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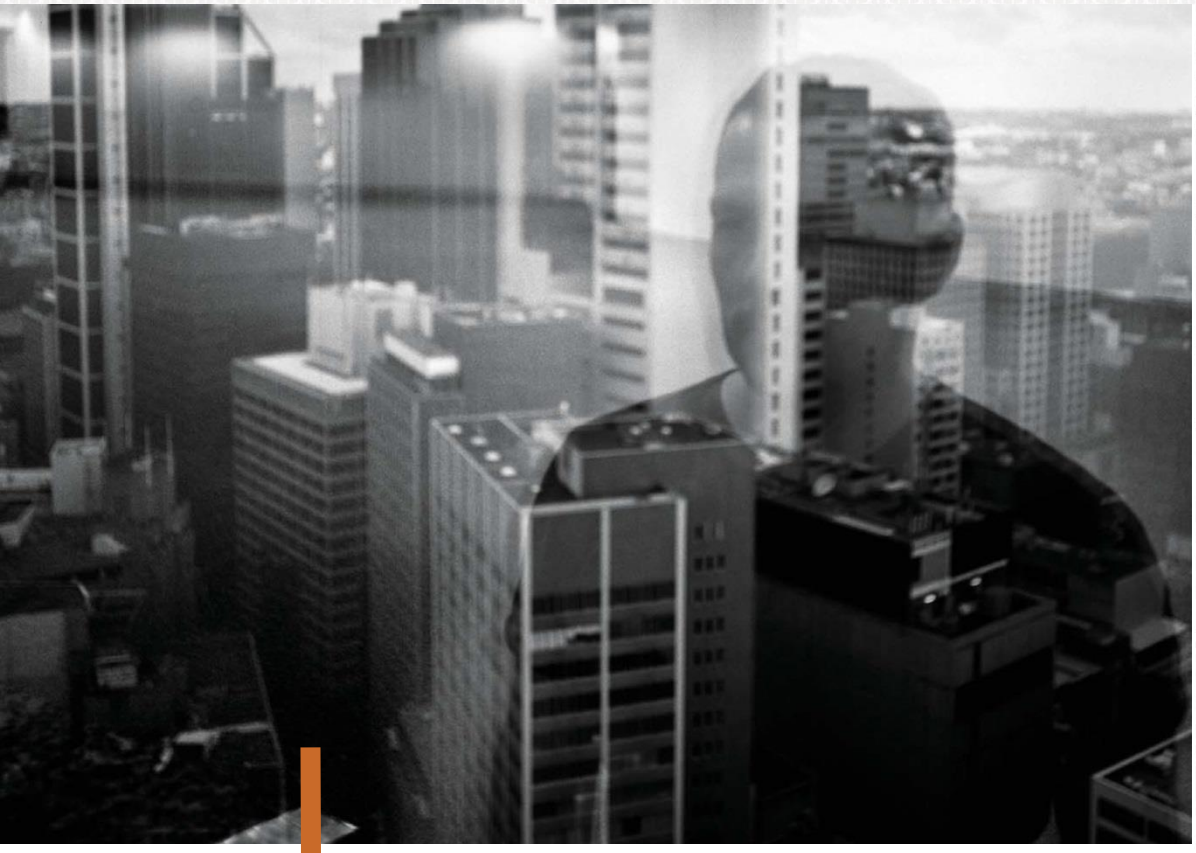

Response to Submissions

State Significant Development Application SSD_8832

St Francis Catholic College K-12 and Learning Centre

Submitted to the NSW Department of Planning and Environment
On Behalf of The Catholic Education Office

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Report Revision History

Revision	Date Issued	Prepared by	Reviewed by	Verified by
V1 Draft	8/10/18	**Francisco Medina** *Project Planner*	**Carlo Di Giulio** *Associate Director*	**David Ryan** *Executive Director*
V2 Final	10/10/18			

This document is preliminary unless approved by a Director of City Plan Strategy & Development

CERTIFICATION
This report has been authorised by City Plan Strategy & Development, with input from a number of other expert consultants, on behalf of the Client. The accuracy of the information contained herein is to the best of our knowledge not false or misleading. The comments have been based upon information and facts that were correct at the time of writing this report.

Table of Contents

Appendix	Document	Prepared by
1	Traffic Assessment Technical Note	Bitzios Consulting
2	Copy of Correspondence with Bus Company	Bitzios Consulting
3	Architectural Concept Plans	JDH Architects
4	Design Guidelines	CPSD
5	Remedial Action Plan	GDH
6	Tree removal comment	Naturally Trees

1. Introduction

This Response to Submissions Report (RtSR) has been prepared by City Plan Strategy & Development (CPSD) on behalf of The Catholic Education Office (CEO), the proponent for an expanded educational establishment at **Nos. 130 - 160 Jardine Drive, Edmondson Park**.

This RtSR responds to the matters raised, including public submissions, in the NSW Department of Planning & Environment's (DPE's) correspondence dated 17 August 2018.

The Environmental Impact Statement (EIS) for the expansion of St Francis Catholic College (SFCC) was publicly exhibited, concluding on 8 August 2018. In total, eight (8) submissions were received, including two (2) public submissions, with the remainder of submissions received from the following agencies:

1. Liverpool City Council (LCC);
2. Transport for New South Wales (TfNSW);
3. Roads and Maritime Services (RMS);
4. Office of Environment and Heritage (OEH);
5. Environmental Protection Authority (EPA); and
6. Government Architect NSW (GANSW).

The following sections summarise the issues raised in DPE's letter and the submissions, with a response provided to each of the issues. Overall, our review of the matters concludes that the submissions do not raise any new issues beyond those addressed in the SSDA, nor are they of a nature which would prevent the issuing of development consent for the proposal.

Nevertheless, additional information is provided as part of this RtSR which clarifies information originally submitted with the State Significant Development Application (SSDA). In some cases, minor amendments have been made to the proposal, which are shown on the accompanying architectural plans prepared by JDH Architects.

2. Department of Planning and Environment

2.1 Traffic and Car Parking

DPE's original correspondence, with input from RMS, effectively requested a new Traffic Impact Assessment (TIA) based on broader geographic boundaries as well as alternative modelling software.

Upon reviewing DPE's correspondence, the proponent's traffic consultant, Bitzios Consulting, discussed the need for a new TIA with RMS on 11 September 2018. Bitzios Consulting discussed the background information around the TIA originally submitted with the TIA. As part of these discussions, it was agreed that a Traffic Assessment Technical Note (TATN) would be prepared to provide further clarification on the originally submitted TIA. The TATN was to detail, amongst other matters, the TIA's background material, including assumptions on trip generation, trip distribution, modal split and bus routing, with a particular focus on the traffic operations of Camden Valley Way and additional school bus movements generated by the proposed development. The TATN is provided as **Appendix 1** to this RfTS. Additionally, evidence of consultation with a local bus company is provided at **Appendix 2**.

2.2 Active Transport Measures

As addressed in Section 5.1 of the TATN, SFCC is committed to the preparation of a detailed Green Travel Plan (GTP) and the ongoing bi-annual performance monitoring of the road network. This will be done with regular communication with staff and parents to use public transport and other sustainable transport options, so that the implemented strategies remain flexible to respond to the ever-changing location of where enrolled students reside.

More importantly, SFCC will promote active transport measures through the preparation of the following strategies:

- Workplace Travel Plan (WTP) or Green Travel Plan (GTP);
- Pedestrian Access and Mobility Plan (PAMP); and
- Transport Access Guide (TAG).

As discussed in the EIS, SFCC will prepare a detailed Workplace Travel Plan (WTP) with the aim of reducing reliance on private vehicle use and promoting car-pooling and cycling. Additionally, a Pedestrian Access and Mobility Plan (PAMP) will be considered for future active transport travel plans and strategies once the development is completed. These plans will include continual review and monitoring to adjust proposed actions.

SFCC is readily accessible by bus and train services. Additionally, there are two (2) walkers lines each afternoon, 'Walkers South' and 'Walkers North', which currently support a total of thirty (30) students travelling home from SFCC. Bicycle facilities have also been installed and will be increased to encourage active transport for students, staff and visitors. The proposal will also provide two (2) end-of-trip facilities (showers and change rooms) for both the school and staff at the Early Learning Centre (ELC).

2.3 Options Analysis, Car Parking & Access Arrangements

A detailed options analysis was undertaken during a masterplan process as outlined in pages 21-22 of the Urban Design Analysis by JDH Architects. During this analysis, car parking and access were significantly influential in shaping the master plan for SFCC. The aim of the proposed concept design is to provide significant building setbacks enhanced by a boundary parking layout. Additionally, the proposed car parking arrangement includes the combination of pedestrian paths and soft soil landscaping to create a buffer between the public foot path and internal car park.

As required by *Liverpool Development Control Plan 2008* (LDCP), a minimum of 226 carparking spaces will be provided and will be pushed closer along the site boundaries to maximise the site area for the central courtyard. The intention of the internal road design is

to allow for internal vehicle queuing during peak drop off/pick times and to reduce traffic congestion within the surrounding road network.

As noted on the TIA, the proposed development is anticipated to provide sufficient queuing capacity during peak times. To ensure safety at the crossovers, a yellow “no stopping” line marking will be installed on both approaches to the Poziers Road and Guillemont Drive crossovers. The line marking is to be extended 15m from each access which allows ingress movements.

The existing bus bay and dedicated bus lane were previously designed to cater for the expected number of buses once SFCC is completed. The layout of this bus bay has sufficient capacity to accommodate all buses servicing the school without queuing onto the roadway. Accordingly, the location and layout of the bus bay were designed to maximise safety and eliminate any potential vehicular/pedestrian conflicts.

2.4 Built Form and Urban Design

Additional concept drawings have been prepared by JDH Architects and are provided in **Appendix 3**.

The following table addresses the additional information provided in the concept plans.

Table 1: Architectural Concept Drawings

Items	Description	Plans
Gross Floor Area (GFA)	▪ Indicative GFA is provided for each building block. ▪ Where applicable, GFA calculations include lower ground, ground floor and first floor GFAs. ▪ The estimated GFA for the totality of the development is 12,480sqm approximately. As is explained following this table, the proponent would prefer not to 'fix' a GFA figure for the proposal, although the number of students is fixed.	Drawings SSD-001 to SSD-004
Height	▪ Drawings SSD-001 to SSD-004 indicate the heights in storeys, metres and RLs for each of the building blocks. For ease of reference, the proposal seeks a maximum height of 16m, or 3 storeys. ▪ The Elevations have been amended to include ground levels, RLs per storey and the number of storeys per building block. ▪ Mass Modelling Sheets include height in metres, RLs and number of storeys per building block.	Drawings SSD-001 to SSD-004; Drawing SSD-101; and Drawings SSD-121 to SSD-123.
Density	▪ Drawings SSD-001 to SSD-004 outline building footprints as well as proposed setbacks.	Drawings SSD-001 to SSD-004
Bulk & Scale	▪ Refer to Height and Density above.	As above
Setbacks	▪ Refer to Density above.	As above.
Building Envelopes	▪ Indicative building envelopes are shown in the Mass Modelling Sheets 1 to 3. Each building has been clearly identified, including heights in metres/RLs/number of storeys.	Drawings SSD-121 to SSD-123

2.5 Architectural Concept Drawings

Refer to Section 2.4 above.

2.6 Design Guidelines

Schedule 2 of the ESEPP (Schools - Complying Development) addresses most of the items described in the DPE's request. Notwithstanding this, Design Guidelines have been prepared and are attached to this submission (**Appendix 4**).

2.7 Complying Development Provisions & Consistency with Concept Approval

The exempt and/or complying development provisions of the *State Environmental Planning Policy (Educational Establishments ad Child Care Facilities) 2017* (ESEPP) do not apply to car parks or playing fields for existing schools within growth centres. They do not provide any categories for such works, whilst the exempt provisions for car parks are specifically excluded from Growth Centres, as shown in the following extract of the ESEPP:

Car parks—at grade car parks only	• Must be open (unenclosed) car parking (but may include associated gates including security booths and boom gates). • Must not reduce car parking spaces. • Must be constructed or installed so that any surface water or run-off is disposed of by a drainage system that is connected to the existing stormwater drainage system. • Must be constructed in accordance with AS/NZS 2890.1:2004, *Parking facilities, Part 1: Off-street car parking* or AS 2890.2—2002, *Parking facilities, Part 2: Off-street commercial vehicle facilities*. • Must not require cut or fill more than 1m below or above ground level (existing). • Must not be carried out on land within a growth centre (within the meaning of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*) that is not ***subject land*** within the meaning of clause 17 of Schedule 7 to the *Threatened Species Conservation Act 1995*.

Figure 1: Extract from Schedule 1 of ESEPP (Source: NSW Legislation)

As such, the proposal's car park and playing fields are effectively 'fixed' by any subsequent approval from DPE. Therefore, any complying development certificate or exempt development, or at least any substantial works relating to each, cannot be inconsistent with these key elements of the Concept Approval. As a result, complying development certificates for any future buildings are substantially limited to the areas shown on the proposed concept plan by JDH Architects. That is, complying development certificates for buildings are generally limited towards the centre of the subject site.

It is noted that the complying development provisions in Part 4 as well as Schedule 2 of the ESEPP contain a range of measures which control the scale and position of buildings. They will continue to apply to the buildings sought to be delivered as part of this SSDA.

One key feature of the proposal for which consistency could be enforced as part of any future complying development approval is the site's maximum number of students. Neither the exempt or complying development provisions of the SEPP allow for an increase in student numbers. Student capacity can at most be increased by 10% in accordance with the ESEPP's 'development permitted without consent' provisions (section 36). In this case, any complying development certificates must ensure the number of students at the subject site remains consistent with the 1,900 students sought as part of this SSDA.

In summary, consistency can be required with the concept plan's key 'structural' elements, the internal driveway, car park, main playing fields, as well as maximum student numbers.

It is acknowledged that the ESEPP's complying development provisions afford the site a relatively high degree of flexibility in relation to future buildings for the subject site. However, this is entirely reasonable given the site's size and width of frontages can comfortably absorb such scale, in our view. In addition, any condition 'capping' the number of students will assist with achieving a suitable level of intensity at the site.

If the ESEPP's complying development provisions are considered appropriate on a state-wide basis in relation to school development and amenity, there is no apparent reason why such provisions will not be effective on this particular site.

2.8 Tree Removal and Landscaping

It is acknowledged that several existing trees at the site, particularly trees 21, 22, 23, 30 and 31 towards the north eastern corner of the site, were identified as having high to very high significance.

Investigations to retain such trees were undertaken by the arborist. The investigations reveal that such trees are not likely to survive the current level of development taking place at the site according to existing Development Consents pertaining to the site. As can be seen in the image below, trees 21, 22, 23 and 30 are in very close proximity to civil works associated with the Edmondson Park structure plan, namely the construction of Poziers Road and Vinny Road. The trees in question are not likely to survive such works. Trees 31 and 32 would subsequently be isolated. Given they would be isolated, and the importance of the proposed internal road, their removal is considered warranted.

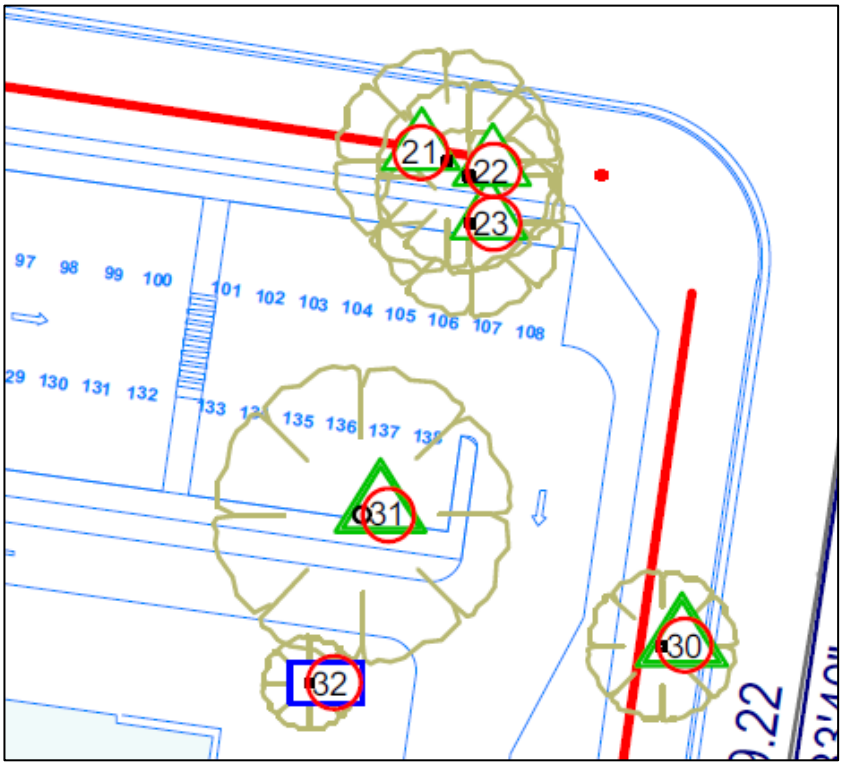

Figure 2: Extract from Tree Management Plan (TMP01 B) – Source: Naturally Trees

Further, the tree species in question are known to 'drop' branches. Due to recent unfortunate circumstances on school lands, it is generally accepted practice to remove such trees to improve the safety of students.

Whilst the proposal involves removing several existing trees, it also proposes substantial compensatory landscaping. This is demonstrated in the landscape plans submitted with the SSDA, prepared by Space Landscape Design. The landscape plans include:

- A landscaping strip, between 2m - 10m in width, extending the entire length of the site's boundaries, except for pedestrian and driveway entries;
- Trees between 10m - 15m in height, with canopy spreads between 6m - 10m, are proposed for the landscaping strip extending along the site's boundaries. Falling branches are not typically associated with the species of trees proposed;
- In addition to trees, a combination of turf, ground covers and low to medium height shrubs are also proposed in the landscaping strip;

- Marginally less than half of the subject site is proposed as turfed playing fields. This substantial area will provide notable visual relief; and,
- All proposed landscaping includes native species, including species with are indigenous to the Liverpool locality.

Given the extent of development proposed as part of the application, and the area of the subject site, the retention of five (5) trees is not considered warranted. An entirely new and integrated landscape response will deliver a better streetscape presentation, as opposed to a new landscape response which retains some existing trees.

2.9 Site Contamination

Development Consent 456/2016 and 422/2017 were issued by Liverpool City Council (LCC) to establish and then expand a school at the subject site. Prior to determining such DAs, Council was required to determine whether the site was suitable for the proposal, with regard to contamination and SEPP 55. Without lessening its potential for harm, it should be noted that the Preliminary Site Contamination (PSI) identified limited areas of contamination. Further, the contamination was typical of material found on former market garden sites, such as ACM and petroleum. Each of the applications included a PSI, as well as Remedial Action Plan (RAP) by GHD. A copy of the RAP is provided at **Appendix 5** to this RtSR.

Given the school as proposed in 456/2016 and 422/2017 is now operational, it must be concluded that the RAP, which also formed part of these consents, have been implemented in accordance to the consent conditions on approval 456/2016. In this case, DPE can conclude that the site is suitable with respect to contamination and SEPP 55.

3. Liverpool City Council

3.1 Existing Development Consent

It is acknowledged that Conditions 104 and 105 in approval DA-456/2016 require that the roads along the perimeter of the school site are designed and constructed within a certain timeframe of the school commencing. As advised by LCC, we accept that the following condition of consent be imposed on the SSD:

> *A Construction Certificate can only be issued until such time the roads are constructed as required by conditions 104 and 105 of DA-456/2016, certified by Council and dedicated to Council.*

3.2 Site Suitability

It is considered that proposal represents a positive contribution to the rapidly developing Edmondson Park locality, where a strong demand for new schools already exists. Accordingly, the proposal provides 'place making' benefits in that it assists with improving the identity of Edmondson Park, particularly residents, as typically schools are a place with which they can relate or affiliate.

The site is located in a developing suburban area and with all urban and infrastructure services available or capable of augmentation to meet the needs of the development. SFCC is within relatively close proximity to public transport services and is located within a site of generous size which allows SFCC to be configured to minimise unreasonable environmental impacts. This enables all aspects of the proposal to be comfortably accommodated on site, inclusive of sufficient buffers, such that adjoining private properties would not be adversely affected.

The proposal is also permissible according to the *Liverpool Local Environmental Plan 2008* (LLEP 2008). In fact, until 2016, a major part of the subject site was zoned specifically for the purposes of the school. As such, the community would be well aware of the proposed development and subsequent impacts, albeit of a reasonable nature. Importantly, this proposal strongly aligns with the requirements and design quality principles of the ESEPP. As previously noted, Schedule 2 on the ESEPP allows for buildings up to 22m in height and/or 4 storeys. Consequently, the proposal has been designed in compliance with this requirement.

Furthermore, the proposed buildings will have a minimum 21m setback, therefore, the proposal will not affect solar access to the surrounding residential development. Overshadowing to public domain is negligible given the significant street frontage setbacks and relatively low scale buildings. The extension of the proposed open space areas allows solar access to the central courtyard and learning areas. For further reference, shadow diagrams provided on page 29 of the Urban Design Report demonstrate that there are no overshadowing impacts on any of the adjoining properties.

3.3 Shared Facilities

Consideration was given to sharing the school facilities with the wider community. However, it has been decided that SFCC will be limited to private use only. This is mostly to ensure the longevity of the facilities and continuous security and monitoring.

Nevertheless, the proposed development includes a new 80-place ELC, which will provide valuable services to the wider community in Edmondson Park and surrounding neighbourhoods.

3.4 Sustainable Transport

Refer to Section 2.2 of this RtSR.

3.5 Traffic and Access

Refer to Section 2.1 of this RtSR and the TATN provided at **Appendix 1**.

The standard engineering conditions outlined on Council's letter are acknowledged and accepted as potential consent conditions for this SSD.

3.6 Development Contributions

It is acknowledged that the applicable development contributions will be conditioned on the development as required by the *Liverpool Contributions Plan 2008 - Edmondson Park*.

Under Section 3.6 of the Plan, all development in Edmondson Park, including non-residential development, is subject to be levied if it generates the need for additional amenities, facilities and services, which LCC provides.

In this instance, the proposal will require a range of road works that would be necessary for the construction and operation of the proposed school extension. These works have been agreed in principle by LCC and the CEO. In effect, any contributions related to the above works will take the form of works-in-kind.

It is noted that application of the State Infrastructure Contribution (SIC) in relation to lands within Sydney's Growth Centres, as it relates to the development of a private school, will be exempt, given that the proposal is for a service that would otherwise be provided by the State Government.

We recommend that the development contributions imposed on the proposed development should discount any contributions paid to LCC in previously approved stages of development. Any payments should be done on a pro-rata basis for each stage of development. This is appropriate since the initial consents related to temporary, portable facilities that are to be replaced by the permanent facilities subject to this SSD. Therefore, this is appropriate to offset those contributions already paid to avoid 'double-dipping'. We also note that since this is an application for a concept plan consent, any contributions should be payable only at the subsequent DA or CDC stages.

Please note that as part of consent DA-456/2016, a contribution payment of $943,426 was made on 12 January 2017 (Reference: PA456/2016).

4. Transport for NSW & Roads and Maritime Services

4.1 Transport for NSW

- **Proposed Access Arrangements from Jardine Drive**

The recommended modifications to the design of the existing vehicular access on Jardine Drive can be included as a consent condition for this SSD.

- **Construction of Remaining Portions of Surrounding Roads**

Refer to Section 3.1 of this RtSR.

- **Recommended Conditions of Approval**

We acknowledge and accept the consent conditions related to the following:

- Green Travel Plan;
- Traffic and Parking Management Plan; and
- Road Safety Audit.

Please note that an example of a Traffic and Parking Management Plan has been included in the TIA submitted with the SSD (refer to Appendix C of the TIA).

4.2 Roads and Maritime Services

We acknowledge and accept the conditions of consent recommended by RMS.

Additionally, Section 2.1 of this RtSR and the TATN at **Appendix 1** provide further details on traffic and access requirements raised by RMS.

5. Office of Environment and Heritage & Environment Protection Authority

5.1 Office of Environment and Heritage

There were no submissions received from the OEH.

It is noted that under Section 8.4 of the *Biodiversity Conservation Act 2016*, the effect of biodiversity certification is not required for SSDAs.

Nevertheless, as discussed in Section 2.6 of this RtSR, indigenous trees, grasses and ground covers have been integrated in the comprehensive landscape scheme to promote the establishment local fauna environments which are an integral part of the current natural landscape.

5.2 Environment Protection Authority

There were no submissions received from the EPA.

As demonstrated in the submitted SSD documentation, the proposal will incorporate and adopt a range of sustainability measures, such as stormwater capture and reuse, solar photovoltaic systems, as well as extensive landscaping, which are capable of being applied throughout the design and ongoing operation phases of the development.

6. Government Architect NSW

6.1 Site Planning

Refer to Section 2.3 of this RtSR.

6.2 Design Guidelines

CPSD has prepared a set of Design Guidelines (**Appendix 4**) to ensure consistency between the staged applications and the concept approval. These Design Guidelines will provide specific guidance for the site and the proposed development, including:

- Maximum building heights;
- Building envelopes;
- Setbacks;
- Materials and finishes;
- Visual and acoustic privacy;
- Landscape setting and open space;
- Solar Access;
- Ventilation; and
- Safety and security.

The above controls aim to guide development of the site and ensure that the development is responsive to the surrounding residential area, meeting the current and future character of the locality and needs of the community.

Refer to Section 2.5 of this RtSR for details on the complying development provisions and consistency with concept approval.

6.3 Access and Parking

Refer to Section 2.3 of this RtSR.

6.4 Landscape and Open Space

Refer to Section 2.6 of this RtSR.

6.5 Engagement with Aboriginal Community

The local Aboriginal community was widely canvased during the initial planning phase of SFCC. Prior to any development of the college onsite, a formal smoking ceremony took place on the 15 June 2017 and was conducted by Uncle Ivan Wellington, Aboriginal elder and patron of Wellington House. Images of the ceremony can be found at the link below:

https://www.dow.catholic.edu.au/about-us/general-news/the-first-sod-of-soil-is-turned-at-st-francis-k-12-catholic-college-edmondson-park/gallery/

The incorporation of local Aboriginal culture and heritage elements into the design of SFCC can be imposed as a condition of consent for this SSD.

7. Public Submissions

Only two (2) public submissions were received during the exhibition period. These refer to the matters outlined below:

- **Sediment and Erosion Control Measures**

As outlined in the EIS, erosion and sediment control measures will be implemented during site establishment. These measures include geotextile inlet filters, sediment fencing and sandbag kerb sediment traps. Stabilised site access will be implemented to the surrounding internal and external roads and within the construction compound to ensure all hard and soft surface runoff is collected.

A detailed Soil and Sedimentation Plan will be prepared as a condition of consent in accordance with The Blue Book prior to construction and will be included in the Construction Management Plan. The plan is to be prepared in accordance with the Preliminary Erosion and Sediment Control Plan prepared by AJ Whipps for this SSD.

- **Proposed Childcare Centre (ELC)**

The proposed ELC is consistent with the specific development controls under the ESEPP. Part 3, Clause 25 of the ESEPP states that a child care facility "*may be located at any distance from an existing or proposed early education and care facility*."

More importantly, the proposal complies with the standards for a school-based child care under Part 4, Clause 40 of the ESEPP.

8. Conclusion

Based on the discussion contained within this RtSR and the accompanying documentation, we consider that all of the matters raised by the relevant agencies and public submissions during the notification period have been satisfactorily addressed with no substantial alteration to the environmental impacts of the proposed works as originally assessed. In fact, the amendments, in our view, result in a better planning outcome for the site and notably, an improved landscaping design.

Given the environmental planning merits and significant public benefits proposed by this application, we recommend that the proposal be approved.