

MEC SSD EIS Exhibition

Introduction

We provide this submission on behalf of Murwillumbah East Public School Parents and Citizens Association (MEPS P&C). MEPS is one of the schools that will be forced to close as a result of this development, with our students then being reallocated to the new site. As such we have a great interest in ensuring this development is consistent with the best needs of our students and the broader community.

MEPS P&C welcomes investment in school Infrastructure spending in our community. However, we have consistently objected to the infrastructure spend being at the expense of our school, staff, students and our broader school community. Not only are we no longer receiving our 2019 election commitment rebuild of our library and two class rooms, but our entire school is to be closed.

In the event that our students are forced to attend the MEC our P&C agreed that it was our duty, in line with our constitution, to advocate for the best outcomes for our students. As such we have participated in the limited “consultations” in good faith. To date those “consultations” have been one sided and with limited opportunity to provide free form feedback. We have not had genuine input into the concept of the MEC. Our concerns have been ignored. Our issues dismissed. No amendments have been made to the concept plan to accommodate our concerns which include but are not limited to; size of the development, number of students, lack of open play spaces, smaller classroom sizes, parking, traffic, lack of educational rationale, loss of staff, and the aesthetics of the design.

Consultation

We refer to Section 4 and Appendix N of the exhibition. MEPS P&C has consistently raised concerns over the lack of consultation – both with the initial decision to close our school and then to the lack of genuine consultation in respect of the new development. We now raise additional concerns over the lack of consultation with regard to the final form of the development as submitted.

We understand that one poorly advertised Community Information Hub was provided to find out more about the progress of the Murwillumbah Education Campus project. This was held shortly after the second catastrophic flooding event that occurred in Murwillumbah. Many people in the community were excluded from attending the Hub as they were severely flood affected.

That Hub was only open at selected times over a three day period. This is not adequate consultation. Objections to the timing and form of that “consultation” were ignored. Pleas to delay that “consultation” by one week to allow flood affected residents to attend and participate were similarly ignored.

In terms of natural justice and procedural fairness, both have been denied. The initial decision to close our school without any prior stakeholder engagement appears to be a breach of s.28 of the Public Education Act of 1990 (NSW). Given the absolute failure to consult with stakeholders as required by law, all subsequent “consultation” has been tainted.

The failure to address the exclusion of amendments within this exhibition may well be contrary to the principles of the Planning Secretary’s Environmental Assessment requirements contained in the Environmental Planning and Assessment Act 1979, and Schedule 2 of the Environmental Planning and Assessment Regulation 2000.

Section 2 of the Community Consultative Committee Guidelines indicates that a Community Consultative Committee (CCC) should be established based on the “scale and nature of the project and its potential impacts, level of public interest in the project, the proponent’s community engagement strategy and whether a CCC would complement other consultation initiatives”. More than 4,200 local residents (in a town with a population of around 9,000) signed a petition opposing the closure of the schools and the lack of consultation. That is indicative of the high level of public interest in the MEC.

To date the only consultation on this proposal, prior to decisions being made, has been with School Principals. However section 3.4 of the guidelines clearly states that “employees or contractors of the proponent are not eligible to be appointed as community representatives”. Two of those consulted principals have now been appointed positions within the proposed MEC.

The NSW Government Undertaking Engagement Guidelines for State Significant Projects (November 2021 Appendix A), references community engagement during the scoping phase. This does not appear to have happened at all. There was no “engagement undertaken as part of the prior planning process” except the aforementioned consultation with school principals.

The NSW Government guidelines on protocols for schools where recess, closure, amalgamation, or other educational provision models are to be considered outlines formation of a School Consultative Group comprising of DEP, P&C/ parent reps and NSW Teachers Federation members.

No such Consultative Group has been formed.

Part three of that process has a requirement that “if recess, closure of amalgamation or other educational provision model is to be considered the Director/ Executive Director contacts the Local Member NSW PAA Executive, NSWSPC Executive and NSW Teachers Federation.”

No such contact occurred.

Whilst consultation in some instances may be discretionary, exercising that discretion against consultation repeatedly and without justification has a cumulative effect in terms of the social impacts of the development.

Where consultation has been a legislated requirement without express exemption, the denial of such consultation can amount to a serious lack of procedural fairness, tainting any and all subsequent interactions with key stakeholders.

MEPS P&C feels that we have not been heard, that our concerns have not been addressed, and that no amendments have been made to accommodate the issues we have raised repeatedly with the Minister and department.

Size of the development

Initial indications were that 1,100 students would be accommodated at the school. Given the small populations at the existing schools, concerns were raised over transitioning to such a large school. This is particularly relevant to MEPS where students enjoy all the benefits associated with a small school. We have just over 200 students currently and frankly, transitioning those students to a school with almost a thousand more students will be difficult for our children.

The concept plan presented to us allowed for 1,500 students. Again concerns were raised over the size of the school and the sudden jump in numbers. Many of our parents chose

Murwillumbah East Public school specifically because it was a small school. These concerns were again put to the department, and again ignored.

We now find that the exhibited plan allows for an enrollment of 1,722 students. Not only have our amendments not been addressed, our concerns have been increased, again, without consultation. This exhibition is the first time we have been exposed to the idea of a school population of 1,722 students. This is an increase of almost 500 students above current enrolments over 4 school sites.

Conversely, 1,722 students is a **REDUCTION** in the capacity for enrollment that exists amongst the existing schools. The new capacity of 582 students for primary school is a decrease on the current primary schools' capacity of 648. The new capacity of 1,140 secondary school students is a decrease on the current secondary schools' capacity of 1,860.

Reducing the enrollment capacity by 786 students is a clear step backwards for a growing area.

Further, the development has only projected growth to 2036 – by the time this development opens, it will only represent one full school cohort. More consideration is needed around capacity and growth.

Parking and transport

The EIS states that there is adequate on street parking in the vicinity. The Traffic Impact Assessment (TIA) (Appendix X) demonstrates that there is very little available on street parking, with much of Nullum Street restricted for bus movements. Riverview Street only has parking on one side and this is utilised by adjacent residents and no parking in High School Lane, which is essentially a shared driveway for residential development, with multiple driveways.

That only leaves James Street which is a residential street for student parking (with no student parks being allocated within the proposal) and any overflow parking during events. Parking as an issue has been ignored in the TIA given the scale of the new school and its obvious requirements for event parking for assemblies, parent-teacher activities, and sporting events it will need more serious consideration.

The use and nature of High School Lane is unclear. The EIS states that this will be the entrance to the Primary School. However it is currently a narrow lane for the eastern part, then a shared driveway, and finally a footpath at its western end. It is not suitable for pedestrian or vehicle access to the Primary School. Please see attached photographs.

The TIA does not refer to any significant upgrades regards this lane, other than a pedestrian crossing at its intersection with Nullum Street. This crossing would only be necessary if there is a large increase in the vehicle use of this dead-end laneway. There is also potential for impacts on the residences backing onto the lane, such as privacy and amenity.

The EIS and TIA rely on current mode shares for the 4 existing facilities. However these are currently located at 4 different sites servicing the various residential catchments across Murwillumbah. For example, the active transport mode share at Wollumbin High is due to the adjacent residential areas in Hundred Hills. The percentage of students who walk from these areas to the MEC will be vastly reduced, therefore relying more on bus and car transport.

The Nullum Street – Condong Street intersection is a four way give way controlled intersection. Typically an intersection of this nature servicing a major facility such as a school would require a roundabout to provide the capacity and safety of turning movements. No

upgrades are proposed. It is difficult to understand how the modelling only predicts minor impacts on the operation of this intersection, which is already congested for Condong Street traffic at peak times due to school traffic and buses. The TIA should include actual observations of this intersection in particular, based on camera monitoring of delays and turning delays. The intersection of Wollumbin Street and Nullum Street, another give-way controlled 4 way intersection is similarly of concern, despite the reassurances of the TIA.

We Question whether the provision of 4 disability accessible parking bays is adequate for a school of this size, and in the locations provided, given one of the goals of the MEC is to provide a superior support facility for special needs students.

We also hold concerns that the parking and traffic mitigation measures include an assumption that 30% more teachers will catch a bus to school. The proposal itself acknowledged that zero teachers currently use this method of transport and we expect exactly zero teachers will change their method of transport.

The mitigation measures also include a massive increase in primary school children catching the bus to school. The opposite is likely to occur. Interestingly there does not appear to be any mention of consultation with companies currently engaged to provide bus services to students. This would be a critical element required before forming conclusions.

We believe the conclusions and suppositions around transport are based on metro centric observations and have not taken into account the differences between rural and urban transportation. In short, country people are much more likely to use private vehicles for travel.

Design/ Site suitability

The EIS indicates that building heights will be above the 9m maximum allowed in the Tweed Local Environment Plan (TLEP). The current GFA is 12,653m² and the proposed GFA is 17,658.4m².

The entirety of this design – including the height of the buildings is not cohesive with the character and feel of the small rural community of Murwillumbah.

There are no buildings in our area that are similar to the proposed build. The building is completely out of character for Murwillumbah (Figure 30) and no effort has been made to incorporate the heritage nature of Block A.

The aesthetics, with an emphasis on vast swathes of concrete are a stark difference to the character of other building across the community. Quite frankly the concept design is an eyesore. Community feedback on the design has seen it described as a “concrete monstrosity”. We apologise that we are unable to find a nice way to say that this proposed school is ugly.

Further the co-location of the Public administration building is prohibited in this zone. This is an overdevelopment of the site.

The 7 NSW Education, Design Quality Principles are meant to be applied to the build. Schools should be designed to respond to and enhance the positive qualities of their setting & landscape. Sadly, we feel as a P&C that most of these design quality principles have not been achieved.

In terms of the first principle in particular - Context, build & the landscape, what we see in the EIS is the inherent limitations of the sites landscape, impacting the planned build, negatively effecting and limiting the mentioned aspirational principles.

Any previous consultation has been wasted; the things collectively identified as important have been disregarded.

We now see the main primary school building that **had** been planned to utilise the high point of the site now moved to encroach on the limited flat playground areas.

The limitations of the local road network now see the site & landscape impacted with the burden of containing the kiss & drop zone, not to mention the undersized car parks.

The identified important open spaces have now been lost in this plan.

Educational rationale

The EIS makes reference to the educational rationale for the development. From the date of the initial announcement no educational rationale has been provided nor demonstrated by the Minister or the Department.

So far only flexible teaching spaces and a possibility of expanded curriculum choice for High School students, are the sole basis for the argument of “improving educational outcomes”. There has never been any demonstration that existing conditions, at existing schools, are detrimental to learning outcomes. We believe there are other solutions to maintain subject choice whilst preserving the valuable investment in school sites.

Further, The NSW Teachers Federation have indicated that once the grace period for retaining teaching staff expires we will lose upwards of 20 High School teachers. We question how an expanded curriculum choice can be offered when we will be losing so many staff?

At present the four school sites offer some choice and diversity for parents and students. Parents and students consistently value the opportunity to select a school culture that aligns with their individual interests and values. Parents consistently value a smaller more personal environment for younger, primary school age students.

This choice will be lost once all public education provision is amalgamated into the **one** school and we fear this one public school in Murwillumbah will not be able to offer appropriate enrolment placements.

Contracting four schools into one is not the best way to plan for the future needs of Murwillumbah. The Murwillumbah High School site is constrained by surrounding developments. It has definite limits to its capacity. The four school sites currently established in Murwillumbah offer flexible capacity to grow to meet future demand. The Murwillumbah Education Campus will not.

“Mega Schools” were established some years ago in Victoria using a similar rationale and supposedly offering similar benefits to those being promoted with the Murwillumbah Education Campus. This innovation is now being wound back. Parents were alarmed that students with particular learning needs were falling through the cracks in the large enrolment combined cohort schools. They sought to enrol students in smaller surrounding village schools significantly changing the dynamic in these schools.

It is reasonable to assume this could be what happens here over time. Schools like Crystal Creek or Dungay will experience these challenges. In fact anecdotal evidence since the Minister’s announcement suggests this is already happening.

If a new development (say the proposal to build 275 new homes in Mooball) leads to increased demand for government school places how will this be met by the Murwillumbah Education Campus? This is the dilemma currently faced by the NSW Government in Sydney. During the 1980's a number of public schools in the inner city were closed to provide funds to build schools in growth areas in the outer suburbs. Many inner city parents now are demanding their right to a government school place but this demand can't be met within existing capacity. Proposals like the one for Ultimo Public School, now look to build high rise schools in partnership with private developers. This proposal envisages a mixed use of the site involving school, retail and residential use.

The four public schools in Murwillumbah have between them sufficient capacity to absorb future growth in enrolment demand. This capacity will be lost with the Murwillumbah Education Campus. Putting demountable classrooms on site in response to enrolment demand is always problematic and on the Murwillumbah Education Campus the only potential sites for demountable classrooms will be on flood prone land. The Northern Star recently reported that demountable classrooms are already being located on the site of the new amalgamated Ballina Coast High School which opened in 2019.

The information provided by the department focuses mainly on the experience of amalgamating secondary schools in other parts of NSW. The Murwillumbah Education Campus is an entirely different proposition. The NSW Government provides no evidence to support its claims that combining infants, primary and secondary students on the one large campus will improve educational outcomes for students. Parents generally feel that young children flourish in a smaller more personalised learning environment. That has been the lived experience of families for generations in Murwillumbah's local primary schools.

The announcement runs rough shod over the history and culture long established in the schools marked for closure. This will be lost in exchange for a yet to be determined culture and ethos in the new mega campus.

There are considerable long term studies and evaluations on the question of scale. Especially in Kindergarten and Primary schools, people value personalised care and safe friendly school communities, where you don't get lost in the crowd.

In the February 2020 Legislative Council Report 'Measurement and outcome-based funding in New South Wales schools Informed by the Data: Evidence-based education in NSW' makes several references to 'Best Practice Schools' examined over the course of the investigation. The key factors identified in making a big difference to these high performing schools were, school discipline, direct instruction, data-informed practices, early reading intervention, teacher collaboration and autonomous school leadership (6.150). These are not the principals that have been applied in this build.

This report also mentions school size in appendix 2 (John Hattie's Visible Learning: 250+ influences on Student Achievement) where is listed "school size (600-900 students at secondary) as having 'potential to decelerate student achievement'.

Conclusion

MEPS P&C hold real and valid concerns over this EIS. This proposal represents a step backwards for Public Education in our community. The issues with design, traffic and parking may well have been overcome had the department engaged in adequate and meaningful consultation.

Attachment: High School Lane

