



Our reference: ECM: 8590436
Contact: Kathryn Sprang
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28 March 2019

Department of Planning & Environment
Attn: Iona Cameron
GPO BOX 39
SYDNEY NSW 2001

Email: iona.cameron@planning.nsw.gov.au

Dear Ms Cameron,

**Notice of Exhibition - Jordan Springs Public School (SSD 9354) at
14 – 28 Cullen Avenue, Jordan Springs**

I refer to your email dated 26 February 2019 regarding the above proposal for the construction and operation of Jordan Springs Public School.

It is understood that the proposal would involve the construction of a 2 storey library, administration and staff building, construction of three 2 storey learning hubs, construction of a single storey assembly hall, car parking, signage and associated landscaping.

Council staff are generally supportive and encourage the provision of new educational facilities to meet the growing demand in the Penrith LGA.

Council are also currently in receipt of a Development Application for bulk earthworks at the subject site, that will facilitate the next stage of construction for Jordan Springs Public School. The application number for this is DA19/0121, and can be viewed online through Council's DA Tracker:

<http://bizsearch.penrithcity.nsw.gov.au/eplanning/Common/Common/terms.aspx>

Staff have reviewed the proposal and provide the following comments for your consideration:

Planning Matters

Interface to Residential Land Uses to the North

The landscape plans show play equipment within the rear north east corner of the site adjoining the residential land. Consideration shall be given to relocating the play equipment away from these sensitive receivers.

In addition, the preference is to cease the path in line with the covered outdoor learning area (COLA) between Block B02b and Block B02c, and provide a continuation of the landscape buffer in the corner between the residential land uses to the north and the open face of the COLA. This will enhance privacy to and from the COLA.

Crime Prevention Through Environmental Design (CPTED)

It is noted that the provision of car parking is along the boundary of the adjoining Community Hub's car park. This aspect of the design was initially raised as a concern in our correspondence dated 6 June 2018, as it is likely to provide poor casual surveillance. While CPTED principals have been generally discussed within the Environmental Impact Statement there is no discussion around this aspect of the design and how the concerns have been addressed, or improvements made.

Operation

Whilst the Urban Design Report notes "*School Hall and Library to be shared with the community for adult education and holiday school program*" and "*Games Court usage after hours*", the EIS states "*The library is intended to be used by the School body only*" and "*At this point in time, there is no intended shared use of any of the School facilities by the community*". The EIS does also note that "*the DoE is currently exploring shared-use opportunities of the proposed school facilities for community use*" which will "*most likely be addressed at the Response to Submissions stage*". In stating that no community use is proposed, the EIS avoids addressing design needs and potential operational impacts resulting from community use of facilities outside of school hours. Given the importance of community integration and inclusion, the design needs and operational impacts of community use should be addressed by the EIS and considered as part of the development assessment.

Built Form and Urban Design

The Architectural Plans indicate that the main pedestrian entry will utilise gates or doors to control access. These gates/doors are absent from the Streetscape & Visual Analysis at Section 3.15 of the Urban Design Report, as well as the photomontage within the Architectural Plans. Given the impact the main pedestrian entry may have on the streetscape, further detail should be provided to ensure the gate/door design achieves a positive interface with the street.

The Architectural Plans indicate that the Cullen Avenue frontage of the School Hall includes large sections of blank wall, providing a poor interface with the public domain. The Streetscape & Visual Analysis at Section 3.15 of the Urban Design Report does not accurately reflect the Architectural Plans. Given the impact the Cullen Avenue frontage will have on the sense of safety on the street, an improved interface is encouraged through greater use of windows in this buildings (whilst noting that the function of the School Hall must be supported by the design).

The Architectural Plans indicate that the OSH will be incorporated within the School Hall building, restricting use of the School Hall by community groups. To support community use of the School Hall (around OSH use), flexible design regarding access control and storage is encouraged.

The Urban Design Report suggests "*Games Court usage after hours*" but the location of the games courts close to the middle of the school would not support positive after hours use. To support positive after hours use, the games courts should be located closer to the school boundary.

The EIS document states “*Furthermore, its (carpark) adjacency to the neighbouring Community Centre carpark allows opportunity for overflow parking if/where required in future.*” Section 3.2 Community Use & Integration of the Urban Design Report notes there is an “*Opportunity for shared carparking use between the school and the adjacent community centre*”. Any shared use of carparking with Council’s Jordan Springs Community Hub must be negotiated with Council to ensure that Hub users are not negatively impacted.

Whilst the design/placement of toilets reduces areas with poor supervision, some design consideration may need to be made for younger children whilst they learn appropriate privacy for toileting, given the high level of visibility they can become accustomed to in child care settings. In addition to this, placement of toilets that open directly onto main thoroughfares need to ensure pedestrian flow is not impacted, particularly for the toilets located at the bottom of the stairs between Blocks B02b and B02c.

Sustainable Development

Given the Urban Heat Island effect experienced locally, consideration of Council’s Cooling the City Strategy would help ensure the proposal contributes positively to local environmental conditions. Whilst the Ecologically Sustainable Development (ESD) Report notes that Solar Reflective Index performance minimums will be required, use of green infrastructure and water-permeable hard surfaces is also strongly encouraged.

Environmental Matters

Noise Impacts

A Noise and Vibration Assessment prepared by Acoustic Logic was submitted with the application. This report includes an assessment of all site construction works and the operational activities once the school has opened.

Construction Noise Impacts

Section 10.2 of the Assessment identifies that no sensitive receivers are located within the vicinity to the west or south, and that others are located some 200 metres from the site. Given the proximity of the residents to the north, west and south, as well as the location of the childcare centre and community centre, this statement is considered incorrect. However, Section 10.5 then goes on to assess impacts to these receivers. It was identified that without mitigation measures noise managements levels at all of the sensitive receivers would be exceeded during the construction period, with some receivers exposed to levels over the established ‘highly affected’ level. The childcare centre and residences to the north will experience the greatest impact. No vibration impacts were identified.

To address the potential noise impacts during the construction period, mitigation measures have been proposed, as laid out in Section 10.8 of the assessment and included in Section 8 of the Environmental Impact Statement. It is not clear the extent to which these measures will effectively mitigate the noise, and some additional planning is still required. For example, the Environmental Management Plan provided (prepared by Richard Crookes Constructions) does not yet incorporate the recommended Noise Management Plan. It needs to be

ensured that conditions included in the consent capture the mitigation measures included in the Acoustic Assessment.

Further, it is noted that the Environmental Impact Statement states that the standard construction hours of 7.00am to 6.00pm Monday to Friday and 7.30am to 3.30pm Saturday, with no work on Sundays, will apply. The acoustic assessment recommends the implementation of standard construction hours, with noisy activities ceasing at 1pm on Saturday. In turn conditions of consent should be recommended to restrict the Saturday working hours for noisy activities.

Operational Noise Impacts

On reviewing the assessment of the operational noise impacts, it is considered that there are a number of aspects that require clarification or additional information to ensure that the noise impacts are being suitably mitigated:

Table 2 outlines the activities to be carried out on site and the proposed operating times. In relation to the Hall, it is stated that it will be available for community use through a booking system. However, in the 'Shared Use / Community Use' row it is stated that there will not be any shared use of the facilities at this time. Given that Table 11 in Section 8 of the Environmental Impact Statement suggests that the school should be limited to the times of operation and activities put forward in this table, it is considered that this table should be amended to reflect the restriction to community activities.

Table 3 shows that the background noise level of a 'day' was measured at 40dB(A). However, in Table 4 the Rating Background Noise Level has been stated as being 41 DB(A). It is not clear why there has been a variation to this figure. This has implications for the noise criteria applied throughout the report.

In Section 7.1 it is stated that the noise levels produced by activities within the internal spaces "would clearly not exceed the Educational SEPP criteria". However, the assessment does not provide any values for the noise being produced so that the actual noise levels cannot be established. This assessment should be included in the report.

Section 7.1.1 identifies that the hall "opens out to the south of the building", and discusses the impacts associated with the Hall referencing this opening. According to the plans submitted for the development, the Hall opens to the north, not the south. It is not clear whether this is a typographical error, or whether the assessment has been based on an opening on the southern side of the building rather than the north. Clarification should be sought regarding this aspect, particularly given the potential impacts associated with the use of this space and the recommendations regarding its use.

Further to the above, Section 7.1.1 also states that noisy activities on the outdoor presentation lawn should only occur during school hours. However, no assessment has been carried out of the impacts associated with the use of this space. Given the activities that may occur, its use during the day may also need to be restricted so that the adjacent childcare is not significantly impacted.

Section 7.1.1 also does not consider the neighbouring community centre. Given that the community centre can be used of a day and evening, activities on the school grounds, including in the school hall and the use of the carpark, may impact on the use of this space. This assessment should be included in the report.

In Section 7.5, it is stated that “*the external spaces are separated from any existing and future [receivers] by significant distance buffers*” and no assessment has been carried out of the potential impacts associated with the external activities. The plans provided show a learning courtyard located in the north-east of the site, immediately adjacent to residential properties to the north. In addition, there are two covered outdoor learning areas, again with one of these located in the north-east corner of the site adjacent to receivers. Further, as mentioned above, the outdoor presentation lawn is located adjacent to the neighbouring childcare centre, as are the courts. The oval is also located immediately adjacent to residences in the north, and across from residents to the west. It is not considered that the impacts associated with the outdoor spaces has been adequately assessed. It needs to be ensured that the neighbouring sensitive receivers are not significantly impacted and that the indoor learning spaces can achieve the internal noise criteria.

Whilst traffic generation has been considered, the use of the carpark, including vehicle movements, car doors opening and closing and voices, has not been assessed. Given the proximity of the childcare centre and community centre to the carpark, this aspect needs to be addressed in the report. Further, movements to the carpark and street once any evening activities have concluded have not been assessed (i.e.. when people attending a presentation or event all leave at 10pm and move to their vehicles which may be parked on the street).

Night-time noise impacts have not been considered in the report. Given that the Out of School Hours (OOSH) care commences at 6.30am, there will be movement on site (including traffic movements) during the night-time period. Impacts associated with the OOSH need to be addressed, particularly the early morning start.

Land Contamination

To address SEPP 55, a Preliminary Environmental Site Assessment and an Environmental Site Assessment was submitted.

The preliminary investigation was carried out by Environmental Investigation Services and included a limited review of site history, a site inspection and the preparation of a conceptual site model. This investigation identified several areas of environmental concern, including fill materials, fuel storage, use of pesticides, hazardous building materials and unexploded ordinance. However, it is noted that this investigation did not include a review of Council records, historical land titles or the records of SafeWork NSW, as required by the relevant guidelines. The report recommended that a review of the historical contamination reports be carried out and an additional investigation be undertaken based on the findings of this review.

The Environmental Site Assessment prepared by WSP Australia Pty Ltd constituted a Stage 2 Detailed Site Investigation, prepared in general accordance with the relevant guideline documents. This report detailed the findings of a comprehensive investigation carried out using the appropriate sampling methodology, which included taking samples from 40 locations across

the site at various depths. When analysed for contaminants of concern, it was found that none of the samples exceeded the relevant human health or ecological criteria. (Though the report refers to both the criteria for open space and residential uses, it is considered that the residential criteria is more appropriate given the potential daily exposure that children may have to outdoor spaces). The report concluded that the site was suitable for the proposed use.

Waste Management Plan

The Construction Waste Management Plan submitted does not identify waste management contractors or disposal facilities. It needs to be ensured that any waste disposal facilities used are suitably licenced.

Waterway Matters

Modelling

No electronic MUSIC modelling file (i.e. *.sqz file) was available for review. As such the proposed treatment could not be fully assessed. In addition, cross section details for the proposed Stormfilter device, including details of the size/type and number of Stormfilter cartridges must be provided on the Civil Works Plans. Details must correspond with what is in the MUSIC modelling.

SWALES

The proposed vegetated swales are designed at a 0.5% slope. While the proponent justifies this due to the flat nature of the site, there is a risk that swales at this gradient will not adequately convey stormwater runoff and resulting ponding may occur. It is recommended that the department review this component of the development in relation to its ability to function adequately.

Additional Details Required

Amended plans/documents should be provided to detail/show:

- The size of the rainwater tank.
- The size/area of the bioretention basin is to be nominated on the plans and the bioretention is to be clearly labelled.
- Details of the vegetation planting type or density for the bioretention basin – these details must be included on the plans as per Council's WSUD Technical Guidelines section 6.1.
- Vegetation planting details for the bioretention basin should be included on the Landscape Plans.
- An operation and maintenance plan is to be provided for the proposed stormwater treatment measures.

Landscape Matters

Circulation, access and transport

1. Pedestrian and cycle path off Lakeside Parade is anticipated to be a high use area and a wider path is recommended to accommodate both uses. It is recommended that a shaded waiting area with seating is provided at the bus stop to ensure there is no conflict with crowds and other footpath users.
2. Landscape and civil plans conflict at the south east emergency access gates eg. vehicle access over steep grades leading to a 1.8m deep basin.
3. It is recommended that bike storage areas are relocated internally and not on the perimeter of the site. This is to ensure security and streetscape amenity.
4. External connections (road crossing points) to the site and around the site are recommended to be shown on the plans.
5. Further clarification and/or amendments are recommended to detail how the public footpath continues past the drop of bay whilst avoiding conflict with drop off and collection activity.

Landscape and Planting

1. Ensure underground utilities corridors and lines are planned in tandem with tree planting areas and conflicts do not occur. Refer NSW Greener Places Policy.
2. Supporting Council's Cooling the City Strategy and Greener Places Policy and Green Grid, additional tree planting is recommended as follows:
 - a. infill street trees as required for a continuous streetscape
 - b. provide a wide, substantial and heavily canopied buffer and edge on western boundary for shade and improved streetscape amenity
 - c. southern corner and Cullen Avenue (at presentation area / bike parking area) – improving streetscape amenity and to shade the footpath
 - d. southern boundary at large carpark and courts – ameliorate boundary, cool pavements
 - e. large carpark – cool pavements, provide shade
 - f. increased quantity of trees in open grass areas
 - g. taller and larger canopied trees to shade and cool large expanses of pavements adjacent to buildings, and buildings (shade and solar access)
3. There is a lack of detail regarding species on the plan. A more detailed design with a demonstrated purpose for different planting types should be provided e.g. large eucalyptus trees for biodiversity, continuous canopy, shade, etc

4. Include native trees such as Eucalypts for improved contextual integration and biodiversity and environmental benefits
5. If Jacarandas are proposed at the main entry (Cullen Avenue) they are not supported when surrounded with pavement. Pavements stunt their growth and there is high likelihood that roots will affect pavements and pedestrian safety.
6. It is recommended that increased pot sizes of native trees are proposed to expedite growth and formation of canopies and instant visual impact.
7. Kikuyu is not acceptable adjacent to the riparian corridor. Couch is an appropriate alternative, such as Conquest Couch, Santa Anna Couch, Nullarbor Couch.

Amenity and visual

1. The oblique view of boundary fence along Lakeside Road will appear solid. It is instead recommended that the fence is articulated, setback from boundary and shrubs and trees provided in front of the fence to visually break up the fence and improve the streetscape.
2. It is requested that interim shade solutions are provided, to protect children and staff while tree canopies are developing grow e.g. temporary shade structures.
3. A range of seat heights needs to be provided for adults and older and younger children. Proposed seating of 350mm high is not inclusive of all users. Seating the backs and armrests must also be provide for people with mobility issues
4. Increase provision of seating for sport spectating, supervisors of play areas, socialising within and outside playground areas

Buildings and materials

1. Fence type appears to not be shown. Plans are recommended to be amended to include this detail.
2. The nominated materials palette represents very similar tones and colours. More variety may contribute to reducing the bulk and scale of the built form and the inclusion of contrasting colours (not grey and browns) may improve amenity, stimulate and encourage learning for students (refer to the psychology of use of colour).
3. There is no or questionable shading to some facades from the sun eg. Block B02C. Sun angle analysis should be undertaken on elevations to ensure there is passive cooling of buildings, walkways etc
4. Softfall – Council’s experience is that wet pour Softfall should be covered with shade as the surface gets very hot and deteriorates faster when exposed to full sun. Alternatively, limit wet pour to high use areas. Mulch in play areas should be play grade and enable access for wheelchair users.
5. The eastern easement and swale must be constructed to enable safe vehicle and pedestrian access. Permeable materials are preferred.

6. Permeable paving should be provided to areas of extensive pavement for environmental best practice e.g. carparking bays, between sports courts etc.

Thank you for the opportunity to review and make comment on this proposal. Please find attached suggested conditions which only relate to engineering matters.

Should you require any further information or would like to discuss this matter further please do not hesitate to contact Kathryn Sprang on 4732 7834.

Yours sincerely,



Sandra Fagan
A/Principal Planner

Appendix A – Recommended Engineering Conditions of Consent

- An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Penrith City Council's Public Infrastructure Assets. The bond is to be lodged with Penrith City Council prior to commencement of any works on site. The bond and applicable fees are in accordance with Council's adopted Fees and Charges.

An application form together with an information sheet and conditions are available on Council's website.

Contact Penrith City Council's City Works Department on 4732 7777 or visit Penrith City Council's website for more information.

- A Section 138 Roads Act application, including payment of application and inspection fees together with any applicable bonds, shall be lodged and approved by Penrith City Council (being the Roads Authority for any works required in a public road). These works may include but are not limited to the following works in Cullen Avenue and Lakeside Parade:
 - a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)
 - b) Concrete footpaths and or cycleways
 - c) Road opening for utilities and stormwater (including stormwater connection to Penrith City Council roads and other Penrith City Council owned drainage)
 - d) Road occupancy or road closures
 - e) The placement of hoardings, structures, containers, waster skips, signs etc. in the road reserve
 - f) Temporary construction access
 - g) Pick up and drop off zone in Cullen Avenue
 - h) Raised pedestrian 'Children's Crossing' platform in Cullen Avenue

Engineering plans are to be prepared in accordance with the development consent, Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works, Austroads Guidelines, and best engineering practice.

All works shall be carried out in accordance with the Roads Act approval, the development consent, including the stamped approved plans, and Penrith City Council's specifications, guidelines and best engineering practice.

- An application under Section 68 of the Local Government Act, including payment of application and inspection fees, is to be lodged with, and approved by Penrith City Council for provision of connection of site drainage into the adjoining riparian corridor.
- Prior to the commencement of any works on-site (including demolition works) a Construction Traffic Management Plan (CTMP) shall be submitted to Council's City Assets Department for endorsement. The CTMP shall be prepared by a suitably qualified consultant with appropriate training and certification from the Roads & Maritime Services (RMS). The CTMP shall



include details of any required road closures, work zones, loading zones and the like. Approval of the CTMP may require approval of the Local Traffic Committee. Please contact Council's City Assets Department on 4732 7777 and refer to Council's website for a copy of the Temporary Road Reserve Occupancy Application Form. Construction traffic shall enter and leave the site from the north via Greenwood Parkway and Lakeside Parade. Construction traffic will not be permitted to use Cullen Avenue of the paved section of Lakeside Parade between Cullen Avenue and Jordan Springs Boulevard.

- Prior to the issue of a Roads Act Approval, a Performance Bond is to be lodged with Penrith City Council for any construction works within the road reserve areas of Cullen Avenue and Lakeside Parade. The value of the bond shall be determined in accordance with Penrith City Council's adopted Fees and Charges.

Note: Contact Penrith City Council's Development Engineering Department on 4732 7777 for further information relating to bond requirements.

- Prior to commencement of any works associated with the development, a Traffic Control Plan, including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Maritime Services' publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Maritime Services Traffic Controller. Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Penrith City Council.

Traffic control measures may require road occupancy / road closure approvals issued under Section 138 of the Roads Act by Penrith City Council prior to the issue of a Construction Certificate.

- Prior to the occupation/use of the development, plans are to be lodged with Penrith City Council and approved by the Local Traffic Committee detailing regulatory / advisory line marking and signage.

Notes:

- Contact Penrith City Council's Engineering Services Department on 4732 7777 for further information on this process.
- Allow eight (8) weeks for approval by the Local Traffic Committee.
- Applicable fees are indicated in Council's adopted Fees and Charges

- Prior to the Occupation or use of the development a Maintenance Bond is to be lodged with Penrith City Council for any construction works within the road reserve areas of Cullen Avenue and Lakeside Parade. The value of the bond shall be determined in accordance with Penrith City Council's adopted Fees and Charges. Note: Contact Penrith City Council's Engineering Services Department on 4732 7777 for further information relating to bond requirements.

- Prior to the commencement of any works on site the application shall demonstrate that access driveways, pedestrian access, car parking and

manoeuvring details comply with AS 2890, Parts 1, 2 and 6, AS 1158, Council's Development Control Plan and Council's Waste Service Guidelines. This is to include the proposed car park, modifying the proposed car park to provide waste service vehicle movement in the car park in a forward direction only or if waste vehicle or any heavy service vehicle on-site manoeuvring is proposed, that it is restricted to a dedicated waste vehicle and heavy service vehicle manoeuvring area that is physically restricted to access by car park vehicles, bicycle parking users and pedestrians.

- Prior to the commencement of works on site the application is to ensure that accessible car spaces are to be provided and located proximate to the building entry. The accessible car spaces shall be provided in accordance with AS 2890.6:2009.
- Prior to the commencement of works on site the application is to ensure that the application shall be supported by vehicle turning paths in accordance with AS2090 clearly demonstrating satisfactory manoeuvring on-site and forward entry and exit to and from the public road network.
- Prior to the commencement of works on site the application is to ensure that a safe, continuously accessible pedestrian access to the building shall be provided in the car parking area in accordance with Council's Development Control Plans.
- Prior to occupation or use of the development, plans for provision of a raised pedestrian / children's crossing, with associated street lighting complying with AS 1158 and Council Street Lighting Policy, pavement marking and signage, "No Stopping" zone signage, school "Bus Zone" signage with boarding points and bus shelters for two buses complying with Disability Discrimination Act and Council requirements, "Kiss and Ride" drop off / pick up zone signage, short term parking signage and any other traffic and parking restrictions in the public roads or car parks are to be provided to Council for referral to Council's Local Traffic Committee recommendation to Council for approval. The signage also is to then be installed by the applicant, at no cost to Council, prior to occupation or use of the development.
- Prior to occupation or use of the development, a plan for provision of 40 km/hour School Zone pavement marking, flashing lighting and signage in the road network are to be provided to the Roads and Maritime Services for approval. The signage also is to then be installed by the applicant, at no cost to the Roads and Maritime services or Council, prior to occupation or use of the development.
- All permanent car parking area and driveways shall be sealed.