of the recommended conditions of consent, the predicted noise emissions generated by the operations of PPS would, or are capable of, generally complying with the established project noise trigger levels. The proposed school operations, including operation of the plant and use of the indoor multi-purpose hall, would be unlikely to generate adverse noise impacts.
- While no detailed specific consideration has been given to potential community use after

events to meet the noise criteria when SDCS is in use during that same evening.

- The Applicant confirmed in its RtS that no approval was sought for the use of the school's facilities by the community and would only be used for school purposes, during both school hours and after, up to 10:00pm.
- Concerns were raised in public submissions regarding potential operational noise impacts associated with the school and community use of facilities.
- The EPA also raised concerns with the community use of facilities and requested their use in this regard be restricted.

hours, the Department notes that the Applicant's AR has assessed the limited use of the multi-purpose hall for school concerts/dances as generally being compliant, with the implementation of appropriate management measures. In light of this, in the event that the school's facilities are proposed to be utilised by the community, potential off-site noise impacts are not anticipated to be adverse in nature.

- The Department has recommended additional conditions of consent requiring:
 - post operation noise monitoring
 - that the Applicant prepare an operational management plan to ensure appropriate supervision of the rooftop areas is always undertaken during use to ensure excessive noise is not generated
 - that all plant and equipment must be maintained and operated in a properly and efficiently
 - noise associated with plant, machinery or other equipment must not exceed the established project noise trigger levels
 - the provision of noise attenuating measures should noise monitoring identify exceedance of project noise trigger levels.

Stormwater

- Concerns were raised by Council regarding the reliance on existing stormwater pipe infrastructure and the proposal's hydraulic design. It also requested the Applicant model the local catchment to determine the adequateness of the stormwater design.
- The Department is satisfied the Applicant's stormwater design would ensure that pre and post development flows meet Council's stipulated requirements and has demonstrated that no

- The Applicant's EIS was supported by a Stormwater Management Report which describes the proposed stormwater design that has been designed in accordance with Council's DCP and comprises:
 - the provision of an underground on-site detention (OSD) tank designed to accommodate the 100 year ARI event
 - measures to control discharge from the site to ensure they do not exceed the existing 5 year ARI storm event
 - stormwater pipe network to accommodate flows to the OSD tank up to the 100 year ARI event and flows up to the 20 year ARI event elsewhere.
- The Applicant responded further in its RtS that the existing stormwater pit in Arcadia Street was sufficiently sized to accommodate the proposed stormwater pipe connection from the redeveloped school site.
- It was also advised that this same pit connects into a nearby large Sydney Water drain, that also accommodates stormwater collected along Forest Road. It was therefore concluded that further modelling of the local catchment was considered unnecessary.
- further modelling of the local catchment is required.
- The Department has recommended appropriate conditions of consent to ensure stormwater discharge from the site does not result in any adverse off-site impacts.
- The Department has recommended conditions of consent requiring the Applicant:
 - prepare a Stormwater Quality Management Plan
 - prepare a Construction Environmental Management Plan that addresses stormwater control and discharge.
 - prepare a Construction Soil and Water Management Plan.
 - design a stormwater management system for the proposal generally in accordance with the design submitted with the EIS and in accordance with the Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) Guidelines.

Aboriginal
Cultural
Heritage

- The Applicant submitted an Aboriginal Archaeological Assessment (AAA) with its RtS in response to comments provided by the OEH during the exhibition of the proposal.
- The AAA details that searches of the AHIMS database and site inspection/survey did not identify any sites, surface or sub-surface archaeological sites.
- Consultation with the Local Aboriginal Land Council also did not identify or uncover any other items or sites of significance.
- The AAA concludes that the site has no potential for archaeological deposits and that no further assessment is necessary.
- The Department has recommended a condition of consent that would ensure the correct site work practices are recognised in the event surface disturbance identifies any new Aboriginal objects, in accordance with an unexpected finds protocol.

Site
contamination

- The EIS was supported by an Environmental Site Assessment (ESA) report and a Stage 2 Site Investigation (SI) report and Remediation Action Plan (RAP), that were prepared based on the findings and recommendations of the ESA report.
- No concerns were raised by Council. The EPA acknowledged the site accessibility restrictions and recommended the following:
 - engage a Site Auditor to review the SI, unexpected finds protocol and RAP
 - undertake further investigations of inaccessible areas and update the RAP accordingly prior to any remediation
 - prepare of an unexpected finds protocol and asbestos works management plan
 - submit a Section A site audit statement (SAS) and site audit report following the completion of remediation works and validation.
- The Applicant revised its SI report and RAP with its RtS following their review by an EPA accredited Site Auditor.
- The SI report identified localised contamination and concluded that the potential for widespread impacts from asbestos containing materials (ACM) in soil was low. It was recommended that the site be remediated to remove any potential future exposure to contamination risks.
- The Applicant's SI and RAP conclude that the site can be made suitable for its continued use as an educational establishment, subject to the successful implementation of the following remediation strategy:
 - preparation of a hazardous materials assessment prior to any demolition
 - the off-site disposal of the contaminated fill material identified in the garden bed
 - physical removal (i.e. via picking) of surficial ACM impacts
 - data gap investigation following the demolition of existing buildings and structures
- The Department has recommended conditions of consent requiring:
 - further targeted site investigations beneath the footprint of buildings and structures demolished
 - the RAP be updated based on the results of the additional site investigations and be endorsed by an accredited Site Auditor prior to the commencement of remediation works
 - the preparation of an asbestos management plan
 - the submission of a Section A (SAS) and site audit report to the Site Auditor following the completion of remediation works and validation.
- The Department is satisfied that identified data gaps would be adequately addressed by the Applicant post-demolition through the proposed remediation strategy.
- In addition to the conditions recommended by the EPA, the Department recommends a condition of consent requiring further targeted site investigations be undertaken following the demolition of existing buildings and structures, and update the RAP based on the results.
- Detailed consideration of the proposal against SEPP 55 is provided in **Appendix B**, where the Department has concluded that satisfied that the Applicant has adequately addressed clause 7 of SEPP 55 and that the site can be made suitable for its intended use.

- preparation of a site validation report on completion of remediation activities.

7. Evaluation

The Department has reviewed the EIS, RtS and assessed the merits of the proposal, taking into consideration advice from the public authorities, including Council, and all environmental issues associated with the proposal have been thoroughly addressed.

The proposal is consistent with the objects of the EP&A Act (including ecologically sustainable development) and is consistent with the State's strategic planning objectives for the site as set out in the Greater Sydney Commission's South District Plan as it would create jobs and provide for better access to improved education facilities.

The redevelopment of PPS would provide significant public benefit to the immediate local and surrounding district through the provision of increased enrolment capacities for primary school aged children and new education facilities.

The proposal is suitable for the site and the identified heritage, built form and urban design, noise and amenity impacts and traffic impacts are considered satisfactory on balance in the context of the significant social benefit the proposal would provide for the community. The Department has recommended conditions to manage the impacts in relation to potential construction and operational impacts on the surrounding land uses.

The proposal is considered to be in the public interest as it would provide public benefits, including:

- delivering increased enrolment capacities, new and improved education facilities to cater for increase demand and projected student growth in the Georges River LGA
- consolidating and providing further investment in public infrastructure in an established centre, well connected to existing and developing public transport facilities
- a capital investment value of approximately \$41 million that will provide new and improved educational infrastructure to support the local community
- delivery of approximately 200 new construction jobs proposal and 28 additional full-time equivalent operational jobs.

The Department concludes the impacts of the proposal are acceptable and can be appropriately mitigated through the implementation of the recommended conditions of consent. Consequently, the Department considers the development is in the public interest and should be approved subject to conditions



8. Recommendation

It is recommended that the Executive Director, Priority Projects Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application.
- **agrees** with the key reasons for approval listed in the notice of decision.
- **grants consent** for the application in respect of the redevelopment of Penshurst Public School (SSD 8365).
- **signs** the attached development consent and recommended conditions of consent (**Appendix C**).

Recommended by:

Navdeep Shergill

Planner

Social and Other Infrastructure Assessments

Recommended by:

Andrew Beattie

Team Leader

Social and Other Infrastructure Assessments



9. Determination

The recommendation is: ~~Adopted~~ / Not Adopted by:

David Gainsford

Executive Director

Priority Projects Assessments

21/2/19.



Appendices

Appendix A - List of Documents

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

1. Environmental Impact Statement
http://majorprojects.planning.nsw.gov.au/?action=view_job&job_id=8365
2. Submissions
http://majorprojects.planning.nsw.gov.au/?action=view_job&job_id=8365
3. Applicant's Response to Submissions
http://majorprojects.planning.nsw.gov.au/?action=view_job&job_id=8365
4. Applicant's Supplementary Response to Submissions
http://majorprojects.planning.nsw.gov.au/?action=view_job&job_id=8365

Appendix B - Statutory Considerations

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of section 4.15(a)(i) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the Department's environmental assessment.

Controls considered as part of the assessment of the proposal are:

- State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- State Environmental Planning Policy No. 64 – Advertising Structures and Signage (SEPP 64)
- Draft State Environmental Planning Policy (Remediation of Land)
- Draft State Environmental Planning Policy (Environment)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHC SREP)
- Hurstville Local Environmental Plan 2012 (LEP).

COMPLIANCE WITH CONTROLS

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

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

Table 1 | SRD SEPP compliance table

Relevant Sections	Consideration and Comments	Complies
3 Aims of Policy The aims of this Policy are as follows: (a) to identify development that is State significant development	The proposal is identified as SSD.	Yes
8 Declaration of State significant development: section 4.36 1) Development is declared to be State significant development for the purposes of the Act if: (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2.	The proposal is permissible with development consent. The development is a type specified in Schedule 1.	Yes
Schedule 1 State significant development —general (Clause 8 (1)) 15 Educational establishments 2) Development for the purpose of a new school (regardless of the capital investment value).	The proposal comprises development for the purpose of an educational establishment and has a CIV in excess of \$20 million.	Yes

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

State Environmental Planning Policy (Infrastructure) 2007

The Infrastructure SEPP (ISEPP) aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

The Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

The Department has consulted and considered the comments from the relevant public authorities (refer to **Sections 5** and **6** of the report). The Department has included suitable conditions in the recommended conditions of consent (see **Appendix C**).

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

The Education SEPP commenced on 1 September 2017 and aims to simplify and standardise the approval process for child care centres, schools, TAFE and universities while minimising impacts on surrounding areas and improving the quality of the facilities. The Education SEPP includes planning rules for where these developments can be built, which development standards can apply and constructions requirements. The application has been assessed against the relevant provisions of the Education SEPP.

Clause 57 of the Education SEPP requires traffic generating development that involve addition of 50 or more students to be referred to the RMS. The Application was referred to RMS in accordance with this clause.

Clause 35(6)(a) requires that the design quality of the development should be evaluated in accordance with the design quality principles set out in Schedule 4. The proposal was referred to the Government Architect NSW (GA) for comment and an assessment of the development against the design principles is provided in **Table 2**.

Table 2 | Consideration of the Design Quality Principles

Design Principles	Response
Context, built form and landscape	The site planning provides good aspect for the classrooms and for maximising light to passive and active recreation areas. The proposal is generally in keeping with the height of other developments surrounding the site. The site's sloping topography has afforded the opportunity to propose a small amount of cut to the north western corner of the site, where the proposed multi-purpose indoor sports hall is proposed. This proposed design approach has

ensured the potential bulk and scale of such a facility is minimised and remains in keeping with the scale of the rest of the proposal and surrounding building environment.

The proposed PPS redevelopment has been designed to fit into the surrounding built-form, with maximum heights sited to minimise any potential amenity impacts on northern adjacent residential land uses, and includes appropriate landscaping to soften the impact.

Sustainable, efficient and durable	The proposal includes ESD elements sufficient to achieve 5-star Green Star rating. The materials chosen are durable and require low maintenance. Bicycle parking is provided within the school site and a GTP submitted which encourages sustainable travel modes.
Accessible and inclusive	Accessible travel path provided in all sections of the site and a lift included to provide access to all levels. The proposed new multi-purpose school hall and sports court can be made available to the community outside of school hours, subject to separate permission or agreement.
Health and Safety	The school design and layout provides for well-defined site entries to maximise access control and security for staff, students and visitors. Student play spaces are appropriately disconnected from the main entries to increase privacy and security, while traffic along Forest Road would be appropriately screened through existing and proposed landscaping along the site's frontages.
Amenity	The proposal creates a variety of interesting and useable playground spaces and enhances the amenity of the internal spaces by guaranteeing light and winter sun access.
Whole of life, flexible, adaptable	The proposed learning areas are flexible and provide adaptable presentation areas throughout the learning hub building.
Aesthetics	The proposal evokes design enhancement by proposing appropriate articulation of buildings along its Arcadia Street frontage.

State Environmental Planning Policy No. 55 - Remediation of Land

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application.

The EIS included a Preliminary Environmental Site Assessment (ESA) report, a Preliminary Stage 2 Site Investigation (SI) report and Remediation Action Plan (RAP). A revised SI and RAP were submitted with the Applicant's RtS in response to comments provided by the EPA during the exhibition of the proposal, and included confirmation of the engagement of an EPA accredited Site Auditor and Site Audit Statement.

The EPA also recommended a number of conditions of consent, including the requirement for:

- implementation of the updated RAP as reviewed by the accredited Site Auditor

- prepare an asbestos waste management plan
- provide a site audit statement and accompanying site audit report following the completion of remediation and validation.

The ESA report included a conceptual site model (CSM) that was prepared following a site inspection and review of the site's history, to assist with the identification of potential contamination sources/areas of environmental concern. The CSM identified areas of environmental concern that included potential fill material, the use of pesticides and hazardous building materials. The ESA report also included the collection and analysis of soil samples collected from the site, which identified fill material at several locations and trace quantities of demolition waste and asbestos containing materials (ACM). Based on the results of the preliminary site investigations, it was recommended that a detailed investigation (Stage 2) of the site be undertaken and recommended a RAP be prepared and hazardous buildings materials assessment completed for the proposed buildings and structures to be demolished.

The Applicant's RtS revised SI report was prepared having regard to the findings and recommendations in the ESA report and included findings from the analysis of soil samples collected from an additional 10 locations and one groundwater monitoring well, installed at a depth approximately six metres below ground level.

The SI report detailed identified contaminants of potential concern in soil and groundwater above the site assessment criteria. However, it was noted that no ACM was identified during the Stage 2 investigations and it was concluded that the potential for widespread impacts from ACM in soil was low. It was also noted that the proper management of any bonded ACM encountered would limit any potential impacts from asbestos fibres. Volatile compounds and heavy metals identified during groundwater monitoring were not considered to pose a risk to future site human receptors or downstream ecological receptors. Notwithstanding, the SI report recommended remediation of the site to remove any potential contamination risks.

The SI report also acknowledged the presence of data gaps due to the absence of sampling in the footprints of existing school buildings, not yet demolished, and recommended they be addressed during the implementation of the RAP.

The EPA noted that detailed investigations beneath existing buildings and structures would not be capable until they were demolished and that a detailed assessment of the nature and extent of contamination is impractical in this regard. It also noted that the soil sampling undertaken at 10 borehole locations was short of the minimum 21 sampling locations recommended by the EPA's Sampling Design Guidelines for the site's size.

The revised RAP, submitted with the Applicant's RtS and following its review by the Site Auditor, proposes the following remediation strategy to ensure the site is made suitable for the continued educational establishment land use:

- preparation of a hazardous materials assessment prior to any demolition
- the off-site disposal of the contaminated fill material identified in the garden bed
- physical removal (i.e. via picking) of surficial ACM impacts
- data gap investigation following the demolition of existing buildings and structures
- preparation of a site validation report on completion of remediation activities.

Based on the investigations undertaken and proposed remediation strategy, the Applicant's SI and RAP conclude that the site can be made suitable for its continued use as an educational establishment.

The Department acknowledges that existing site constraints have limited the ability for all areas of the site to be investigated. However, it is satisfied that the Applicant has carried out sufficient investigations to inform the investigations undertaken and the remediation strategy prepared. The Department is satisfied that identified data gaps

will be addressed by the Applicant post-demolition activities and notes this would include the collection and analysis of samples from an additional 17 sampling locations.

In view of the above and in addition to the conditions recommended by the EPA, the Department recommends a condition of consent requiring further targeted site investigations be undertaken following the demolition of existing buildings and structures and update the RAP based on the results. The Department also recommends conditions requiring the preparation and implantation of an unexpected finds protocol to ensure measures are in place should any unanticipated contamination be found during works.

The Department is satisfied that the Applicant has adequately addressed clause 7 of SEPP 55 and that the site can be made suitable for its intended use.

State Environmental Planning Policy No. 64 – Advertising and Signage

State Environmental Planning Policy No 64- Advertising and Signage (SEPP 64) applies to all signage that under an EPI can be displayed with or without development consent and is visible from any public place or public reserve.

The development includes two business identification signs depicting the school name 'Penshurst Public School'. Under clause 8 of SEPP 64, consent must not be granted for any signage application unless the proposal is consistent with the objectives of the SEPP and with the assessment criteria which are contained in Schedule 1. **Table 3** below demonstrates the consistency of the proposed signage with these assessment criteria.

Table 3 | SEPP 64 compliance table

Assessment Criteria	Comments	Compliance
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage is contemporary in design but consistent with the existing and future school use of the site.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	Existing building identification and wayfinding signage is present throughout the existing school site. The proposed new signage is consistent with the theme of the redevelopment school premises.	Yes
2 Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed signage would not detract from the significance of the surrounding locality or the visual quality of the locality and would fit with the contemporary design of the new school buildings.	Yes

3 Views and vistas

Does the proposal obscure or compromise important views?	No views or vistas would be impacted by the proposed signage.	Yes
Does the proposal dominate the skyline and reduce the quality of vistas?	No views or vistas would be impacted by the proposed signage.	Yes
Does the proposal respect the viewing rights of other advertisers?	Proposed signage would not impact on existing views experienced by others or existing advertising rights.	Yes

4 Streetscape, setting or landscape

Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed scale and design of the signage is appropriate for the streetscape and school setting within which it is proposed. The signage location on the Arcadia Street and Forest Road façade elevations would ensure that it will be integrated into part of the building design.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed design of signage would ensure it does not negatively impact on any nearby heritage items.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposal does not include advertising signage.	Yes
Does the proposal screen unsightliness?	Signage has been designed in keeping with the site's educational establishment use and integrated into the building design.	Yes
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No signage is proposed above buildings of existing vegetation.	Yes
Does the proposal require ongoing vegetation management?	No ongoing vegetation management will be required by the proposed signage.	Yes

5 Site and building

Is the proposal compatible with the scale, proportion and other characteristics of the site or	The proposed scale and design of the signage is compatible with the site and the proposed school buildings.	Yes
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building, or both, on which the proposed signage is to be located?

Does the proposal respect important features of the site or building, or both?	The signage has been designed to integrate with the façade elevations to better celebrate the revitalized school precinct.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The signage has been integrated into the façade elevation, which forms part of the curved architectural feature of the school building design.	Yes

6 Associated devices and logos with advertisements and advertising structures

Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Safety devices are not necessary for the proposed design of the signage.	Yes
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7 Illumination

Would illumination result in unacceptable glare?	Illumination of the signage is not necessary or proposed.	Yes
Would illumination affect safety for pedestrians, vehicles or aircraft?		
Would illumination detract from the amenity of any residence or other form of accommodation?	N/A	N/A
Can the intensity of the illumination be adjusted, if necessary?	N/A	N/A
Is the illumination subject to a curfew?		

8 Safety

Would the proposal reduce safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage is integrated in to the building design and would not result in any elements that obscure pedestrian sightlines to or from public places.	Yes
Would the proposal reduce safety for any public road?	The design and location of the proposed signage at the front of the site would not impact on the safety of any public road.	Yes

Draft State Environmental Planning Policy (Remediation of Land)

The Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP) will retain the overarching objective of SEPP 55 promoting the remediation of contaminated land to reduce the risk of potential harm to human health or the environment.

Additionally, the provisions of the Draft Remediation SEPP will require all remediation work that is to be carried out without development consent, to be reviewed and certified by a certified contaminated land consultant, categorise remediation work based on the scale, risk and complexity of the work and require environmental management plans relating to post-remediation management of sites or ongoing operation, maintenance and management of on-site remediation measures (such as a containment cell) to be provided to council.

The Department is satisfied that the proposal will be consistent with the objectives of the Draft Remediation SEPP.

Draft State Environmental Planning Policy (Environment) (Draft Environmental SEPP)

The Draft Environment SEPP is a consolidated SEPP which proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. Once adopted, the Draft Environment SEPP will replace seven existing SEPPs. The proposed SEPP will provide a consistent level of environmental protection to that which is currently delivered under the existing SEPPs. Where existing provisions are outdated, no longer relevant or duplicated by other parts of the planning system, they will be repealed.

Given that the proposal is consistent with the provisions of the existing SEPPs that are applicable, the Department concludes that the proposed development will generally be consistent with the provisions of the Draft Environment SEPP.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

SHC SREP provides planning principles for development within the Sydney Harbour catchment. The site is located within the Sydney Harbour Catchment area. The proposal is consistent with the relevant planning principles of the SHC SREP and would not have any significant adverse impact on the Sydney Harbour Catchment.

The proposed minor site works associated with the redevelopment would have a negligible impact upon the Sydney Harbour Catchment, with minimal excavation proposed as part of the school's redevelopment. Appropriate conditions of consent will ensure that all proposed works are closely monitored during the activity period in relation to environmental impacts to ensure that all mitigation measures have been installed correctly and are working effectively throughout the construction of the development.

Hurstville Local Environmental Plan 2012

The Hurstville LEP aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the Georges River LGA. The LEP also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the LEP and those matters raised by Council in its assessment of the development (refer to **Section 5**). The Department concludes the development is consistent with the relevant provisions of the LEP.

Table 4 | Consideration of the Hurstville LEP

LEP	Department Comment/Assessment
Clause 2.7 Demolition requires development consent	Consent is sought for the demolition of the existing buildings and structures within Lots 8 to 11 DP 8173, including Building A, the heritage listed school building of local significance. Demolition of existing buildings and structures on Lots 3 to 7 and Lots 12 to 15 DP 8173 are proposed to be undertaken via a separate planning pathway.
Clause 5.10 Heritage conservation	The objectives of clause 5.10 aim to conserve the environmental heritage of Hurstville; to conserve the heritage significance of heritage items; to conserve archaeological sites and Aboriginal objects and places. Clause 5.10(2) states that development consent is required for the demolition of a heritage item. Accordingly, the Applicant has sought development consent for all buildings and structures contained on Lots 8 to 11 DP 8173, including Building A. In its assessment of the potential heritage impacts associated with the proposed demolition of Building A, the Applicant prepared a design options report. The Department notes that the findings of the analysis clearly demonstrate the deficiencies in terms of educational outcomes where Building A is retained on site, including the failure for the necessary student capacity requirements to be accommodated on-site. The Applicant's HIS identifies that other, more exemplary examples of interwar educational and institutional buildings exist within the surrounding LGA and that the loss of Building A as part of this proposal was, on balance, justified given the significant educational and social benefits associated with the proposal. The Department is satisfied the impacts associated with the demolition and removal of Building A have been adequately assessed and justified by the Applicant and notes the significant benefits to the delivery of education for the local community this proposal will provide. In supporting the demolition of the existing heritage significant building, the Department has also recommended conditions of consent requiring photographic archival recording of the existing building be undertaken prior to its demolition and that a heritage interpretation plan be prepared and implemented.

Other Policies

In accordance with Clause 11 of the SRD SEPP, Development Control Plans do not apply to SSD.

Notwithstanding, the objectives of relevant controls under the Hurstville Development Control Plan No. 1, where relevant, has been considered in **Section 6** of this report.

Appendix C – Recommended Instrument of Consent/Approval

