



planning consultants

3 April 2019
Our Ref: 20385A.7SW_SEARs

Mr Jim Betts
Secretary
NSW Department of Planning & Environment
GPO Box 39
Sydney NSW 2001

Dear Mr Betts

**RE: Request for Secretary's Environmental Assessment Requirements
Redevelopment of Bankstown North Public School
State Significant Development
322 Hume Highway, Bankstown**

1.0 Introduction and Background

DFP Planning has been engaged by JDH Architects on behalf of the School Infrastructure NSW (SINSW) to assist in the planning and design of the proposed redevelopment of Bankstown North Public School (BNPS).

The proposal for the redevelopment of BNPS (the proposal) meets the criteria for State Significant Development (SSD) for an educational establishment pursuant to Clause 15 of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SEPP SRD) (refer to **Section 4.2**). 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* (EP&A Regulations).

The site is located at 322 Hume Highway, Bankstown and is the site of the existing Bankstown North Public School.

The proposal is designed to meet the education needs for the future population of the Bankstown North locality and the program for the proposal requires the redeveloped school to be open by 2022.

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

2.0 Site Description

Bankstown North Public School is located at 322 Hume Highway, Bankstown, approximately 1.4 kilometres north of Bankstown Railway Station. The site is located in the City of Canterbury Bankstown Local Government Area (LGA). The location plan (**Figure 1**) shows the site in relation to the surrounding local area and surrounding road network. The existing Bankstown North Public School is bound by Hume Highway to the south, Beresford Avenue to the west, and Stacey Street to the north.



Figure 1 Site Location – Bankstown North Public School



Figure 2 Aerial Photograph

The site comprises 13 land parcels which are legally described as:

- Lot A DP 444924
- Lot 1 DP 501320
- Lot A DP 399940
- Lot 14 DP 1000689

- Lot 1 DP 441732
- Lot 7 DP 441703
- Lot 8 DP 441703
- Lot 1 DP 772787
- Lot 1 Sec. 5 DP 192509
- Lot 11 DP 132498
- Lot 12 DP 132498
- Lot 13 DP 132498
- Lot 14 DP 132498

The topography generally slopes down to the north of the site, with the highest part of the site being the south-eastern corner towards Hume Highway. The site has a fall of approximately 6.5 metres over 230 metres from the south-eastern corner to the north-western corner of the site. The sports field on the western side of the site has a fall from east to west.

Bankstown North Public School has a total land area of approximately 2.76 ha. The school includes the following existing buildings and facilities:

- 15 buildings comprising general learning classrooms, specialist classrooms, administration/office areas, school hall, library, storage and amenities;
- Car parking area;
- 2 covered outdoor learning areas (COLAs);
- Sports courts; and
- Playing field / oval.

NSW Oral Health Service occupy a building in the north-east corner of the site (Block M) and NSW Education Sports Unit occupy part of Block A. These services are currently moving off-site to alternative arrangements and therefore will not be a matter for consideration under this proposal.

2.1 Main/Original School Building

The original school building (known as Block A) was built in 1924 and extended in 1928. It is a two-storey Inter-war period face brick building with a single storey entry porch on the eastern (Beresford Avenue) elevation. At the western end of the building is a metal sheet clad fire staircase, which dates from after the Second World War. Many of the original features of the building have been retained such as the cement rendered window heads, the dark band of bricks (three courses high) at window sill height and the rough cast rendered details. The original roof form comprising pitched and flat roof sections has been retained, although the original roof sheeting has been replaced. The original school building is not heritage listed under local or State legislation.

2.2 Surrounding Development

The surrounding land uses comprise a mix of business/industrial, residential and infrastructure. To the north of the site, across Stacey Street is industrial development. On the northern boundary of the site is low density residential development. To the west of the site is residential and business uses (fronting Rookwood Road). To the south of the site, across the Hume Highway is residential development with small neighbourhood shops. To the south-west of the site is Apex Reserve, a public reserve for local residents. To the west of the site, across Beresford Avenue is the Bankstown Reservoir (Elevated) which is identified as an item of State heritage significance (SHR 01316). It is also listed in Sydney Water's Section 170 Heritage Register (Listing Number 120105).

3.0 Development Description

A summary of the primary elements of the proposal is provided below and is supported by conceptual architectural plans prepared by JDH Architects (**Attachment 1**).

The proposal is for the redevelopment of BNPS for a total of 36 teaching spaces, including the following:

- Construction of 30 new teaching spaces, including four (4) teaching spaces for special education;
- Construction of new core facilities to Core 35 guidelines, including Staff and Administration, Library and Special Programs, Canteen and Covered Outdoor Learning Area;
- Construction of student amenities to Core 28 guidelines;
- Retention and extension of the existing hall (Building N);
- Associated landscaping; and
- Increase student capacity to 725 students.

An extract of the Proposed Axonometric Site Plan prepared by JDH Architects (**Attachment 1**) is provided at **Figure 3**.

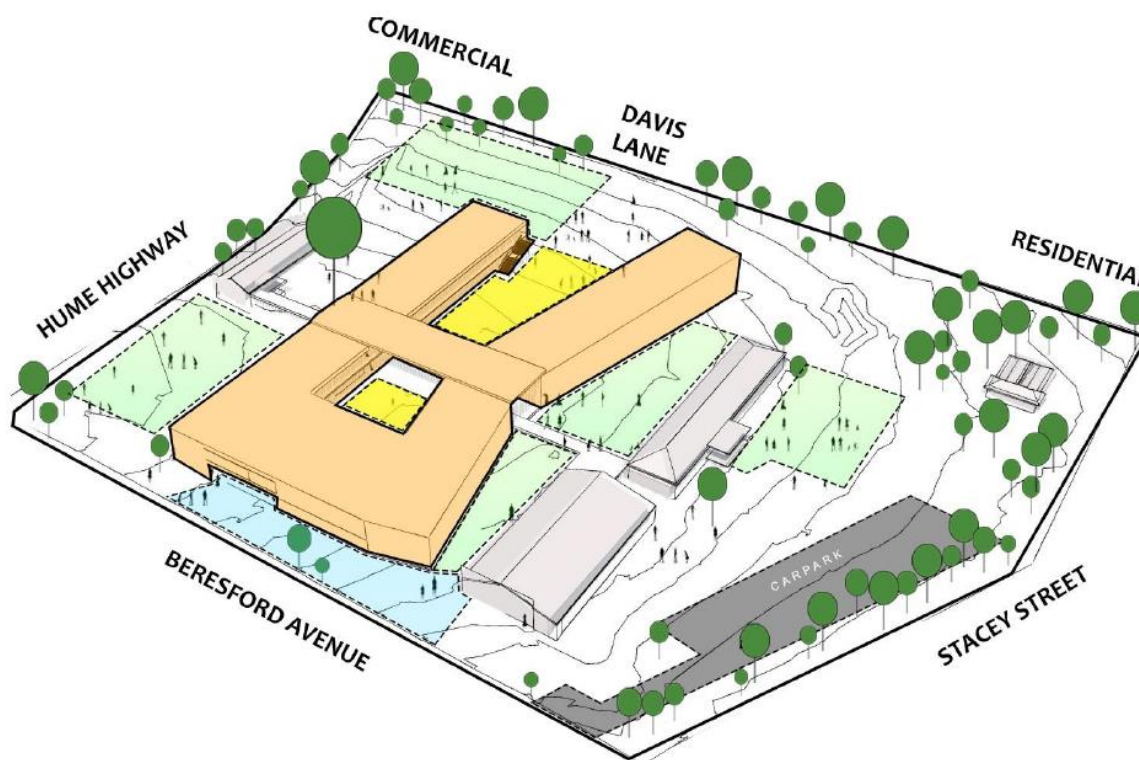


Figure 3 Extract of Proposed Axonometric Site Plan, prepared by JDH Architects

The following works will be undertaken as part of a separate planning approval pathway to enable the SSD works to take place (i.e. these do not form part of the SSD application):

- Construction of a new carpark;
- Demolition of Blocks A, C, D, K and the removal of demountable buildings;
- Installation of new and relocated demountable classroom and removal for temporary school arrangements;
- Off-site infrastructure upgrades; and
- Retention and refurbishment of 6 existing teaching spaces (Building B and Building I).

4.0 Statutory Planning Framework

The following legislation, environmental planning instruments and development controls plans are relevant to the proposed educational establishment development, which are addressed in detail below:

- *Environmental Planning and Assessment Act 1979;*
- *State Environmental Planning Policy (Education and Child Care Facilities) 2017;*
- *State Environmental Planning Policy (Infrastructure) 2007;*
- *State Environmental Planning Policy (State and Regional Development) 2011;*
- *State Environmental Planning Policy No. 55 - Remediation of Land;*
- *State Environmental Planning Policy No. 64 - Advertising and Signage;*
- *Draft State Environmental Planning Policy (Remediation of Land);*
- *Draft State Environmental Planning Policy (Environment);*
- *Bankstown Local Environmental Plan 2015;*
- *Bankstown Development Control Plan 2015;*

4.1 Environmental Planning and Assessment Act 1979

The assessment framework for SSD is established under Part 4 Division 4.1 of the EP&A Act with Section 78A 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.

Section 89D of the EP&A Act identifies that the Minister is the consent authority for SSD.

4.2 State Environmental Planning Policy (State and Regional Development) 2011

Clause 15(2) of Schedule 1 of SEPP SRD identifies development for the purpose of alterations or additions to an existing educational establishment that has a capital investment value of more than \$20 million as SSD. Based on project budgeting, the proposal will have a capital investment value in excess of \$20 million and accordingly, the proposal is classified as SSD.

Clause 11 of SEPP SRD excludes the application of development control plans (DCPs) (whether made before or after the commencement of the SEPP) to SSD projects.

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

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP) contains provisions relevant to educational establishments.

The site is zoned SP2 Infrastructure – Educational Establishments pursuant to Bankstown Local Environmental Plan 2015 (BLEP). Educational Establishments are a permissible land use in the SP2 Infrastructure – Educational Establishment zone. The SP2 zone is also a prescribed zone under Clause 33 of the Education SEPP and Clause 35 of the Education SEPP also permits development for the purpose of an educational establishment within the SP2 zone. Therefore, the proposed works are also permissible with consent under the Education SEPP.

Provisions of the Education SEPP will be considered as part of the EIS for the proposal, namely the preparation of a Design Statement pursuant to Clause 35(6) and where relevant, Clause 42 which overrides the need to prepare a Clause 4.6 Variation to a Development Standard request for State Significant Development for educational establishments which do not comply with an LEP standard.

Clause 57 of the Education SEPP also requires traffic generating development being an enlargement or extension of existing premises that can accommodate 50 or more additional students to be referred to NSW Road and Maritime Services (RMS) for comment as part of the assessment process.

4.4 State Environmental Planning Policy (Infrastructure) 2007

The provisions of State Environmental Planning Policy (Infrastructure) 2007 (the Infrastructure SEPP) apply to the proposal, as the development is on land with frontage to a classified road (Hume Highway). The provisions of Clause 101 must be considered by the consent authority.

4.5 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 site has been used as a school since the 1920's and used mainly for the purpose of an educational establishment within a low-density residential setting. Whilst there is unlikely to be any major contaminants within the site, there is potential for contamination associated with building materials due to the age of some structures and a hazardous material assessment will be undertaken. 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.

4.6 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 signage included in the proposal to display the school name although the location, size and content of any such signage has not yet been determined. Details will be provided with the EIS.

4.7 Bankstown Local Environmental Plan 2015

The site is zoned SP2 Infrastructure – Educational Establishment pursuant to the BLEP 2015. Educational establishments are permissible in the SP2 zone. A zoning map extract is included at **Figure 4**.

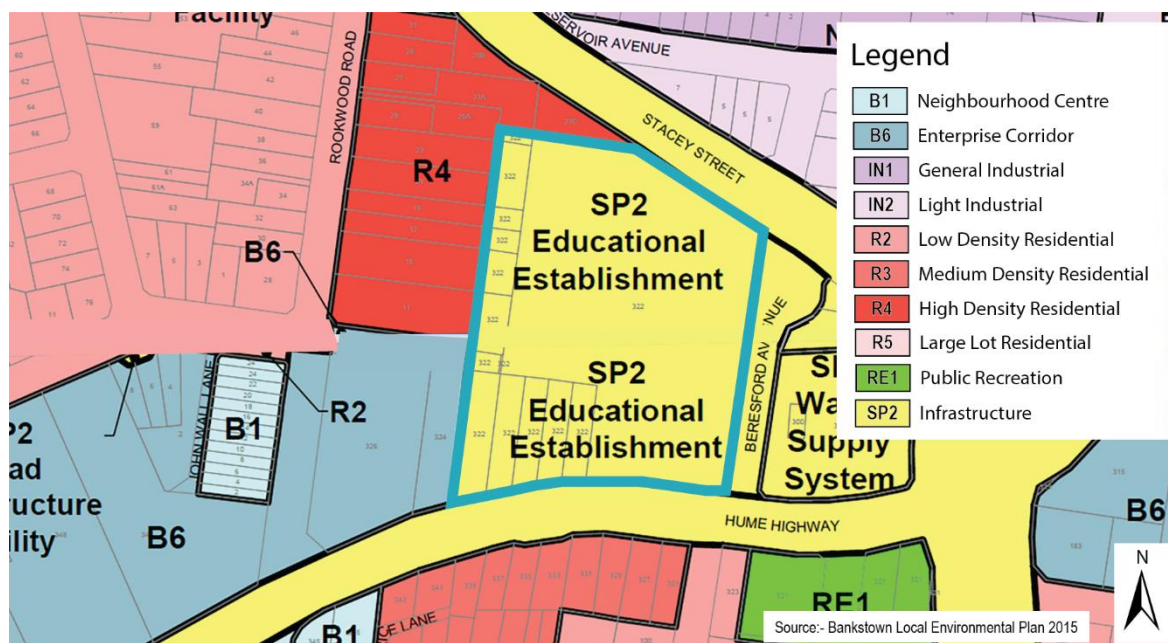


Figure 4 Zoning Map extract – Bankstown LEP 2015

The LEP does not set a floor space control for the site, however the LEP does set a maximum building height limit of 9 metres, as shown in **Figure 5**.



Figure 5 Maximum Building Height Map Extract – Bankstown LEP 2015

4.8 Bankstown Development Control Plan 2015

The proposal will have regard to the requirements of Bankstown DCP (BDPCP) which will apply to the development, however it is noted that the DCPs do not apply to SSD, as per Clause 11 of the SEPP SRD.

The DCP contains controls specific to educational establishments, including controls regarding classroom size and student densities, building length, number of storeys, setbacks, landscaping car parking, site layout, building envelope and amenity impacts that will be considered.

4.9 Section 94A Development Contributions Plan – Bankstown

Canterbury Bankstown Council's Section 94A Development Contributions Plan – Bankstown applies to the site and can impose a development contribution levy of 1% on works in excess of \$200,000. The proposed Crown development is publicly funded and will provide a significant improvement to the social infrastructure of the Bankstown locality, an outcome that cannot be achieved through infrastructure upgrades funded through the Section 94A (now Section 7.12) Plan.

SINSW will not accept any condition which imposes a requirement for a levy to be paid, as all project funds allocated by NSW Treasury are utilised to achieve the best possible outcome for this School. Any levy imposed by Council will reduce the project budget and detract from the quality of the outcome.

One of the primary purposes of the Contributions Plan is:

“To assist Council to provide the appropriate public facilities which are required to maintain and enhance amenity and service delivery within the area.”

The proposed development is itself a State funded upgrade to a public facility, the completion of which does not impose any constraint on the local demand for public facilities and infrastructure in the area.

Therefore a levy under the Section 94A Contributions Plan is not considered appropriate and will not be accepted by SINSW.

5.0 Strategic Plans and Policies

The EIS will address the relevant planning provision, goals and objectives of the following plans and policies:

- NSW State Priorities;
- Future Transport Strategy 2056;
- Crime Prevention Through Environmental Design Principles;
- Health Urban Development Checklist;
- A Metropolis of Three Cities – The Greater Sydney Region Plan;
- South District Plan;
- State Infrastructure Strategy 2018 -02038 Building the Momentum;
- Better Placed: An integrated design policy for the built environment of NSW; and
- CBCity 2028.

6.0 Preliminary Impact Identification and Assessment

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

In summary, the proposal is to occur on an existing school site within Bankstown. The impacts and risks from the proposed new educational establishment are considered to be low as the potential environmental impacts can be managed appropriately, while the positive impacts of a new educational establishment within the community will be significant.

6.1 Traffic and Parking

A Traffic Statement (**Attachment 2**) has been prepared by Bitzios Consulting which includes both a Traffic Impact Assessment and a supplementary letter with respect to the request for SEARs.

The assessment concluded that based on current enrolments of 367 students (2017 data), traffic and parking impacts expected with the proposed 725 student enrolment will be approximately two (2) times (increase of 97%) more than that presently experienced. Furthermore, as a part of the response to the SEARs, the traffic consultants plan to obtain the RMS VISSIM base model for the Stacey Street, Rookwood Road and Hume Highway area to test all feasible options for the school redevelopment.

The outcomes from this task will be used to inform on the future access arrangement and the operations of the drop-off / pick-up zone. Whilst it is noted the modelling is based on the existing road network, we will aim to work with RMS to ensure that any short-term proposal aligns with RMS forecast requirements for the area.

The majority of existing students travel to and from school by private car (i.e. 76% of students). As part of the SEARs response a Workplace Travel Plan (WTP) for employees and a Green Travel Plan (GTP) for students will be prepared.

It is noted that the new car park which is to be accessed from Beresford Avenue is to be constructed under a separate planning approval pathway.

6.2 Built Form, Student Amenity and Residential Amenity

The site is subject to maximum building height control of 9 metres. The proposed building will be two storeys with the maximum height of the development yet to be determined. The development has considered the setback requirements outlined in the DCP as part of the proposal, and responds to that in the site planning. The proposal has been setback from Hume

Highway to reduce noise impacts from traffic and is well setback from residential neighbours to the west.

The closest residential properties are on the western side boundary which front Rookwood Road. The development will be approximately 34 metres to their rear boundaries. The existing playground and open space will be maintained between these properties and the school. The school will be setback approximately 40 metres to Hume Highway and approximately 9 metres from Beresford Avenue.

The conceptual built form has been designed as to respond to layout of the site, including orientation, existing access points, significant flora/biodiversity on the site, retention of playground and sports courts on the western side of the site, as well as the location of a major Sydney Water main traversing the site, and also maintaining a visual connection with the Bankstown Reservoir.

The following design parameters will inform the final layout and built form of the proposal:

- The main school entry will be from Beresford Avenue, which includes access to the car park at the northern end of the site (to be constructed adjacent to the Stacey Street boundary)
- The school will have a “U” shape with a central covered outdoor learning areas (COLA) (height of two storeys);
- The layout of the school is to promote a cross connection between the indoor and outdoor learning and activity spaces;
- The school is to be 2 storeys in height;
- All buildings and spaces will be of a high level of design quality;
- The proposed construction will utilise high quality finishes and materials to ensure the longevity of the development;

- The existing playground and sports court on the western side of the site is to be retained;
- The siting and building design will have regard to the principles of Crime Prevention Through Environmental Design (CPTED), which will be addressed in detail within the EIS;
- The amenity of classrooms and teaching spaces, as well as the impact to the amenity of surrounding residential properties will meet appropriate acoustic guidelines and performance requirements.

6.3 Flora and Fauna

The site contains scattered trees and vegetation, with the majority of larger trees located along the boundaries and street frontages. Trees and shrubs are also planted around the school buildings. There have been numerous trees that have been identified as being significant, which will be retained as part of the proposal, giving consideration to tree protection zones. A Preliminary Biodiversity Assessment has been undertaken by SLR Consulting (**Attachment 3**) which has identified a 'Biodiversity Area' in the north-western corner of the site. SLR Consulting has also prepared a BDAR Waiver Request which concludes that:

- *The proposed Concept Design for the State Significant Development (SSD) application will result in negligible impacts to biodiversity. Accordingly, SLR requests a waiver, pursuant to s.7.9 of the BC Act, for the need to prepare a BDAR for the proposed redevelopment of the Bankstown North Public School.*
- *If the Secretary of the Department of Planning and Environment and the Chief Executive of the NSW Office of Environment and Heritage would review the Preliminary Biodiversity Assessment and consider the request to waive the BDAR requirements for the redevelopment of BNPS project.*

The majority of the site's existing vegetation will be retained. However, trees and shrubs in the vicinity of building works (including buildings to be demolished and new buildings) will be impacted by the works and will need to be removed. The proposal will include a landscaping plan for the site which will detail new and replacement planting.

6.4 Heritage

European Heritage

The main school building which is constructed in 1920s is not listed as an item of local heritage. BNPS is located adjacent to the Bankstown Reservoir (Elevated), which is identified as an item of State heritage significance (SHR 01316). The Reservoir is also listed in Sydney Water's Section 170 Heritage Register.

Although the proposal will not result in any works which will impact upon the land owned by Sydney Water, it is important to note that the proposal is responding to the opportunity to provide an improved visual link between the school facilities and the water reservoir. A Heritage Impact Statement will be undertaken and submitted with the EIS.

Aboriginal Heritage

An Aboriginal Archaeological Assessment (**Attachment 4**) has been prepared by Unearthed Archaeology & Heritage to determine the presence or otherwise of any aboriginal archaeological material on the site and to consider the potential for Aboriginal cultural heritage on the site. The assessment provides the following recommendations:

- 1. There is no objection to the proposed development on Aboriginal archaeological grounds;*
- 2. No Aboriginal objects were recorded during the site inspection. The study area does not possess any significance in respect of Aboriginal archaeology and cultural heritage, and it is considered highly unlikely that any archaeological deposits remain within the study area or will be impacted upon by the present development;*
- 3. No further investigation in respect of Aboriginal archaeology or cultural heritage is required;*
- 4. It is not necessary to undertake consultation with the Aboriginal community in accordance with OEH's Aboriginal cultural heritage consultation requirements for proponents 2010 or preparation of an Aboriginal Cultural Heritage Assessment Report (ACHAR);*
- 5. If, during the proposed works, any Aboriginal objects or evidence of Aboriginal occupation are uncovered, all work must cease in the vicinity of the suspected Aboriginal objects or evidence of occupation, and further advice should be sought from a qualified archaeologist.*

On the basis of the above, the site has been assessed as having no potential for subsurface archaeological deposits (which has been confirmed by a site inspection) and no further aboriginal archaeology or cultural heritage assessment is considered to be required prior to the commencement of works.

6.5 Site Contamination

A school has been established on the site since the 1920's and is therefore considered to have a low potential of containing contaminated materials. There is potential for contamination associated with building materials due to the age of some structures and a hazardous material assessment will be undertaken. The EIS will be accompanied by a Preliminary Site Investigation.

6.6 Service Infrastructure

The EIS will include details of the necessary infrastructure services upgrades that may be required including stormwater drainage and electricity. As noted above, the proposal has been designed so as to avoid any works on, over or proximate to the major Sydney Water water main which transects the site east-west.

6.7 Environmental Sustainability

The EIS will include details of any opportunities the development can take to incorporate ESD measures within the project.

6.8 Waste Management

The EIS will include details of the waste management strategy for the development, including how waste streams at the demolition, construction and operational phases of the proposal will be managed.

6.9 Construction Works

The construction of the proposed development will be limited to the contract works period, however the potential impacts of construction works upon the surrounding land users and environment will still be considered within the EIS, including:

- Dust mitigation during earth works;
- Noise and vibration during construction works;
- Student / staff access to the site during construction works;
- Traffic impacts associated with the construction vehicles, including local traffic control measures;

6.10 Bushfire

The site is not mapped as being bushfire prone land and a bushfire hazard assessment is not required for this project.

7.0 Justification

The BNPS redevelopment project is seeking to deliver high quality, future focused, innovative and contemporary school facilities that meet the current and future needs of the school and the community.

Bankstown has been identified as an area of growth, and SINSW has identified the expansion of BNPS will reduce enrolment pressures in the future.

8.0 Consultation

Preliminary consultation has occurred with Council in relation to the proposed redevelopment on the 8 March 2019, as well as preliminary meetings held with Roads and Maritime Services in regard to the adjoining classified roads. Preliminary community consultation has also occurred including three Public Information Sessions on the BNPS redevelopment which were held during August and October 2018 after being advertised in local newspapers.

Following declaration of the project as SSD and the issuing of SEARs, authority and public consultation required as part of the preparation of the EIS will include: the City of Canterbury Bankstown Council, Transport for NSW, RMS, Sydney Water, Energy Australia, Telstra, Jemena and community groups.

9.0 Conclusion

The proposed redevelopment of BNPS is classified as SSD as it falls within the requirements of Clause 15(2) of Schedule 1 of SEPP SRD, being development for the purpose of alterations or additions to an existing educational establishment that has a capital investment value of more than \$20 million.

For the purposes of preparing the EIS it is envisaged the following plans and studies will be required:

- Architectural Plans;
- Landscape Plans;
- Civil Engineering Plans (include stormwater management and erosion and sediment control plans);
- Traffic and Parking Assessment, Workplace Travel Plan and Green Travel Plan;
- Heritage Impact Assessment;
- Arborist Report;
- Preliminary Contamination Investigations;
- Acoustic Assessment;
- Infrastructure Service Report;
- Geotechnical and Salinity Investigation;
- Construction Management Plan;
- Construction Noise and Vibration Management Plan;



- Construction Traffic Management Plan;
- Ecologically Sustainable Development (ESD) Report;
- Waste Management Plan;
- BCA and Access Report;
- Hazardous Material Survey;
- Design Safety Report

SINSW requests that the Secretary of the DPE issue the SEARs for the proposed BNPS redevelopment to facilitate the preparation of the EIS to accompany the DA.

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

Yours faithfully

DFP PLANNING PTY LTD

A handwritten signature in black ink, appearing to read 'S. Watts', written over a horizontal line.

SANDA WATTS
PRINCIPAL PLANNER

swatts@dfpplanning.com.au

Reviewed:

A handwritten signature in black ink, written over a horizontal line, likely representing a review or approval.

- Encl. Attachment 1 – Architectural Concept Plans
 Attachment 2 – Traffic and Parking Statement
 Attachment 3 – Biodiversity Development Assessment Report waiver request
 Attachment 4 – Aboriginal Archaeological Assessment