



# **Alexandria Park Community School**

*State Significant  
Development Assessment  
(SSD 8373)  
February 2019*



February 2019

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### **Cover photo**

South-eastern photomontage of proposed Entry/COLA of Alexandria Park Community School (Source: *Applicant's EIS 2017*)

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# Glossary

Abbreviation	Definition
AHD	Australian Height Datum
BCA	Building Code of Australia
CIV	Capital Investment Value
CIP	Community Involvement Plan
Consent	Development Consent
Council	City of Sydney Council
Department	Department of Planning and Environment
DPI	Department of Primary industries
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
EFSG	Educational Facilities Standards and Guidelines
FRNSW	Fire and Rescue NSW
Minister	Minister for Planning
OEH	Office of Environment and Heritage
OOSH	Outside of School Hours
OTAMP	Operational Transport and Access Management Plan
RFB	Residential Flat Building
RMS	Roads and Maritime Services
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SLEP	Sydney Local Environmental Plan 2012
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
TA	Transport Assessment



# Executive Summary

This report provides an assessment of a State significant development (SSD) application for the staged redevelopment of Alexandria Park Community School (APCS) (SSD 8373). The site is known as Alexandria Park Community School, Park Road Campus, located at 7 – 11 Park Road, Alexandria. The Applicant is the NSW Department of Education and the proposal is located within the City of Sydney local government area (LGA).

The proposal comprises the demolition of all existing buildings, including temporary pop-up school/s, site remediation works and construction of a new five storey educational establishment to accommodate up to 1,000 primary school students, up to 1,200 secondary school students and a 39 place childcare centre.

The proposal has a Capital Investment Value (CIV) of \$100,681,482 and would generate 146 new operational jobs and 96 construction jobs. The proposal is SSD under clause 15 of the *State and Environmental Planning Policy (State and Regional Development) 2011*, as it is development for the purpose of alterations and additions to an educational establishment with a CIV of more than \$20 million. Therefore, the Minister for Planning is the consent authority.

The application was publicly exhibited between 13 December 2017 until 31 January 2018. The Department of Planning and Environment (the Department) received a total of 29 submissions, including seven from public authorities (one objection) and 22 from the public (21 objections). One submission was received after exhibition had concluded during the assessment phase of the application.

The matters raised in submissions included concerns regarding the proposal's exceedance of the *Sydney Local Environmental Plan 2012* (SLEP) building height control, overshadowing and amenity impacts, view impacts, noise impacts from construction and intensified school operations, traffic and parking impacts, location of bicycle parking, failure to deliver a McEvoy Street pedestrian connection through-site-link, undertaking appropriate testing for site contamination and that a detailed investigation of Aboriginal cultural heritage on the site be undertaken.

The Applicant's Response to Submissions (RtS), submitted on 12 November 2018, included amendments to the modulation of the multi-purpose hall and southern primary school building blocks to increase their southern boundary setback, and to minimise overshadowing impacts on neighbouring residential buildings. The Applicant's RtS also included a detailed view impact assessment and further detailed analysis of predicted overshadowing impacts on the adjoining residential flat building developments adjacent to the south and west.

The Applicant's RtS was made publicly available on the Department's website and was referred to the relevant public authorities. An additional four submissions were received from public authorities, including Council. Outstanding issues raised in submissions included details concerning the need to engage a site auditor and the requirement for further site investigations beneath existing school buildings, the location of bicycle parking, overshadowing impacts and the delivery of McEvoy Street pedestrian the through-site-link.

The Applicant responded to the comments received on its RtS and outstanding issues in a Supplementary RtS on 5 December 2018. The Supplementary RtS included further amendments to the shade structure to reduce shadow impacts, amended landscape plans that updated tree removal details and increased site landscaping, a revised Arborist report and an amended transport assessment that provided clarification of the number of bicycle parking spaces and locations.



The Department identified built form and urban design, amenity, transport and parking as the key assessment issues.

The Department considers that the proposed design of the buildings, as refined in the RtS and Supplementary RtS, are acceptable and appropriate within the context of the site. It is also considered that the potential amenity impacts on adjoining neighbours arising from the proposed built form, such as overshadowing, privacy and view loss, are considered satisfactory having regard to the additional detailed assessments undertaken and in the context of the significant public benefit the proposal. The residual impacts can be appropriately mitigated by conditions of consent.

The Department has considered transport and parking impacts and is satisfied that the proposed reinstatement and formalisation of the existing 28 on-site car parking spaces would be satisfactory having regard to the site's proximity to existing public transport, implementation of the Applicant's proposed Green Travel Plan and proposed augmentations to existing on-street parking restrictions to improve pick-up and drop-off facilities. To minimise potential safety impacts, the Department has recommended the relocation of a portion of the proposed bicycle parking spaces clear of potential conflicts with vehicles accessing the Belmont Street car park and for a minimum 50 per cent of bicycle parking to be provided with suitable weather protection.

The Department has considered the merits of the proposal in accordance with relevant matters under section 4.15(1), the objects of the *Environmental Planning and Assessment Act 1979*, the principles of Ecologically Sustainable Development, and issues raised in all submissions as well as the Applicant's response to these.

The Department has concluded that the redevelopment of APCS would provide significant public benefit to the immediate local and surrounding district through the provision of increased enrolment capacities for both primary and secondary school aged children and brand new education and community facilities.

The Department concludes the proposal is in the public interest and recommends that the application be approved subject to conditions.



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# 1. Introduction

This report provides an assessment of a State Significant development (SSD) application that proposes the redevelopment of Alexandria Park Community School (APCS) (SSD 8373) pursuant to Part 4, Division 4.7 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act). The site is located at 7-11 Park Road, Alexandria on land currently occupied by the existing APCS, which consists of a junior school at the southern end of the site and a senior school at the northern end of the site, which is currently housed in temporary 'pop-up' demountable buildings.

The proposal seeks approval for the staged redevelopment of APCS, comprising:

- demolition of all existing building, structures and temporary pop-up school buildings
- site remediation works
- construction of multiple school buildings up to five storeys in height accommodating:
  - up to 1,000 primary students
  - up to 1,200 secondary students
  - a 39-place childcare centre
  - a community centre.
- construction of a sports hall, multiple outdoor sports courts and all-weather multipurpose sports field
- associated site landscaping, on-site car parking, vehicular access and ancillary infrastructure services.

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

## 1.1 Site description

The site is irregular in shape and is 2.83 hectares in area. The site is legally described as Lot 11 DP 615964; Lot 1 DP 74696; Lots 2 and 3 DP 69494 and Lots A and B DP 109038 and is located in Alexandria within the Sydney LGA. The site is located approximately three kilometres (km) from the Sydney CBD, 1 km south of Redfern Station, 750 metres (m) north-west of Green Square Station and 500m south of the Australia Technology Park employment hub.

The site (see **Figure 3**), under the ownership of the NSW Department of Education, has frontages to Park Road (150m), Belmont Street (58m) and Buckland Street (129m) and is located opposite, to the west, of Alexandria Park (locally listed heritage item). A 6m wide Sydney Water stormwater drainage easement, containing a covered concrete channel, traverses diagonally through the site in a south-west to north-east direction.

The site is currently occupied by three separate schools, including:

- APCS Park Road Campus (existing historical school), accommodating primary school students (Kindergarten to Year 6) and childcare centre within existing school buildings (area shown in yellow in **Figure 2**)
- Intensive Language School (temporary 'pop-up'), accommodated within new demountable buildings (area shown in green in **Figure 2**)
- APCS Mitchell Road Campus (temporary 'pop-up'), accommodating secondary school students within new demountable buildings (area shown in red in **Figure 2**).



The site is relatively flat, falling approximately one metre from the north-western corner of the site to the south-eastern corner of the site at Park Road. The site is predominantly clear of vegetation, however comprises a number of large native mature trees situated around the site's boundary and sporadically between existing built form.

The site and project location is shown in **Figures 1 to 3**.



**Figure 1** | APCS Local context map (Base source: Nearmap 2018).



**Figure 2** | Alexandria Park Community School Park Road Campus (Source: Applicant's EIS 2017).

## 1.2 Surrounding development

The APCS is surrounded by varied land uses (see **Figure 3**), including:

- low density terrace residential development opposite the site to the north along Buckland Street that are generally two stories in height
- industrial warehouse, surrounding the site to the west and immediate south and south-east



- existing high density residential flat building developments, between three to five stories in height, along the site's western boundary.



**Figure 3** | Project location and surrounding context (Base source: Nearmap 2018).

## 2. Project

The proposal would provide for the redevelopment of APCS that would cater to 1,000 primary school aged children and 1,200 secondary aged children and would generally comprise of the staged demolition, remediation and construction of a new educational establishment consisting multiple school buildings up to five storeys in height, new passive and active open space areas, a multi-purpose hall, outdoor sports courts and field, on-site car parking, landscape and ancillary infrastructure works.

The key components and features of the proposal (as refined in the Response to Submissions) are provided in **Table 1** and are shown in **Figures 4 to 10**.

**Table 1** | Main components of the project

Aspect	Description
Project Summary	Staged redevelopment of Alexandria Park Community School consisting of the demolition of existing buildings and structures, site remediation works, construction of new school buildings for 1,000 primary and 1,200 secondary school students, redevelopment of the existing ancillary community centre and a 39 place child care centre and ancillary recreation facilities, landscaping and infrastructure.
Site preparation works	<ul style="list-style-type: none"> <li>• Staged demolition of all existing school buildings and ancillary structures, including all temporary pop-up school buildings.</li> <li>• Demolition staging to be undertaken in three phases to the Park Road school and temporary pop-up schools 1 and pop-up school 2.</li> <li>• Site remediation works of identified contamination areas.</li> </ul>
Built form	<ul style="list-style-type: none"> <li>• Staged construction of multiple school buildings up to five storeys in height comprising: <ul style="list-style-type: none"> <li>o classroom home bases, collaborative learning spaces, specialist learning hubs, learning support spaces, offices for teachers and administrative staff, library, student canteen</li> <li>o informal play spaces and covered outdoor learning area (COLA)</li> <li>o indoor sports hall, all-weather synthetic sports field, two outdoor sports courts and passive recreation areas</li> <li>o maximum building height of 21.2m (RL 33.927 - top of roof)</li> <li>o a 39 place childcare centre and community centre.</li> </ul> </li> <li>• Building setbacks: <ul style="list-style-type: none"> <li>o Northern <ul style="list-style-type: none"> <li>- 40m to Buckland Street.</li> </ul> </li> <li>o Southern <ul style="list-style-type: none"> <li>- 3.8m to Belmont Street.</li> <li>- 5m to 139 McEvoy Street (residential)</li> <li>- 10m to 15.5m to 141 - 143 McEvoy Street (residential)</li> </ul> </li> </ul> </li> </ul>

- 8.9m to 13.1m to 145 McEvoy Street (residential).
- o Eastern
  - 1.7m to 3.2m to 119 - 133 McEvoy Street (warehouse)
  - 70m to Park Road.
- o Western
  - 14.5m to pedestrian easement
  - 8.3m to 58 - 60 Belmont Street (residential)
  - 5.2m to 15.2m to 15 - 17 Fountain Street (residential).

Site area	<ul style="list-style-type: none"> <li>• 2.83 hectares</li> </ul>
Area schedule	<ul style="list-style-type: none"> <li>• Gross Floor Area (GFA) of 20,368sqm.</li> <li>• Outdoor Area of 8,023sqm, comprising:           <ul style="list-style-type: none"> <li>o 3,945sqm of rooftop play space</li> <li>o 4,078sqm of unenclosed areas.</li> </ul> </li> </ul>
Uses	<ul style="list-style-type: none"> <li>• Educational establishment and childcare.</li> </ul>
Access	<ul style="list-style-type: none"> <li>• Pedestrian access proposed from existing Buckland Street, Park Road and Belmont Road access point, comprising of a main pedestrian entry from Park Road.</li> <li>• Construction of new vehicular access point on Belmont Street for staff car parking.</li> <li>• Retention of existing vehicular access point on Belmont Street for delivery and emergency vehicle access.</li> </ul>
Car parking	<ul style="list-style-type: none"> <li>• Demolition of 28 existing informal school spaces and construction of a new formal car park with 28 new spaces</li> <li>• 18 additional pick-up/drop-off spaces on Buckland Street.</li> </ul>
Bicycle parking	<ul style="list-style-type: none"> <li>• 144 spaces comprising a minimum:           <ul style="list-style-type: none"> <li>o 20 staff spaces</li> <li>o 100 high school student spaces</li> <li>o 24 primary school student spaces.</li> </ul> </li> </ul>
Public domain and landscaping	<ul style="list-style-type: none"> <li>• Removal of 69 trees and subsequent replacement with advanced trees of pot sizes of 75L and 100L.</li> <li>• Site landscaping, comprising:           <ul style="list-style-type: none"> <li>o Park Road entry plaza and COLA, entry sliding gates and 2.1m sculptural security fencing set in landscape</li> <li>o alfresco dining space set within an outdoor/flexible seating environment</li> <li>o retention of existing COR-TEN perimeter fence</li> <li>o central synthetic turf open play and gathering area for Primary School passive and active recreation</li> <li>o community garden adjacent to the childcare centre</li> <li>o landscaped fitness trail along the Buckland Street boundary</li> </ul> </li> </ul>

- rooftop passive and active recreation spaces, comprising synthetic lawns, sculptural decking, multipurpose play surface, productive garden and kitchen garden.

Hours of operation	<ul style="list-style-type: none"> <li>● Construction:             <ul style="list-style-type: none"> <li>○ Monday to Friday 7.00am to 6.00pm</li> <li>○ Saturday 8.00am to 1.00pm</li> <li>○ No works on Sundays or public holidays.</li> </ul> </li> <li>● Operational (school activities and community use):             <ul style="list-style-type: none"> <li>○ 7.00am to 10.00pm.</li> </ul> </li> </ul>
Signage	<ul style="list-style-type: none"> <li>● Building identification signage, comprising 'Alexandria Park Community School'.</li> </ul>
Jobs	<ul style="list-style-type: none"> <li>● 96 full-time construction related jobs</li> <li>● 146 new full-time staff.</li> </ul>
CIV	<ul style="list-style-type: none"> <li>● \$100,681,482.</li> </ul>

The Department sought clarification from the Applicant in regard to the difference in school population from the existing school. In response, the Applicant clarification confirmed that in total the school population was expected to be 1380 students with 126 staff. A breakdown of the existing and proposed school population is in **Table 2** below.

**Table 2** | Breakdown in existing and proposed APCS population

Student population	Current	Proposed	Additional
Primary	384	1,000	616
Senior	435	1,200	765
<b>Total:</b>	819	2,200	1,381
Staff population	Current	Proposed	Additional
Primary	29	100	71
Senior	42	100	58
<b>Total:</b>	71	200	129

The application originally proposed in the EIS an additional 1600 students and an additional 146 staff. The Department considers that for the purpose of this assessment report that the population figures proposed in the EIS be used for consideration in the assessment of the proposal. This will ensure that the maximum potential impact of the proposal can be assessed. This will ensure that any potential detrimental impacts on the surrounding uses and locality are appropriately considered.



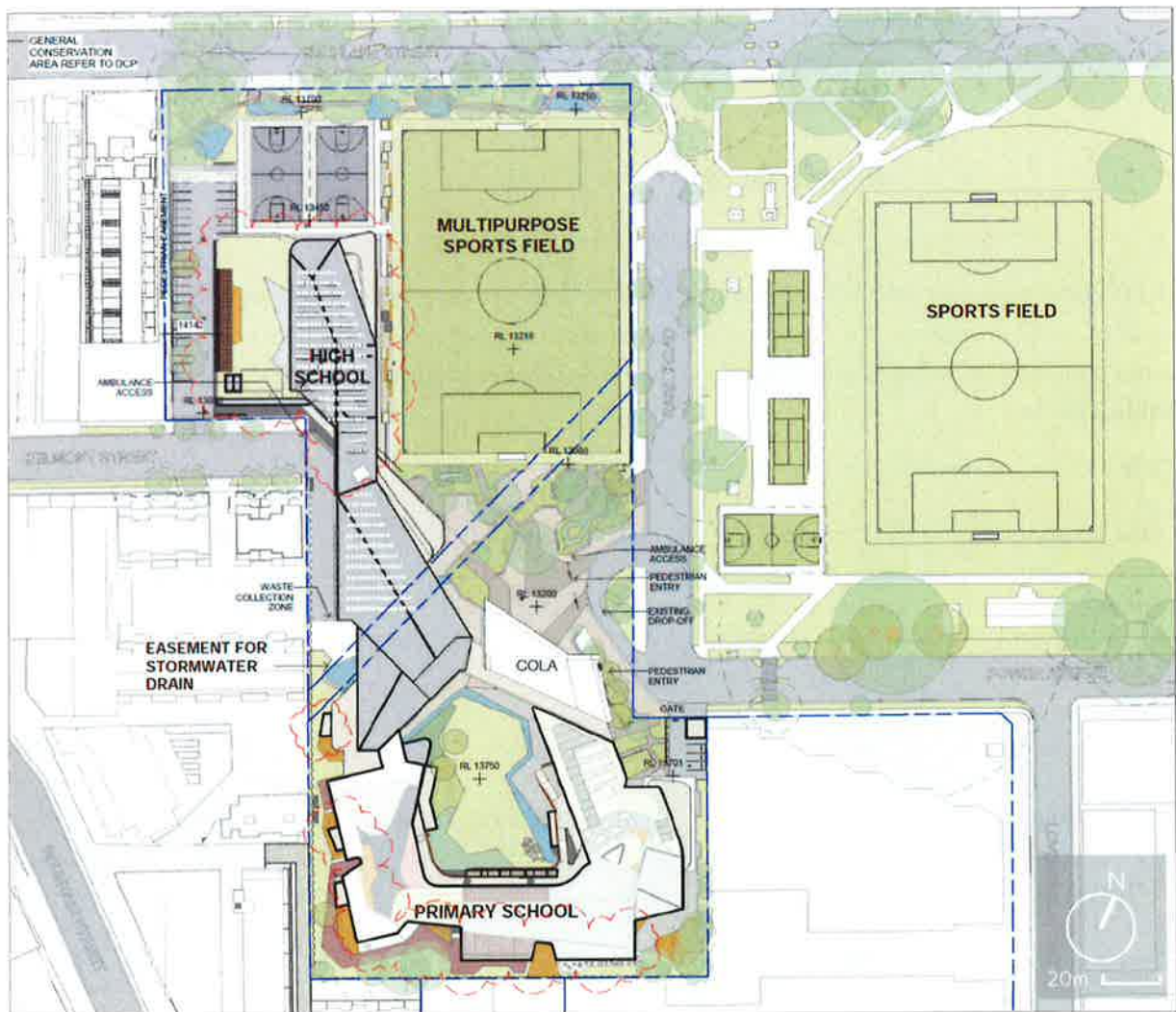
## Physical layout and design

The proposal seeks approval for the demolition and clearance of the site of all existing buildings and structures associated with the exiting Park Road Campus of APCS and the temporary pop-up schools sited on the northern section of the site adjacent to Buckland Street.

The proposed new built form would be primarily sited adjacent to the western and southern boundaries, with a predominant three and four storey perimeter built form and up to five stories nearer to the centre of the site.

Proposed early site works would remove 69 existing trees to accommodate the building footprints of future school buildings, with 69 compensatory advanced tree species proposed to replace vegetation lost. In addition, the scheme comprises a range of multi-functional landscaped spaces and outdoor classrooms, including the provision of trafficable rooftop areas for both active and passive recreation activities.

**Figures 4 to 6** detail the site layout and visual impression of the final developed built form.



**Figure 4** | Proposed site layout (Source: Applicant's RtS 2018).





**Figure 5** | Southern at-grade photomontage perspective (Source: Applicant's RtS 2018).



**Figure 6** | Southern aerial perspective (Source: Applicant's RtS 2018).

### **Uses and activities**

The proposed redevelopment seeks to operate between 7.00am and 10.00pm daily and would continue the ongoing educational establishment land use. The proposal would facilitate the consolidation of the primary and secondary school campuses onto a single site and purpose built facility. The proposal would also continue to accommodate existing ancillary community and pre-school uses.

These existing educational functions would intensify, with a proposed maximum increase of 1600 students 140 new staff to be accommodated on-site.

The proposal also accommodates community use and activities outside of school hours.

. The design and layout of the proposal would allow the northern, recreational functions of the new school to be sectioned off outside of school hours to ensure security is maintained to the main, primary and secondary school

grounds. In conjunction with this, the proposal also seeks approval for the use of the new indoor and outdoor sports courts and field until 11.00pm.

### Construction works and staging

Figures 7 to 9 below detail the proposed approach to the staged demolition and redevelopment of APCS. The redevelopment of the school is proposed to be undertaken over a number of phases, to ensure that the existing schools remain operational;

- Phase 1 - demolition of the existing primary school buildings and retention of temporary 'pop-up' schools along the northern portion of the site. Redevelopment of the southern portion of the campus, including new school building blocks, pre-school and community centre.
- Phase 2 - demolition of the temporary pop-up APCS Mitchell Road campus secondary school and retention of temporary pop-up Intensive Language School. Construction of the remainder of the proposal including the multi-purpose hall and gym, car park and two outdoor sports courts.
- Phase 3 - demolition of the temporary pop-up Intensive Language School and construction of the new outdoor synthetic sports field and completion of entry forecourt.

The proposed redevelopment of school is expected to take approximately five years. The schools will remain fully operational during this period.



Figure 7 | Phase 1 Demolition and redevelopment of the southern area of the site (Source: Applicant's RtS 2018).





**Figure 8** | Phase 2 Demolition and redevelopment of the remainder of the new buildings (Source: Applicant's RtS 2018).



**Figure 9** | Phase 3 Demolition and construction of outdoor sports field and entry forecourt (Source: Applicant's RtS 2018).

### **Previous approvals for current temporary arrangements on school site**

A list of the approvals that have catered for the teamwork school operation on the northern section of the site are as follows:

- temporary Pop Up School 1 – REF approved on 9 October 2016
- temporary Pop Up School 2 – CDC (Ref: NC170096) approved on 11 August 2017
- temporary preschool – DA/2018/295 (City of Sydney Council), approved on 23 July 2018
- On 13 August 2018, the City of Sydney Council approved the closure of Park Road.



## 3. Strategic Context

### 3.1. Project need and justification

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

The Applicant advises that the proposed consolidation of the Mitchell Road senior campus to the Park Road junior campus meets the objectives of DoE's long term strategy for school sites within the City of Sydney LGA. The proposal also seeks to address capacity issues inner-city schools are facing as a result of previous significant population growth.

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

- it is consistent with the Greater Sydney Regional Plan, A metropolis of three cities, as it provide new and expanded school facilities to meet the growing needs of Sydney
- it is consistent with the NSW Future Transport Strategy 2056, as it would provide a new educational facility in a highly accessible location and provide access to additional new employment opportunities close to existing and future public transport, including Green Square and Redfern Train Stations (approximately 750m south-east and 950m north, respectively) and the future Waterloo Metro Station (approximately 400m east).
- it is consistent with the vision outlined in the Greater Sydney Commission's revised Eastern District Plan, as it would provide increased enrolment capacities within the Eastern District to meet projected growth and provide much needed school infrastructure conveniently located near existing public transport services and opportunities to co-share facilities with the local community
- it is consistent with State Infrastructure Strategy 2018 – 2038 Building the Momentum as it proposes:
  - an expansion to the existing school capacity and function
  - facilities to support the growth in demand for primary and secondary student enrolments
  - a school designed to accommodate infrastructure and facilities sharing with communities.
- it would provide direct investment in the region of approximately \$100,681,482, which would support up to 96 construction jobs and 146 new operational jobs.



## 4. Statutory Context

### 4.1 State significant development

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

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

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

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

### 4.2 Permissibility

The site is zoned SP2 Infrastructure – Educational Establishment under Sydney Local Environmental Plan 2012 (SLEP 2012). The proposed redevelopment of an existing educational establishment is permissible with consent. The proposal also includes the redevelopment of the existing ancillary community centre and pre-school facilities, including the operation of Out of School Hours (OOSH) service, which would continue to operate in an integrated manner as part of the larger educational establishment facilities and are therefore permissible with consent.

Therefore, the Minister for Planning or delegate may determine the carrying out of the development.

### 4.3 Other approvals

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

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

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

### 4.4 Mandatory matters for consideration

#### Objects of the EP&A Act

The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent/ approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects. Therefore, in making an assessment, the objects should be considered to the extent they are relevant. A response to the objects of the EP&A Act is provided at **Table 3**.



**Table 3** | Response to the objects of section 1.3 of the EP&A Act

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State’s natural and other resources	The proposed redevelopment of APCS would ensure the proper management and development of suitably zoned land that would promote the social welfare of the community and State. In addition, the proposal would provide new employment opportunities close to homes and public transport.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal includes measures to deliver Ecologically Sustainable Development (ESD) principles (see below table).
(c) to promote the orderly and economic use and development of land,	The proposal is considered to be an orderly and economic use and development of the land as it is consistent with the site’s land use zoning and historical use as an educational establishment.
(d) to promote the delivery and maintenance of affordable housing,	Not Applicable.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposal does not impact on threatened species, vulnerable species, significant habitats, populations or ecological communities. The proposal includes new landscaping works that would provide for new habitat opportunities.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	<p>The proposal would not impact on the significance of the adjoining locally listed Alexandria Park heritage item or surrounding Alexandria Park Conservation Area as listed under SLEP.</p> <p>The built form of the proposal has been setback from the Park and sited along the site’s western boundary and would minimise potential bulk and scale impacts on the Park’s curtilage. The proposal does not modify the historical educational land use of the site and would strengthen the relationship between both sites through the provision of new recreational facilities along the site’s Buckland Street frontage, adjacent to the Park’s western boundary.</p> <p>The Aboriginal cultural heritage assessment prepared for the proposal concludes that the site’s redevelopment is unlikely to have any impacts on</p>

	Aboriginal cultural heritage given previous disturbances across the site.
(g) to promote good design and amenity of the built environment,	The proposal has been designed to minimise potential amenity impacts while maximising its internal amenity and to ensure a development with good design is achieved ( <b>Section 5.2</b> ).
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The proposal involves the construction of a new, modern education building and associated recreational infrastructure. The design of the proposal incorporates energy and water efficient design initiatives that would minimise the consumption and use of natural resources. The proposal has also been designed to ensure compliance with minimum building standards required by the NSW Department of Education to ensure the health and safety of primary, secondary students and other children under care on-site is maximised at all times.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the proposal ( <b>Section 4.1</b> ), which included consultation with Council and other public authorities and consideration of their responses ( <b>Sections 4.1 and 5</b> ).
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the proposal as outlined in <b>Section 4.1</b> , which included notifying adjoining landowners, placing a notice in newspapers and displaying the proposal on the Department's website and at Council during the exhibition period.

### Ecologically sustainable development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

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

The Applicant has also identified a range of ESD initiatives within the design of the project to enable the proposal to achieve a minimum Green Star rating of 4, including:

- establishment of ongoing water and energy consumption, waste recycling and good quality indoor environment maintenance/performance targets

- installation of metering on all major energy and water consuming equipment and devices to enable the management and efficient use of natural resources on site
- use of rainwater tanks to harvest and reuse stormwater and drainage runoff
- orientation of indoor spaces to maximise natural daylight and ventilation
- installation of energy efficient fittings and fixtures
- installation of solar photovoltaic cells on the roof of the proposal to offset any daytime energy demand and reducing long term operating costs.

The Applicant is targeting 4-Star Green Star rating in line with the Educational Facilities Standards and Guidelines (EFSG) design guide. The Department has recommended a condition that the details of the final ESD initiatives implemented be submitted to the satisfaction of the Certifying Authority prior to commencement of works.

The Department has considered the proposed development in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision making process via a thorough and rigorous assessment of the environmental impacts of the proposed development. The proposed development is consistent with ESD principles as described in Section 3.10 and Appendix S of the Applicant’s EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

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

### **Environmental Planning and Assessment Regulation 2000**

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

### **Planning Secretary’s Environmental Assessment Requirements**

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

### **Section 4.15(1) matters for consideration**

**Table 4** identifies the matters for consideration under section 4.15 of the EP&A Act that apply to SSD, in accordance with section 4.40 of the EP&A Act. The table represents a summary for which additional information and consideration is provided for in **Section 6** (Assessment) and relevant appendices or other sections of this report and EIS, referenced in the table.

**Table 4 |** Section 4.15(1) matters for consideration

<b>Section 4.15(1) Evaluation</b>	<b>Consideration</b>
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department’s consideration of the relevant EPIs is provided in <b>Appendix B</b> of this report.
(a)(ii) any proposed instrument	The Department’s consideration of the draft EPIs is provided in <b>Appendix B</b> of this report.
(a)(iii) any development control plan (DCP)	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD. Notwithstanding, consideration has been given to relevant DCPs at <b>Appendix B</b> .

(a)(iii) any planning agreement	Not applicable.
(a)(iv) the regulations <i>Refer Division 8 of the EP&amp;A Regulation</i>	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	Appropriately mitigated or conditioned - refer to <b>Section 5</b> of this report.
(c) the suitability of the site for the development	The site is suitable for the development as discussed in <b>Sections 3</b> and <b>5</b> of this report.
(d) any submissions	Consideration has been given to the submissions received during the exhibition period. See <b>Sections 4</b> and <b>5</b> of this report.
(e) the public interest	Refer to <b>Section 5</b> of this report.

### Environmental planning instruments

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

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

### Biodiversity Conservation Act 2016

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

The proposed works are not likely to have a significant impact on biodiversity values. The Office of Environment and Heritage and the Department have determined that the redevelopment of the Alexandria Park Community School is not required to be accompanied by a BDAR and as such a biodiversity waiver was issued on 17 December 2018.

# 5. Engagement

## 5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 13 December 2017 until 31 January 2018 (48 days). The application was exhibited at the Department and on its website, at the NSW Service Centre and at Council's office.

The Department placed a public exhibition notice in the Sydney Morning Herald, Daily Telegraph and Southern Courier on Wednesday, 13 December 2017, and notified adjoining landholders and relevant State and local government authorities in writing. The Department representatives visited the site to provide an informed assessment of the development.

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

## 5.2 Summary of submissions

The Department received a total of 29 submissions, comprising seven submissions from public authorities and 22 submissions from the general public, 21 of which objected to the proposal. A summary of the issues raised in the submissions is provided at **Table 5** and **Table 6** below and copies of the submissions may be viewed at **Appendix A**.

## 5.3 Public authority submissions

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

**Table 5** | Summary of public authority submissions

### City of Sydney (Council)

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

- plans should be updated to clearly identify the existing easement for pedestrian/bicycle access on the site's western boundary
  - Council would like to consider an agreement with the NSW Department of Education regarding the use, operation and maintenance costs of any potential expanded sports facilities as a result of the proposed closure of Park Road, as well as the potential vehicle traffic impacts on the locality
  - the outdoor sports fields should be to International Rugby Board standard to cater for both contact and non-contact sporting codes
  - Council recommends fencing around the outdoor sports field be restricted to 1.2m in height
  - Council's Development Control Plan details the future southern extension of Park Road through to McEvoy Street and should be addressed accordingly, including the provision of a through site link in lieu of a road
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- the submitted shadow diagrams do not provide sufficient detail during midwinter and additional material should be submitted to enable a detailed assessment of overshadowing impacts, including details of impacts on adjoining residential apartment buildings
  - Council support the proposed perforated metal screen to unify the architectural form, but seeks confirmation relating to the level of transparency and the screen's impact on the solar amenity of habitable spaces
  - consideration should be given to enlarging the library entry and reconfiguring it to provide a more legible, direct and assessable entry
  - the provision of barriers to restrict unsupervised access to the external 'Canopy Classrooms' located along the western and southern boundaries at the ground floor would improve safety
  - concern is raised with the proposed location of student bicycle parking within the staff parking area and alternative locations should be investigated
  - all plans and documentation should be updated to align with each other in terms of tree removal and retention
  - any proposed changes to street parking restrictions would require separate approval from Council's Pedestrian Cycling and Traffic Calming Committee
  - a flood refuge plan should be provided instead of the flood evacuation plan submitted
  - further site and groundwater investigations must be carried out as per the recommendations outlined in the Detailed Site Investigation Report
  - concerns are raised that the intensification of the use and requirements for additional plant and machinery may further increase the noise levels given the close proximity of neighbouring houses to the school
  - a biodiversity assessment has not been provided and it is recommended that the biodiversity impacts related to the proposal be properly assessed and documented in accordance with the FBA.

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### **Sydney Water**

Sydney Water objects to the proposal (as stated in the EIS) due to the likely impact of the proposal on existing assets and services located within the site, and the failure of the proposal does not comply with its guidelines for Building Over or Adjacent to Stormwater Assets (Sydney Water).

Sydney Water also provided standard comments regarding the arrangement of future utilities.

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### **Transport for NSW (TfNSW)**

TfNSW does not object to the proposal, however, provided a number of comments and recommendations, including:

- appropriate parking restrictions and/or a cul-de-sac should be proposed by the Applicant if it is determined that vehicles cannot turn around at the end of Park Road with a single movement
- prior to the commencement of school operations, additional information and the proposed student catchment area should be provided to determine the likely demands on the transport network



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- additional bus pick-up/drop-off zones should be provided in Park Road and Power Avenue to accommodate future demand for bus services
  - updated staff travel mode share data must be provided by the Applicant to estimate on-street parking demands
  - the Transport Assessment should provide details on the likely on-street staff parking impacts, including further justification for the proposed on-site parking provisions and adequacy to accommodate the demand generated by the proposal
  - bicycle parking should be provided at all site access points and separated from vehicle movements.

TNSW also provided a number of recommended conditions of consent relating to construction pedestrian traffic management, green travel plan, traffic and parking management plan, signage plan, road safety evaluation and service vehicle access that should be imposed on any determination made.

### **Office of Environment and Heritage (OEH)**

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OEH raised concerns and a number of comments provided which require clarification, including:

- the Flora and Fauna Survey report was not prepared in accordance with the FBA and a waiver requesting that an assessment is not required has not been received
- the FBA requires an assessment be carried out for threatened species that can't be predicted by native vegetation (i.e. for species credit species)
- species surveys undertaken are considered inadequate to accurately detect microchiropteran bats
- the Aboriginal Cultural Heritage Assessment report must be completed prior to the determination of the proposal
- if built form is proposed within flood impacted areas on-site, a flood impact assessment must be undertaken that addresses existing and post development conditions up to the probable maximum flood (PMF), the proposal's impact on overland flow behaviour, and appropriate management strategies.

### **Roads and Maritime Services (RMS)**

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RMS provided no comments.

### **NSW Environment Protection Authority (EPA)**

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EPA provided a number comments and recommendations, including:

- the Applicant must engage an accredited site auditor to review site investigations, unexpected finds protocol, and any remedial works or management plan
- further investigation is required to fully assess potential indoor vapour risk due to the detection of trichloroethene in soil vapours
- further site investigations must be undertaken beneath buildings and temporary structures proposed to be demolished and prior to any construction
- the EPA favours the removal of asbestos impacted soils from sites proposed for schools in preference to the proposed on-site containment of those soils

- the remedial action plan does not consider acid sulphate soils management or the potential sulphurous odours arising from the exposure of these impacted soils during construction and must be assessed in accordance with Acid Sulphate Soils Manual (NSW Acid Sulphate Soil Management Advisory Committee, 1998)
- the Applicant be required to apply the more conservative background noise monitoring from Buckland Street as the representative data for the entire development site due to incorrect noise monitoring undertaken
- the proposed sports hall/facility must not be made available for community use between 10.00pm and 7.00am weekdays and Saturday and on Sundays and public holidays
- specified hours of operation for the use of the proposed outdoor sports fields by the community.

The EPA also recommended a number of conditions of consent relating to site contamination, asbestos and waste management and removal of underground petroleum storage system that should be imposed on any determination made.

### Ausgrid

Ausgrid provided the following comments:

- consideration must be given to existing overhead network assets and underground cables within Park Road, Power Avenue and Buckland Street where it is proposed to close Park Road
- construction works must be undertaken in accordance with the relevant SafeWork NSW standards and Ausgrids Network Standards
- the proposal must be designed to ensure minimum separation distances to the existing electricity substation and fire rating construction standards are complied with
- the development must comply with both the Reference Levels and the precautionary requirements of the Draft Radiation Protection Standard for Exposure Limits to Electric and Magnetic Fields 0 Hz – 3 kHz (Australian Radiation Protection and Nuclear Safety Agency, 2006).

## 5.4 Public submissions

A summary of the issues raised in the public submissions is provided at **Table 6** below and copies of the submissions may be viewed at **Appendix C**.

**Table 6 |** Summary of the public submissions to the proposal

Issue	Proportion of submissions
<ul style="list-style-type: none"> <li>• The Applicant's clause 4.6 submission does not satisfy the relevant SLEP 2012 objectives, fails to justify the proposed 15m height non-compliance and would result in unreasonable impacts on the solar access, views, privacy and amenity of adjoining residents.</li> </ul>	59 %
<ul style="list-style-type: none"> <li>• The height of the proposal would cause overshadowing onto buildings and common areas of surrounding residential flat buildings, including 44 - 58 Belmont Street, 15 - 17 Fountain Street, 135 - 139 McEvoy Street and 141 - 143 McEvoy Street.</li> </ul>	45 %

<ul style="list-style-type: none"> <li>• The location and scale of the proposal would have impacts on privacy as a result of excessive noise and disturbance to courtyard spaces of adjoining residences.</li> </ul>	41 %
<ul style="list-style-type: none"> <li>• The proposal is an overdevelopment and would alter the existing character of the locality.</li> </ul>	32 %
<ul style="list-style-type: none"> <li>• The proposal would generate noise impacts from the operation of the school that would impact on existing surrounding residents. Noise sources from children playing on active rooftops, outdoor classes, school bells and community centre activities and commercial cleaners should be appropriately managed and located away from residents.</li> </ul>	18 %
<ul style="list-style-type: none"> <li>• The proposal would impact on street parking.</li> </ul>	18 %
<ul style="list-style-type: none"> <li>• The height of the building would impact on views to Alexandria Park and city skyline.</li> </ul>	18 %
<ul style="list-style-type: none"> <li>• The proposed active rooftop areas on the buildings adjacent to the southern boundary would generate noise in close proximity to existing residents and should be removed from the proposal.</li> </ul>	18 %
<ul style="list-style-type: none"> <li>• The proposal fails to achieve the 6m setback separation requirement to the southern common boundary in accordance with the Apartment Design Guideline.</li> </ul>	13.6 %
<ul style="list-style-type: none"> <li>• The proposal would cause additional impacts on already congested roads.</li> </ul>	13.6 %
<ul style="list-style-type: none"> <li>• NSW Government should reconsider and invest in additional schools in the Waterloo/Green Square/Zetland areas.</li> </ul>	13.6 %
<ul style="list-style-type: none"> <li>• Additionally, concerns were raised by the public in relation to: <ul style="list-style-type: none"> <li>○ retention of mature vegetation along the southern boundary and car park, overall removal of trees</li> <li>○ provision of landscaping on the common southern boundary to reduce scale and provide green buffer</li> <li>○ provision of fixed screens to the southern boundary of the three storey building would equate to a four storey buildings in terms of mass and result in a visually bulky and excessive built form</li> <li>○ the proposal does not meet clause 6.21 of the SLEP 2012 and does not achieve design excellence</li> <li>○ no analysis has been undertaken between a compliant building form and the proposed development</li> <li>○ failure to consider amenity impacts on development potential to adjoining sites and future amenity of residential occupants noting established planning principles for access to sunlight (<i>The Benevolent Society v Waverley Council [2010] NSWLEC 1082</i>)</li> </ul> </li> </ul>	< 10%

- o overdevelopment on southern and western boundaries
- o impacts from two unspecified structures on southern boundary cannot be assessed
- o false statement to say school will operate during school hours when schools typically operate outside of 9.00am to 3.00pm
- o assurances should be provided that the proposal would not impact on the privacy of existing residents of 141 McEvoy Street and that appropriate window coverings would be provided
- o indoor/outdoor lighting should be designed and managed to ensure there is no off-site light pollution impacts
- o flooding impacts should be investigated
- o inconsistencies in supporting reports and documents
- o proposal violates heritage recommendations of the surrounding neighbourhood
- o existing neighbourhood sports facilities should be used or upgraded
- o no consideration of the WestConnex program has been given in the proposal
- o the proposal should include a childcare centre.

## 5.5 Response to Submissions

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

On Monday, 12 November 2018, the Applicant provided a Response to Submissions (RtS) (**Appendix A**) on the issues raised during the exhibition of the proposal. As part of its RtS, the Applicant made amendments to the application in response to concerns raised by the Department, Council and general public. Key amendments made relate to the modulation of the multi-purpose hall and southern primary school building blocks to increase their southern boundary setback to minimise overshadowing impacts on neighbouring residential buildings.

The RtS was made publicly available on the Department's website and was referred to the relevant public authorities. An additional four submissions were received from public authorities, including Council, OEH, EPA and TfNSW. A summary of the issues raised in the submissions is provided at **Table 7** and copies of the submissions may be viewed at **Appendix A**.

The Applicant submitted correspondence prepared by Sydney Water with its RtS detailing Sydney Water's conditional approval of the proposal to building adjacent to and over the existing easement, subject to separate conditions.

During the assessment of the application, one additional submission was received from a member of the public raising concerns about the potential loss of the views to Alexandria Park and amenity impacts on residential terraces at 92 Buckland Street (northwestern boundary of site).

**Table 7 |** Summary of public authority submissions to the RtS

### Council

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Council raised no objections and provided the following additional comments:

- Council resolved to approve the key terms of the Heads of Agreement with the NSW Department of Education regarding the use of Alexandria Park by Alexandria Park Community School and continue to consult with the Applicant regarding the closure of Park Road and shared use of facilities
- the Department should ensure the proposal does not prejudice the ongoing discussions and consultation
- the fire pump room and at-grade car park should be removed or relocated to facilitate the important future connection between Park Road and McEvoy Street, as specified in the DCP
- hourly views from the sun should be provided that show the living room glazing of affected properties to verify the overshadowing results detailed in the RtS
- section drawings show the proposed building north of 141-143 McEvoy Street includes roof shade structures that may cause some overshadowing impacts which could be mitigated by relocating the structures further north away from the southern boundary
- the Department should be satisfied that any approval granted would guarantee design excellence and include specific details of all external materials and colours
- the total number and location of bicycle parking spaces should be clarified, particularly in relation to Council's original concerns regarding the location of student bicycle parking within the staff car parking area
- inconsistencies between plans submitted with the RtS regarding trees identified for removal should be updated to align with one another
- the proposed new vehicle cross over for the new car park off Belmont Street would require the removal of two street trees which has not been considered
- a public domain damage bond should be provided to protect against the potential for damage along the site's public road frontages
- the Department should ensure that appropriate conditions addressing minimum floor levels and flood evacuation
- the RAP has not been endorsed by an accredited Site Auditor nor a statement stating that the site can be made suitable for the proposed use.

### OEH

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- OEH supported the recommendations provided in the Applicant's Aboriginal Cultural Heritage Assessment. OEH requested the recommendations form part of any approval granted.
- OEH also advised that it was unable to comment on any BDAR waiver request until a formal referral was processed by the Department.

## EPA

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The EPA reiterated its concerns regarding the requirement for further detailed site assessment, out of hours community use of school facilities, operational waste collection impacts and grounds maintenance impacts.

The EPA also provided the following additional comments:

- the EPA's recommendation that an accredited Site Auditor be engaged to review the RAP does not appear to have been addressed
- the site warrants further detailed site assessment due to insufficient data to properly characterise soil and groundwater contamination.

## TfNSW

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TfNSW accepted several responses provided in the Applicant's RtS. TfNSW also provided the following additional comments:

- bicycle parking should be provided near all site access points and separated from vehicle movements
- the Applicant should consult with the Sydney Coordination Office regarding the need for additional bus pick-up/drop-off zones and any impacts to existing kerb side car parking
- TfNSW requests that the Applicant be conditioned to provide details on student catchment data three months prior to the school opening.

TfNSW also reiterated several conditions of consent that were recommended during EIS exhibition that should be imposed on any determination made.

In response to submissions to the RtS, the Applicant submitted further details, comprising:

- revised architectural plans detailing minor amendments to the southern rooftop shade structure to reduce shadow impacts
- amended landscape plans, detailing updated tree removal details and increased site landscaping.
- a revised Arborist Report, detailing updated tree removal details
- an amended Transport Assessment that provides clarification of the number of bicycle parking spaces and locations.





## 6. Assessment

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

- built form and urban design
- residential and environmental amenity
- traffic and transport.

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

### 6.1 Built Form and Urban Design

The Applicant's EIS, as amended by its RtS and supplementary RtS, was supported by architectural and landscape drawings prepared by TDK Architects and Context Landscape Design respectively, and Architectural and Urban Design Report prepared by TDK Architects.

The RtS comprises the staged redevelopment of the existing APCS Park Road campus including the demolition of all existing buildings and construction of several new educational establishment buildings up to five storeys in height (see **Figure 10**).

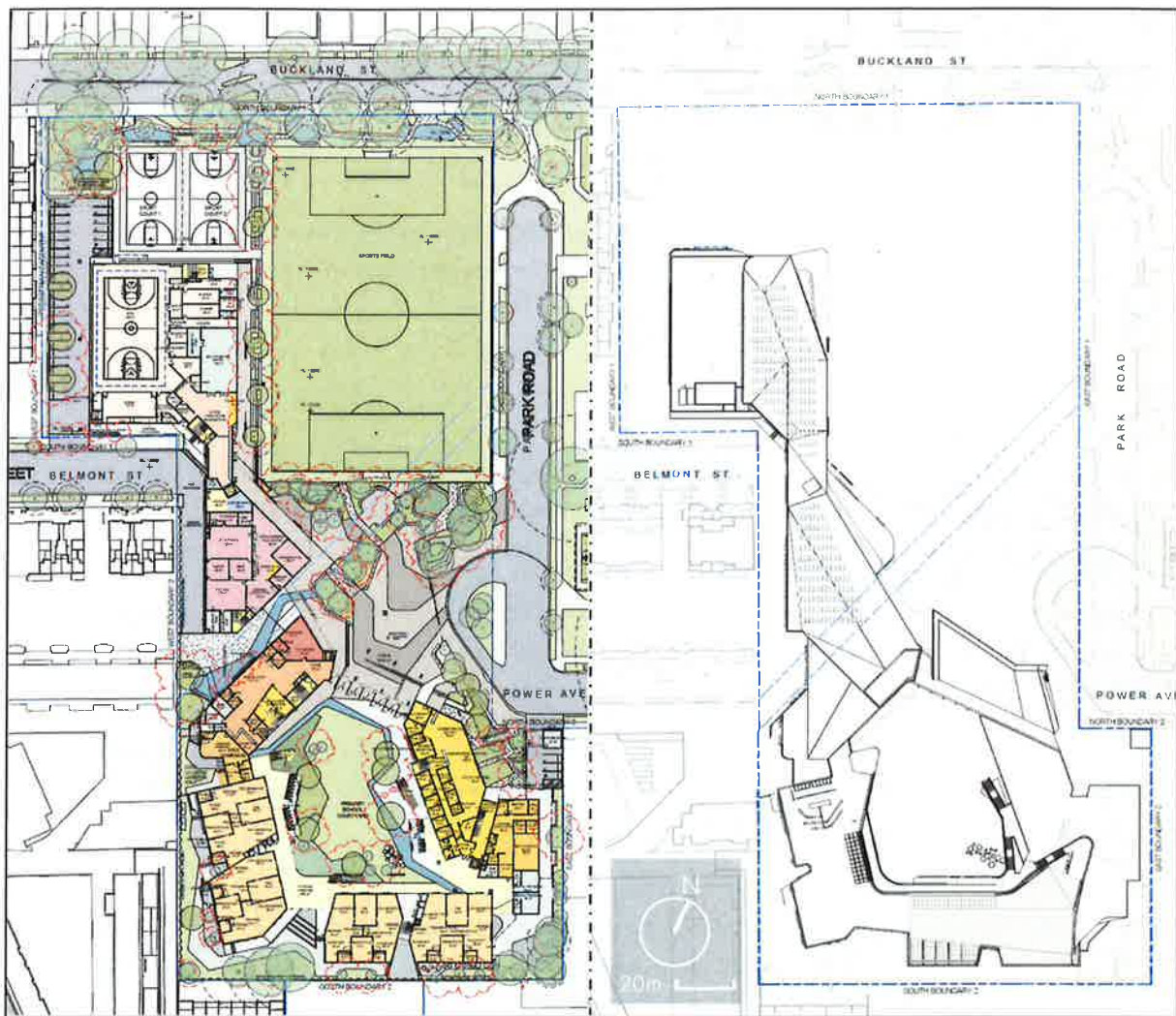
Council commented during the exhibition of the proposal that the submitted shadow diagrams did not provide enough detail to assess potential overshadowing impacts on adjoining residential flat buildings (RBF). Roof structures proposed on the rooftop of the southern buildings were noted as potentially creating additional overshadowing impacts. Council stated in its RtS submission that the Department must be satisfied that the proposal would achieve design excellence.

Council also responded in its submission on the Applicant's RtS that it had resolved to approve the key terms of the Heads of Agreement with the Applicant regarding the use of Alexandria Park by APCS and to continue consultation regarding the closure of Park Road and shared use of facilities. Council also stated that the Department should ensure that the proposal does not prejudice this ongoing consultation.

Primary concerns raised by the general public focused on the bulk and scale of the proposal and the associated impacts, including:

- the general bulk and scale of the proposal and associated overdevelopment of the site
- the failure to adequately justify the proposed 15m height limit non-compliance
- loss of amenity due to overshadowing, privacy and view impacts
- failure to achieve a minimum 6m setback separation requirement to the southern boundary, in accordance with the Apartment Design Guide (ADG)
- failure to consider the future development potential of adjoining B4 Mixed Use zoning and the amenity of future residential occupants.

The Department considers the key built form and urban design issues relating to the proposal to be bulk and scale, overshadowing and amenity impacts, view impacts and landscaping and urban design, which are addressed in further detail below.



**Figure 10** | Proposed site layout (Ground floor) and Roof Plan (Source: Applicant's RtS 2018).

### 6.1.1 Building Height

The site is subject to building height controls under SLEP, which permits a maximum height of 15m for the site (i.e. clause 4.3 of SLEP). The proposal would have a maximum building height of 21.2m and a total GFA of 20,203sqm.

Public submissions raised concerns that the building height exceedance had not been adequately justified by the Applicant and would result in unreasonable impacts on the solar access, views, privacy and amenity of adjoining residents. The proposed height non-compliance adjacent to existing residential development is illustrated in **Figures 11** and **15**.

The existing APCS site is characterised by permanent and demountable buildings/classrooms ranging from single to three storeys in height. The building footprint layout of the site is not characterised by a noticeable single form rather there are two distinct groupings to the north and south of the site, which is indicative of the progression of development on the site.

The southern section of the site is characterised by the previous permanent buildings that made up the school, whereas the northern section of the site is where the temporary school is located. The temporary school is characterised by demountable buildings and associated temporary structures a up to a maximum of three storeys.

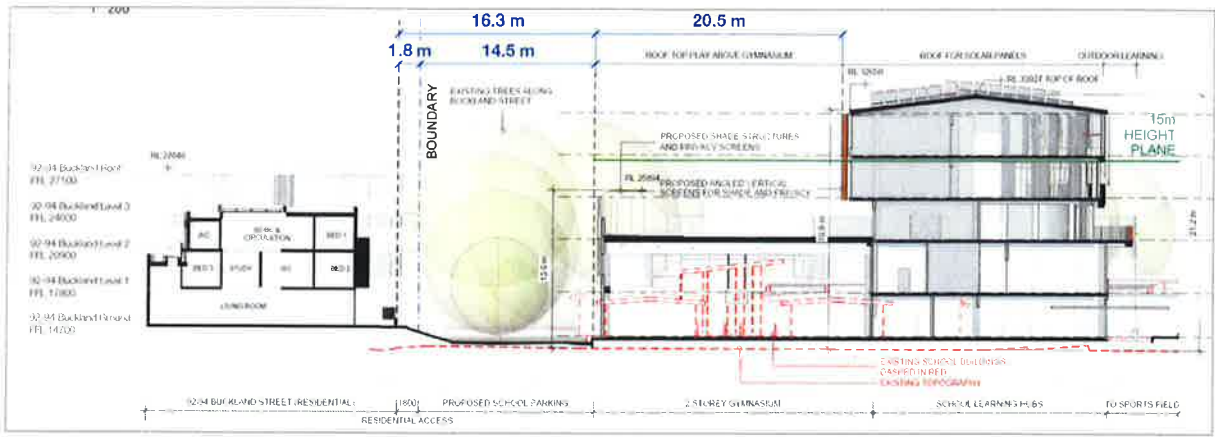


Figure 11 | East/West Section through 92-94 Buckland Street (Attached Residential Dwellings) (Source: Applicant's RtS 2018).

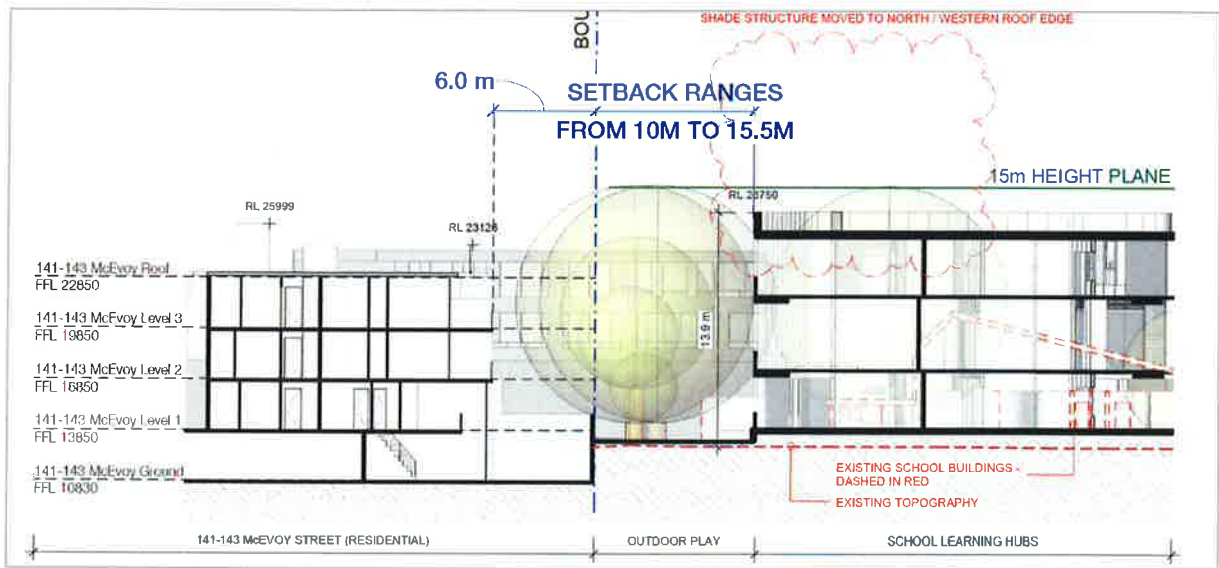


Figure 12 | North/South Section through 141-143 McEvoy Street (RFB) (Source: Applicant's RtS 2018).

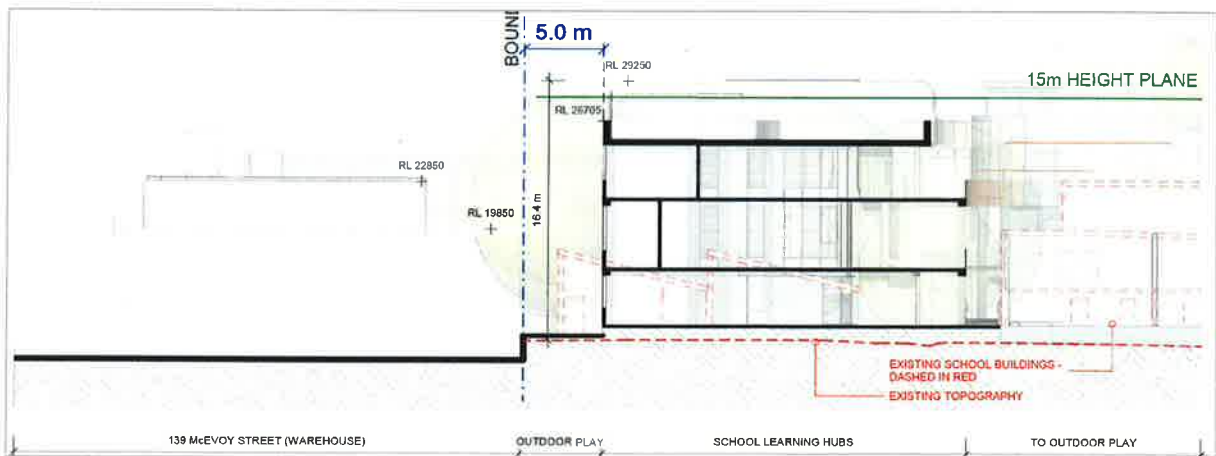
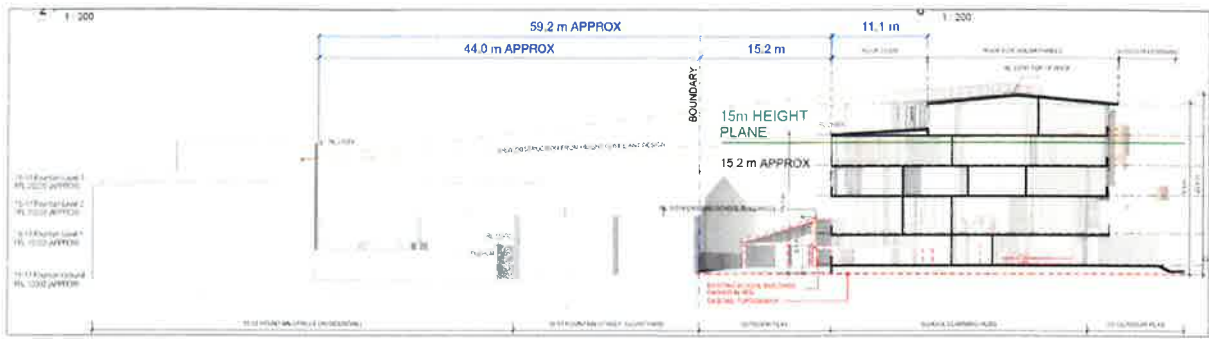
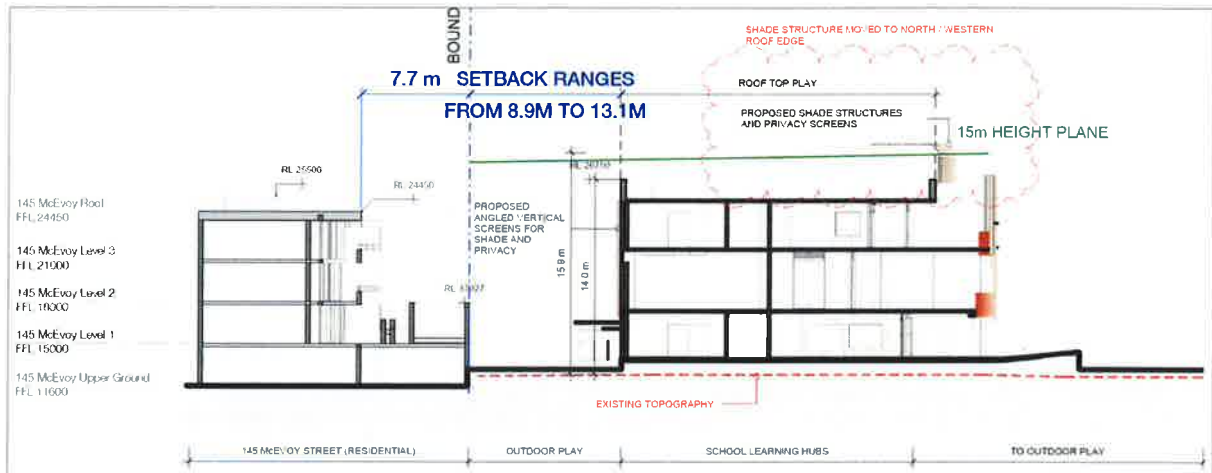


Figure 13 | North/South Section through 139 McEvoy Street (existing warehouse building) (Source: Applicant's RtS 2018).





**Figure 14** | Northeast/Southwest Section through 15-17 Fountain Street (RFB) (Source: Applicant's RtS 2018).



**Figure 15** | Northeast/Southwest Section through 145 McEvoy Street (RFB) (Source: Applicant's RtS 2018).

Clause 5.12(1) of SLEP 2012 provides that the carrying out of any development, by or on behalf of a public authority that is permitted to be carried out with development consent, or that is exempt development under State Environmental Planning Policy (Infrastructure) 2007 (ISEPP), is not restricted by the SLEP 2012. The proposal has been lodged on behalf of a public authority and is permitted with development consent under the ISEPP. Consequently, the building height development standard does not apply in this circumstance, and the merit or otherwise of the proposal, should be considered in assessing whether the built form is appropriate for the site.

Furthermore, clause 42 of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) (Education SEPP) provides that development consent may be granted for the purpose of a school that is SSD, even though that development would contravene a development standard imposed by the Education SEPP or any other EPI.

The Department notes that no objections to the proposed building height were raised by Council or the Government Architect NSW (GANSW). The proposal underwent several reviews through the Design Review Panel (DRP), convened by the GANSW, wherein it was concluded that the proposal could achieve design excellence.

Notwithstanding, the Department has considered the provisions of clause 4.6 of SLEP 2012 as a guide in its assessment of the proposed building height. It has also considered the merits of the proposal and the impacts of the height variation on surrounding areas in assessing whether to support the building height.

The Applicant did not submit a clause 4.6 variation request having regard to the operation of clause 42 of the Education SEPP. Notwithstanding, the EIS provides justification for the proposed variation. The Applicant argues that strict compliance with the development standard is unreasonable and unnecessary as:



- the scale of the proposal is representative of the floor space requirements necessary to accommodate the projected student population growth, which a compliant building height would restrict
- new schools and bigger enrolment capacities are needed to accommodate growth which is constrained on inner Sydney sites
- the scale of the proposal is consistent with the surrounding four and five storey built form
- the site can accommodate the scale without having significant unreasonable impacts on the amenity of Alexandria Park and surrounding properties
- the site can accommodate the proposed density as it would have negligible impacts on traffic and parking which will cater to a local catchment that is well serviced by public transport
- the proposal meets the objectives of clause 4.3 of SLEP 2012 as follows:
  - it is compatible with the context of the existing built environment, specifically recent apartment development in the locality
  - the siting of built form along the southern and western boundaries provides an appropriate height transition to Alexandria Park and lower scale residential development in Buckland Street
  - there are no iconic views across the site and will have minimal view impacts to and from Alexandria Park.

The Applicant responded further in its assessment of view impacts that the proposal's non-compliance with the 15m height control varied across the site, with compliant development proposed in several locations. It also stated that reducing the height of the proposal to ensure compliance would not necessarily improve view loss impacts.

The Department has assessed the proposed height variation, and has considered the Applicant's proposal and its justification for the proposed building height variation having regard to the established principles in *Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 1009. Consistent with this decision, sufficient environmental planning grounds, unique to a site, must be demonstrated by the Applicant to justify the proposed development standard variation.

The Department notes the site is characterised by larger residential flat building development along its southern and western boundaries, while opposite to the northeast lies the local heritage item, Alexandria Park. Further north, Buckland Street is characterised by lower scale residential dwelling houses. The site is also constrained by an existing Sydney Water easement that traverses the site diagonally from the southwest corner to mid-way along its eastern boundary.

The combination of these variables, and the necessity to ensure minimum enrolment capacities are met, has resulted in the bulk and scale of the proposal being sited along the southern and western boundaries of the site, with the taller building elements generally sited centrally. This has provided a built form contextual relationship to the adjoining high density residential development and provided sufficient separation to the lower scale residential dwellings opposite on Buckland Street and maximised the separation between the school buildings and Alexandria Park.

The Department has also considered the proposed height non-compliance, with regard to the objectives outlined in clause 4.3 of SLEP and is satisfied that the Applicant has demonstrated that compliance with the building height development standard is unnecessary under the circumstances, having regard to the following:

- lower scale built form is sited adjacent to the smaller attached residential dwellings, providing a transition to the taller building elements on the site
- inner Sydney sites are heavily constrained and typical educational establishments are required to adjust to deliver more efficient multi-storey buildings
- the height of the proposal provides a contextual response to the surrounding built environment and sites the largest built form centrally on the site to minimise potential off-site amenity impacts
- the large size of the existing site provides an opportunity to accommodate larger scale built form without generating significant adverse off-site impacts

- the proposal complies with the maximum 1:1 floor space ratio (FSR) applicable to the site, proposing 0.7:1.

The Department is satisfied that the bulk and scale of the proposal has been appropriately sited on the site to ensure that off-site amenity and bulk and scale impacts are minimised to a satisfactory level, while providing a balanced response to the need to provide for the demand generated by growing primary and secondary student enrolments.

### 6.1.2 Bulk and scale

The new buildings are proposed to be interconnected at the upper levels by pedestrian bridges and linked together by a continuous roof form at different levels.

The proposed layout has also provided the opportunity for outdoor sports courts and playing field to be located adjacent to the existing public open space, allowing for its possible future expansion, in conjunction with Council and for the betterment of the local community.

The proposal incorporates a range of varied setbacks to its boundaries to assist in balancing potential off-site bulk and scale impacts. Along the western and southern boundaries, setback to the predominant three and four storey built form range from between 5m and 15.5m. A setback of up to 35m is proposed between the five storey built form on top of the multi-purpose hall and boundary of the adjoining attached residential dwellings adjacent to the existing pedestrian through-site link (see **Figure 11**).

The varied setbacks to surrounding predominant residential land uses and their scale are illustrated further in **Figures 11** and **15**. The Department notes that the general scale of built form surrounding the school site is varied, with two to three storey terrace houses and higher density residential flat buildings ranging between three, five and seven storeys. As discussed previously, the existing APCS site is not characterised by a singular built form and the bulk and scale ranges from one to three storeys in height with varying setbacks. The proposal's varied height is considered to be generally in keeping with the existing built environment. It is also noted that the highest five storey component of the proposal is sited centrally within the site and up to 35m from the closest residential dwellings, with a predominant three and four storey building height surrounding the perimeter of the site.

The façade treatment of the proposed new built form incorporates a range of materials and finishes, including pre-finished metal cladding, metal and glass louvres, precast concrete, precast fibre centre sheeting, aluminium windows and a range of varying coloured bricks to add variation and interest to the design.

Central to the façade design is the proposed perforated metal screen that provides wind and solar protection for building occupants, but also acts as an architectural design features that wraps around the building (see **Figures 5** and **6**) and allows for visual cues of the colourful balustrades and louvres behind. The fluid nature of the design and anodised coating finish has been designed to mimic the changing nature of 'clouds' and provide a treatment that visually links all aspects of the school together.

The proposed entry forecourt and COLA area have also been designed as a key element of the proposal (see **Figure 16**). The use of more natural materials and its integration with the surrounding proposed public domain and landscape that proposes to provide a welcoming gathering space for the school and broader community.



**Figure 16** | Entry forecourt/COA (Source: Applicant's RtS 2018).

### 6.1.3 Design Excellence

#### Clause 6.21 design competition

Clause 6.21(5) of the SLEP 2012 outlines requirements for proposals that are required to undergo a design competitive process as follows:

- (a) *development in respect of a building that has, or will have, a height above ground level (existing) greater than:*
  - (i) *55 metres on land in Central Sydney, or*
  - (ii) *25 metres on any other land,*
- (b) *development having a capital investment value of more than \$100,000,000,*
- (c) *development in respect of which a development control plan is required to be prepared under clause 7.20,*
- (d) *development for which the applicant has chosen such a process.*

As the proposal has a CIV of greater than \$100,000,000, and is development that is subject to the preparation of a site specific DCP, these requirements apply. However, clause 6.21(6) of the SLEP 2012 outlines that should the consent authority be satisfied that the competitive design process is not required, it should be demonstrated that such a process is unreasonable or unnecessary.

Prior to the lodgement of the EIS, the Applicant provided a submission dated 4 September 2017, requesting the undertaking of a competitive design process be waived. The submission outlined that the undertaking of such a process would be unreasonable and unnecessary, claiming the proposal would not significantly increase height or GFA, would not have significant adverse impacts on the adjoining buildings and the public domain and does not significantly alter any aspect of the buildings when viewed from public spaces.

The submission was provided to the GANSW, who supported the Applicant's request and recommended the undertaking of an alternate process, being a DRP to ensure that design excellence is still achieved. The GANSW support was subject to conditions relating to ongoing consultation with the Indigenous community, that Indigenous representation continues in design development, that the nominated architects (TKD) would continue to be involved, and that the independent design review panel be established.

The proposal has also undertaken four design reviews conducted by the DRP and coordinated by the Government Architect NSW (GANSW). In its final review of the RtS revised scheme, the DRP commended the Applicant for its engagement with the community and supported the integrated approach to incorporating public art opportunities within the architectural expression of the proposal. Council also noted it supported the proposed perforated metal screen façade treatment, but sought clarification on the transparency of the design element and its potential impact on solar access for habitable/classroom spaces.

The GANSW indicated it was satisfied that a suitable design excellence process had been undertaken and supported the DRP's conclusion, that the proposal was capable of achieving design excellence.

The Department is of the view that a competitive design process is not required if the consent authority is satisfied that the process is unreasonable and unnecessary in the circumstances pursuant to clause 6.21(6). This position is supported by considerations of clause 6.21(6) in *MGT 6 Pty Ltd v The Council of the City of Sydney (2017) NSWLEC 1217*. Notwithstanding, the Department considers that the proposal has appropriately addressed the requirements for design excellence as required by the SLEP 2012 and that the undertaking of a competitive design process in the context of the proposed development would be unreasonable and unnecessary.

### **Clause 7.20 site specific DCP**

The Department notes that under clause 8 of the Education SEPP, the requirements of clause 7.20 of the SLEP 2012 and the subsequent preparation of a site specific DCP do not apply in this instance.

## **6.2 Residential and Environmental Amenity**

### **6.2.1 Overshadowing and amenity impacts**

The proposed siting of the built form along the western and southern boundaries of the site would have some off-site overshadowing impacts, particularly during the Winter Solstice, and amenity impacts due to the presence of new built form of this scale adjacent to existing Residential Flat Building (RFB) land uses.

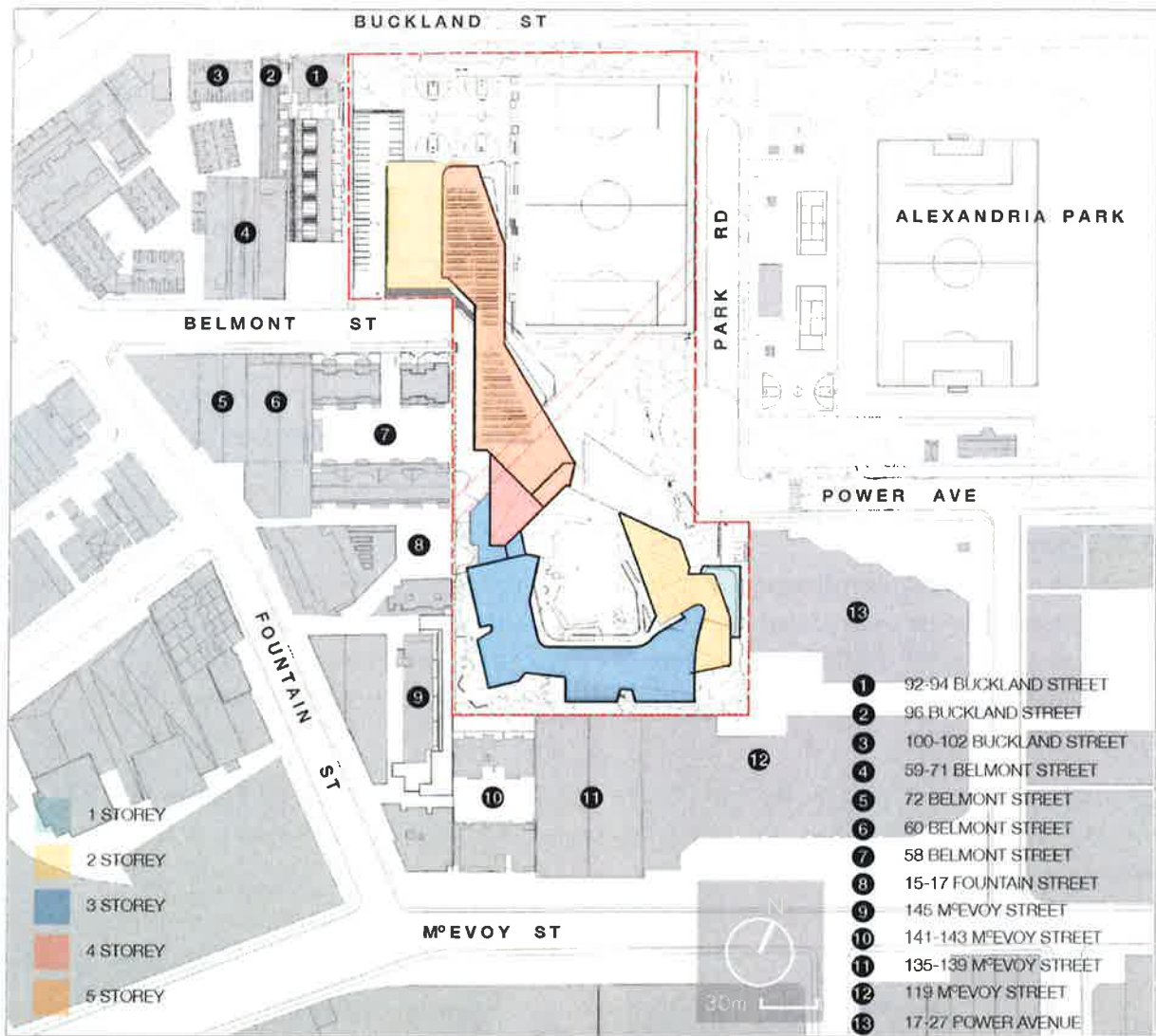
The ADG sets out design criteria for solar access for RFB developments, consisting:

- at least 70 per cent of living rooms and private open spaces of apartments receive a minimum two hours direct sunlight between 9 am and 3 pm at mid-winter
- a maximum of 15 per cent of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.

In response to concerns raised by Council and the public during the exhibition of the proposal, the Applicant amended the setbacks and siting of built form elements along the western and southern boundaries, to improve the solar access outcomes for adjoining properties. Further revisions were presented by the Applicant in its Supplementary RtS that detailed the removal of a shade structure from the western edge of the rooftop on the southern building.

The Applicant's detailed assessment of these amendments on overshadowing impacts on adjoining RFB development adjacent to the western and southern boundaries of the site revealed the following solar access outcomes (see **Figure 17**):

- 58 - 60 Belmont Street – all apartments would receive at least a minimum two hours solar access
- 141 - 143 McEvoy Street – all apartments would receive at least a minimum two hours solar access
- 15 - 17 Fountain Street – solar access impacts cease by 11.00am, prior to which would have a negligible impact (noting the eastern wall of the existing RFB does not contain any window opening)
- 145 McEvoy Street – minor additional solar access impact until 10.00am, following which no additional solar access impacts are generated by the proposal.



**Figure 17** | Surrounding property addresses (Source: Applicant's RtS 2018).

The Department notes that while the proposal would result in some additional impacts to solar access on adjoining RFB development, a minimum of two hours direct solar access would be generally provided in accordance with the ADG. On balance, the proposed solar access impacts generated by the proposal are considered satisfactory in the context of the significant benefit of the proposal in providing new and improved education facilities for the immediate and broader community.

In relation to the concerns raised regarding the failure to consider amenity impacts of adjoining B4 Mixed Use zoned land and potential future residential occupants of that land, the Department notes that undeveloped B4 zoned land is situated to the south/south east of the site that would only experience overshadowing impacts in the PM during the winter solstice and, subject to an appropriate architectural design, would be capable of achieving suitable levels of amenity within these sites.

The ADG prescribes building separation distances of between 6m and 12m, depending on the proposed use (i.e. non-habitable room versus a habitable room/balcony). Proposed side setbacks to existing RFBs and B4 zoned land range between 5m to 15.5m, satisfactorily meeting the ADGs objective of sharing building separation equally between adjoining sites. In view of this, the proposal would not adversely impact on the development potential of the adjoining land or amenity of any future residential occupants.

The Department does not consider the likelihood of privacy impacts to be significant. Notwithstanding, consideration must be given to the potential for privacy impacts, particularly given the changing working



environment and increase in work-from-home practices. In this respect, the proposed built form is considered to be satisfactorily separated from adjoining development, with the larger five storey built form element of the high school separated by 34m from the closest adjoining building. The Applicant also proposes to install privacy screens/louvres on the upper levels of building elevations to restrict direct overlooking impacts.

The proposed active areas of the southern rooftop are also setback the greatest from the existing RFBs to ensure any potential amenity impacts are minimised. In addition, existing mature vegetation proposed to be retained along the southern boundary will assist in screening activities undertaken on the school site.

To ensure adverse amenity impacts do not arise from school operations, the Department has recommended conditions of consent requiring the preparation of an Operational Transport and Access Management Plan (OTAMP) to ensure rooftop areas, lighting, school bells and PA systems are operated and managed appropriately, and for the upper levels of all southern and western elevations to be fitted with privacy screens/louvres to restrict direct overlooking into adjoining properties.

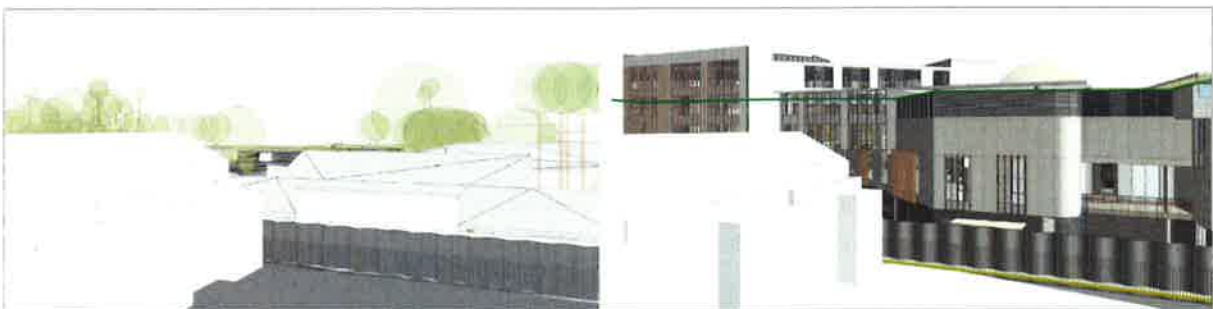
### 6.2.2 View impacts

In response to the concerns raised by the public during the exhibition of the proposal, the Applicant provided a revised Architectural and Urban Design Report (AUD) that provides a detailed assessment of potential view impacts on adjoining RFB development adjacent to the western and southern boundaries of the site in accordance with the view sharing planning principles established in *Tenacity v Warringah Council* (2004) NSWLEC 140 (Tenacity).

3D modelling renders detailing the existing outlook and future built form are illustrated in **Figures 18 to 22**, showing views from windows/balconies, set at 1.5m above the floor level with variable distance and focal lengths used to detail the extent of the view.



**Figure 18** | View Assessment – 154 McEvoy Street (Source: Applicant’s RtS 2018).



**Figure 19** | View Assessment – 15-17 Fountain Street (Source: Applicant’s RtS 2018).



**Figure 20** | View Assessment – 96 Buckland Street (northernmost attached dwelling) (Source: Applicant’s RtS 2018).



**Figure 21** | View Assessment – 96 Buckland Street (southernmost attached dwelling) (Source: Applicant’s RtS 2018).



**Figure 22** | View Assessment – 141-143 McEvoy Street (Source: Applicant’s RtS 2018).

The Applicant concludes that the view impacts generated by the proposal would be acceptable given:

- application of the Tenacity view sharing planning principle would describe the impacts as negligible, as there is no loss of water or iconic views
- the view impact is assessed as being minor, consisting of loss of sky views and some park view
- the proposal provides significant public benefit that outweighs the minor impact and is reasonable
- compliance with the maximum 15m building height would have a similar impact to that proposed.

The Department notes the proposed siting of the new built form along the western and southern boundaries of the site would generate some view impacts on adjoining RFB developments and terrace houses to the northwest at 92 Buckland Street. However, it is noted that a built form that complies with the maximum 15m building height is likely to have a similar impact. The significance of the existing Alexandria Park view, and surrounding district views of Alexandria, Waterloo and Redfern are not graded as being significant or iconic. Views further afield are

highly disrupted by existing rising topography surrounding Redfern, existing large scale RFB developments and the existing temporary school buildings on the school site that are up to three stories in height.

The Department is satisfied, on balance, that the proposed view impacts generated by the proposal and the significance of those views, are outweighed by the significant benefit of the proposal in providing new and improved education facilities for the immediate and broader community.

### 6.2.3 Landscape and urban design

The redevelopment of APCS incorporates an extensive landscape and urban design scheme for the site, consisting on the delivery of 8,023sqm of outdoor space, including 3,945sqm of rooftop play space and 4,078sqm of unenclosed areas (see **Figures 23** and **24**), generally comprising of:

- new entry plaza and COLA, sliding gates and 2.1m sculptural security fencing set within the landscape
- outdoor/flexible seating environment, with alfresco dining space
- retention of existing COR-TEN perimeter fence along the western and southern boundaries
- central synthetic turf open play and gathering area for Primary School passive and active recreation
- community garden adjacent to the childcare centre
- landscaped fitness trail along the northern Buckland Street boundary
- passive and active rooftop recreation spaces
- two playing courts adjacent to the northern site boundary and an all-weather multi-purpose synthetic sports field.



**Figure 23** | Proposed Primary School central courtyard and entry forecourt/COLA (Source: Applicant's RtS 2018).





**Figure 24** | Rooftop landscaped areas (Source: Applicant's RtS 2018).

The proposed landscaping scheme would also retain and integrate 47 existing trees, particularly along the northern Buckland Street boundary and south western and south eastern corners of the site. The proposal seeks consent for the removal of 69 existing mature trees, due to the proposed siting of the new built form, that would be replaced with 69 compensatory advanced trees with a pot size of 75L and 100L throughout the site (see **Figure 25**).

The Department is satisfied that concerns raised in public submission regarding the loss of mature vegetation from the site, including the impact of the proposal on existing mature trees along the southern boundary, has been appropriately addressed by the Applicant in the revised landscape scheme presented in its Supplementary RtS. As noted above, 69 compensatory advanced trees are proposed to be planted to replace the 69 trees proposed for removal. New trees and vegetation would be located throughout the site and integrated within existing vegetation, that would assist in minimising visual impacts associated with the proposed new built form when viewed from the surrounding public domain and adjoining properties.



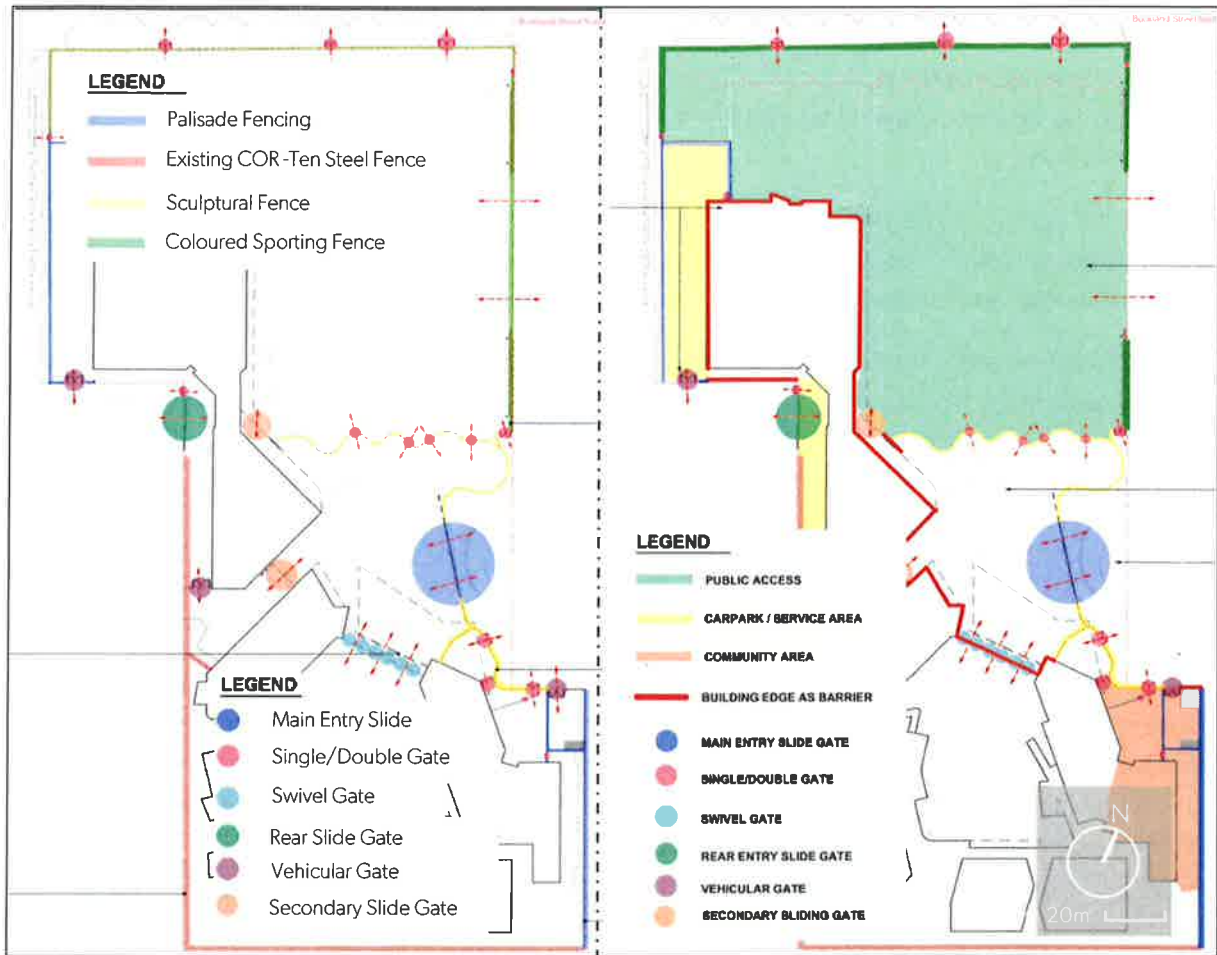
**Figure 25** | Proposed tree planting and removal/retention plans (Source: Applicant's RtS 2018).

The proposed new entry plaza and COLA space at the main entry to the school celebrates the entry to the new public facility and creates a sense of arrival for students and visitors alike. In addition to new vegetation, the landscape scheme also integrates a range of outdoor learning environments and passive and active recreation spaces that would create a series of flexible outdoor classrooms and gathering spaces that provide direct connections with the natural environment for students. The proposed new rooftop gardens would also provide additional passive and active recreation spaces that offer alternate play environments, with raised deck zones around the perimeter distinguishing between formal and informal play.

The Applicant has also noted that it would continue discussions with Council regarding the potential expansion of the proposed multi-purpose playing field, though this would be subject to the closure of Park Road and its resumption for open space/recreation purposes. In acknowledging Council's comments, the Department notes that the proposed multi-purpose playing field has been positioned immediately adjacent to Park Road and Alexandria Park, to facilitate its future potential integration with this existing recreational area. Any approval granted under delegation by the Department would not prejudice the ongoing discussions between the Applicant and Council.

Council also recommended that the perimeter fencing surrounding the outdoor sports field be restricted to 1.2m in height and questioned the fencing strategy and apparent lack of barriers to restrict unsupervised access to the external 'Canopy Classrooms' located along the western and southern boundaries at the ground floor (see **Figure 26**).





**Figure 26** | Proposed school hours and after hours fencing strategy (Source: Applicant's RtS 2018).

The Applicant responded in its RtS that access to the southern and western 'Canopy Classrooms' would be controlled by the existing COR-TEN fencing and proposed new fencing between the COLA and new built form. The Department also notes that the proposed height of the school perimeter fencing is proposed to provide suitable levels of access control and territorial reinforcement, while also protecting external site areas from stray balls when under use.

The proposal's fencing strategy allows the school to operate in a manner that restricts unwanted access to school grounds, or full access to the northern recreation areas of the site for the community. The taller court fencing is proposed to be visually permeable, minimising the apparent scale and dominance of the school's perimeter, but also allowing for a visual connection between the site and external public domain areas to create a highly activated locality.

The Department is satisfied that the proposed fencing strategy and built form design would sufficiently control access and positively promotes the territorial reinforcement of the school grounds, without creating a dominant fortress like environment.

### 6.3 Traffic and Transport

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

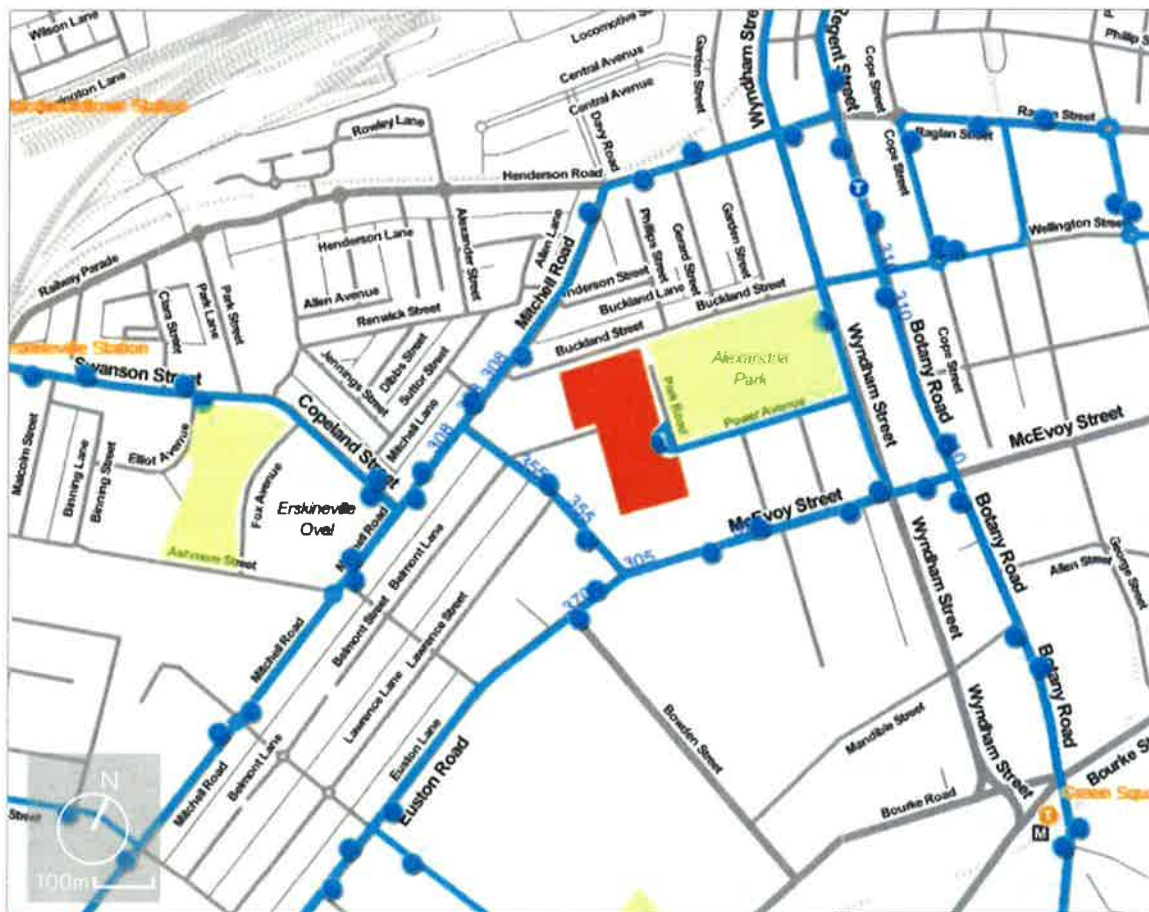
The proposal includes the reinstatement of the existing informal 28 on-site car parking spaces, though a new car park between the proposed indoor sports hall and western boundary and accessed from Belmont Street. A further four on-site car parking spaces are proposed adjacent to the proposed pre-school, accessed from Park Road. A minimum of 144 bicycle parking spaces are also proposed, including up to 130 student spaces. Pedestrian entrances to the site are proposed to be provided from existing locations on Park Road (main entry), Belmont Street and Buckland Street.

The site is well serviced by bus and train public transport options, with Erskineville, Redfern and Green Square train stations all approximately 15 minutes walk away. This would be further bolstered following the completion of the Waterloo metro train station, approximately seven minutes walk to the north west (see **Figures 27** and **28**).

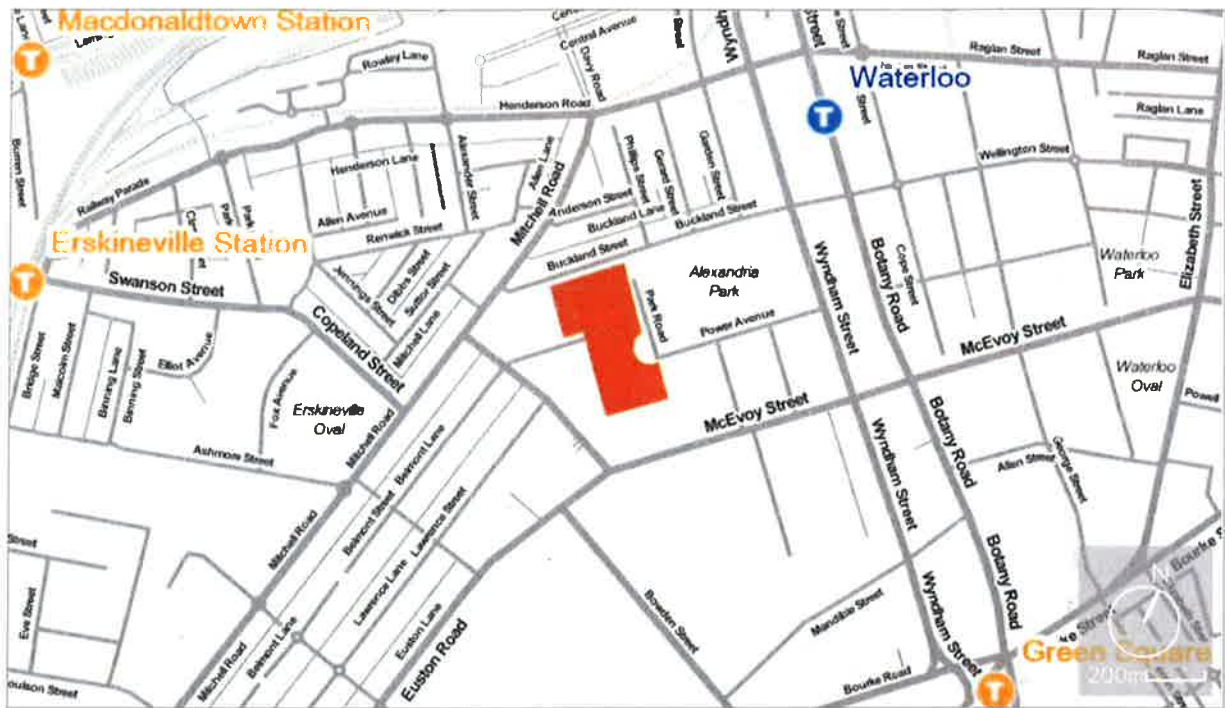
The Department requested the Applicant address clause 7.9(2) of SLEP 2012 (relating to Childcare Centres) in its RtS and to revise its TA to provide an updated assessment of traffic and transport impacts associated with the proposed out of hours use of the school facilities, traffic modelling and to clarify bicycle parking rates. It was also requested that the GTP be amended to address mode share targets and associated objectives.

Council noted discrepancies in the number of proposed bicycle parking spaces outlined in the EIS and TA, and commented that the 80 per cent of bicycle parking should be provided within school ground, 50 per cent of which should be weather protected and physically separated from the proposed staff car parking area.

TfNSW recommended that further justification be provided on the likely on-street car parking impacts in the context of there being no additional on-site car parking proposed. A small number of public submissions also raised concerns with the proposal's impact on already congested roads and impact on on-street car parking. The Applicant submitted a revised TA with its Supplementary RtS and revised GTP with its RtS in response to the comments received during the exhibition of the proposal.



**Figure 27** | Location of existing public bus services (Source: Applicant's EIS 2017).



**Figure 28** | Proximity of existing and proposed train stations (Source: Applicant's EIS 2017).

### 6.3.1 Construction traffic and parking impacts

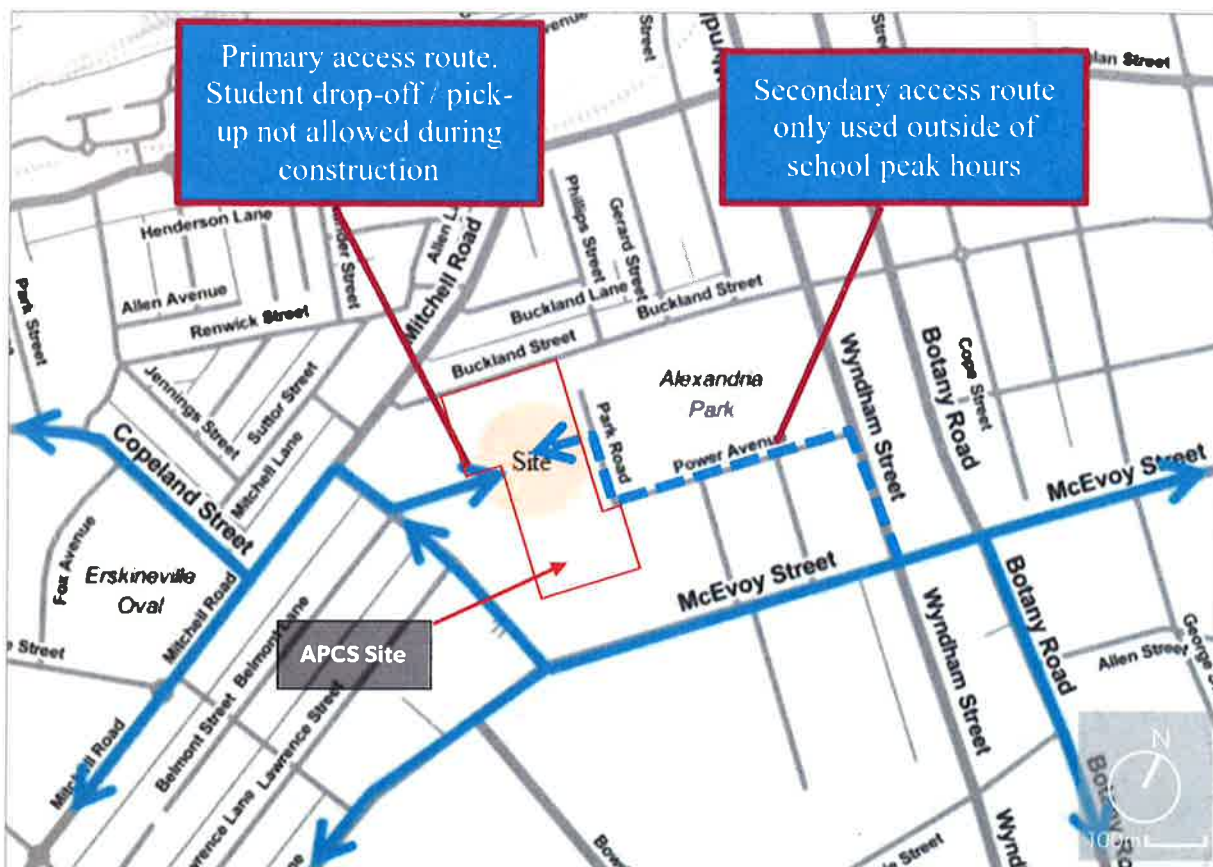
The Applicant provided a preliminary Construction Pedestrian Traffic Management Plan (CPTMP) as part of its EIS that outlines the proposal is expected to be undertaken over three phases, comprising:

- Phases 1 (see **Figure 7**) - demolition of existing Park Road school building and construction of the southern part of the proposal.
- Phase 2 (see **Figure 8**) - demolition of the pop-up school 1 and construction of the remaining part of the proposal, car park and two outdoor sports courts.
- Phase 3 (see **Figure 9**) – demolition of pop-up school 2 and construction of the new outdoor sports field and completion of the entry forecourt.

During these activities, existing on-site car parking would become displaced, however it is noted that it is likely this staff parking demand is already being accommodated on surrounding local streets or via other transport modes. In this respect, the off-site car parking impacts are not expected to be adverse.

Construction vehicles are likely to comprise of private worker vehicles, while heavy ridged vehicles and articulated vehicles are also expected to visit the site for deliveries. The preliminary CPTMP notes that any large heavy goods would be delivered outside of peak periods, with primary construction access to the site proposed via Belmont Street, with secondary access proposed via Power Avenue/Park Road (see **Figure 29**).





**Figure 29** | Proposed construction vehicle access routes (Source: Applicant's RtS 2018).

Construction traffic generated by the proposal is predicted to be less than the final operational traffic impacts, which have been assessed below in Section 6.3.2 as being satisfactory. It is also likely that workers would either catch public transport or car pool due to existing on-street parking provisions and the notion that workers would typically arrive and depart outside of peak travel periods. Heavy vehicle movements are not expected to be greater than 80 per day, particularly during concrete pours and demolition activities.

The Department is satisfied that the implementation of a CPTMP, construction traffic generated by the proposal can be satisfactorily managed to ensure no adverse off-site impacts are generated.

### 6.3.2 Traffic impacts

The Applicant's TA report provided an assessment of the predicted transport impacts associated with the intensification of the site, noting that the peak AM period generated more traffic than the peak PM period, which also fell outside of the peak PM commuter period.

The proposal is projected to generate a total of 323 vehicle trips during the peak AM period, including 48 staff trips (an additional three trips, when applying proposed mode share targets) and 275 vehicle trips attributed to student drop-offs (an additional 185 trips), of which 110 are predicted to occur along Buckland Street in line with the new pick-up/drop-off zones proposed in this location.

Modelling undertaken of the worst case peak AM period demonstrates the predicted additional vehicle trips can be accommodated within the existing road network and would have minimal impact on the operational performance of existing intersections surrounding the site. It was noted that existing peak AM traffic along Wyndham Street experienced slow rolling traffic movement due to downstream congestion. The proposal, however, was predicted to only contribute an additional five second delay, which in the context of the existing scenario was considered acceptable.

The Applicant's TA also noted future traffic scenarios would be influenced by proposed road connection upgrade projects, including the Alexandria to Moore Park Connectivity Upgrade and Green Square to Ashmore Connector. These have been designed to accommodate planned future residential growth and to provide significant improvements to capacity at key intersections nearby the site that would improve traffic flows and improve pedestrian and cyclist access.

The Department notes that no objections to traffic impacts were raised by Council or RMS. In regard to the concerns raised by the public, the Department is satisfied that the Applicant has demonstrated how the proposal would be operated and managed to ensure that the net increase in vehicle traffic does not result in adverse impacts to existing traffic congestion. The success of this outcome would be dependent on the implementation of the measures proposed in the GTP that are designed to reduce vehicle trips generated by staff and pick-up/drop-off journeys, with the aim of achieving a net neutral traffic impact on the surrounding road network. The Department has given consideration to the appropriateness of the GTP below in **Section 6.3.4** and recommended appropriate conditions of consent accordingly.

The Department is therefore satisfied that the proposal would not significantly exacerbate existing traffic conditions in the surrounding road network.

### **6.3.3 Student pick-up and drop-off**

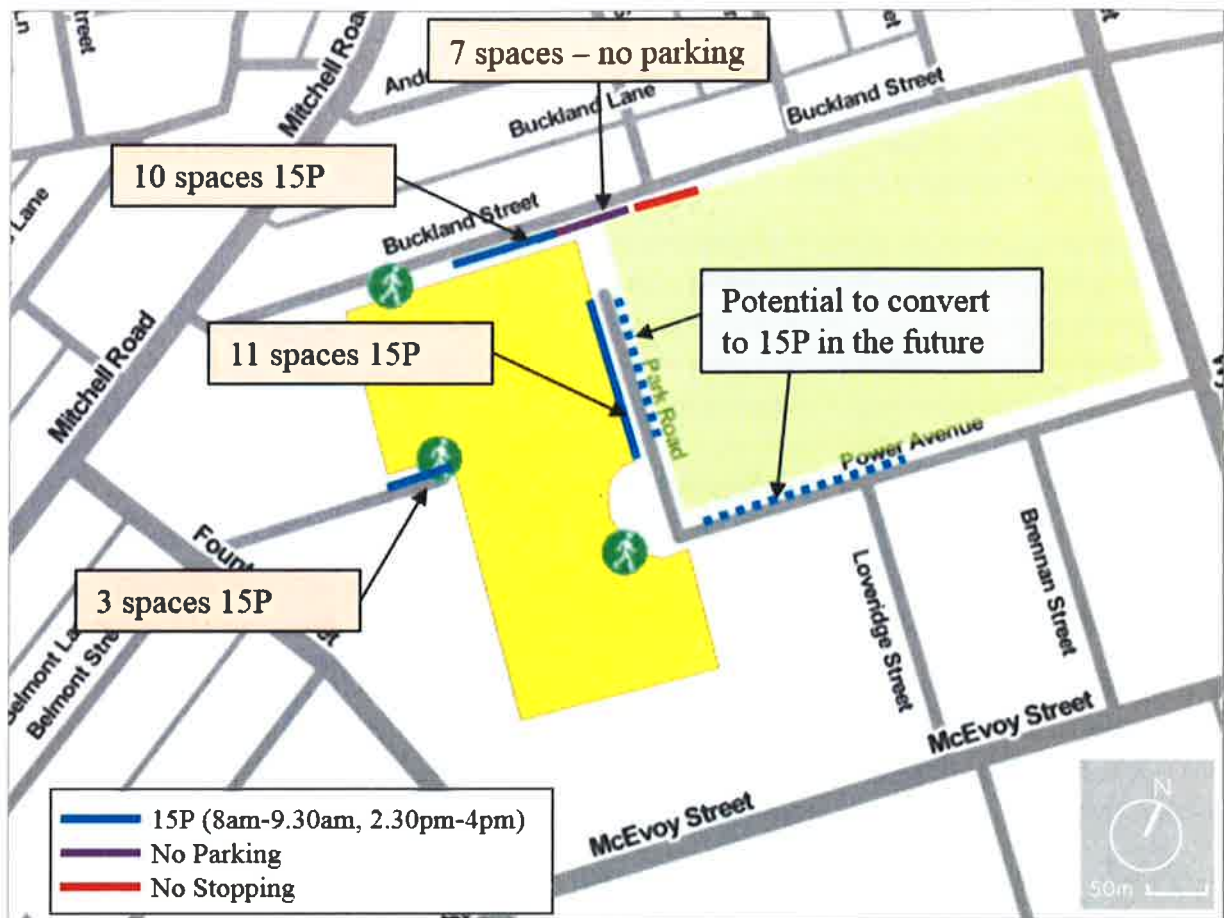
The Applicant's TA report detailed that existing student drop-off and pick-up activities favoured Park Road, with Belmont Street and Buckland Street utilised to a lesser extent. Peak drop-off activities in the AM were between 8.45am and 9.00am, while PM pick-up activities predominantly occurred around 3.05pm.

It was observed that approximately 90 vehicles (116 students, at a rate of 1.3 students per vehicle) utilised these zones between 8.15am and 9.15am, while only 36 vehicles (48 students) utilised these zones during 3.00pm and 3.15pm.

The proposal aims to increase the 13 vehicle capacity of existing pick-up/drop-off zones, proposing an additional 18 spaces that would be implemented as follows (see **Figure 27**):

- maintain the 15P parking (8.00am to 9.30am and 2.30 pm – 4.00pm) along the western side of Park Road (11 spaces)
- maintain the 15P parking (8.00am – 9.30am and 2.30pm – 4.00pm) along the northern side of Belmont Street (three spaces)
- convert 60m unrestricted parking along the southern side of Buckland Street to 15P parking (8.00am – 9.30am and 2.30pm – 4.00pm, ten spaces)
- convert 40m unrestricted parking along the southern side of Buckland Street to no parking (8.00am – 9.30am and 2.30pm – 4.00pm, seven spaces).





**Figure 27** | Existing and proposed pick-up/drop-off zones (Source: Applicant’s RtS 2018).

The Department notes that existing peak AM drop-off activities represents approximately 20 per cent of the existing student population. In the context of the proposed student population increase (i.e. total 2,200 students), under a worst case scenario during the AM peak period (i.e. no increase in alternate travel mode shares), the redevelopment would generate a capacity requirement for approximately 440 students or 275 vehicles, based on a small vehicle 1.6 person per vehicle occupancy rate based on other schools.

Having regard to the 90 vehicle throughput capacity of the existing 13 pick-up/drop-off spaces surrounding the existing school site observed during the peak AM period, the proposed 18 space increase to these zones would increase the peak AM period capacity to approximately 208 vehicles.

Without any reduction to private motor vehicle usage, the projected capacity would be below the expected demand generated by the proposal. The Department notes the Applicant’s GTP proposes to increase the transport mode share for public transport, cycling and walking for school journeys, with initiatives such as bicycle parking and free public transport for students more than approximately 2.3km (primary school) and 2.9 km (secondary school) from school to be implemented, to encourage alternate transport mode shares and reduce the reliance on private motor vehicle journeys.

The Department is satisfied that the proposed pick-up/drop-off arrangements would cater for the potential demand generated by the redeveloped APCS through the successful implementation of the Applicant’s GTP. Accordingly, the Department has recommended a condition of consent that requires the Applicant convert the on-street parking zones as identified in the TA report, in consultation with Council, including its Pedestrian Cycling and Traffic Calming Committee.

It is also noted that potential to increase the capacity of these zones was observed in Power Avenue and Buckland Street, where it was found that the proposed increased capacity did not meet the demand generated.

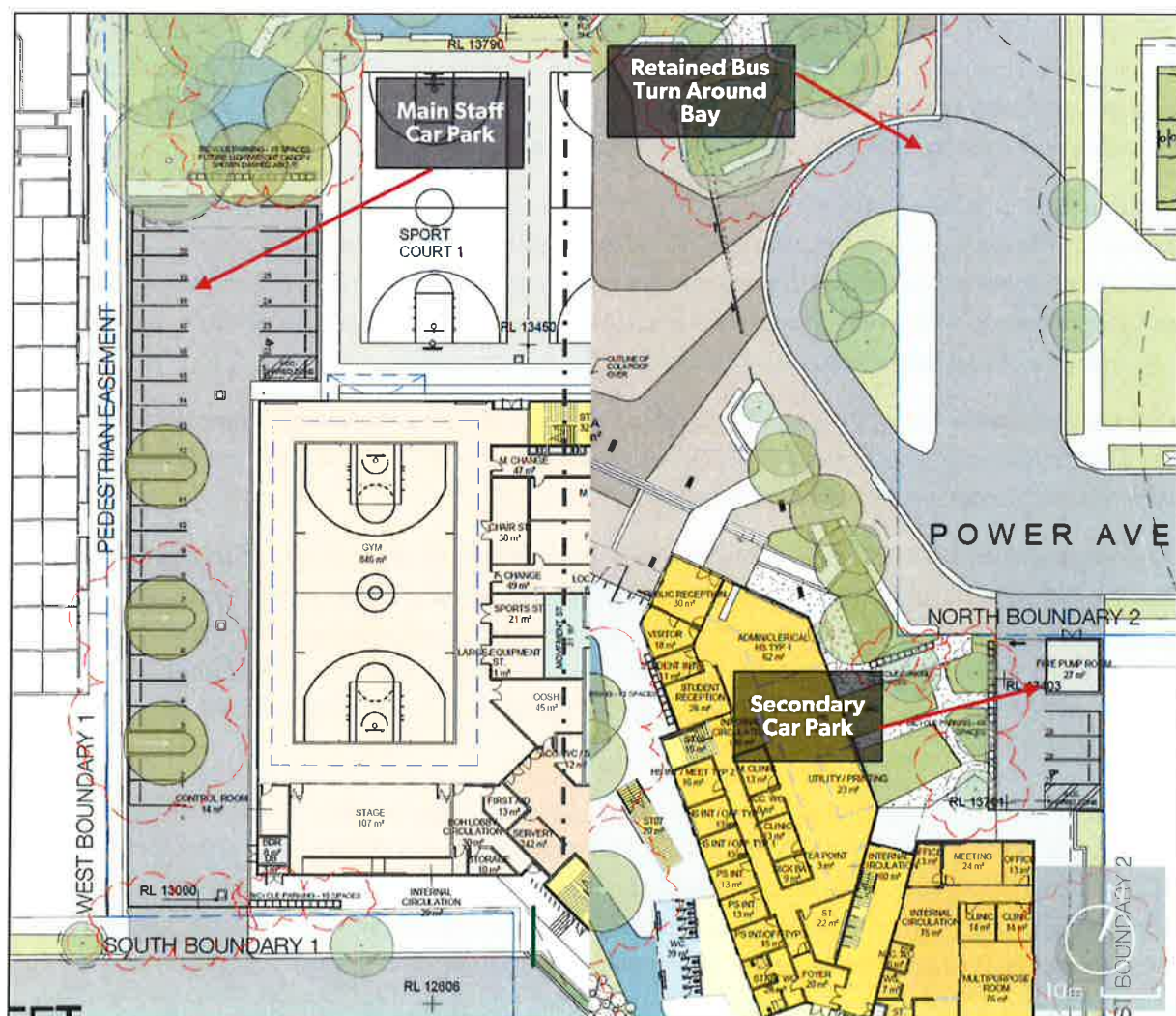
The Department therefore recommends a condition of consent requiring the proposed pick-up/drop-off be monitored as part of the OTAMP and where necessary, the Applicant consult directly with Council regarding the conversion of existing on-street parking spaces into additional 15P pick-up/drop-off spaces during the specified peak AM/PM periods.

### 6.3.4 Parking and Green Travel Plan

No additional car parking is proposed to be provided as part of the proposal, with staff to be encouraged to utilise alternate modes of transport for their journeys to work. Existing informal on-site car parking is proposed to be formalised in two new car parking areas with a capacity of 28 vehicles, as detailed in **Figure 28**. Access to the on-site car parks would be controlled by access passes that would be allocated in the first instance to participating car pool vehicles.

The Applicant also states that the proposed car parking provisions comply with the SLEP 2012, which prescribes a maximum car parking control for education facilities at a rate of one space per for every 200sqm of GFA (i.e. a maximum 101 spaces).

The Applicant's TA report states that existing staff travel behaviour was heavily in favour of the private motor vehicle, attributing to 82 per cent of journey to school. Kindergarten to Year 2 students had a 50 per cent private vehicle mode share and 38 per cent walk only mode share, while Year 3 to Year 12 students had a reduced private vehicle mode share of 23 per cent for AM drop-offs and 16 per cent for PM pick-ups. Year 3 to Year 12 students also had a walk only and train/walk mode share of approximately 27 and 22 per cent, respectively.



**Figure 28** | Proposed new formal on-site car parking (Source: Applicant's RtS 2018).

The Applicant's TA report states that the existing informal on-site car parking was consistently at capacity during school operations and that existing on-street car parking surrounding the site, comprising both unrestricted and 2 hour restricted parking, was at or near capacity. It was observed that up to approximately 30% of existing staff (16) utilised on-street car parking, which would equate to a demand of approximately 60 staff members under a redeveloped scenario with a full complement of 200 staff.

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

- attaining a high modal share for public transport, cycling and walking to school journeys by making non-private vehicle trips more attractive options
- ensuring adequate facilities are provided at the site to enable staff, visitors and students to commute by sustainable transport modes
- reducing the number of car journeys associated with business travel by staff and visitors
- facilitating the sustainable and safe travel of new staff
- establishing journey to/from school car share system of staff willing to participate and dedication of one space for this purpose
- raising awareness of sustainable transport amongst staff, students and visitors.

In addition, the GTP outlines a number of travel mode targets based on the existing staff travel surveys undertaken in late 2017, the results of which demonstrate capacity for change, particularly regarding the existing high private vehicle usage rate for staff travel modes. Ambitious reductions in the use of private vehicles are proposed (existing 82 per cent reduced to a proposed 24 per cent) that would rely heavily on an uptake of public transport (existing 10.9 per cent increased to a proposed 56 per cent).

To ensure these proposed targets are met, the GTP includes measures to support a shift in travel mode share behaviour. These include general marketing and promotion, promoting the use of public transport, and making available end-of-trip facilities for staff to support walking and cycling journeys. Review and monitoring measures are also proposed to enable existing objectives and targets to be reviewed annually and steps put in place to ensure they continue to be targeted and achieved.

A key specific measure of the GTP is supporting bicycle journeys, which is proposed to be accommodated by providing a minimum 144 bicycle parking spaces for students and staff and associated end-of-trip facilities for staff (i.e. lockers, showers and change room facilities).

The Department notes that Council's DCP bicycle parking controls do not generally apply to primary and secondary schools, though acknowledges the proposed provision of up to 20 staff and 100 secondary student spaces is generally consistent with controls for other educational land uses (i.e one space per ten staff and one space per ten students for tertiary education establishments). The Department is also satisfied the proposed provision of 30 primary school student spaces would cater for the expected lower participation rates of younger school children.

No objections were raised regarding the proposed total bicycle parking provisions. However, having regard to the concerns raised by Council and TfNSW, the Department agrees that the location of the proposed student bicycle parking spaces adjacent to the proposed staff car park is unsuitable, and would unnecessarily increase the risk of injury for children and locating these spaces in this location would reduce the desire to use this bicycle parking resource. The Department also notes that the Applicant outlined in its RtS that a minimum 50 per cent of bicycle parking would be weather protected. However, details provided on the revised architectural drawings indicate only proposed 'future' weather protection.



The Department therefore considers it appropriate that further details be submitted prior to the commencement of Phase 1 works demonstrating:

- details of the provision of a minimum 144 bicycle parking spaces, including a minimum 20 staff and 100 secondary student spaces
- details of any proposed staged delivery of bicycle parking spaces, to ensure the demand generated during different phases of the redevelopment is met
- the provision of a minimum two staff shower facilities and associated end-of-trip facilities (i.e. lockers).
- details of proposed lightweight weather protection canopy for a minimum 50 per cent of student bicycle parking spaces
- the relocation of the student bicycle parking spaces clear of the staff car park/indoor sports hall, to minimise the risk of conflict between motor vehicles and cyclists
- finalise the GTP in consultation with Council and TfNSW, incorporating suitable travel mode share targets and objectives for both staff and student travel movements.

Subject to compliance with the above recommended conditions and implementation of the GTP, the Department is satisfied the proposal would not generate any adverse off-site car parking impacts.

### 6.3.5 DCP indicative road layout

Council's DCP identifies an indicative proposed southern extension of Park Road through to McEvoy Street (see **Figure 32**). Council acknowledged in its submission on the proposal that provision of a through-site-link was considered necessary and should be accommodated in the proposal. In its response to the Applicant's RtS, Council requested that the fire pump room and at-grade car park be removed or relocated to facilitate this connection.

The design of the proposal does not make provision for the proposed road extension or through-site link, as requested by Council. The Applicant responded in its RtS that while the proposal does not necessarily restrict the ability for the link to be delivered, it would nonetheless have safety and security implications for the school.



**Figure 32** | Indicative Road Layout (Source: Council's DCP 2012).

While a through-site-link has not been proposed as part of this proposal, the Department notes that opportunity exists for the potential retrofit of the space in conjunction with any redevelopment of the adjoining site. Notwithstanding, it is the Department's opinion that suitable alternative pedestrian access points exist that allow for connections to the school and existing recreational facilities provided in Alexandria Park.

It is also noted that the proposed Alexandria to Moore Park Connectivity Upgrade would significantly change the traffic and pedestrian environment along McEvoy Street, with improved access arrangements proposed as part of these road work upgrades.

In this regard, the Department is of the opinion that the delivery of the through-site link as part of the proposal is unreasonable and unnecessary. While the link would provide for an additional pedestrian/cyclist connection, existing satisfactory connections are provided within proximity that would ensure suitable pedestrian and cyclist connections to the site are maintained.

## 6.4 Other Issues

The Department's consideration of other issues is provided at **Table 8**.

**Table 8** | Department's assessment of other issues

Issue	Findings	Department's considerations and recommended conditions
Site contamination	<ul style="list-style-type: none"> <li>• The EIS included a Detailed Site Investigation (DSI) report, Remediation Action Plan (RAP), Soil Vapour Investigation (SVI) report and prepared by Coffey Services Australia Pty Ltd and Acid Sulfate Soil Assessment report prepared by Environmental Investigation Services.</li> <li>• The EPA commented in its EIS submission that:               <ul style="list-style-type: none"> <li>○ a Site Auditor must be engaged to review the DSI, unexpected finds protocol and RAP</li> <li>○ further investigations should be undertaken beneath buildings prior to any construction</li> <li>○ further investigations were required to fully assess the potential indoor vapour risk from trichloroethene in soil vapours</li> <li>○ The RAP is not sufficiently detailed and does not appear to address potential sulfurous odours arising from exposure to acid sulfate soils.</li> </ul> </li> <li>• The EPA also recommended a number of conditions of consent relating to:               <ul style="list-style-type: none"> <li>○ the engagement of a Site Auditor</li> <li>○ preparation of an unexpected finds protocol</li> <li>○ preparation of an asbestos management</li> </ul> </li> </ul>	<p>The Department has recommended conditions of consent requiring:</p> <ul style="list-style-type: none"> <li>• further targeted site investigations beneath the footprint of buildings and structures proposed to be demolished</li> <li>• the RAP be updated based on the results of the additional site investigations and endorsed by an accredited Site Auditor prior to the commencement of remediation works</li> <li>• the preparation of an asbestos management plan and LTEM</li> <li>• the submission of a Section A site audit statement (SAS) and site audit report to the Site Auditor following the completion of remediation works and validation</li> <li>• the Department acknowledges that existing site constraints have limited the ability for all areas of the site to be investigated. However, it is satisfied that the Applicant has carried out sufficient investigations to inform the development of a conceptual site model (CSM)</li> <li>• the CSM prepared for the site does not ignore the presence of identified site contamination, nor</li> </ul>



plan and Long Term Environmental Management Plan (LTEMP)

- the submission of a Section A site audit statement (SAS) and site audit report following the completion of remediation works and validation.
- Council commented in its EIS and RtS submissions that additional site and groundwater investigation were required as outlined in the DSI report.
- The Applicant responded in its RtS that the site could be made suitable for its continued use as an educational establishment through the implementation of the RAP.
- The Applicant also noted the EPA's recommended conditions requiring the preparation of a LTEMP and asbestos management plan.
- the possibility of there being additional contamination beneath existing operational school buildings, and proposes an appropriate strategy to remediate the site
- in addition to the conditions recommended by the EPA, the Department recommends a condition of consent requiring further targeted site investigations be undertaken following the demolition of existing buildings and structures and update the RAP based on the results
- the department recommends conditions of consent in line with the precautionary approach to ensure that the site and proposed works are undertaken in a careful manner; when considering the continued operation of the sensitive school use during construction works
- detailed consideration of the proposal against SEPP 55 is provided in Appendix B, where the Department has concluded that it is satisfied that the Applicant has adequately addressed clause 7 of SEPP 55 and that the site can be made suitable for its intended use.

Aboriginal Cultural Heritage

- The EIS was supported by a preliminary Aboriginal Archaeological Assessment (AAA).
- The OEH commented during the exhibition of the EIS that the AAA must be finalised prior to the determination of the proposal.
- The Applicant submitted a complete Aboriginal Cultural Heritage Assessment (ACHA) report with its RtS, which concludes that the site's redevelopment is unlikely to have any impacts on Aboriginal cultural
- The Department has recommended a condition of consent requiring the recommendations of the ACHA be imposed in full.
- The Department supports the finding of the ACHA and concurs with OEH's recommendations.

heritage given previous disturbances across the site.

- OEH responded that it supports the recommendations contained in the ACHA and requested that they be imposed as conditions of consent.

Sydney Water easement

- The site contains a 6m wide drainage easement containing a concrete covered stormwater channel, which traverses the site diagonally from the western to eastern boundary.
- Sydney Water objected to the proposal due to the potential impact of the proposal on existing assets and services located within the stormwater easement and the failure of the proposal to comply with its guidelines for Building Over or Adjacent to Stormwater Assets (Sydney Water).
- The Applicant submitted correspondence prepared by Sydney Water with its RtS detailing Sydney Water's conditional approval of the proposal to building adjacent to and over the existing easement, subject to separate conditions.

- The Department has recommended standard conditions of consent as recommended by Sydney Water.

Noise and Vibration

- The EIS includes an Acoustic Report (AR), which assesses the potential construction and operational noise and vibration impacts on the nearest sensitive receivers.
- The AR, as revised by the RtS, identifies sensitive receivers would be located within existing residential premises located on Buckland Street, Belmont Street and McEvoy Road and existing students within the pop-up school, prior to the staged decanting of these areas as the redevelopment progresses.
- The AR considered the impacts of the proposal in terms of construction and operational noise.

- The Department notes that the school and OOSH operational hours are proposed to continue to operate as they currently do.

### **Construction noise**

- The Interim Construction Noise Guideline (DECCW, 2009) (ICNG) outlines the process of establishing noise management levels to minimise construction noise impacts on sensitive receivers.

- The Department notes the Applicant acknowledged the Department's and the EPA's concerns raised regarding background noise monitoring (RBL) and agreed to apply the lowest RBL which provides

- The AR includes an assessment of construction noise which concludes that construction noise emission predicted from demolition and construction activities were not expected adversely impact on existing classrooms, when windows remain closed, noting school classrooms were air conditioned. It was predicted that the internal construction noise criteria of 45 dB(A) would be complied with.
- The AR also notes that the preparation of a detailed construction noise and vibration management plan would be required prior to works commencing to address predicted exceedances of the construction noise management level (i.e. RBL + 10 dB(A)) and highly noise affected criteria (i.e. 75 dB(A)) at external/exposed areas of the existing pop-up schools and nearest sensitive residential receivers.
- To address predicted noise impacts, the Applicant's AR recommends several considerations to help mitigate potential construction noise and vibration issues, including:
  - installation of 2.4m high construction hoarding between the site and pop-up school buildings and localised noise barriers around piling rigs
  - selection of quietest feasible construction equipment, including rock saws in preference for rock breakers
  - provision of respite periods
  - community consultation and liaison.
- The Applicant has proposed standard construction hours as per the ICNG, though states that out of hours works, where required, would obtain separate approval.
- Concerns were raised by the public during the exhibition of the proposal in relation to prolonged construction noise impacts.
- The EPA identified concerns with background noise monitoring presented in the Applicant's AR, which the Applicant
  - a more conservative assessment of the background noise environment.
- The Department acknowledges that a detailed assessment of potential construction noise levels is not possible at this stage and the selection of construction machinery and construction methods would determine the actual impacts.
- To ensure potential construction impacts are appropriately managed, the Department recommends conditions of consent requiring the preparation of a detailed Construction and Noise Vibration Management Plan that includes, but not limited to, the following information:
  - an out-of-hours work protocol, including a detailed assessment of any works outside of standard construction hours, mitigation measures and notification/complaints arrangements as part of the required Construction Noise and Vibration Management Plan
  - the exclusion of activities resulting in high-impact noise (including impulsive or tonal noise emissions) from the works outside of standard hours of construction
  - the requirement that all construction activities comply with best practice vibration management criteria to ensure no adverse impact to existing buildings or structures
  - the implementation of respite periods during high noise generating construction activities
  - the requirement for the installation and monitoring of

responded to in its revised AR submitted with its RtS, which provided further justification for the background noise monitoring undertaken and provided further assessment of potential noise impacts on the existing pop-up school.

noise monitoring equipment at sensitive receiver locations, including alert triggers to stop works when sensitive receivers become 'highly noise affected' (i.e. noise levels exceed 75 dB(A) in accordance with the ICNG).

- o the requirement to comply with the ICNG construction noise management levels (RBL + 10 dB(A) where feasible and reasonable

### **Operational noise**

- The Applicant's AR demonstrates that noise emissions from typical primary and secondary school activities were not predicted to result in adverse noise emissions, predicting that noise emissions from rooftop activities would be consistent with those at ground level. Predicted emissions from typical school activities were considered to be generally consistent with the existing educational establishment noise environment.
- Predicted noise emissions from school activities within the design and technology rooms and music rooms was predicted to comply with the project noise trigger levels, with residential receiver windows both closed or open.
- The AR also proposes a range of recommendations to ensure that the design and operation of the school bell/PA system does not generate adverse noise impacts, including the requirement for speakers to be orientated internally to the school and not outward to sensitive receivers and setting the noise level of the school bell system to RBL + 5 dBA.
- The AR also details that the limited installation of split system air conditioners would generate low level noise emissions, around 55-58 dBA at a distance of 1m, and
- The Department is satisfied that the intensified use of the site for typical school activities would not result in adverse amenity impacts and that the Applicant has satisfactorily demonstrated that the use and operation of the indoor sports hall would comply with the established project noise trigger levels, subject to its appropriate management.
- The proposed use of the outdoor sports courts and field for school related activities is reasonable. Its use would be typically limited to recreational activities conducted during school operational hours (i.e. unlikely to be competition or organised sporting event/game) or after school for training activities.
- As the AR did not specify the hours in which the use of the outdoor sports courts and playing fields would cease, the Department sought confirmation from the Applicant.
- The Applicant responded by requesting the following hours to (in keeping with the existing operation):
  - o Monday to Friday 7.00am to 10.00pm (training)
  - o Saturday, 8.00am to 6.00pm



- would not impact on surrounding sensitive receivers.
- An assessment of predicted noise emissions from the use of the indoor sports hall and outdoor sports fields from sporting and performance activities indicated that:
    - use of the indoor sports hall for sporting activities would comply with the evening project noise trigger level 48 dBA, regardless of whether the doors of the hall either are open or closed
    - use of the indoor sports hall for performance activities involving a worst case live music scenario was predicted to comply with the project trigger noise levels at all times, subject to the doors on the northern elevation of the hall remaining closed at all times for such activities
    - Use of the outdoor sports courts and field in the northern section of the site was predicted to exceed the project noise trigger levels by 4 - 8 dBA during the daytime and 7 – 11 dBA during the evening period.
  - Concerns were raised in public submissions regarding potential operational noise impacts associated with the school and community use of facilities.
  - The EPA also raised concerns with the community use of facilities and requested their use in this regard be restricted.
    - (organized events)
    - Sunday 8.00am to 6.00pm (organized events)
    - fields used for training on Saturday from 6.00pm to 10.00pm and Sunday 6.00pm to 8.00pm on a trial basis for six months.
  - Acknowledging the concerns raised by the EPA and in public submissions, the Department has therefore recommended conditions of consent that restrict the use of the outdoor sports courts and playing fields as sought by the Applicant. The hours in general are not considered to result in detrimental impacts to the amenity of the surrounding locality, especially when considering that the outdoor courts and playing fields are currently used in addition to the activity on Alexandria Park.
  - Furthermore, the Department recommends the establishment of a trial period of six months for the proposed training hours between 6.00pm to 10.00pm on Saturdays and 6.00pm to 8.00pm on Sundays.
  - The establishment of the six month trial period will ensure that the potential impacts from the use of the outdoor sports courts and playing fields can be effectively monitored and ensure that an evaluation of the school's management practice can occur.
  - Should there be no substantiated complaints or compliance actions during the trial period basis, the school may continue to operate (subject to an application being lodged) for the extended hours on Saturdays and Sundays for training purposes.

- The Department considers that this will ensure that there are no detrimental amenity impacts to the surrounding residential properties.
- The Department has also recommended additional conditions of consent requiring:
  - post operation noise monitoring be undertaken within two months of commencement of operations of each development stage to ensure the effectiveness of mitigation measures installed
  - that the Applicant prepare an OTAMP to ensure appropriate supervision of the rooftop areas is always undertaken during use, to ensure excessive noise is not generated
  - that all plant and equipment must be maintained and operated in a properly and efficiently
  - noise associated with plant, machinery or other equipment must not exceed the established project noise trigger levels.
- the provision of noise attenuating measures should noise monitoring identify exceedance of project noise trigger levels.

Heritage

- The site is located adjacent to Alexandria Park, a locally listed heritage item and the Alexandria Park Conservation Area as listed in SLEP 2012.
- The application is supported by a Heritage Impact Statement (HIS), which concluded that the proposal would not adversely impact on the heritage significance of the adjoining item and surrounding conservation zone.
- The application was also supported by a Historical Archaeological Assessment,
- The Department has recommended a conditions of consent requiring the preparation of a historic heritage unexpected finds protocol.
- The Department notes that the proposal has been sited along the western boundary of the site to increase its separation to the existing heritage item at Alexandria Park and sightlines from would not be adversely impacted.
- The Department is satisfied the

which concluded that subsurface impacts were unlikely given the minimum excavation proposed below the existing fill. Any remains uncovered would not impact on the heritage values of the site as the research potential for any potential archaeological resource was low.

- Concerns were raised during the exhibition of the proposal in public submissions that the proposal would negatively impact on the adjoining Alexandria Park.
- No objections were raised by Council or public authority; however Council recommended a number of archaeological conditions.

proposal would not adversely impact on the heritage significance of the adjoining heritage item and surrounding conservation zone.

Flood planning

- The site is subject to flooding, including the 1% AEP flood event and Probable Maximum Flood (PMF) event. The proposal has been designed to address potential flooding impacts within the locality and not give rise to harm to its future occupants or downstream properties as it will be designed to 0.5m above the 1% AEP freeboard.
- The Flood Risk Assessment (FRA) report, revised with the RtS, details that the proposal would accommodate a modified overland flow path that would redirect flows through the school site without impacting on school buildings or neighbouring properties. The landscape design accommodates lower finished levels across landscaped areas and the sports field to provide additional flood storage during a 1% AEP flood event.

- The Department is satisfied that the provision of the clause has been satisfied noting that the proposal:
  - provides for the required 0.5m freeboard above 1% AEP
  - incorporates appropriate mitigating measures to ensure it is compatible with the flood hazard of the land
  - incorporates design measures to ensure overland flows and flood waters would not adversely affect flood behavior
  - incorporates appropriate measures to manage risk of life from flood, including evacuation measures prior to inundation and shelter in place measures where inundation occurs rapidly
  - is not likely to result in unsuitable social and economic life given the proposed finished floor level is designed above the PFM event.

## 6.5 Public Interest

The proposal is considered to be in the public interest for the following reasons:

- the proposal addresses the directions and actions of the Greater Sydney Region Plan, the State Infrastructure Strategy and the Eastern City District Plan
- the proposal would have a positive economic and social impact, including direct investment of \$100,681,482, the creation of 96 full time construction jobs and 146 new operation jobs
- the proposal is in the public interest as it would provide up to 1,000 primary school places, 1,200 secondary school places and 39 child care spaces with contemporary teaching and learning facilities and provide for improved education outcomes through new and improved teaching facilities.



## 7. Evaluation

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

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

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

The proposal is suitable for the site and the identified amenity impacts are considered saltatory on balance in the context of the significant social benefit the proposal would provide for the community. The Department has also recommended conditions to manage the impacts in relation to potential construction and operational impacts on the land uses.

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

- delivering increased enrolment capacities, new and improved education facilities that would cater for the identified student growth in inner Sydney
- consolidating and providing further investment in public infrastructure in an established centre, well connected to existing and developing public transport facilities
- providing additional education and community facilities infrastructure to support the local community
- delivery of approximately 96 new construction jobs and 146 new operational jobs.

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



## 8. Recommendation

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

- **considers** the findings and recommendations of this report.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application.
- **agrees** with the key reasons for approval listed in the notice of decision.
- **grants consent** for the application in respect of the redevelopment of Alexandria Park Community School (SSD 8373).
- **signs** the attached development consent and recommended conditions of consent (**Appendix C**).

Recommended by:

**Navdeep Shergill**

Planner

Social and Other Infrastructure Assessments

Recommended by:

**Andrew Beattie**

Team leader

Social and Other Infrastructure Assessments



## 9. Determination

The recommendation is: **Adopted**/Not adopted by:

**David Gainsford**

Executive Director

Priority Projects Assessments

11/2/19



# *Appendices*



## Appendix A - List of Documents

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

1. Environmental Impact Statement  
[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8373](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8373)
2. Submissions  
[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8373](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8373)
3. Applicant's Response to Submissions  
[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8373](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8373)

## Appendix B - Statutory Considerations

### ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

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

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

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

### COMPLIANCE WITH CONTROLS

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

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

**Table 9** | SRD SEPP compliance table

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

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

### **State Environmental Planning Policy (Infrastructure) 2007**

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

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

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

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

Clause 22 of the Education SEPP states that concurrence is not required for a 'centre-based child care facility' (i.e. pre-school) if:

- a) *the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the Education and Care Services National Regulations, or*
- b) *the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations.*

The proposed pre-school would have a capacity of 39 children, requiring a total of 126.75sqm of unencumbered indoor play space and 273sqm of unencumbered outdoor play space. The proposal achieves the requirement for the provisions of unencumbered indoor play space. The proposal only provides for 271sqm and therefore, does not achieve the minimum requirements required by the Education SEPP. While the Department acknowledges that there is a shortfall in the provision in outdoor unencumbered play space, it is considered that there are provisions in the proposal plans to ensure that the additional space required can be achieved. In order to ensure that the development remains compliant, a condition is recommended for the proposal to provide 273 of unencumbered outdoor play space in accordance with Clause 22 of the Education SEPP.

Clause 42 of the Education SEPP states that development consent may be granted for development for the purpose of a school that is State significant development even though the development would contravene a

development standard imposed by this or any other environmental planning instrument under which the consent is granted.

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

Clause 35(6)(a) requires that the design quality of the development should be evaluated in accordance with the design quality principles set out in Schedule 4. The proposal was subject to a multi-phase design review process conducted by a design review panel (DRP) coordinated by GANSW. Through this process of design review, the DRP endorsed the proposal advising it was capable of achieving design excellence.

An assessment of the proposal against the design principles has also been undertaken and is provided in **Table 10**.

**Table 10** | Consideration of the Design Quality Principles

Design Principles	Response
Context, built form and landscape	<p>The site planning provides good aspect for the classrooms and for maximising light to the play area. The proposed buildings are over the height of the developments surrounding the site. However, due to nature of the community land use which is required to provide improved and additional facilities, requiring level access across all the floors and the site constraints, the additional height is unavoidable.</p> <p>Notwithstanding the height non-compliance, the school's redevelopment has been designed to fit into the surrounding built-form, with maximum heights sited so as not to be immediately adjacent to existing residential land uses, and includes appropriate landscaping to enhance the interface with the public domain.</p>
Sustainable, efficient and durable	<p>The proposal includes ESD elements sufficient to achieve 5-star Green Star rating. The materials chosen are durable and require low maintenance.</p> <p>Bicycle parking is provided within the school site and a GTP submitted which encourages sustainable travel modes.</p>
Accessible and inclusive	<p>Accessible travel path is provided in all sections of the site and lifts included to provide access to all areas of the school.</p> <p>The school indoor sports hall and outdoor sports courts and playing field are to be utilised for community activities after school and during the weekends.</p>
Amenity	<p>The proposal creates a variety of interesting and useable playground spaces and enhance the amenity of the internal spaces by guaranteeing light and winter sun access.</p>
Health and safety	<p>The setbacks between the buildings and the fencing would be accessible but not visible.</p>
Whole of life, flexible, adaptable	<p>The proposed learning areas are flexible and provide adaptable presentation areas throughout the learning hub building.</p>

Aesthetics

The proposal evokes design enhancement by proposing appropriate articulation of buildings and integration with existing heritage buildings.

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

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

The EIS included a Detailed Site Investigation (DSI) report that was prepared based on a desktop review of the site history and environmental context of the site, previous contamination reports, a site walkover and observations of any potential contamination sources. The DSI also included intrusive ground investigations and the development of a conceptual site model (CSM) to assist with the identification of potential areas of environmental concern (AEC) and associated chemicals of potential concern (COPC). The CSM identified AECs and COPCs based on the former industrial and manufacturing land uses and fill materials, including but not limited to, heavy metals, hydrocarbons, pesticides and asbestos.

Intrusive investigations undertaken on site included excavation of six test pits and hand auger drilling of an additional seven bores and the collections of 21 soil samples. The Applicant's DSI notes that due to existing school operations and associated site restrictions, the minimum soil sampling density for the size of the site was not met. The shortfall of sampling was supplemented by the installation of groundwater monitoring wells positioned across the site to assess flow conditions and the relative change in water quality conditions across the site.

Bonded asbestos fragments were observed during on-site investigations in the central western section of the site, while results of additional soil sampling undertaken identified that concentrations of COPC were below the adopted human health criteria and ecological criteria for all samples analysed, with the exception of elevated lead levels from a single sample location (human health) and benzo(a)pyrene at three sampling locations.

The elevated lead result was thought to be attributed to lead-based paint associated with demolition building rubble observed within fill material, however, was recorded to only occur between 0.4m and 0.6m below ground level, suggesting that any exposure pathway via dermal contact, ingestion or dust inhalation would be satisfactorily restricted. It was also reported that benzo(a)pyrene was not leachable above the limit of reporting.

Results of groundwater samples reported concentrations of COPC below the adopted human health criteria and ecological criteria, with the exception of 1,2-dichloroethene, trichloroethene, tetrachloroethene and vinyl chloride that were detected above the human health limit of recording and copper and total recoverable hydrocarbons that were detected above the ecological investigation screening levels.

The CSM developed for the site identified the plausible nature of possible exposures to identified COPC to existing and future users of the site. It was concluded that the site could be made suitable for the proposed continuation of the existing educational establishment land use subject to the preparation and implementation of a remediation action plan (RAP) to minimise exposure pathways for future users of the site.

Accordingly, a RAP was prepared and submitted with the EIS accordance with the recommendations made in the Applicant's DSI report. The Applicant's RAP nominates the following remediation strategies:

- capping and on-going management of asbestos and lead impacted areas, including preparation of the site with a graded fill surface prior to the installation of a marker layer by a licensed Asbestos Assessor and suitable cap
- where capping and management of asbestos and lead impacted areas is not suitable, excavation and off-site disposal would be required



- decommissioning, removal and validation of the underground petroleum storage tank (UST) in accordance with the Underground Petroleum Storage System Regulation 2014, including the excavation and removal of impacted soils around and below the UST
- preparation and implementation of an on-going long-term Environmental Management Plan that describes the nature and location of contamination remaining on-site, how that would be managed and who is responsible
- preparation and implementation of an unexpected finds contingency plan to manage any unexpected contamination finds, including the requirement for future site investigations and walk-overs following the demolition of existing buildings and structures.

Following the completion of site demolition and remediation activities, the RAP also recommends that site validation be undertaken, and a validation report be prepared to validate the site's suitability for its ongoing educational establishment land use.

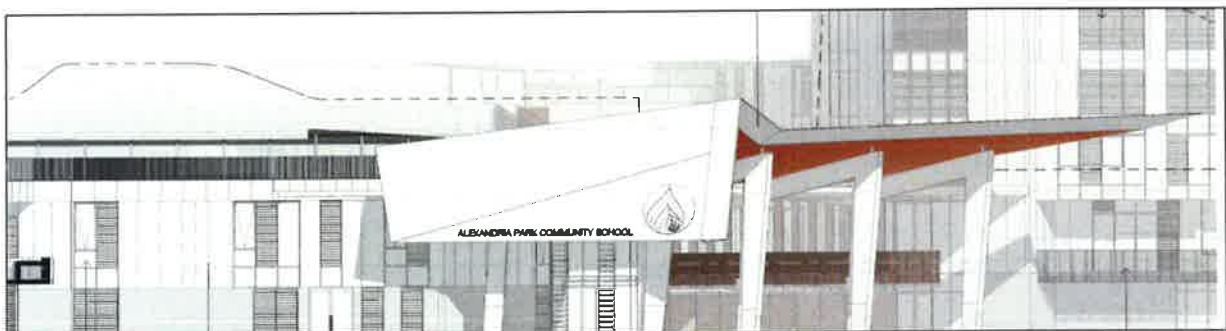
The Department notes that concerns were raised by Council and the EPA in relation to the unvalidated nature of the RAP and soil sample data gaps. The Department is satisfied that Applicant has undertaken appropriate investigations to provide sufficient guidance to determine the suitability of the site for its continued educational establishment use. To ensure that the RAP remains suitable for the proposal following the demolition of existing buildings and structures, the Department recommends that additional targeted sampling be undertaken beneath the footprint of demolished buildings and update the RAP based on the findings of those additional investigations. The Department has recommended conditions of consent relating to site contamination based on technical advice from the EPA. The Department also recommends a condition of consent requiring the engagement of an independent site auditor prior to the commencement of site remediation works.

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

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

SEPP 64 applies to all signage that under an EPI can be displayed with or without development consent and is visible from any public place or public reserve.

The development includes a business identification sign at the Park Road frontage of the site (see **Figure 33**). Under clause 8 of SEPP 64, consent must not be granted for any signage application unless the proposal is consistent with the objectives of the SEPP and with the assessment criteria which are contained in Schedule 1 of the SEPP. **Table 11** demonstrates the consistency of the proposed signage with these assessment criteria.



**Figure 33** | Proposed APCS Building Identification Sign (Source: Applicant's RfS 2018).

**Table 11** | SEPP 64 compliance table

Assessment Criteria	Comments	Compliance
<b>1 Character of the area</b>		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage is contemporary in design but consistent with the design and character of the proposed redeveloped school site.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	Existing building identification and wayfinding signage is present throughout the existing school site. The proposed new signage is consistent with the theme of the redevelopment school premises.	Yes
<b>2 Special areas</b>		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	While the site is located adjacent to (a local heritage item) Alexandria Park and is surrounded by a conservation zone, the proposed signage would not detract from the significance of these items or the visual quality of the locality, and will fit with the contemporary design of the new school buildings.	Yes
<b>3 Views and vistas</b>		
Does the proposal obscure or compromise important views?	No views or vistas would be impacted by the proposed signage.	Yes
Does the proposal dominate the skyline and reduce the quality of vistas?	No views or vistas would be impacted by the proposed signage.	Yes
Does the proposal respect the viewing rights of other advertisers?	Proposed signage would not impact on existing views experienced by others or existing advertising rights.	Yes
<b>4 Streetscape, setting or landscape</b>		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed scale and design of the signage is appropriate for the streetscape and school setting within which it is proposed.	Yes

	The signage location on the façade elevation of the entry/COLA structures ensures that it will be integrated into part of the building design.	
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed design of signage would ensure it does not negatively impact on the nearby heritage setting.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposal does not include advertising signage.	Yes
Does the proposal screen unsightliness?	Signage has been designed in keeping with the site's educational establishment use and integrated into the building design.	Yes
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No signage is proposed above buildings of existing vegetation.	Yes
Does the proposal require ongoing vegetation management?	No ongoing vegetation management will be required by the proposed signage.	Yes

## 5 Site and building

Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed scale and design of the signage is compatible with the site and the proposed school buildings.	Yes
Does the proposal respect important features of the site or building, or both?	The signage has been designed to integrate with the façade elevation of the new entry/COLA structure at the front of the site to better celebrate the revitalized school precinct.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The signage has been integrated into the façade elevation, which forms part of a continuous roof structures that returns down the side of the new entry/COLA structure.	Yes

## 6 Associated devices and logos with advertisements and advertising structures

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

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

## 8 Safety

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

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

The Draft Remediation SEPP will retain the overarching objective of SEPP 55 promoting the remediation of contaminated land to reduce the risk of potential harm to human health or the environment.

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

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

### **Draft State Environmental Planning Policy (Environment)**

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

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

### **Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005**

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

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

### **Sydney Local Environmental Plan 2012 (SLEP 2012)**

The SLEP 2012 aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the City of Sydney Local Government Area (LGA). The SLEP also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the SLEP 2012 and those matters raised by Council in its assessment of the development (refer to **Section 5**). The Department concludes the development is consistent with the relevant provisions of the SLEP 2012. Consideration of the relevant clauses of the SLEP 2012 is provided in **Table 12**.

**Table 12** | Consideration of the SLEP 2012

SLEP	Department Comment/Assessment
Clause 2.7 Demolition requires development consent	The proposal seeks development consent for the demolition of existing buildings and structures, including temporary pop-up school buildings.
Clause 4.3 Building height	The proposal fails to comply with the maximum 15m building height control under SLEP 2012. A maximum building height of 21.2m is proposed.  Consideration of the proposed built form and its maximum building height and objectives of clause 4.3 has been provided in <b>Section 6.1</b> of the report. The Department concludes that the proposed maximum building height of the new APCS is satisfactory.
Clause 4.4 Floor Space Ratio	The site is subject to a 1:1 FSR control under SLEP 2012. The proposal has a maximum GFA of 20,368 sqm across a site area of 2.83 ha. This equates to a compliant FSR of 0.71:1.
Clause 5.10 Heritage conservation	The site is located adjacent to Alexandria Park, a locally listed heritage item and the Alexandria Park Conservation Area under SLEP 2012. The application is supported by a Heritage Impact Statement (HIS) which concludes that the



proposal would not adversely impact on the heritage significance of the adjoining item and surrounding conservation zone, noting that:

- the proposal has been sited along the western boundary of the site to increase the separation to the existing heritage item
- no views or sightlines would be adversely impacted
- the proposal incorporates sympathetic finishes and colours to ensure it does not detract from the existing heritage significance of the locality
- existing street trees in Alexandria Park would provide a level of screening to soften the bulk and scale of the proposal.

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Clause 5.12 Infrastructure development and use of existing buildings of the Crown

The existing 15m height development standard restricts the proposal, however do not apply given the proposal is being carried out by a public authority that is permissible with consent. The Department considers this clause has been met.

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Clause 6.21 Design excellence

An alternate competitive design process (establishment of a Design Review Panel (DRP) was followed to arrive at the proposed design as discussed in **Section 6.1** of this report. The DRP constituted as part of that process identified that the proposal demonstrates the capability to achieve design excellence. Further, the Department considers the proposal exhibits design excellence in accordance with the matters for consideration under this clause.

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Clause 7.9 Other land uses

Cl. 7.9 of SLEP 2012 restricts car parking as follows:

- maximum one space per every 100 sqm of GFA for centre-based child care centres.
- maximum one space for every 200 sqm of GFA for information and education facilities.

The proposed pre-school facility includes provision for three dedicated spaces, while the school redevelopment proposes to replace the existing 28 informal spaces with a new formal car park accessed via Belmont Street.

The Department is satisfied that the proposal complies with this clause.

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Clause 7.14 Acid sulfate soils

The site is mapped as being predominantly impacted by Class 4 Acid Sulfate Soils, with a small southern section of the site mapped as being impacted by Class 5 Acid sulfate Soils.

In accordance with the provision of clause 7.14(3), the application is supported by an Acid Sulfate Soils Investigation (ASSI) report and Acid Sulfate Soils Management Plan (ASSMP).

The ASSI report concluded that the southern section of the site was the principal zone of acid sulfate soil, though acknowledged that the medium plasticity silty clay across the site is potential acid sulfate soil.

To ensure the presence and exposure of acid sulfate soils is appropriately managed, the ASSMP recommends the following:

- appointment of qualified person to manage acid sulfate soil issues that arise during construction
- temporarily stockpile excavated materials
- assess stockpiles for acid sulfate soil presence prior to disposal
- undertake liming, where necessary
- dispose of limed stockpile to licensed landfill or reuse on-site
- installation of appropriate dewatering control systems to ensure groundwater table is not lowered
- appropriate treatment of acid sulfate soil impacted surface water prior to disposal
- prepare an unexpected finds protocol.

The Department is satisfied that the proposal complies with this clause.

#### Clause 7.15 Flood Planning

As discussed in **Section 6** of this report, subject to recommended conditions, the proposed development complies with the requirements of this clause.

#### Clause 7.20 Development requiring or authorising preparation of a DCP

The site has an area of 2.83 ha, triggering clause 7.20(2)(b) of SLEP 2012 that requires the preparation of a site specific DCP if the site area of the land on which the development is proposed is greater than 5,000 sqm.

As discussed in **Section 6** of this report, the requirements of clause 7.20 do not apply as per clause 8 of the Education SEPP.

### Other Policies

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

Notwithstanding, the objectives of relevant controls under the Sydney Development Control Plan 2012, where relevant, has been considered in **Section 6** of this report.

**Appendix C - Recommended Instrument of Consent/Approval**

