



21 December 2018  
Our Ref: 20317A.3KC\_SEARs Request

planning consultants

Ms Carolyn McNally  
Secretary  
NSW Department of Planning & Environment  
GPO Box 39  
Sydney NSW 2001

Dear Ms McNally,

**RE: Request for Secretary's Environmental Assessment Requirements  
Proposed New Inner Sydney Montessori School – Camperdown Campus including  
Change of Use from Commercial to Educational Establishment with Associated  
Alterations and Additions – State Significant Development  
1-7 Probert Street, Camperdown**

## **1.0 Introduction & Background**

DFP Planning has been engaged by Inner Sydney Montessori School (ISMS) to assist in the planning and design of a development proposal for a new ISMS campus involving change of use of the property from commercial to an educational establishment with associated alterations and additions (the Proposal) at 1-7 Probert Street, Camperdown (the Site). The site is owned by Inner Sydney Montessori Association (trading as ISMS).

The proposal meets the criteria for State Significant Development (SSD) as a *new school* pursuant to Clause 15(1) of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SEPP SRD) (refer to **Section 8**). Accordingly, this letter constitutes a written application to obtain the Secretary's Environmental Assessment Requirements (SEARs) as required under Clause 3 of Schedule 2 of the *Environmental Planning and Assessment Regulations 2000* (the Regulation).

Matters relating to the proposed development, permissibility, strategic planning context, associated impacts and justifications are discussed in detail below.

## **2.0 Site Description**

The Site is located approximately 550m South of Parramatta Road and approximately 1km South East of the University of Sydney's Camperdown Campus. The Site is located within the Local Government Area (LGA) of Inner West Council (Council), formerly known as Marrickville Council.

The Site is a triangular shaped allotment with an approximate area of 426m<sup>2</sup>, located at the intersection of Probert Street and St Marys Street (See **Figures 1 and 2**). The Site is legally described as Lot 1 DP 179820, being known as 1-7 Probert Street, Camperdown.



Figure 1: Aerial image of the Site

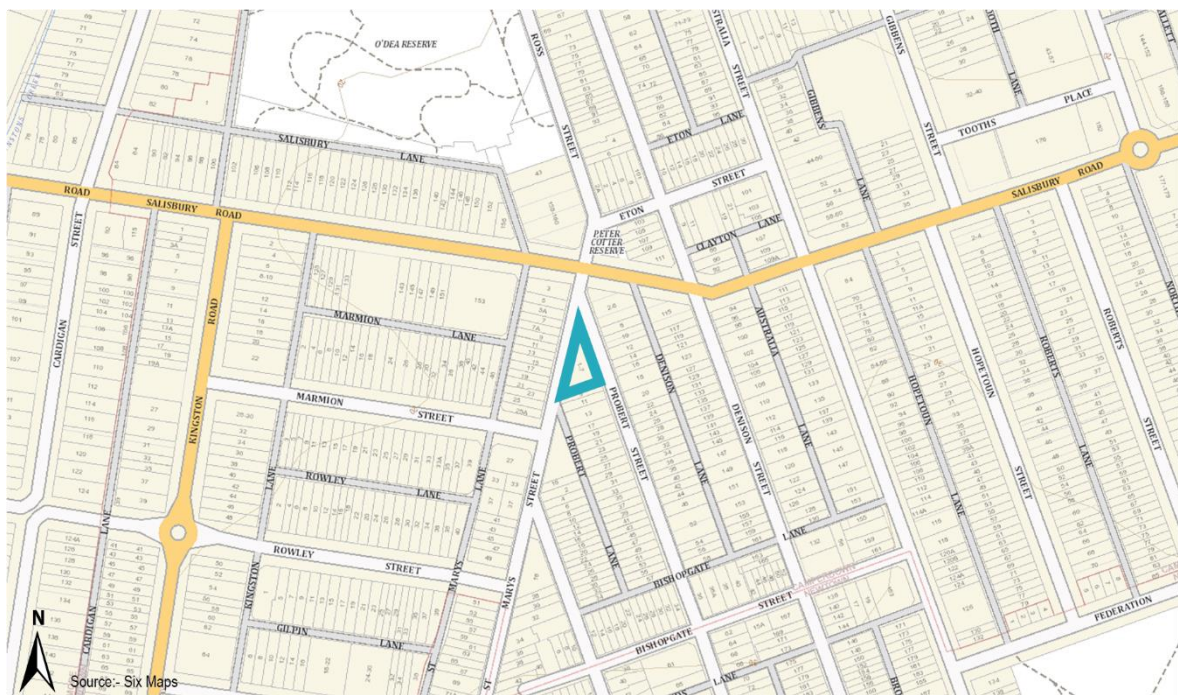


Figure 2: The Site and Surrounds

Existing on the Site is a commercial building which has been previously repurposed from its original use as an industrial building. The building has a contemporary architectural built form covering the entire site (see **Figures 3, 4 and 5**)





Figure 3: Existing Building on the Site – looking South-West across Probert Street.



Figure 4: Existing Building on the Site looking South.





Figure 5: Existing Building on the Site showing Western elevation, looking South-East across St Mary's Street.



Figure 6: Townhouses along St Mary's Street shown in right of figure

The immediate surrounding locality is generally characterised by residential land uses in the form of attached townhouse developments to the east, south and west (see **Figure 6**). Opposite the site to the north-east on the corner of St Mary's Street and Salisbury Road is a commercial building (art gallery) with a mixture of commercial uses situated along Salisbury Road amongst the residential setting. In a broader context, O'Dea Reserve (public recreational open space) is located approximately 140m to the north-west of the site with Camperdown Park 270m to the north-east.

### 3.0 Development Description

The proposal entails changing the use of the existing building from a commercial use to an educational establishment along with alterations and additions for the purposes of a new ISMS campus.

In terms of operations, ISMS provide education within the Montessori tradition, being fundamentally different to the operations of a 'conventional' school. ISMS provides education for toddler aged students through to primary school aged students (in "Stages" of three (3) year age groups per Stage) with additional before and after-school care services. The proposal's operational details are summarised as follows:

- 120 Stage 1 students aged 3-6 years, generally comprising:
  - 80 children aged 3-4 years old (present between 8:30am and 12pm Monday to Friday); and
  - 40 children aged 5-6 years old (present between 8:30am and 3pm Monday to Friday);
- Distribution of the 120 students may vary between the age groups e.g. 60 children aged 3-4 years old and 60 children aged 5-6 years old.
- Before-school care for up to 30 children (included in the 120 students referred to above) will run from 7:30am-8:30am;
- After-school care for up to 30 children (included in the 120 students referred to above) will run from 3pm-6pm;
- A total of 12 staff will be present on site;
- A parent/toddler program for 12 to 14 children aged 18 months-3 years old for 2 x 2-hour classes, 5 days a week (parents will stay with their children for these classes);
- Consistent with the Balmain and Lilyfield ISMS campuses, a portion of the students would be dropped off at the Balmain campus and the ISMS mini bus service will transport them to the Camperdown campus, thus a dedicated drop off/pick up area will also be proposed for the bus.
- Only between 8.30am-noon will the maximum 120 students be on-site. Student numbers will be below 120 throughout the remainder of the day which also results in staggered drop off and collection times.

In terms of proposed alterations and additions, a summary of the key elements of the Proposal is provided below and is as detailed further in the schematic design issue Architectural Plans prepared by NBRs Architecture (**Attachment 1**). Internal alterations to the building's layout will result in the following components on each level:

#### Ground level:

- Entry foyer (access from Probert Street)
- Garage to accommodate 2-3 vehicles to be retained (access from Probert Street);
- Classroom 1 – approximately 120m<sup>2</sup> (figures indicative in this early schematic design stage)
- Classroom 2 – approximately 90m<sup>2</sup> (figures indicative in this early schematic design stage)
- Interactive/shared play space
- W.C's (including accessible W.C.)
- Lift and storeroom

Level 1:

- Classroom 3 – approximately 120m<sup>2</sup> (figures indicative in this early schematic design stage)
- Classroom 4 – approximately 90m<sup>2</sup> (figures indicative in this early schematic design stage)
- Interactive play space
- Staff room
- W.C's (including accessible W.C.)
- Lift and storeroom

Level 3:

- Landscaped rooftop playground, partially covered and partially open
- Lift
- W.C's (including accessible W.C.)
- Parent and toddler program and after school care area.

#### **4.0 Permissibility and Strategic Planning Context**

The following legislation and policies are relevant to the Proposal and are addressed in more detail below:

- *Environmental Planning and Assessment Act 1979;*
- *State Environmental Planning Policy No. 55 - Remediation of Land;*
- *State Environmental Planning Policy No. 64 - Advertising and Signage;*
- *State Environmental Planning Policy (State and Regional Development) 2011;*
- *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017;*
- *Draft State Environmental Planning Policy (Remediation of Land);*
- *Marrickville Local Environmental Plan 2011;*
- *Marrickville Development Control Plan 2011;*
- *A Plan for Growing Sydney; and*
- *Eastern City District Plan.*

#### **4.1 Environmental Planning and Assessment Act 1979**

The assessment framework for SSD is established under Part 4 Division 4.7 of the EP&A Act with Section 4.12 requiring a Development Application (DA) for SSD to be accompanied by an Environmental Impact Statement (EIS). Matters relevant to the preparation of an EIS (including the application for SEARs) are set out under Schedule 2 of the Regulation.

Clause 4.5 of the EP&A Act identifies that the Minister is the consent authority for SSD.

#### **4.2 State Environmental Planning Policy No. 55 - Remediation of Land**

The provisions of *State Environmental Planning Policy No. 55 - Remediation of Land* (SEPP 55) apply to the Site and are a relevant matter for consideration as part of the assessment of the Proposal. The land use history of the site (changed from original industrial use to commercial use) suggests that the site is unlikely to be contaminated, notwithstanding the provisions of SEPP 55 will be considered as part of the EIS accompanying the DA and a preliminary contamination assessment will be lodged with the EIS if required. It is noted that the proposed alterations and additions will not result in any exposure of earth, uncovering of any sealed areas of the site or removal of any slabs.

#### **4.3 State Environmental Planning Policy No. 64 - Advertising and Signage**

*State Environmental Planning Policy No. 64 - Advertising and Signage* (SEPP 64) sets out provisions relating to the assessment of development which comprises signage, including business identification signs. It is likely that there will be some minor signage included in the proposal to display the school name and to provide wayfinding, although the location, size and



content of any such signage has not yet been determined. Details will be provided with the DA and the provisions of SEPP 64 will be considered as part of the EIS.

#### **4.4 State Environmental Planning Policy (State and Regional Development) 2011**

Clause 15(1) of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SEPP SRD) identifies development for the purpose of a *new school* (regardless of the capital investment value) as SSD.

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

*State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (the Education SEPP) aims to streamline the planning system for education and child care facilities and the delivery of new schools.

The proposal entails a new school and applicable clauses of the Education SEPP are identified and briefly discussed below:

##### **4.5.1 Clause 35 – Schools – development permitted with consent**

Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone. The Site is located within Zone R2 Low Density under the Marrickville Local Environmental Plan 2011 (discussed below in section 4.8). Clause Zone R2 is a prescribed zone for the purpose of the SEPP in accordance with Clause 33.

This clause also provides that the consent authority must take into consideration:

- The design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4; and
- Whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.

The design quality principles of Schedule 4 and details of any proposed shared use of facilities with the community will be addressed within the DA and considered as part of the EIS.

##### **4.5.2 Clause 42 – State significant development for the purpose of schools—application of development standards in environmental planning instruments**

Clause 42 provides that development consent may be granted for development for the purpose of a school that is SSD even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted.

##### **4.5.3 Clause 57 – Traffic Generating Development**

Under the provisions of Clause 57 of the Education SEPP, the Proposal will be classified as traffic generating development as it is an educational establishment with a size or capacity of 50 or more students with access to any road. As the Proposal involves up to 120 students it must be referred to NSW Road and Maritime Services (RMS) for comment as part of the assessment process.

The EIS will include a Traffic Impact Assessment assessing the potential traffic impacts associated with the Proposal and consultation will be undertaken with the RMS.

#### **4.6 Draft State Environmental Planning Policy (Remediation of Land)**

*Draft State Environmental Planning Policy (Remediation of Land)*, forms part of the review program by the NSW Government and is intended to replace SEPP 55. Public consultation on the policy closed on 13 April 2018, accordingly as the proposed environmental planning

instrument as been the subject of consultation it must be taken into consideration during the assessment of any future DA. The EIS will address the requirement of the draft policy.

#### 4.7 Marrickville Local Environmental Plan 2011

The Site is subject to the provisions of *Marrickville Local Environmental Plan 2011* (the LEP) and the key provisions of the LEP are briefly discussed below.

##### 4.7.1 Clause 2.2 – Zoning

The LEP *Land Zoning Map* (see **Figure 7**) identifies the Site as being within 'Zone R2 Low Density Residential' (the R2 zone). Development for the purpose of an *educational establishment* is a permissible land use with consent in the R2 Zone by virtue that the land use table specifies any other development not listed as 'permitted without consent' or 'prohibited' is permitted with consent.

The proposal is also generally consistent with the objectives of the R2 Zone, in particular 'to enable other land uses that provide facilities or services to meet the day to day needs of residents'.

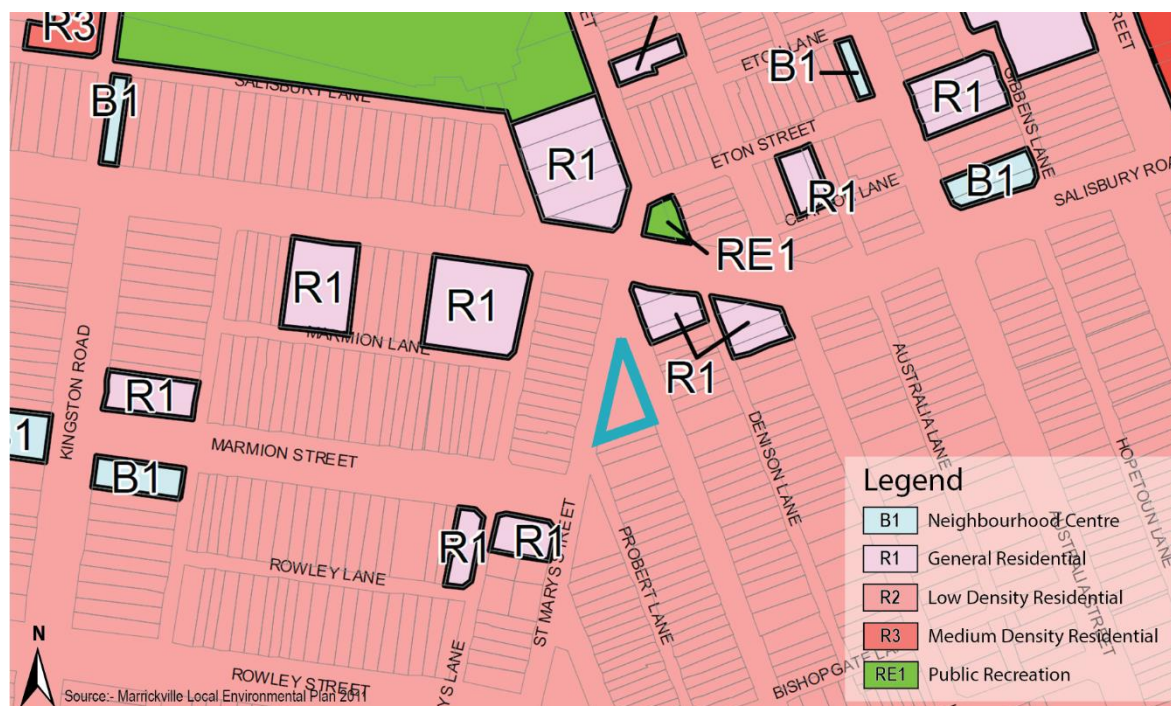


Figure 7: Extract of Land Zoning Map

##### 4.7.2 Clause 4.3 – Height of Buildings

The *Height of Buildings Map* identifies a maximum building height control for the site of 9.5 metres. The proposed building works will result in a third floor being established, however these works are not likely to result in a building height which exceeds the 9.5 metre height control.

##### 4.7.3 Clause 4.4 – Floor Space Ratio

The *Floor Space Ratio Map* identifies a maximum floor space ratio (FSR) control of 0.6:1 for the Site. With a site area of approximately 430m<sup>2</sup>, the resulting maximum FSR for the site is approximately 258m<sup>2</sup>. The footprint of the existing building will not be changing as a result of the proposed development and the FSR of the existing development on the site exceeds 258m<sup>2</sup>.

With regard to the proposed development, the FSR will change from that as approved due to the internal configurations proposed, resulting in a change to gross floor area (GFA) i.e. areas



excluded from GFA calculations such as stairs, lifts, voids etc. will be altered as part of this proposal.

Final FSR calculations will be undertaken upon the finalisation of Architectural documentation and will form part of the EIS for the proposal. Should the proposal exceed the maximum FSR control for the site, the EIS will provide assessment and justification of this outcome.

#### **4.7.4 Clause 5.10 – Heritage Conservation**

The Site is located within in the Heritage Conservation Area (HCA) known as '*North Kingston Estate*'. The Site is not identified within Schedule 5 of the LEP as an item of environmental heritage and there are no items within the immediate vicinity of the Site listed as heritage items. Potential impacts arising on the HCA will be addressed in detail within the EIS, including the provision of a Statement of Heritage Impact.

#### **4.8 Marrickville Development Control Plan 2011**

The Marrickville Development Control Plan 2011 (the DCP) applies to the Site although it does not contain controls specific to schools. Where possible, the design of the Proposal will have regard to provisions of the DCP that may be deemed relevant (such as parking, landscaping, heritage and stormwater) although pursuant to Clause 11 of SEPP SRD, DCPs (whether made before or after the commencement of the SEPP) do not apply to SSD.

#### **4.9 A Metropolis of Three Cities**

*A Metropolis of Three Cities - The Greater Sydney Region Plan* (the Plan) sets out a vision of Sydney comprising of 'three cities' where most residents live within 30 minutes of their jobs, education and health facilities, services and the like. The Proposal is consistent with the Plan's directions for 'Infrastructure and Collaboration' and 'Liveability' by assisting in providing infrastructure (i.e. school) in walking distance from residential and mixed-use precincts, supporting predicted population growth to support in the creation of strong communities.

##### **4.9.1 Eastern City District Plan**

The Site is located within *Eastern City District Plan* (the ECD Plan) area which covers the Bayside, Burwood, City of Canada Bay, City of Sydney, Inner West, Randwick, Strathfield, Waverley and Woollahra local government areas. This EDC Plan seeks to manage growth in the context of economic, social and environmental matters. It contains the planning priorities and actions for implementing the Greater Sydney Region Plan, *A Metropolis of Three Cities*, at a district level and is a bridge between regional and local planning. The EIS will address the planning priorities of the EDC plan with the proposal consistent with those concerning 'Infrastructure and Collaboration' and 'Liveability'.

#### **5.0 Preliminary Impact Identification and Assessment**

The key likely impacts of the Proposal are discussed below and will be addressed in detail within the EIS required to accompany the SSD DA submission:

##### **5.1 Traffic and Parking**

Traffic and car parking will be a key consideration for the proposal. The Site has limited parking availability, as such dedicated drop off/pick-up point(s) along Probert and St Mary's Street will be proposed, together with operational measures to ensure the efficiency and safety of the traffic movements associated with the school are maintained. As previously discussed, ISMS will also operate a mini bus service from their Balmain campus for students and their families.

Further details regarding car parking, traffic, bus services and sustainable transport will be provided as part of the EIS, including a Traffic Impact Assessment Report including survey data of users and the surrounding street network.

## **5.2 Built Form, Residential and Student Amenity**

The existing building on site represents a unique and contemporary built form which is sympathetic and contributes to the locality and its heritage streetscape value. The proposed alterations to the building and subsequent use will give regard to this existing built form and the current level of amenity enjoyed by residents within the area. The proposal will include measures to minimise the potential for adverse acoustic, traffic and privacy impacts.

With regard to the amenity for future students, the proposal will result in a functional, new multi-disciplinary educational facility in a purpose considered design which will cater for students to transition from early education to their primary school education within a familiar setting.

## **5.3 Construction and Operational Impacts**

Construction works associated with the development will require consideration of the surrounding residential amenity and local traffic network. Given the residential setting of the Site, the potential impacts of construction works will be considered within the EIS, including:

- Dust control during any demolition and construction;
- Erosion and sediment control (likely to be minimal due to the site's conditions);
- Noise and vibration during construction; and
- Traffic impacts associated with construction vehicles, including local traffic control measures where relevant.

## **6.0 Justification**

The need for schools within Sydney's Inner West locality is important in meeting the educational needs of the growing residential population of this area. ISMS already operates at two (2) other Inner West campuses and these are at or nearing capacity. The proposal will provide residents in the area and more broadly across the locality with additional Montessori school facilities with excellent access from surrounding residential areas, and access to other community and recreational land uses.

The Site is considered to be able to accommodate a development of this nature with potential land use conflicts with surrounding development (traffic and acoustic impacts in particular) able to be minimised.

## **7.0 Consultation**

ISMS has carried out preliminary authority and community consultation for the Proposal, including:

- Pre-SEARs meeting with DPE and Government Architect NSW staff;
- Pre-SEARs meeting with Inner West Council staff; and
- Community information drop-in session held on-site (24 attendees).

The feedback from these consultation meetings has been factored into the concept proposal now detailed within this SEARs request. Following declaration of the project as a SSD and the issuing of SEARs, ISMS will complete all consultation required as part of the preparation of the EIS.

## **8.0 Conclusion**

The Proposal is classified as SSD as it falls within the requirements of Clause 15(1) of Schedule 1 of SEPP SRD, being "*Development for the purpose of a new school (regardless of the capital investment value)*".

ISMS requests that the Secretary of the DPE issue the SEARs for the proposed new school development to facilitate the preparation of the EIS to accompany the DA.





If you should have any questions regarding this request for SEARs, please contact the undersigned on 9980 6933.

Yours faithfully,

**DFP PLANNING PTY LTD**

A handwritten signature in black ink, appearing to read 'Stephen Earp', written in a cursive style.

**STEPHEN EARP  
PARTNER**

[searp@dfpplanning.com.au](mailto:searp@dfpplanning.com.au)

Reviewed: A handwritten signature in black ink, written in a cursive style, positioned above a horizontal line.

Encl. Attachment 1 – Schematic design issue plans