_planning

DEVELOPMENT APPLICATION
STATEMENT OF ENVIRONMENTAL EFFECTS

ROSEBANK COLLEGE
PROJECT 8
ADDITIONS AND ALTERATIONS TO EXISTING SCHOOL
1A HARRIS ROAD, FIVE DOCK

Alleanza

Submitted to
Canada Bay City Council
on behalf of
Rosebank College

June 2020

_planning Pty Ltd operates under a Quality Management System. This report has been prepared and reviewed in accordance with that system. If the report is not signed below, it is a preliminary draft.

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1.0 INTRODUCTION

This Statement of Environmental Effects (SEE) is submitted to Canada Bay City Council to support a Development Application (DA) with respect to the proposed new General Learning Area (GLA) building known as 'Project 8' at Rosebank College, 1A Harris Road, Five Dock. The applicant for the development is Rosebank College, the owner of the site.

The DA seeks consent for the construction and use of a new L-shaped 2-3 storey GLA building addressing the Parramatta Road and Harris Road corner of the school site. The building will include the following:

- 12 new classrooms, ancillary office and storage spaces;
- Lower level parking (totalling 67 undercover car spaces); and
- Upper level open sports courts.

Further, consent is sought for the ancillary demolition of part of the perimeter brick wall at its splay at the corner of Parramatta and Harris Roads, a digital signboard, tree removal (5 trees), landscape works, and civil engineering works. The existing six (6) demountable classrooms in this location will be temporarily relocated to the adjacent sports court area to maintain required teaching accommodation until such time as the works are completed and the new building is operational. The demountables will then be removed from the school.

The development is permissible with consent under both *Canada Bay Local Environmental Plan 2013* (LEP) and *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (the Education SEPP). The proposed development satisfies all relevant planning considerations under the LEP. These and other relevant considerations are further addressed within this SEE.

The DA is not Integrated Development for the purposes of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

1.1 Project Background

The purpose of this DA and the proposed development is to provide Rosebank College with new contemporary and state-of-the-art teaching spaces and enhanced and augmented accommodation to replace the existing temporary demountable buildings. It will also provide additional sports courts on-site, and improved and efficient use of space on the school site by providing sub-level undercover parking. The addition of these 67 spaces provides a net gain of 13 spaces over the current 54 spaces within the school.

In updating and upgrading the school accommodation, the development is able to respond to contemporary energy efficiency, construction and building code, design, and landscaping standards.

Rosebank College's strategic planning and building program has identified a need for better facilities and resources for students to attain a 21st century education. An eight stage building program designed to support student learning has been underway over the past 10 years and is now nearing completion with Project 8. A summary of the other projects to date is set out below:

- *Project 1 – Completed in 2011*
  Subiaco Hall containing:
  - The Scholastica Research and Study Centre;
  - The Trade Training Centre which features sophisticated Hospitality and Food Technology facilities; and
  - New Visual Arts and Design Technology Centres.
- *Project 2 – Completed in 2012*
  Montserrat Hall containing:
  - New Music, Drama and Dance facilities;

- An undercroft;
- A new cafeteria;
- PDHPE storeroom and change rooms, new bathrooms and;
- An upgrade to the School Hall and Performance Space.

- *Project 3 – Completed in 2014*

Jamberoo Hall including:

- Nine GLAs), five Science Learning Spaces and two multifunctional sports courts and a mezzanine level gymnasium.

- *Project 4 – Completed in 2017*

A new staff and administration block, the creation of nine GLAs and an interconnecting staircase link connecting Project 4 with Inkamana Hall and Erie Hall.

- *Project 5 – Completed in 2018*

A new covered outdoor learning area and the renovation of the three levels of Inkamana Hall to create six new GLAs.

- *Project 6 – Completed in 2018*

The redesign and beautification of the Chapel and Memorial Gardens.

- *Project 7 – Completed in 2015*

Significant landscaping work to cut and fill three terraces including a levelled synthetic grass ball playing surface, retaining walls, access steps and passive seating area.

The area subject to the DA (the development site) is shown in **Figures 4-9** in Section 2 of this SEE, as well as in the Architectural and Landscape Plan sets.

A current site survey by GJ Atkins & Associates is also provided at **Appendix A**.

A Detailed Cost Report by Taylor & Partners using Council's pro-forma has been provided at **Appendix B**. The development cost of the project is some $9.081 million, being well below the $20 million threshold for State Significant Development involving a school development, but greater than the $5 million threshold for Regionally Significant Development, thereby making the proposed development subject of assessment by Council but approval by the Regional Planning Panel, under clause 5(b) of Schedule 7 of *State Environmental Planning Policy (State and Regional Development) 2011*.

Notwithstanding, the development is a near-miss Complying Development under provisions of the Education SEPP, given its general compliance with the requirements for Complying Development. But for the site's heritage listing and lack of specific and/or general Exemptions under section 57(2) of the *Heritage Act, 1977*, it would be Complying Development. Additionally, the relevant Development without consent provisions are not applicable to this development.

2.0 SITE ANALYSIS

2.1 The Site and Existing Development

The site is located within the Canada Bay City Council LGA at the corner of Parramatta Road and Harris Road, Five Dock. It is located in an area that is today typified by a general light industrial, business, and mixed use character, particularly in the school's immediate context and proximity. Correspondingly, the school is highly accessible and visible due to its Parramatta Road location. Residential land uses are generally located away from the site and Parramatta Road, but it is noted that two residences are located opposite the school on Harris Road to the north-east of the development site. See the location map at **Figure 1**.

The school site is bounded by Parramatta Road to the south, Harris Road to the east and Queens Road to the north. The school is approximately 2 hectares in area based on the survey (or more accurately 20,821m2). The site is comprised of a single lot (Lot 10 in DP 718237) – see the site map at **Figure 2** and survey at **Appendix A**.

Rosebank College is a registered non-Government school and has operated at the site since 1867. The school comprises a number of contemporary and heritage-listed school-related buildings, including Block H (Jamberroo), located on the south-west corner of the site addressing Parramatta Road. To its north are Blocks B (Monserratt and Subiaco) and C (Erie). These blocks surround the centrally-located Block A (Ottelien) which sits adjacent to the heritage-listed Memorial Gardens, the Victorian Gothic Chapel, large Port Jackson Fig tree and the 1876 old school which is known as Block D. On the north-eastern corner of the site at the Queens Road and Harris Road corner is Block J (Downside). Generally flanking the site is a 1940's era brick wall which is of lower significance, but which contributes to the site's historical identity. See **Figure 3**.

Rosebank College is a Good Samaritan, Benedictine, Catholic co-educational school for Years 7 to 12. Its current enrolments are 1,297 students with 94 full-time staff and 56 part-time staff (2018 Annual Report).

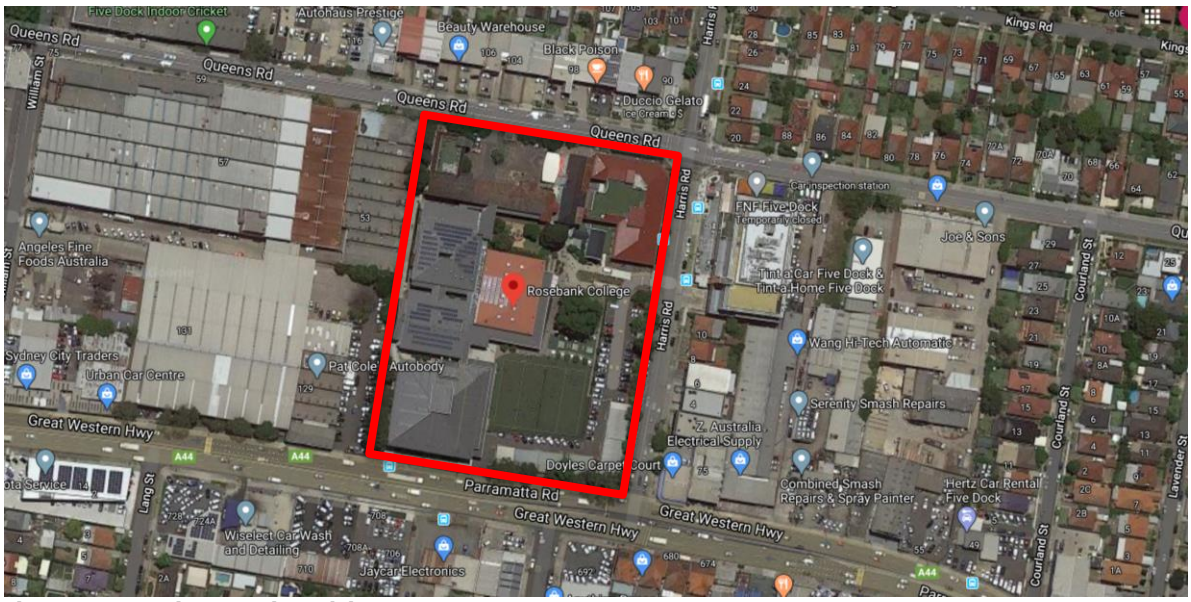

Figure 1 – Location Map (google)

Figure 2 – The Site (SIX Maps)

Figure 3 – Existing development at the school – 1940's era brick wall

Photographs of the development site and existing development are included at **Figures 4-10** below.

Figure 4 – Parramatta Road frontage of the development site

Figure 5 – Corner of Parramatta Road and Harris Road

Figure 6 – Location of proposed development facing south towards Parramatta Road

Figure 7 – Existing demountables addressing the corner of Parramatta Road and Harris Road

Figure 8 – Existing demountables within the school facing west

Figure 9 – Existing demountables within the school facing east

Figure 10 – Existing sports court facing demountables and proposed development site

2.2 Surrounding Development

The site is surrounded by the following types and mix of land uses:

Parramatta Road Frontage

- Car yards, automotive retailers, car wash businesses;
- Mixed use, specialist retailing; and
- Light industrial uses

Harris Road Frontage

- Car servicing, automotive retailers;
- A pair of identical (assumed 1940s) residential bungalows at 8 and 10 Harris Road;
- Gymnasium, fitness centre and indoor swimming pool; and
- 5-6 level commercial premises building.

Queens Road frontage

- Professional consulting rooms / office premises;
- Automotive retailers; and
- Light industrial uses.

2.3 Ownership and Property Description

The land is owned by Good Samaritan Education who have provided landowner's consent to the DA. As noted, the site is legally described as Lot 10 in DP 718237.

2.4 Topography and Site Conditions

Topography

The topography of the site is generally perceived as flat with a gentle consistent slope in land from the north to the south / south-west. The development site itself drops from the current Harris Road vehicular entry of about RL 13 to the Parramatta Road vehicular entry gate at RL 9. The level at the Parramatta Road and Harris Road corner is at approximately RL 11.

Soil and Geotechnical conditions

Based on information provided by J&K in 2012 as part of the development of the adjacent Jamberroo Building at the school, the site is generally covered in a thin layer of bitumen with subsurface conditions typical of the Ashfield Shale Unit of the Wianamatta Group underlain with Hawkesbury Sandstone. Silty clay filling is likely to sit under the bitumen surface to a depth of about 2.5 to 4.0m. Shale and sandstone was encountered to depths of 7m. Groundwater was found at limited boreholes

at that site at about RL 4-5 in the centre of the Jamberroo site and at RL 7 nearer to the subject development site.

The report makes no mention of Acid Sulfate Soils, however the LEP mapping of the site indicates it is likely to contain Class 5 (the lowest category) Acid Sulfate Soils. The site is also within 500m of mapped Class 2 Acid Sulfate Soils to the north-west. The need for an Acid Sulfate Soils Management Plan is discussed in Section 5.

Relevantly, the site is also not located within a Mine Subsidence District. The prior Geotechnical Report is found at **Appendix C**. A new Geotechnical Assessment is under preparation at the time of writing and will be submitted to Council once completed.

Contamination
A contamination assessment has not been completed at this point for this development. The 2012 Waste Classification Assessment by EIS for the adjacent Jamberroo building development indicated that the site generally has levels lower than criteria threshold levels with respect to Heavy Metals including lead; Polycyclic Aromatic Hydrocarbons (PAHs); Organochlorine (OCPs) and Organophosphorous (OPPs); Polychlorinated Biphenyls (PCBs); and Petroleum Hydrocarbons (TPH) and Monocyclic Aromatic Hydrocarbons (BTEX).

No asbestos was found at the site under this 2012 investigation.

The 2012 Waste Classification Assessment has not purported to be an investigation satisfying SEPP55 and is not a preliminary site investigation. See this report at **Appendix D**. A Preliminary Site Investigation is under preparation at the time of writing and will be submitted to Council once completed.

Notwithstanding, the soils at the development site may be identical and the likelihood of any historic on-site contaminating activities are unlikely given the longstanding and ongoing use of the site by Rosebank College since 1867.

The demountable buildings are understood to contain no hazardous materials and a HAZMAT report has not be prepared for this DA.

Flooding
The site is not known to flood and is not mapped as being subject to flooding under Council's flood maps. The site is also not a Flood Control Lot under the LEP.

2.5 Access, Parking, and Transport

Access and Parking
The school is currently serviced by an off-street at-grade car park within the south-eastern corner of the site (the subject development site), containing 54 spaces, which are dedicated for staff and visitor use only. Vehicular access to the off-street parking provision and internal road network is currently facilitated by three (3) separate driveways, with two (2) driveways off Harris Road and one (1) driveway off Parramatta Road being for emergency access only.

Access to/from the off-street car park via Harris Street is controlled by gates, which are understood to be open prior to the start of school and closed after the school finishes. No modifications are proposed to this existing access arrangements.

Public Transport
Sydney Buses / Transport for NSW operates the following (public and school) services in the vicinity of the subject site:

- Route 415 – Operates between Campsie and Chiswick;
- Route 461 – Operates between Burwood and the City;
- Route 530 – Operates between Burwood and Chatswood;
- Route 569S - Operates between Pemberton and Strathfield;
- Route 679S - Operates between Kingsgrove Depot and Domremy College;

- Route 572S - Operates between Rosebank College and Croydon Park; and
- Route 576S - Operates between Rosebank College and Canterbury Station.

The public bus services operate around the day and daily, whilst only the 679S school bus service operates in both the AM and PM. All other school bus services operate in the PM only. A Traffic Impact Statement is included at **Appendix E**.

2.6 Existing Services

The site is serviced by existing water / sewer, electricity, gas, telecommunications, fire services, and stormwater infrastructure. A range of services-related reports are included at **Appendix F**.

A current survey of the site and its existing services is provided at **Appendix A**.

2.7 Flora and Fauna

Trees

A tree impact assessment has been carried out of the development site's existing trees and vegetation by Mark Bury (see **Appendix G**). The development site accommodates 29 trees, predominantly native species.

The development site's trees are as set out in the table below, as derived from the landscape architect's report. This identifies the tree species, common name, action relevant to the proposed development, and data on the tree canopies, heights, tree protection and structural root zones.

The five (5) trees proposed for removal are all in poor condition and located within the proposed development's footprint / envelope.

Biodiversity

The site is not subject to any terrestrial biodiversity given its urban and disturbed nature. The site is not mapped by either the LEP or the NSW Government BOSET Biodiversity Values Map and Threshold Tool as containing any biodiversity value. Accordingly, the *Biodiversity Conservation Act 2016* does not apply.

EXISTING TREE SCHEDULE- ROSEBANK COLLEGE

Tree #	Species (Botanical Name)	Common Name	Retain/ Remove	Canopy Spread(m)	DBH (mm)	HGT (m)	TPZ (m)	SRZ (m)	Comments/ Condition
1	*Eucalyptus saligna*	Sydney Blue Gum	Retain	15	580	20	7	3.1	
2	*Eucalyptus saligna*	Sydney Blue Gum	Retain	10	510	15	6.1	3	
3	*Eucalytpus nicholii*	Small Leaved Peppermint	Remove	5	300	10	3.6	2	Poor condition/In development footprint
4	*Callistemon salignus*	White Bottlebrush	Remove	8	400	8	4.8	2.5	Poor condition/In development footprint
5	*Corymbia maculata*	Spotted Gum	Retain	8	300	15	3.6	2	
6	*Corymbia maculata*	Spotted Gum	Retain	8	480	15	5.8	2.5	
7	*Callistemon viminalis*	Weeping Bottlebrush	Remove	6	600	6	7.2	2.8	Poor condition/In development footprint
8	*Eucalytpus nicholii*	Small Leaved Peppermint	Remove	8	380	8	4.6	2.8	Poor condition/In development footprint
9	*Eucalyptus saligna*	Sydney Blue Gum	Retain	8	380	15	4.6	2.8	
10	*Eucalyptus saligna*	Sydney Blue Gum	Retain	8	350	15	4.2	2.2	
11	*Eucalyptus saligna*	Sydney Blue Gum	Retain	8	350	15	4.2	2.2	
12	*Eucalyptus saligna*	Sydney Blue Gum	Retain	10	420	15	5	2.9	
13	*Lophostemon confertus*	Brushbox	Remove	10	550	10	6.6	3.1	Poor condition/In development footprint
14	*Pittosporum undulatum*	Sweet Pittosporum	Retain	5	110	5	2	1.5	
15	*Jacaranda mimosifolia*	Jacaranda	Retain	6	110	6	2	1.5	
16	*Brachychiton acerifolius*	Illawarra Flame Tree	Retain	6	300	6	3.6	2	
17	*Brachychiton acerifolius*	Illawarra Flame Tree	Retain	6	300	6	3.6	2	
18	*Brachychiton acerifolius*	Illawarra Flame Tree	Retain	6	300	6	3.6	2	
19	*Brachychiton acerifolius*	Illawarra Flame Tree	Retain	6	250	9	3	1.9	
20	*Brachychiton acerifolius*	Illawarra Flame Tree	Retain	6	300	6	3.6	2	
21	*Jacaranda mimosifolia*	Jacaranda	Retain	8	250	8	3	1.9	
22	*Brachychiton acerifolius*	Illawarra Flame Tree	Retain	6	300	6	3.6	2	
23	*Brachychiton acerifolius*	Illawarra Flame Tree	Retain	6	250	9	3	1.9	
24	*Brachychiton acerifolius*	Illawarra Flame Tree	Retain	6	300	6	3.6	2	
25	*Jacaranda mimosifolia*	Jacaranda	Retain	6	250	6	2	1.5	
26	*Brachychiton acerifolius*	Illawarra Flame Tree	Retain	6	300	6	3.6	2	
27	*Jacaranda mimosifolia*	Jacaranda	Retain	6	100	6	2	1.7	
28	*Brachychiton acerifolius*	Illawarra Flame Tree	Retain	6	300	6	3.6	2	
29	*Araucaria cunninghamiana*	Hoop Pine	Retain	10	820	18	9.8	3.7	

Denotes Existing Tree to be Retained
Denotes Existing Tree to be Removed

2.8 Heritage and Aboriginal Cultural Heritage

Heritage
The whole of the school is mapped as a local heritage item (I371) under the LEP and is described as 'Rosebank College 121 Parramatta Road Lot 10, DP 718237'.

The NSW Heritage Office inventory for the listing describes the item as follows in articulating its Statement of Signficance:

> 'Rosebank College is a rare example of a nineteenth century estate that survives with most of its land in the Canada Bay Council area. The College has considerable significance for the 1850s chapel that, despite some alterations, retains the qualities of a Victorian Gothic chapel and for the 1876 school building that is a fine example of the work of George Allen Mansfield. The grounds of Rosebank College retain extensive lawns and plantings, many established in the early to mid twentieth century, that are part of the continuum of use of the site as a Catholic convent and college. The high brick wall around the perimeter is notable in the surrounding streetscape and adds to the amenity of the grounds'.

A Heritage Impact Statement in relation to the proposed development is found at **Appendix H**.

Aboriginal Cultural Heritage
A recent AHIMS search (see **Appendix I**) indicates that the site is not subject to either a recorded Aboriginal site or a declared (or nearby declared) Aboriginal place.

2.9 Summary of Council's s10.7(2) & (5) Planning Certificate

A s10.7(2) and (5) certificate was obtained on 8 May 2020 with respect to the site (Certificate PC2020/0883). The following summarises the site's planning and environmental matters and constraints as derived from that certificate.

The site is:

- Subject to Canada Bay LEP 2013, along with a range of other environmental planning instruments, some of which apply generically to the State;
- Zoned B6 – Enterprise Corridor and the proposed use is permitted with consent;
- A local heritage item, but is not within a Conservation Area;
- Not comprised of any critical habitat;
- Not subject of any draft planning provisions;
- Not subject to Mine Subsidence;
- Unaffected by any proposed road widening;
- Not subject to:
    - Land slip
    - Bushfire Risk (and is not Bushfire Prone Land)
    - Tidal inundation
- Subject to Acid Sulfate Soils (Class 5 only);
- Not subject to flood-related planning controls;
- Not land reserved for acquisition;
- Subject to development contributions plans;
- Not Biodiversity Certified Land or a Biodiversity Stewardship Site; and
- Not significantly contaminated land, not subject to a Management Order, not subject to an approved management proposal, not subject to an ongoing maintenance order, and not subject to a Site Audit Statement under the *Contaminated Land Management Act 1997*.

In general, there are no significant environmental planning impediments to the ongoing development and upgrade to Rosebank College. Heritage matters are considered in detail as part of this SEE.

3.0 RELEVANT PLANNING POLICIES, INSTRUMENTS, AND CONTROLS

3.1 Statutory Planning Framework

The key and relevant statutory planning legislation and instruments applicable to the site and proposed development include:

- *Environmental Planning & Assessment Act 1979*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy No 64—Advertising and Signage*
- *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *Canada Bay Local Environmental Plan 2013*

Commentary on each is set out below. The relevance of Canada Bay DCP 2017 is also addressed further below.

Environmental Planning & Assessment Act 1979

The objects of the Act are:

> *(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,*
> *(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
> *(c) to promote the orderly and economic use and development of land,*
> *(d) to promote the delivery and maintenance of affordable housing,*
> *(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
> *(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
> *(g) to promote good design and amenity of the built environment,*
> *(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
> *(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
> *(j) to provide increased opportunity for community participation in environmental planning and assessment.*

The proposed development satisfies these objects as detailed in the sections that follow.

The proposed development and the documentation and assessment under this SEE also satisfies the relevant provisions of the Act and Regulation as set out elsewhere and throughout this SEE.

To facilitate the development, as required by the Act, an assessment is undertaken within this SEE in accordance with section 4.15.

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land provides for a State-wide planning approach to the remediation of contaminated land. A consent authority must consider whether the land subject of a proposal is contaminated and, if the land is contaminated, be satisfied that the land is suitable in its contaminated state for the use proposed. If the land requires remediation to be made suitable for the proposed purpose, the determining authority must be further satisfied that the land will be so remediated before the land is used for that purpose.

Subclause 7(4) of the SEPP specifies land in relation to which the consent authority must consider the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines before determining a development application for change of use.

(4) The land concerned is:

(a) land that is within an investigation area,

(b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,

(c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:

(i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and

(ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

The recently exhibited draft Remediation of Land SEPP (an update to SEPP 55) will not substantially alter the fundamental requirements of the legislation. At present a DA is required for any Category 1 remediation works, that is works which amongst other things are Designated Development (with a volumetric threshold of 30,000m3 of contaminated earth).

Under the new exhibited, but yet to commence, draft Remediation of Land SEPP, Category 1 remediation works are at this stage proposed to be reduced to a volumetric threshold of 3,000m3, amongst a range of other criteria.

As noted in Section 2 of this SEE, a preliminary site investigation is under preparation at the time of writing the SEE for this development. This will be submitted once completed. For lodgement, the client is relying on prior information from earlier development applications at the school site. These suggest that the development site is not likely to be contaminated, but are not conclusive in relation to this site and current or contemporary reporting requirements.

State Environmental Planning Policy No 64—Advertising and Signage

State Environmental Planning Policy No 64-Advertising and Signage seeks to ensure that signage (including advertising) is compatible with the desired character of an area, provides effective communication in suitable locations, and is of high-quality design and finish. SEPP 64 does not regulate the content of signage.

The proposed development involves one digital signboard facing eastwards towards the Parramatta Road and Harris Road intersection. The signboard is approximately 2.0m height x 2.6m wide and set into the façade at the mid-level of the proposed building. This is shown in the architectural plan set at **Appendix J**.

The provisions of SEPP 64 are considered in Section 5 of this SEE in relation to type, location, and size of the sign.

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

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP) commenced in early September 2017. It seeks to improve regulatory certainty and efficiency through a consistent planning regime for educational establishments that includes schools.

Part 4 – Schools – specific development controls, in particular, seeks to simplify planning approval pathways for schools (including identification of certain development of minimal environmental impact as exempt development and complying development).

The SEPP has limited provisions applying to this school development given the nature and scale of the proposed works, and because of the site's heritage listing and lack of specific and/or general Exemptions under section 57(2) of the *Heritage Act, 1977*. The DA approval pathway in this case is unlikely to be altered by the SEPP. Further consideration of the SEPP is unnecessary, other than for the following.

Clause 57 of the Education SEPP sets out referral requirements to the RMS, as well as matters for consideration.

In this instance referral is required as the school will satisfy the following as set out (and bolded) below:

> *This clause **applies to development for the purpose of an educational establishment**:*
> *(a) that will result in the educational establishment being able to accommodate 50 or more additional students, and*
> *(b) **that involves**:*
> *(i) **an enlargement or extension of existing premises**, or*
> *(ii) new premises,*
> ***on a site that has direct vehicular or pedestrian access to any road**.*

In addition to the consideration of RMS comments, Council will need to consider

- *the accessibility of the site concerned, including:*
  - *the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
  - *the potential to minimise the need for travel by car, and*
- *any potential traffic safety, road congestion or parking implications of the development.*

Lastly, Schedule 4 of the SEPP sets out seven design quality principles to be addressed in the design of the development. These seven design quality principles are:

- Principle 1—context, built form and landscape
- Principle 2—sustainable, efficient and durable
- Principle 3—accessible and inclusive
- Principle 4—health and safety
- Principle 5—amenity
- Principle 6—whole of life, flexible and adaptive
- Principle 7—aesthetics

The architectural design statement by Alleanza has addressed these directly - see **Appendix J** attached. The Landscape Design documentation (at **Appendix K**) has similarly addressed those of relevance to that discipline.

Note also that provisions of the Education SEPP have the effect of 'switching-off' the operation of any DCP as it relates to development of a school under a DA. This is addressed further below.

State Environmental Planning Policy (State and Regional Development) 2011
As discussed above, this SEPP primarily determines the relevant consent authority through categorisation of development as either State Significant Development, Regionally Significant Development, and local development being that which does not meet either category.

In this instance, the development is Regionally Significant Development as it satisfies clause 5(b) in Schedule 7 of the SEPP, being of a development value of about $9.081 million.

> ***5 Private infrastructure and community facilities over $5 million***
> *Development that has a capital investment value of **more than $5 million** for any of the following purposes—*
> *(a) air transport facilities, electricity generating works, port facilities, rail infrastructure facilities, road infrastructure facilities, sewerage systems, telecommunications facilities, waste or resource management facilities, water supply systems, or wharf or boating facilities,*
> *(b) affordable housing, child care centres, community facilities, correctional centres, **educational establishments**, group homes, health services facilities or places of public worship.*

It is however not greater than $20 million in value to be classified as State Significant Development.

Canada Bay Local Environmental Plan 2013 (LEP)

The LEP applicable to the site is Canada Bay LEP 2013. The following sets out the relevant provisions to the site or the proposed development.

The whole site is mapped (via Map 5 of LEP) as follows:

- Zoned B6 – Enterprise Corridor – see **Figure 11**. As set out earlier the development is permitted with consent.
- A Floor Space Ratio of 1:1 - see **Figure 12** with N = 1:1.
- A Building height control of 12m – see **Figure 13** with M = 12m.
- Heritage item I371 – see **Figure 14**.
- Class 5 Acid Sulfate Soils and within 500m of Class 2 Acid Sulfate Soils – see **Figure 15**.

No other mapping or provisions apply in this instance. Assessment against these relevant matters is set out in Section 5.

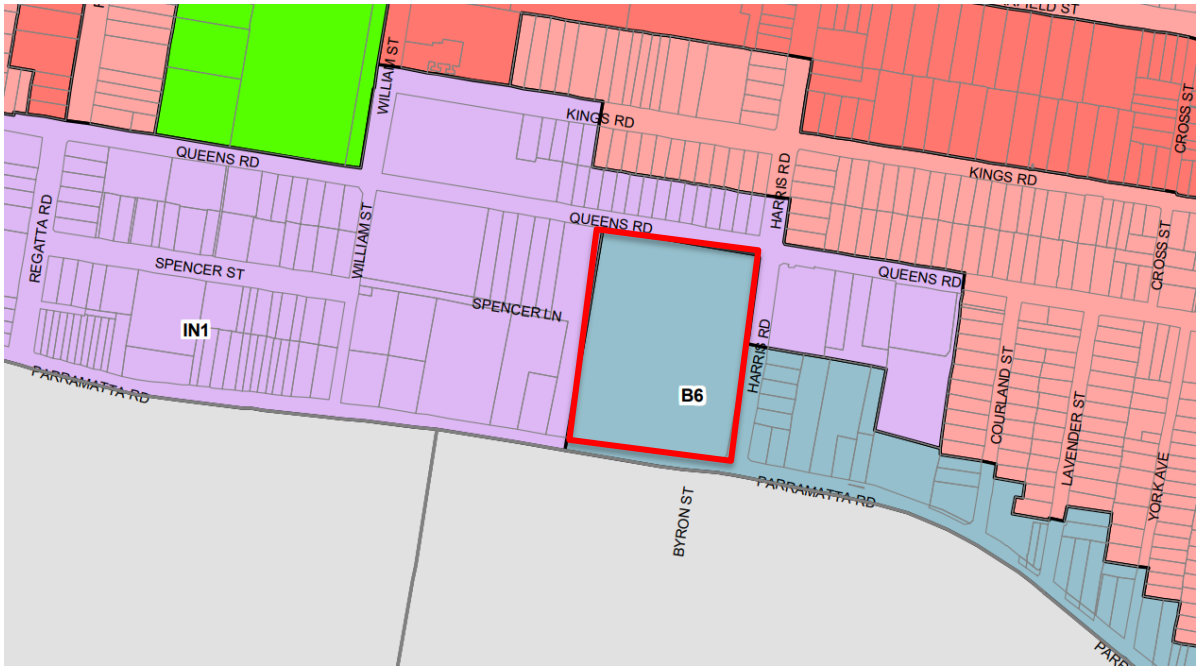

Figure 11 – Land Use Zone – Canada Bay LEP 2013

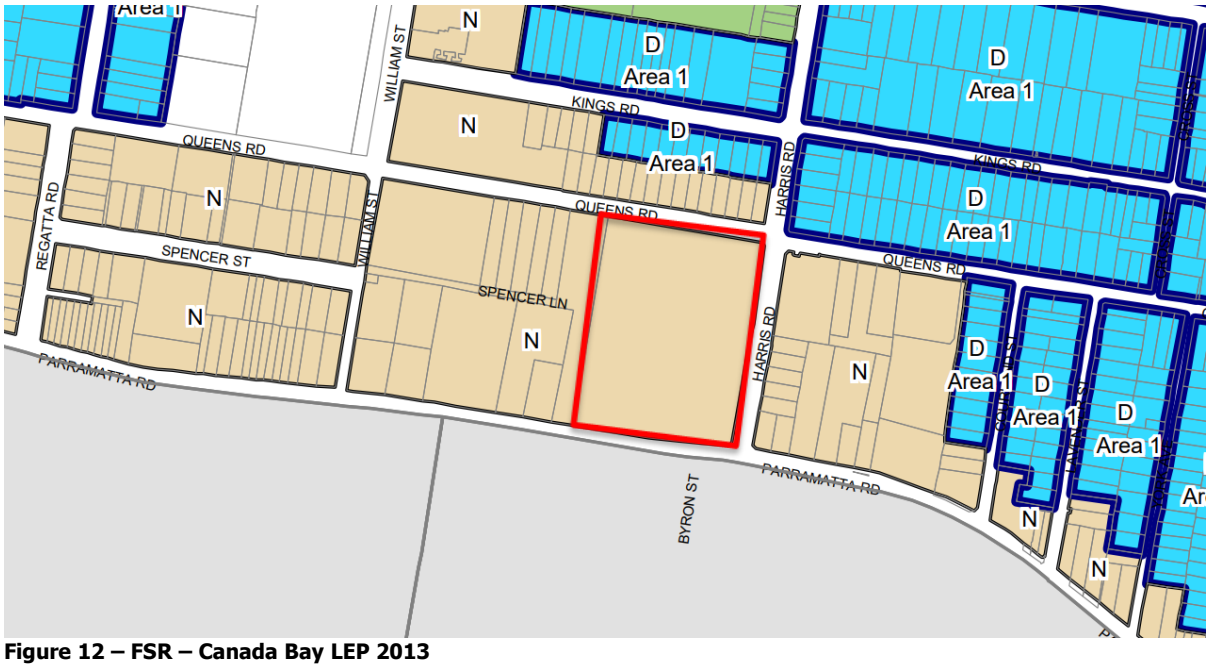

Figure 12 – FSR – Canada Bay LEP 2013

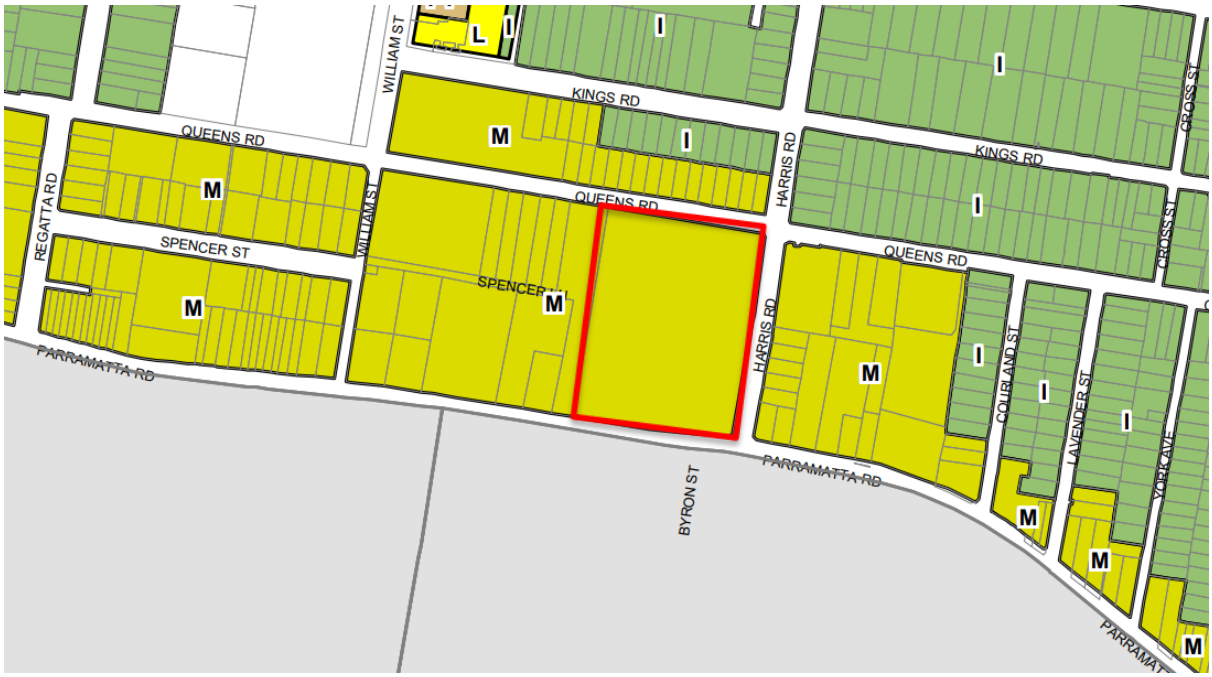

Figure 13 – Building Height – Canada Bay LEP 2013

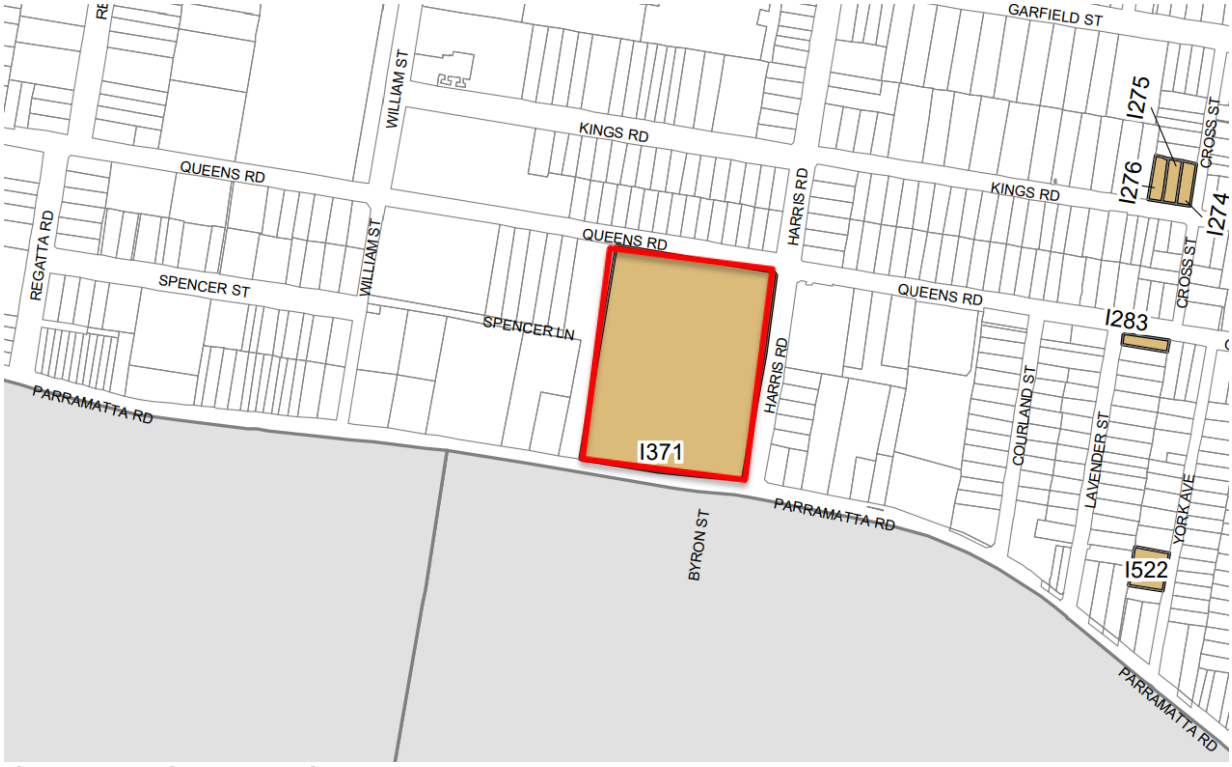

Figure 14 – Heritage – Canada Bay LEP 2013

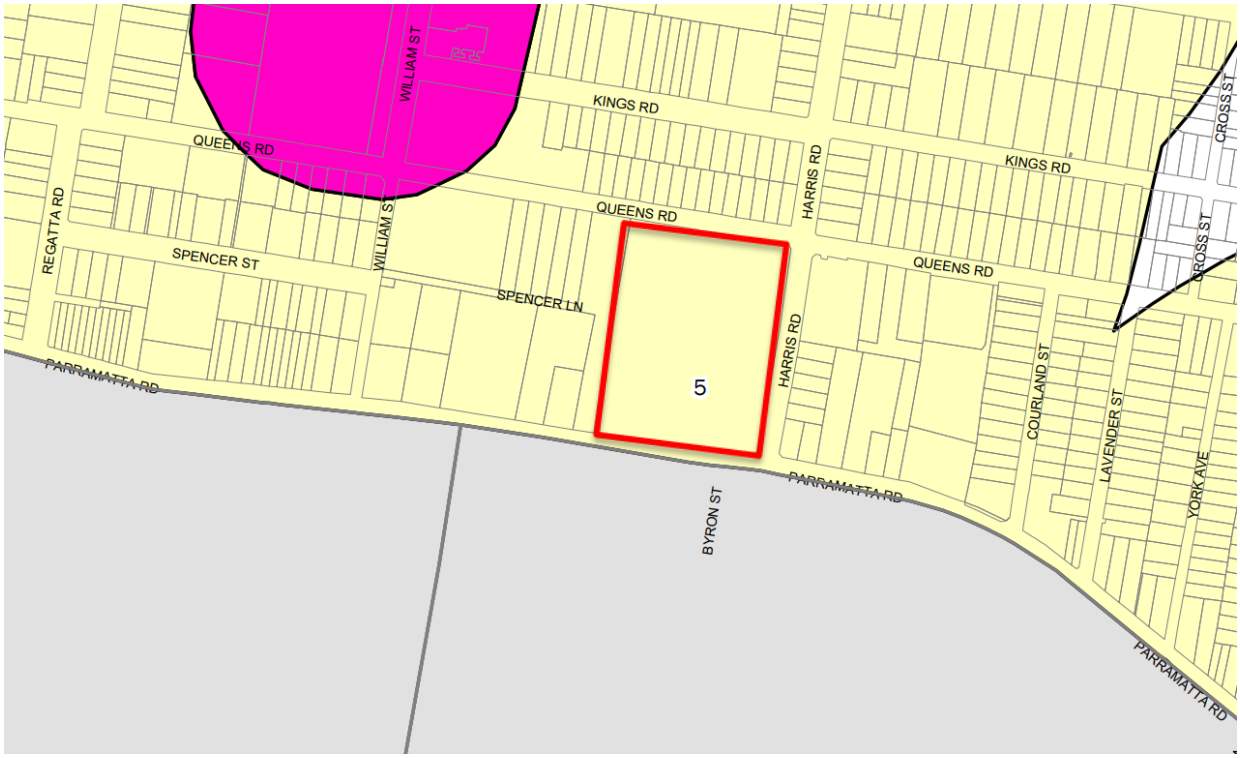

Figure 15 - Acid Sulfate Soils – Canada Bay LEP 2013

3.2 Other NSW Legislation

The site is not subject to any other relevant NSW planning legislation and is not Integrated Development.

3.3 Canada Bay DCP 2017

Canada Bay DCP 2017 does not apply to the development because of clause 35(9) of the Education SEPP:

> *A provision of a **development control plan that specifies a requirement, standard or control** in relation to development of a kind referred to in subclause **(1)**, (2), (3) or (5) **is of no effect**, regardless of when the development control plan was made.*

Subclause 35(1) referred to above is set out below and relates to a DA for school development where the appliable zone is a prescribed zone (as is the case for the B6 – Enterprise Corridor zone under the Education SEPP).

> *(1) Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.*

In any case, should the DCP have applied, then Council would be reminded of the role of DCPs under Section 3.42 of the Act:

> ***3.42 Purpose and status of development control plans***
> *(1) The principal purpose of a development control plan is to **provide guidance** on the following matters to the persons proposing to carry out development to which this Part applies and to the consent authority for any such development:*
> *(a) **giving effect to the aims of any environmental planning instrument** that applies to the development,*
> *(b) **facilitating development that is permissible** under any such instrument,*
> *(c) **achieving the objectives of land zones** under any such instrument.*

The provisions of a development control plan made for that purpose ***are not statutory requirements****.*

The proposed development clearly satisfies the aims of the Education SEPP and Canada Bay LEP, and is an identified permitted land use under both planning instruments. The objectives of the B6 – Enterprise Corridor zone are:

- *To promote businesses along main roads and to encourage a mix of compatible uses.*
- *To provide a range of employment uses (including business, office, retail and light industrial uses).*
- *To maintain the economic strength of centres by limiting retailing activity.*
- *To provide for residential uses, but only as part of a mixed use development.*

The use is not contrary to the achievement of these, particularly for other and adjacent land uses within the same zone which it does not hamper or limit.

3.4 Summary

In summary, based on the review of the relevant planning legislation and DCPs, the following apply to the site and the proposed development:

- *Environmental Planning & Assessment Act 1979*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *Canada Bay Local Environmental Plan 2013*

Full assessment of these is provided in Section 5.1 of this SEE.

4.0 THE PROPOSED DEVELOPMENT

4.1 The Proposed Development

The DA seeks consent for the construction and use of a new L-shaped 2-3 storey GLA building addressing the Parramatta Road and Harris Road corner of the school site. The building will include the following:

- 12 new classrooms, ancillary office and storage spaces;
- Lower level parking (67 undercover car spaces); and
- Upper level open sports courts.

Further, consent is sought for the ancillary demolition of part of the perimeter brick wall at its splay at the corner of Parramatta Road and Harris Road, a digital signboard, tree removal (5 trees), landscape works, and civil engineering works.

The existing six (6) demountable classrooms in this location will be temporarily relocated to the adjacent sports court area to maintain required teaching accommodation until such time as the works are completed and the new building is operational. The demountables will then be removed from the school.

It is proposed that the works be undertaken in two consecutive stages, with Stage 1 involving the relocation of the demountables and construction of the Parramatta Road arm of the building and its carpark component under, and then Stage 2, the Harris Road arm of the building and its carpark component under. The works are presently programmed to commence in December 2020 with the practical completion of the project anticipated in January 2022 – that is, a 24 month construction duration. The commencement of operation of the building is programmed for Day 1 Term 1 2022. A description of each element of the works is set out below.

Demolition and tree removal

The demolition works generally entail:

- Demolition of the corner splay of the perimeter brick wall to create the new school entry;
- Removal of five (5) trees affected by the building footprint / envelope – these being:
    - Tree 3 - 10m high *Eucalytpus nicholii* (Small Leaved Peppermint);
    - Tree 4 – 8m high *Callistemon salignus* (White Bottlebrush);
    - Tree 7 – 6m high *Callistemon viminalis* (Weeping Bottlebrush);
    - Tree 8 – 8m high *Eucalytpus nicholii* (Small Leaved Peppermint); and
    - Tree 13 – 10m high *Lophostemon confertus* (Brushbox).
- Initial decanting of the six (6) temporary demountable classrooms to the adjacent sports courts to enable their continued use during works and then their removal from the school.

Notably, all Sydney Blue Gums and Spotted Gums fronting Parramatta Road are proposed to be retained and protected during works. A tree protection methodology is set out in the Tree Impact Assessment at **Appendix G**.

Earthworks and Civil Works

Earthworks generally involve only excavation of varied depth, but to a maximum to RL 8.3 towards along the Parramatta Road frontage of the site. The estimated volume of excavated material is 3,608m3.

An Integrated Stormwater Management Strategy is proposed to:

- Provide integrated water collection and recycling system for capturing and recycling roofwater;
- Control the quality of stormwater that is disposed from the site; and
- Control the quantity of stormwater that is discharged for the site.

Collected roof water will be reused for non-potable purposes at the site.

Stormwater infrastructure works involve an additional 225mm diameter pipe discharging to Parramatta Road at the south-western corner of the school site to augment existing similar

stormwater infrastructure in this location at the low point of the school site. Further an on-site detention (OSD) tank with a capacity of 12,000 litres is also proposed to capture stormwater for non-potable reuse.

The Integrated Stormwater Management Strategy and sediment and erosion control plan is included at **Appendix M**.

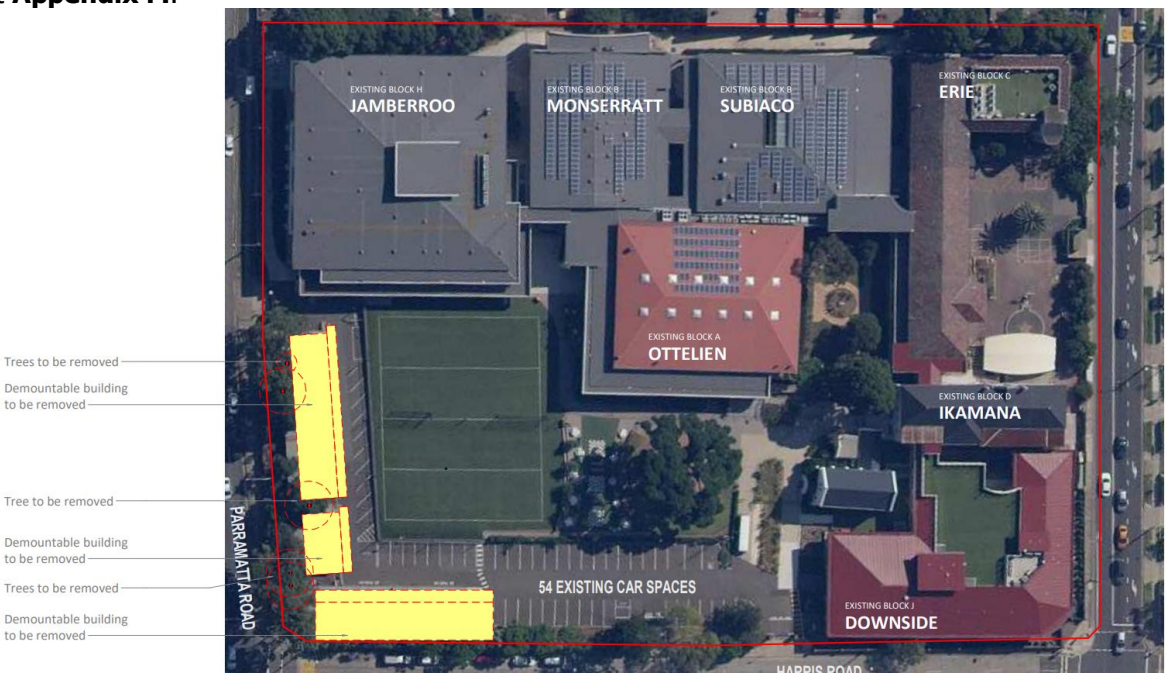

Figure 16 - Demolition Plan (Alleanza)

Construction / New Building

The proposed new building is described as follows:

Lower level – 70.1m2 GFA
- Sub-level parking for 67 cars
- Store room, stairs and lift

Mid level – 875.9m2 GFA
- Entry foyer from both the school and Parramatta Road sides, Office, Comms Room
- 6 x GLAs

Upper level – 806.5m2 GFA
- 2 x open area sports courts
- Office
- Toilets
- 6 x GLAs
- Access Bridge to Block H (Jamberroo)

The maximum height of the building is at RL 21.538 at the southern elevation facing Parramatta Road. The highest point of the building at the northern elevation is at RL 19.53, whilst the highest part of the building at the western elevation is at RL 20.623. Overall, the building sits predominantly under the 12m height control and in part sits at the 12m height control. In this regard the development satisfies the LEP.

The total GFA in relation to the development across three levels is 1,752.4m2.

See the proposed floor plans and other drawings at **Appendix J**. **Figure 17** shows the location of the works whilst **Figure 18** compiles the elevations of the proposed development. **Figures 19** and **20** show a series of perspectives from various vantage points from outside and inside of the school.

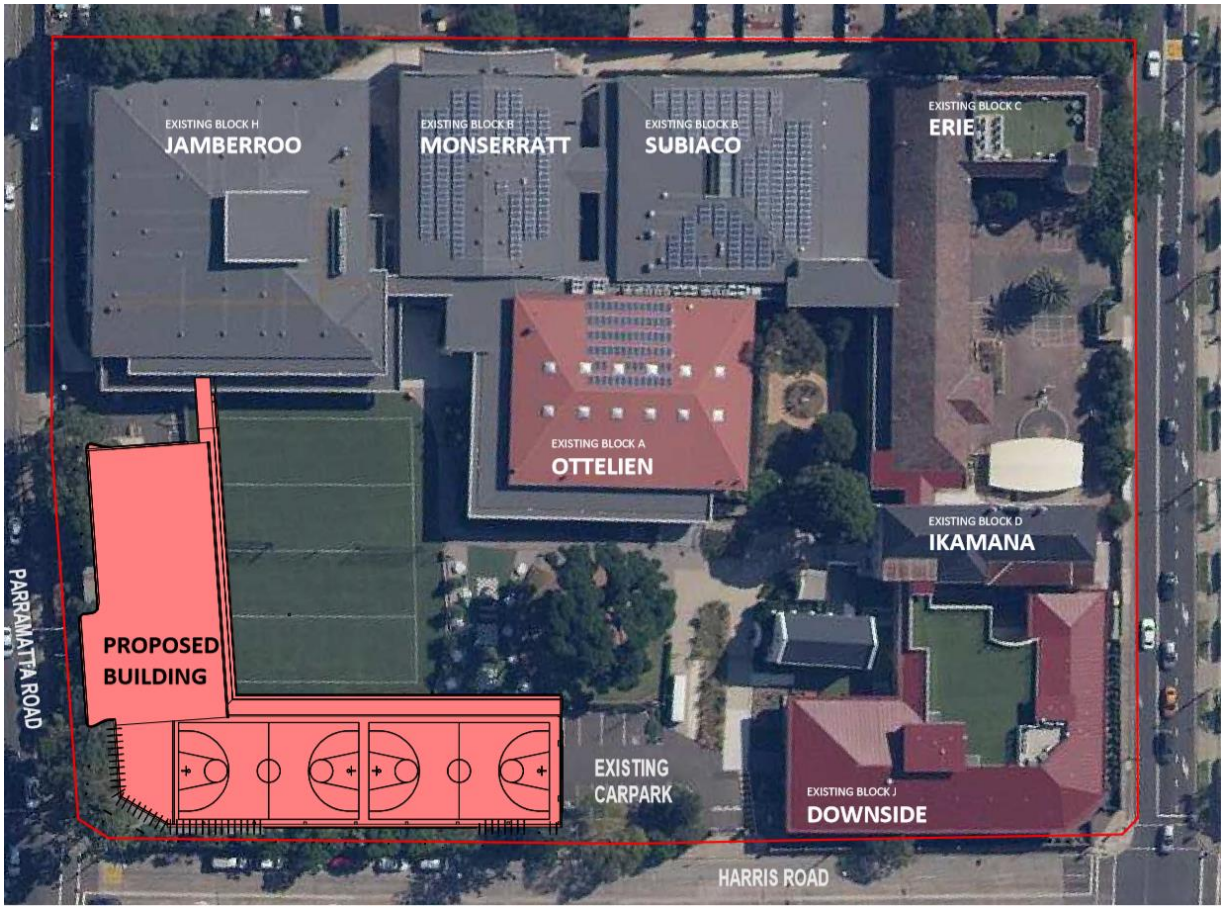

Figure 17 – Location of proposed works

Parramatta Road Elevation

Harris Road Elevation

Figure 18 – Elevations

Figure 19 – Perspectives from outside of the school (Parramatta Road)

Figure 20 - Perspective from within the school looking south towards the development and Harris Road gate

Landscaping Works

The landscape areas associated with this development include buffer planting within garden beds to be located between the existing boundary wall and the proposed building. The planting will complement the retained trees sitting between the wall and the building's open undercroft / sub-level.

Generally, shade tolerant species have been selected with consideration of the shadow diagrams for the proposed building. The landscape intent includes strengthening the existing buffer zone between the proposed building and the existing wall for additional screening.

Given the school context, the following safety planting initiatives are employed in the design:

- Avoid planting species close to paths and hard paved areas that are known for excessive flower and foliage drop that may cause potential slip hazards;
- Avoid planting species that are known for invasive root structure that may cause damage to existing infrastructure and damage paths & hard paved areas, which may cause potential trip hazards;
- Avoid planting species that are known to be toxic or may cause respiratory, allergy and/or skin irritations; and
- Shrub species, sizing and locations are to ensure that passive surveillance is maintained at all building, carpark and driveway entry paths and all plantings are to be layered with smaller groundcovers and shrubs adjacent to paths and buildings in accordance with Crime Prevention Through Environmental Design (CPTED) principles.

All proposed plant species selection has been considered in terms of soil types, species hardiness and on-going watering maintenance requirements. Predominantly low water use species (both native and

exotic) have been grouped in regard to watering requirements and to reduce reliance on use of potable water. See **Figure 21** and the Landscape Plan set at **Appendix K**.

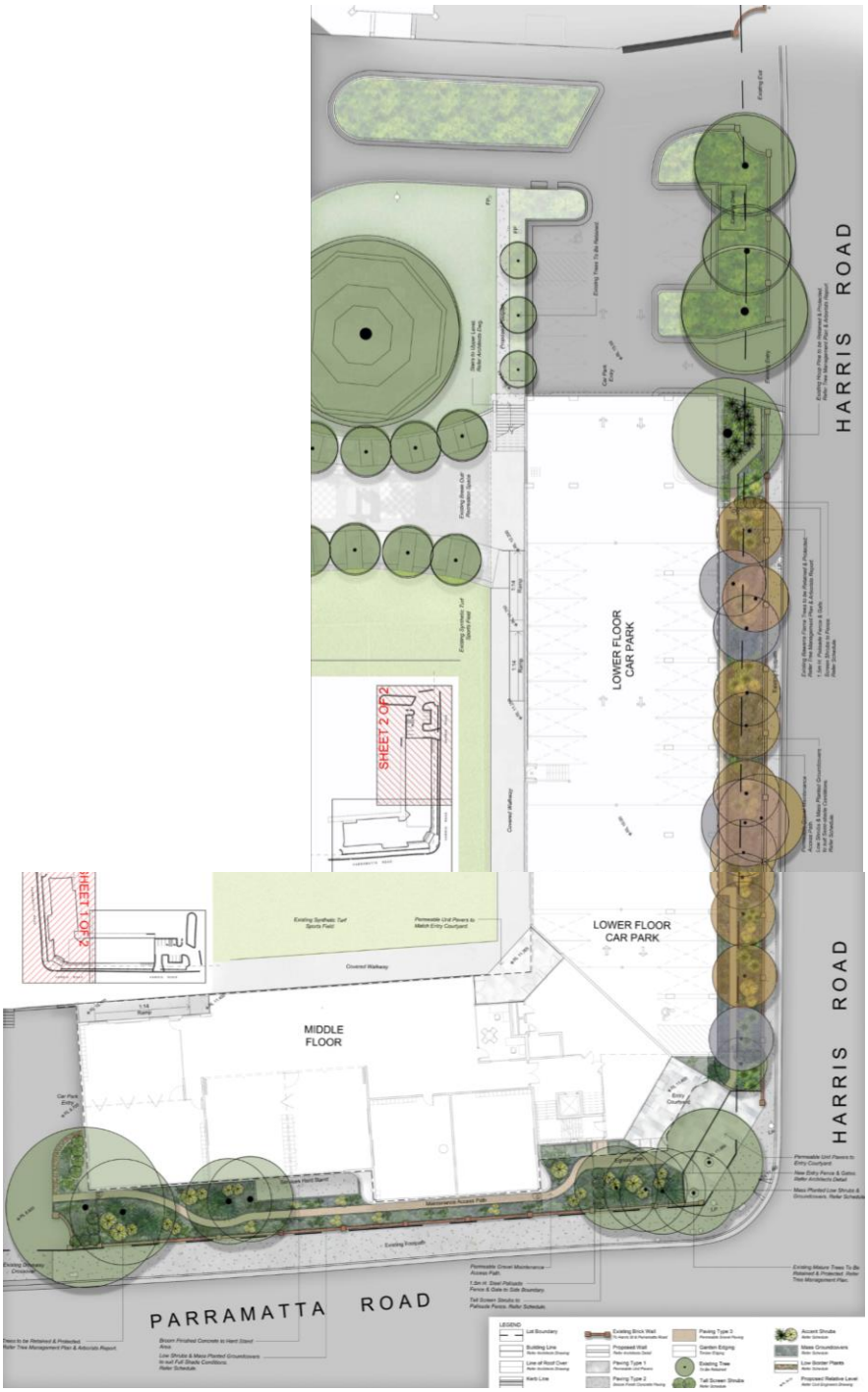

Figure 21 – Consolidated landscape plan (Xeriscapes)

Signage

The proposed development involves one digital signboard facing eastwards towards the Parramatta Road and Harris Road intersection. The signboard is approximately 2.0m height x 2.6m wide and set into the façade at the mid-level of the proposed building. The signage will display general Rosebank College news and information only on a slow-cycle animation or in a static manner.

Assessment of the development's likely impacts is made in the following section of this SEE.

Figure 22 – Location and scale of proposed school digital signboard

4.2 Materials and Finishes

The proposal's selection of materials are a mix of solid Vitra panel cladding, fibre cement panels and face brick walls, which are juxtaposed with the lightness of glazed walls and runs of ribbed fins to the facade.

The design is contemporary in nature, employing waves of solid external cladding, glazed facade and intermittently punctuated with ribbed fins. The roof is flat and relates to the adjacent Block H and to the topographical fall of site.

The new development does not seek to replicate or mimic traditional architectural forms. The proposed block is linked to Block H, via an upper level covered foot bridge. The pair of buildings correspond to each other in height, bulk colour palette and articulation.

4.3 Access and Parking

The main changes arising from the development are the net gain of 13 car parking spaces, bringing the total allocation to staff and visitors to 67 spaces on the site as well as the conversion of parking at the site from uncovered at-grade parking to sub-level covered parking for all spaces but 8 existing spaces at the main vehicular entry gate.

From a pedestrian access perspective, a new entry is created at the south-eastern splay which links with the northern Parramatta Road footpath. This provides direct access into the school site and new building off the corner of Parramatta Road and Harris Road.

No other changes are proposed and the general operations and approved student/staff population of the school is to remain unchanged in relation to the subject development. Further, no alterations are proposed to the existing operational vehicular access arrangements connecting the internal car park with Harris Road.

4.5 Services

The existing 800kVA padmounted substation at the site will require replacement with a new 1,000kVA padmounted substation as a result of new demand upon electricity supply at the school. Corresponding electrical switchboard and reticulation upgrades will also result.

Communications infrastructure will also be enhanced, updated, and augmented as a result of the proposed development.

It is understood that there is ample existing capacity in the water and sewer network to cater for the additions to the school.

5.0 ASSESSMENT

This section contains an assessment of the environmental effects of the proposed development as described in the preceding sections of this report.

Under section 4.15(1) of the EP&A Act, in determining a development application the consent authority has to take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts upon the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

The assessment includes only those matters under section 4.15(1) that are relevant to the proposal. The key planning issues associated with the proposed development are as follows:

- Compliance with SEPPs, the LEP and relevant DCP;
- Heritage impacts;
- Traffic and transport impacts during both construction and operation;
- Noise impacts during both construction and operation;
- Stormwater management considerations during construction and operation; and
- Social and Economic Impacts, Suitability of the Site and the Public Interest.

5.1 Compliance with planning regime

As noted in earlier sections of this SEE, the development broadly satisfies and complies with the few relevant requirements of the LEP. A compliance table is set out below:

LEP Provision	Compliance	Comment
Permissibility	Yes	The site is zoned B6 – Enterprise Corridor in its entirety. Educational Establishments are permitted in the B6 zone with consent under the LEP. This is reinforced by clause 35(1) of the Education SEPP which also enables the development to be carried out with consent.
Height of Building	Yes	The maximum height of the building is at RL 21.538 at the southern elevation facing Parramatta Road (below the 12m control). It sits at RL 20.999 at the 12m control at part of this frontage. The highest point of the building at the northern elevation is at RL 19.53 (below the 12m control), whilst the highest part of the building at the western elevation is at RL 20.623, just under the 12m control. Overall, the building sits predominantly under the 12m height control and in part sits at the 12m height control. In this regard the development satisfies the LEP.
Floor Space Ratio	Yes	Existing GFA at the school totals (including the 6 temporary demountable buildings) 15,590.9m2. Over the site area of 20,821m2, the current FSR is 0.75:1. With the addition of the new building and its GFA of 1,752.4m2, this takes the total FSR to 0.83:1. The site's FSR control is 1:1.
Heritage	Yes	See Heritage assessment set out below.
Acid Sulfate Soils	Yes	See Acid Sulfate Soils assessment set out below.

As noted earlier, Canada Bay DCP 2017 does not apply to the development because of clause 35(9) of the Education SEPP. In any case, should the DCP have applied, then Council would be reminded of the role of DCPs under Section 3.42 of the Act:

> ***3.42 Purpose and status of development control plans***
> *(1) The principal purpose of a development control plan is to* ***provide guidance*** *on the following matters to the persons proposing to carry out development to which this Part applies and to the consent authority for any such development:*

*(a) **giving effect to the aims of any environmental planning instrument** that applies to the development,*
*(b) **facilitating development that is permissible** under any such instrument,*
*(c) **achieving the objectives of land zones** under any such instrument.*

*The provisions of a development control plan made for that purpose **are not statutory requirements**.*

The proposed development clearly satisfies the aims of the Education SEPP and Canada Bay LEP, and is an identified permitted land use under both planning instruments. The Objectives of the B6 – Enterprise Corridor zone are:

- *To promote businesses along main roads and to encourage a mix of compatible uses.*
- *To provide a range of employment uses (including business, office, retail and light industrial uses).*
- *To maintain the economic strength of centres by limiting retailing activity.*
- *To provide for residential uses, but only as part of a mixed use development.*

The use is not contrary to the achievement of these, particularly for other and adjacent land uses within the same zone, which is does not hamper or limit.

5.1.1 SEPP 55 - Contamination

As noted previously, under clause 7 of SEPP 55, a consent authority must not consent to the carrying out of any development on land unless—

(a) it has considered whether the land is contaminated, and
(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

As stated in Section 2.4 of this SEE, a contamination assessment is under preparation at the time of writing and will be submitted to Council upon completion. The 2012 Waste Classification Assessment by EIS for the adjacent Jamberroo building development, indicated that the site generally has levels lower than criteria threshold levels with respect to Heavy Metals including lead; Polycyclic Aromatic Hydrocarbons (PAHs); Organochlorine (OCPs) and Organophosphorous (OPPs); Polychlorinated Biphenyls (PCBs); and Petroleum Hydrocarbons (TPH) and Monocyclic Aromatic Hydrocarbons (BTEX). No asbestos was found at the site under this 2012 investigation.

The 2012 Waste Classification Assessment has not purported to be an investigation satisfying SEPP55 and is not a preliminary site investigation. See this report at **Appendix D**.

Notwithstanding, the soils at the development site may be identical and the likelihood of any historic on-site contaminating activities are unlikely given the longstanding and ongoing use of the site by Rosebank College since 1867. The site of the development has historically been used a garden as part of the overall school purpose at the site. Its most recent use as a car park and placement for demountables is further unlikely to have generated any new or subsequent contaminating activities.

The demountable buildings are understood to contain no hazardous materials and as HAZMAT report has not be prepared for this DA.

It is understood that the previous array of DAs at the site have concluded that the site is not contaminated to any degree to require remediation. The use of the site as a school for over 150 years demonstrates its ongoing capacity to be used as an educational establishment. No change of use is proposed and the consent authority can be satisfied that a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines is unlikely to be required. Notwithstanding, the pending Preliminary Site Investigation is shortly to be submitted to Council to address SEPP55.

As noted in Council's planning certificate the site is not significantly contaminated land, is not subject to a Management Order, is not subject to an approved management proposal, is not subject to an ongoing maintenance order, and is not subject to a Site Audit Statement under the *Contaminated Land Management Act 1997*.

5.1.2 SEPP 64 - Signage

The proposed development involves one digital signboard facing eastwards towards the Parramatta Road and Harris Road intersection. The signboard is approximately 2.0m height x 2.6m wide and set into the façade at the mid-level of the proposed building. The signage will display general Rosebank College news and information only on a slow-cycle animation or in a static manner. This is shown in the architectural plan set at **Appendix J** and at **Figure 22**.

The sign is not advertising as defined by SEPP 64. Despite its modest size and area, it is not Exempt Development under the Education SEPP as it is electronic signage and/or a moving display.

Notwithstanding, consideration of clauses 8(a) and 8(b) has been undertaken. It should be noted that the signs are only a very minor and modest aspect to the overall development of the school, and assessment against SEPP 64 in isolation renders this a disproportionately significant component of the overall development.

Clause 8(a) requires that the signage is consistent with the objectives of the SEPP as set out in clause 3 (1) (a), and clause 8(b) requires that the signage satisfies the assessment criteria specified in Schedule 1. Each are addressed in turn below.

Clause 3(1)(a) states:

> *(a) to ensure that signage (including advertising):*
>
> *(i) is compatible with the desired amenity and visual character of an area, and*
>
> *(ii) provides effective communication in suitable locations, and*
>
> *(iii) is of high quality design and finish, …*

The signage is modest (being approximately 5.2m2 in area) and is compatible with the desired amenity and visual character of the area as it relates directly and solely to the operation of the proposed school, which is a permitted land use at the site.

The sign, whilst modest in scale and character, will provide effective communication of school-related news or information. The sign will complement and enhance the appreciation of the site as a school by being suitably located at the new site entry and at an appropriately prominent location which provides both an identity and address to the site.

The sign is typical of other school community information signs across Sydney and NSW which are assumed to therefore be of an appropriately high quality design and finish. It is understood that the sign will be sourced from a specialist school-related sign manufacturer.

Schedule 1 assessment is set out in the following table.

Provision	**Compliance / Commentary**
Schedule 1	
1 Character of the area • Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? • Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	As set out above, the proposal is compatible with the existing or desired future character of the area or locality in which it is proposed to be located. Parramatta Road in this general location has numerous types of signs and signage reflective of the mixed business uses and the B6 – Enterprise Corridor zoning of this area. The proposal does not involve outdoor advertising and is for school identification and messages only.

2 Special areas • 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?	The proposal is not in a special area and does not detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, or rural landscapes. The area that the signage is to be located in is not a special area and the signage is consistent with its existing or desired future character as set out above. It is set away (and facing away from) any key heritage values within the school site. The sign is also of a scale to not detract from the heritage listing of the site.
3 Views and vistas • Does the proposal obscure or compromise important views? • Does the proposal dominate the skyline and reduce the quality of vistas? • Does the proposal respect the viewing rights of other advertisers?	The signage is modest in scale and shape. It is 5.2m2 in area and sits within the property boundary within a landscaped and entry area and affixed and integrated into the façade of the new building addressing the street corner and intersection. The signage does not affect views or vistas, including any significant views or vistas into or through the school. The sign sits within the building envelope of the new building and does not project above its building line. The signage does not affect views of skylines and is not in itself a sign to affect a skyline. The sign does not affect advertisers in the area.
4 Streetscape, setting or landscape • Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? • Does the proposal contribute to the visual interest of the streetscape, setting or landscape? • Does the proposal reduce clutter by rationalising and simplifying existing advertising? • Does the proposal screen unsightliness? • Does the proposal protrude above buildings, structures or tree canopies in the area or locality? • Does the proposal require ongoing vegetation management?	The scale, proportion and form of the proposal is appropriate for the streetscape, setting and its landscaping. The sign contributes to the streetscape in principally further distinguishing and identifying the school from other uses and providing an address and way finding for visitors and servicing of the site. It replaces other existing modest signage at the site, which in part also incorporates moving or changing text. It is in a standardised and contemporary design, and is of the type, colours and materials that sit compatibly with the use and context. The landscaping around the sign will be regularly managed.
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? • Does the proposal respect important features of the site or building, or both? • Does the proposal show innovation and imagination in its relationship to the site or building, or both?	As above, the sign is compatible with the proposed development, the site, and its use. It is appropriately scaled and provides a proportionate relationship between the street and the scale of the development.
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?	The school logo and colouring is appropriately incorporated into the overall design of the sign. There is no advertising associated with the sign.
7 Illumination • Would illumination result in unacceptable glare?	The sign and its illumination and moving or changing text and imagery is of scale that would

• Would illumination affect safety for pedestrians, vehicles or aircraft? • Would illumination detract from the amenity of any residence or other form of accommodation? • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew?	not affect traffic, pedestrians, or aircraft. The sign would be incidental in view and would not dominate passing vehicular traffic. It would essentially form a continuation of other similar signage (and advertising) along this stretch of Parramatta Road. It will be viewed from one direction only.
8 Safety • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or bicyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The sign is located away from key sightlines and obliquely adjacent to the road reservation and is within the property boundary. The sign would not reduce any aspect of public safety.

5.1.3 Education SEPP

As set out previously, the Education SEPP applies in only two direct ways in relation to the proposed development. One is to articulate whether notification to the RMS (now TfNSW) is required due to the nature of the works, and correspondingly provide for transport and traffic-related considerations. Secondly, it sets out design quality principles to be addressed in the design of the development.

Referral to the RMS

Clause 57 of the Education SEPP sets out referral requirements to the RMS, as well as matters for consideration. In this instance referral is required as the school will satisfy the following as set out (and bolded) below:

> *This clause* ***applies to development for the purpose of an educational establishment****:*
> *(a) that will result in the educational establishment being able to accommodate 50 or more additional students, and*
> *(b)* ***that involves****:*
> *(i)* ***an enlargement or extension of existing premises****, or*
> *(ii) new premises,*
> ***on a site that has direct vehicular or pedestrian access to any road****.*

Matters for consideration

Council / the consent authority will need to consider:

- *the accessibility of the site concerned, including:*
  - *the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
  - *the potential to minimise the need for travel by car, and*
- *any potential traffic safety, road congestion or parking implications of the development.*

From a construction standpoint, the site is highly accessible and will provide easy movement of both materials and workers related to the construction on and off the site. The site's location on Parramatta Road (whether through use of the Parramatta Road gate or one of the Harris Road gates) enables direct access avoiding use of adjacent residential or lower-order roads in the road hierarchy. Construction workers will also effectively be able to use public transport to access the site given good connections, including to nearby railway stations such as Burwood.

Construction-related parking will not be able to be catered for on the site. Parking will rely on spare capacity within the surrounding streets.

From an operational standpoint, the new building is predominantly replacing outdated and redundant temporary accommodation and building upon unused and spare capacity at the school site. No increases are proposed to the staff and student population of the school, meaning no change to existing mode share and traffic generation is expected. Further, the proposed increase in the off-street parking numbers from 54 to 67 spaces is expected to reduce the on-street parking demand

currently generated by the school, thereby providing more on-street parking opportunities for the general public within the surrounding roads adjacent to the site.

Existing public transport use by the school population, principally students, is exceptionally high. The level of service to the school by buses in particular enhances and reinforces this as a desirable way to get to and from the school. There are 18 buses operating during the morning school zone period and 16 buses operating during the afternoon school zone period within the bus zones/bus stops within close proximity to the school site.

Based on data provided by the school, it is noted that a large number of students (1,221 students) currently travel to/from the school by bus. This is approximately 94% of the student population. This is not anticipated to change as a result of the development.

Design Quality Principles

Schedule 4 of the SEPP sets out seven design quality principles to be addressed in the design of the development. These seven design quality principles are:

- Principle 1—context, built form and landscape
- Principle 2—sustainable, efficient and durable
- Principle 3—accessible and inclusive
- Principle 4—health and safety
- Principle 5—amenity
- Principle 6—whole of life, flexible and adaptive
- Principle 7—aesthetics

The architectural design statement by Alleanza has addressed these directly - see **Appendix J** attached. The Landscape Design documentation (at **Appendix K**) has similarly addressed those of relevance to that discipline. A summary of how these principles have been addressed is set out below.

Principle 1—context, built form and landscape

The development of Rosebank College over its history has seen an evolution of different architectural styles. The proposed building has been designed to be a contemporary manifestation of the schools' architecture. The contemporary building has been designed to contrast and enhance the existing buildings on the site. The external cladding colour has been selected to tie in with the existing colour that is used throughout the existing buildings. Brick has been used on the base to also blend with and complement the existing architecture.

A glazed foyer located on the corner of Paramatta Road and Harris Road has been designed to activate this corner of the site and provide visual interest to the streetscape. The façade along Paramatta Road has been designed in a contemporary manner contrasting with existing elevation on the adjacent building, providing a change in the rhythm of the elevations along the Paramatta Road frontage.

The proposed landscape design intent is to retain as many of the existing trees as practical to assist in reducing the bulk & scale of the proposed building. The landscape design intent includes strengthening the existing buffer zone between the proposed building and the existing brick wall for enhancement of the existing landscape aesthetic and for additional screening.

Principle 2—sustainable, efficient and durable

The proposed new building has been designed to address the operation of the school giving consideration to durability, maintenance and longevity of materials, efficiency of movement throughout the school and the performance of the spaces with regard to environmental controls and operation. Robust and hard-wearing materials have been selected. The project has been through a cost analysis process, which has fine-tuned material efficiencies.

Face brick forms a hard-wearing, maintenance-free base at ground level with coloured panel cladding above. Materials and construction techniques are largely selected for their efficiency, longevity,

environmental performance and aesthetics. The scale of the proposed building is appropriately suited to the existing buildings.

The buildings have been designed to respond to the local climate and the use of passive design principles.

All proposed plant species selection has been considered in terms of soil types, species hardiness and on-going watering maintenance requirements using on-site stored rainwater for irrigation purposes. An automatic drip line irrigation system will be implemented in accordance with minimum Australian standards. Species selection is predominantly native shade tolerant species which are generally quicker to establish and reduce ongoing landscape maintenance requirements such as pruning.

Principle 3—accessible and inclusive
The proposed new building is located on the corner of Paramatta Road and Harris Road. The design of the building has been intended to emphasise this corner, inviting people into the school and its grounds. The entrance to the building is at street level and flows through to the Green beyond which is at the same level allowing for ease of access through the foyer to the school. Lift access has been provided, connecting the basement carpark and the two-storey building. A clear access path of travel has been provided from the new foyer of the building to the school's administration building. The proposed car park provides two accessible car spaces, one being located to the existing administration building and the other adjacent to the lift in the basement car park.

The proposed building provides covered walkways and links to all the existing buildings and facilities.

To promote accessibility and inclusiveness within the site's perimeter, a path hierarchy is established for main pedestrian access, egress and maintenance access paths. Pedestrian paths are segregated from vehicular roads and driveways, accessible ramps are provided throughout to satisfy AS1428.1 Access & Mobility.

Principle 4—health and safety
The proposed building is located within the existing site at Rosebank College in a fully secure environment. The new facility is situated behind an existing brick wall. This wall provides the safety and security to the College and the new facility. Internally, clear sightlines allow for maximum surveillance. Covered links between buildings provide shade and weather protection for staff and students.

The new corner entry will provide safe access to the school eliminating the need for students to walk along Paramatta Road and Harris Road footpaths.

Crime prevention through environmental design (CPTED)
Crime Prevention Through Environmental Design as outlined in the NSW Police guidelines is governed by four principles as follows:

Territorial Re-enforcement
The existing perimeter brick fence provides the existing security to the site, with lockable gates to control access. The new pedestrian access from the corner of Paramatta road and Harris Road will be situated behind a new perimeter gate, with lockable gates to control access.

Surveillance
As a school building, a key consideration is the supervision of students and passive surveillance to ensure safety and security of users. The building spaces have been designed with high transparency to allow students and staff to look into and through spaces. Visual obstructions are minimised, and paths of travel made obvious and clear. After hours surveillance will be enhanced by the installation of a CCTV monitoring system.

Access Control
Existing perimeter fencing and lockable gates currently control the access points to the site. After-hours access is from the secure basement carpark up the lift to the afterhours area on the upper

floor. The site fencing and building design allows the for separation of users and maintains contained/controlled access points access. Visitors to the site during school hours will only have access to the existing main entrance.

Space/Activity Management
During school hours, staff patrol and passive surveillance adequately supervise the site access points and student access areas. CCTV provides localised vision after-hours to key site access areas and any potential surveillance weak spots.

From a landscape perspective, shrub species, sizing and locations will ensure that passive surveillance is maintained at building, carpark and driveway entries path and all plantings are to be layered to with smaller groundcovers and shrubs adjacent to paths and buildings in accordance CPTED principles.

Principle 5—amenity
The proposed building has been designed so that the façade along Paramatta Road, whilst providing a visual impression to the street elevation, also results in acoustic separation for the building's occupants. The new building is opened internally to the school's outdoor Green. Large shaded glazed areas to this Northern elevation provide abundant daylight allowing passive surveillance of external spaces, whilst minimising glare to Learning spaces. The roof top recreational area maximising spatial efficiency on the site.

The planting design strategy for the landscape buffer zones will enhance the amenity of the development by:

- Retaining existing tree species within appropriate deep soil zones to reduce bulk and scale of the development;
- Retaining existing evergreen trees to provide shade and amenity;
- Retaining existing deciduous trees for solar access and seasonal change; and
- Providing a broad sensory planting palette to include a variety of colour, texture, aroma and form.

Principle 6—whole of life, flexible and adaptive
The proposed building has been masterplanned to replace the current temporary demountable classrooms. This building provides a permanent and more desirable solution to the existing demountable classrooms. The structure has been designed with maximum spans to allow for future adaption if required. The façade has predominant use of light weight cladding for maximum material and structural efficiency.

The material selections are generally factory-finished, hard-wearing and easy to clean.

Principle 7—aesthetics
The design language of the existing school has developed over the 153 years the school has been on the site. The heritage buildings and landscaping have been preserved and enhanced through the different architectural styles that have been incorporated on the site. The school has been developed around its central open space with the elevations facing the space being modern interpretations of architecture in the Benedictine tradition which is the foundation of the Good Samaritan Schools.

The presentation of school buildings to the three street frontages generally reflect architectural styles of the time. The proposed new building has been designed to further enhance the existing buildings and complement its surrounding environment. The street frontages of the proposed building are a contemporary manifestation reflecting its construction at this current time.

The proposed new building is situated on the prominent south-east corner of the site and is nestled in behind the existing 1940's era brick wall and the large Gum trees that face Paramatta Road. The glazed foyer located on the corner of Paramatta Road and Harris Road has been designed to activate this corner of the site and provide visual interest to the street scape.

The building has been designed and positioned to be appropriate in scale with its adjacent buildings.

The aesthetics are modern in character, with large roof overhangs and window protection appropriate to the driving summer sun and winter rain.

The landscape aesthetics for planting (soft-works) are addressed above in Principle 5: Amenity. The materials and finishes of the hard-works have been considered in the landscape design for this school development. These include:

- Pre-cast permeable unit paving at the entry of the proposed building to provide permeability to the root zones of the existing mature trees;
- Colour and finish of pre-cast permeable unit paving will complement the existing brick wall and materials & finishes palette of the proposed building;
- Use of broom finished concrete paving to assist in reducing slip hazards;
- Use of stencilled concrete or colour oxide concrete paving to assist in reducing concrete glare; and
- Black steel palisade fence and gates to compliment the built form and landscape.

5.2 Heritage Impacts

A Statement of Heritage Impact (SHI) has been prepared in relation to the subject development by Cracknell & Lonergan – see **Appendix H**. The SHI has been prepared consistent with the relevant NSW Government Office of Environment and Heritage guidelines. The SHI has aimed to ascertain:

- why the item is of heritage significance;
- what impact the proposed works will have on that significance;
- what measures are proposed to mitigate negative impacts; and
- why more sympathetic solutions are not viable.

Council's prior advice

Prior liaison with Council (in February 2020) has raised the following with respect to the site, its heritage values, and proposed development – based on informal commentary in a Council briefing note:

- The built heritage (is of) an early school building of 1876 by GA Mansfield and an 1879 chapel (both with later alterations and additions) and the brick perimeter wall remain.
- The grounds (including lawns and plantings) have also been assessed as having significant heritage values.
- Within the grounds of Rosebank College there is evidence of site development from well into the 19th century. Illustrative of this evidence are remnants of a late 19th century cultural landscape including several Araucarian pines – Bunya Pine (*Araucaria bidwillii*) and Hoop Pines (*A. cunninghamii*) - a large Small-leafed Fig (*Ficus obliqua*) as well as a Flame Tree (*Brachychiton acerifolius*) and a Firewheel Tree (*Stenocarpus sinuatus*). From their age and typical Victorian affinities some of these remnant species may be associated with the major site development phase of the mid to late 1870s either as contemporary plantings or from the 1880s into the 1890s.
- The Small-leafed Fig (*Ficus obliqua*) – very closely related botanically to Port Jackson Fig (*F.rubiginosa*) - is a potentially interesting site feature not only because it is uncommon at this size within Sydney and remains a spectacular focal point within the campus, but because it is actually indigenous to the area (though uncommon).
- In its townscape context the Rosebank College site makes an important amenity contribution to the local area where large-plate industrial buildings (and an associated dearth of substantial vegetation) are common. A richly planted campus with landmark mature trees has been a characteristic of the site for over a century.
- The College grounds are a prominent local landmark. The remnant Hoop Pines, Bunya Pine, Camphor laurels, Small-leafed Fig and recent Flooded Gums add to the visual drama of the site established by the iconic 1870s buildings and, collectively, provide a memorable reference point for passing motorists and others.
- Boundary planting behind the brick wall is an historic feature of the school grounds.
- Much of the original school grounds have been lost through successive construction of large school buildings. The loss of further open space in the school grounds is a concern.

- The health and viability of the central fig tree must be retained, and preferably enhanced. Root mapping must be undertaken and the advice of a suitably qualified and experienced arborist sought (and acted on). The building footprint must be changed if necessary. Construction methodologies that will protect the tree must be provided with a DA.
- The boundary tree planting must be retained and enhanced. The building footprint must be changed if necessary. Construction methodologies that will protect the tree must be provided with a DA.
- If the is no option but to remove the existing boundary planting, new boundary planting with mature trees must be provided. The deep soil setback must be sufficient to support large trees. The advice of a suitably qualified and experienced arborist sought (and acted on).
- The boundary fence must be retained and not damaged. The demolition of part of the boundary wall to allow for construction works is not acceptable as a rebuilt fence would be a highly visible scar when it was rebuilt.
- The demolition of the splayed section of wall at the corner of Harris Street and Parramatta Road is acceptable subject to an appropriate treatment. The new entry will be a notable feature in the Parramatta Road streetscape and the gateposts need to be carefully designed to complement the importance of this new entrance.
- A carefully designed garden must be located at the front entry in order to ameliorate the visual impact of the built form and to "interpret" the former gardens of the school in this part of the site. This will probably require the foyer to be "pushed back".
- The attached columns are a dated feature and should not be repeated in a new building. The building should be face brickwork. (This also has the benefit of being low maintenance.)
- The building should not push towards the Parramatta boundary in order to accommodate two upper level classrooms. Rather the building must push into the courtyard area.
- The large extent of undercroft parking with tall playing court fencing above along the Harris Street frontage will be a dominant, and potentially detracting, element in the streetscape. Careful consideration must be given to the design of this part of the building. A greater extent of brick wall along the Harris Street elevation (along the lower level) must be included. Planting must be considered.

It is noted that Rosebank College is not listed on State Heritage Register, nor on Australian Heritage Council database or on the National Trust of Australia (NSW) Register. It is also not a National Heritage item and the site is not within any Conservation Area as mapped by the LEP.

Impact Assessment

Cracknell & Lonergan has assessed the heritage impacts of the proposed development and concluded as follows:

> *In considering the proposed development at Rosebank College (Lot 10 in DP 718237) at 1A Harris Road, Five Dock … the proposed development replaces existing demountable buildings with a new classroom block. The proposal improves school amenity on site. 'Rosebank College' is a Local listed heritage item, (identified as 371 in the Canada Bay Local Environmental Plan LEP 2013), and contains a number of heritage listed buildings such as a Victorian Gothic Chapel, a school dated 1876, grounds and landscape, including a listed Fig tree and area brick wall fencing, that surrounds the grounds. The new building proposed does not detract from the group of heritage items and is not adjacent to the items. It responds sympathetically with the south-west sited Block H. District views to and from the items and their setting are retained and the contemporary classroom block activates the Parramatta Road and Harris Road frontages, and the Rosebank College Grounds. The report has evaluated the context and setting; the cultural significance of the site heritage listed as and the heritage buildings and it has assessed the proposal against the statutory controls and the development controls. It concludes that the proposed classroom block should not be restricted on the grounds of heritage.*

In general:

- The proposed development is not in the direct vicinity of the items of significance from a heritage perspective at the site;

- No changes are proposed to the heritage items and these are protected given the lack of adjacency;
- The Fig tree, the grounds, and the Memorial Gardens are not altered;
- Views to and from the heritage items are enabled;
- Provides activation and enclosure at the Parramatta Road frontage that provides an envelope to the internal grounds at an appropriate scale and separation;
- The 1940s era brick wall is of lower significance, and whilst it does contribute to the site's amenity, the partial removal of the corner splay will positively contribute to the streetscape. The wall is otherwise retained and protected;
- Reinforces the existing colour palette; and
- Will protect the Fig tree during works, despite the lack of adjacency to the development site and likely extent of the works zone within the school site.

5.3 Acid Sulfate Soils

Under the LEP, development consent must not be granted for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual, and has been provided to the consent authority. Notwithstanding, an acid sulfate soils management plan is not required if a preliminary assessment concludes it is not required in relation to the works and is provided to the consent authority. The trigger for an acid sulfate soils management plan at the site is for works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

Whilst the site is mapped as Class 5 Acid Sulfate Soils by the LEP, it is within 500m of Class 2 Acid Sulfate Soils which are located towards Charles Heath Reserve to the north-west of the site along Queens Road. The excavation of the development site will reach to only RL 8.3, well above the RL 5 threshold. Accordingly, it would be unlikely that the excavation works at Rosebank College would detrimentally affect the Class 2 soils within the reclaimed land at and to the north of Charles Heath Reserve and/or raise the watertable in that location. An Acid Sulfate Soils Management Plan requirement is not triggered.

5.4 Traffic and Transport

Thompson Stanbury Associates has prepared a Traffic Impact Statement in relation to the development – see **Appendix E**. This has focussed primarily upon the operational considerations tied to the development. Notwithstanding, both construction and operational impacts of the development are considered below.

Construction

The likely impacts arising from the construction of the development includes additional vehicles in the immediate vicinity of the site on Parramatta Road and Harris Road, temporary additional parking demand from construction workers and displaced staff parking due to the temporary reduction in parking at the school, and required management of construction traffic from day-to-day student traffic (whether pedestrian, vehicular, or public transport-related).

A construction traffic management plan is anticipated to be prepared once the contractor has been appointed. This will likely detail the traffic access arrangements in relation to deliveries and construction, parking, vehicle routes and the like based on a so far unknown construction methodology.

Operation

The subject proposal does not involve any alterations to the approved student/staff population. As such, the proposed development is not anticipated to introduce any additional vehicle trips over and above what is currently approved or in place.

The positive intersection controls in the immediate vicinity of the site (e.g. traffic signals at the intersections of Parramatta Road/Harris Road and Queens Road/Harris Road) is expected to assist

with safety and efficiency of vehicles manoeuvring to/from the site in the regular gaps provided in Harris Road traffic flows and throughout the precinct.

The new pedestrian gate at the south-eastern splay is expected to provide more efficient pedestrian thoroughfare into the school grounds from the signalised crossings at the junction of Parramatta Road and Harris Road. This will enable students to avoid unsafe conditions associated with the narrow western footway of Harris Road currently experienced by students.

Further, the proposed increase in the off-street parking numbers from 54 to 67 spaces is expected to reduce the on-street parking demand currently generated by the school, thereby providing more on-street parking opportunities for the general public within the surrounding roads adjacent to the site. The compliance of the modified off-street car park with respect to AS2890.1 and AS2890.6 is expected to provide improved conditions for vehicles to manoeuvre to/from the parking spaces, which is expected to encourage staff to park on-site rather than on the surrounding road network.

Overall, in summary, Thompson Stanbury Associates concludes:

- No increases are proposed to the approved student/staff population;
- No alterations are proposed to the existing driveway arrangements;
- It is noted that the existing car park has a number of parking spaces that are non-compliant with AS2890.1 and AS2890.6, which affects the accessibility of these spaces by passenger vehicles;
- The proposed modifications to the off-street car park, are to be compliant with AS2890.1 and AS2890.6 is expected to assist with improving the safety and efficiency of parking space accessibility and internal manoeuvring;
- A new pedestrian gate is proposed within the south-eastern splay to provide connectivity between bus stops on the southern side of Parramatta Road with the signalised crossings at the junction of Parramatta Road and Harris Road and the school grounds;
- Student current use of the narrow footway on the western side of Harris Road will be eliminated with the provision of the new gate as outlined above providing enhanced student safety;
- The immediately adjoining road network have been observed to operate with a good/acceptable level of service during peak school starting/finishing periods; and
- The subject proposal is not expected to introduce any additional traffic on the adjoining road network, thus generating additional impacts on the surrounding road network.
- There are no parking and traffic related issues associated with the proposed development which would prevent this Practice from recommending the proposal for Council approval.

5.5 Noise Impacts

Rodney Stevens Acoustics has prepared a noise assessment principally in relation to the internal acoustic and amenity properties of the development, as well as the operation of rooftop plant associated with the development. See **Appendix N**. Again, notwithstanding, both construction and operational noise impacts are considered below.

Construction

The construction noise criteria for nearby residential receivers (such as 8 and 10 Harris Road) would typically be based on the EPA's Interim Noise Construction Guideline (2009) and Noise Policy for Industry (2017). Rodney Stevens Acoustics recorded day time ambient background noise levels in Harris Road at 62 dBA. As the base level is high and the works will likely render the adjacent residential properties at 8 and 10 Harris Road as 'highly noise affected' the likely construction noise management level for the works would be 75 dBA.

Based on assumed and typical construction equipment and their noise source and power output levels, plus an assumed construction program over three distinct stages (bulk excavation; building construction; and façade and fitout works), it is likely the noise impacts to these residential receivers for construction noise will be greater than 75 dBA for parts of the construction program and for parts of the day as works are carried out.

Standard noise mitigation measures or strategies that could be employed during works to assist in reducing amenity impacts upon the two neighbouring residential uses in Harris Road and the adjacent area further to the north include:

- Selection of quietest feasible construction equipment;
- Use of rock saws and ripping in preference to rock breakers if rock removal is required (unlikely in this scenario);
- Localised treatment, such as barriers, shrouds and the like around fixed plant, such as pumps and generators; and
- Provision of respite periods, particularly on Saturdays.

In addition, the following measures should be included in a Noise and Vibration Management Plan:

- Plant Noise Audit – Noise emission levels of all critical items of mobile plant and equipment should be checked for compliance with noise limits appropriate to those items prior to the equipment going into service. To this end, testing should be established with the Contractor.
- Operator Instruction – Operators should be trained to raise their awareness of potential noise problems and to increase their use of techniques to minimise noise emission.
- Equipment Selection – All fixed plant at the work sites should be appropriately selected, and where necessary, fitted with attenuators, acoustical enclosures and other noise attenuation measures to ensure that the total noise emission from each work site complies with EPA guidelines.
- Site Noise Planning – Where practical, the layout and positioning of noise-producing plant and activities should be optimised to minimise noise emission levels.

Adoption of these measures is aimed at working towards achieving the noise management levels established at surrounding receivers. An effective community liaison program should also be applied.

The recommended Noise and Vibration Management Plan would address:

- Noise and vibration mitigation measures;
- Noise and vibration monitoring;
- Response to complaints;
- Responsibilities;
- Monitoring of noise emissions from plant items;
- Reporting and record keeping;
- Non-compliance and corrective action; and
- Community consultation and complaint handling

Operation

The noise emissions generated by the operational development include the building's use for teaching purposes as well as mechanical plant associated with the building.

The use of the building is unlikely to generate any new or significant noise impacts upon surrounding sensitive receivers. To this end, the dominant noise source in the vicinity of the site is Parramatta Road and this will most likely mask any potential noise from the use of the building.

Whilst specific mechanical plant selection has not been supplied at this stage. It is anticipated that the building will be serviced by typical mechanical ventilation/air conditioning equipment. It is likely that the Operational Project Trigger Noise Levels set out in Table 4-2 of the Rodney Stevens Acoustics report may be met through the use of conventional noise control methods (e.g. selection of equipment on the basis of quiet operation and, where necessary, providing enclosures, localised barriers, silencers and lined ductwork).

5.6 Stormwater Management and Water Quality

An Integrated Stormwater Management Strategy is proposed to provide:

- An integrated water collection and recycling system for capturing and recycling roofwater;
- Control the quality of stormwater that is disposed from the site; and
- Control the quantity of stormwater that is discharged for the site.

The Integrated Stormwater Management Strategy and sediment and erosion control plan by Sparks and Partners is included at **Appendix M**.

Construction
Construction-related stormwater management will focus on sediment and erosion control as set out above, as well as the establishment of new connections to existing stormwater pipes and pits to the south-west of the development site from within the development site at its perimeter.

Standard sediment and erosion control devices and strategies are proposed to be employed, such as a sediment basin in the proposed location of the operational phase OSD tank at the low point of the development and school, sediment fencing along the development site's perimeter within the boundary wall, mesh inlet filters, sandbag traps for containment in appropriate locations outside but adjacent to the development site, and the like.

Operational
Through the reuse of collected roofwater for non-potable reuse the proposed demand on potable water resources is reduced. The proposed development will capture roof water from part of the building roof area (979m²). This collected roofwater will be conveyed to an 12,000 litre tank for storage and reuse throughout the development. Re-use purposes will primarily include toilet flushing and irrigation uses. A water balance of the proposed reuse system has been completed to model the effectiveness and efficiency of the system. The water balance model was constructed using the MUSIC software package from which it determined the rainwater tank has an approximate efficiency of 83% related non-potable demand. This efficiency results in an approximate reduction in the proposed demand on potable water supplies of 213,000 litres per year.

In terms of water quality, Sparks and Partners has determined through the use of the MUSIC model that that all targeted reductions are able to achieved and exceeded through the proposed water quality measures. In summary:

- Total Suspended Solids (kg/yr) - target 80% with 80.3% achieved;
- Total Phosphorus (kg/yr) – target 45% with 65.4% achieved;
- Total Nitrogen (kg/yr) – target 45% with 45.1% achieved; and
- Gross Pollutants (kg/yr) – target 70% with 97.6% achieved.

With respect to stormwater quantity leaving the site, the proposed development has an approximate area of 97.4% draining to the proposed on-site 12,000 litre OSD facility at the south-western extent of the site near the Parramatta Road emergency gate access. The size of the OSD addresses the calculated pavement (356m²) and roof (2,317m²) areas and satisfies the catchment area calculations to achieve storage of approximately 48.3m3 with a maximum discharge of 48.1L/sec.

To complement these on-site measures, the stormwater infrastructure works also involve an additional 225mm diameter pipe discharging to Parramatta Road at the south-western corner of the school site to augment existing similar stormwater infrastructure in this location.

5.7 Waste Management and Minimisation

Demolition and earthworks-related material will be minimal generally as a result of the relocation of the existing six demountable buildings to the adjacent sports court area for ongoing use during works.

The quantum / volume of excavation is about 3,608m3 of variable depth but to a maximum of RL 8.3 in order to create the sub-level parking area. This includes earth, asphalt topping and roadbase currently comprising the hardstand car park area and the base upon which the demountable buildings sit. Their brickwork piers and concrete are all to be removed.

All material will be moved off-site, with the earth materials provisionally sent to Mulgoa Quarries and the balance of material to Concrete Recyclers at Camellia.

Construction-related waste will be exceptionally minor in volume (some estimated 115m3 of mixed types of waste only).

The operational / Ongoing Waste streams will effectively maintain that is existence at the school presently. No notable change is anticipated. Paper waste will continue to be recycled (at about 5m3 per week) and the private general waste contractor will pick-up garbage at the school with a weekly volume of about 2m3.

See the completed Council Waste Management pro-forma attached at **Appendix P**.

5.8 BCA, Section J, and Access

BCA

Group DLA has undertaken a preliminary assessment of the architectural drawings submitted with the Development Application against the provisions of the National Construction Code 2019, Volume 1, Building Code of Australia, BCA Class 2 to 9 Buildings (BCA) as per the requirements under Clause 98 of the *Environmental Planning & Assessment Regulation 2000*.

Group DLA advises that compliance with the BCA for these specific works will be able to be achieved by a combination of compliance with the deemed-to-satisfy (DTS) provisions and the documentation of performance solutions in accordance with Clause A5.2 of the BCA, by suitably qualified consultants to achieve compliance with the performance provisions of the BCA, the provision and assessment of these reports/documents will occur at the Construction Certificate stage.

Further consideration and review with respect to compliance with the Disabled Access, and Section J Energy Efficiency provisions has been undertaken by suitably qualified consultants which will form part of the CC Documentation. These reports are referred to below within this section.

Notwithstanding the above comments, we note that specific detailed compliance with the Building Code of Australia is not a prescribed head of consideration under section 4.15 of the *Environmental Planning & Assessment Act 1979* and accordingly, we trust that the determination of the development application will not be subject to the assessment of any technical matters under the State's building regulations.

In regard to the new building works proposed pursuant to Clause 54 (4) of the *Environmental Planning & Assessment Regulation 2000*, we trust that the consent authority will not require any additional information in the determination of the development application for technical BCA matters that will be assessed at the Construction Certificate stage.

See the Group DLA assessment comprising a Building Code of Australia 2019 (BCA) Capability Statement and a BCA Review at **Appendix O**.

Section J

The assessment carried out by Partners Energy demonstrates that the project can comply with Section J of the National Construction Code (NCC) 2019 with respect to the various energy efficient requirements. See the Partners Energy assessment at **Appendix O**.

Access

An Access Review has been carried out by Funktion which assesses the building's / development's compliance with the Disability (Access to Premises - Buildings) Standards 2010, Parts D3 and E3.6 of the Building Code of Australia 2019 (BCA) and Australian Standards on Access and Mobility. Funktion concludes that the development, subject to the implementation of the recommendations in its report (as found at **Appendix O**), satisfies the provision of access for people with a disability in the proposed Rosebank College Project 8 as it provides continuous accessible paths of travel and the equitable provision of accessible facilities to provide inclusive design to meet the anticipated requirements of staff, students and visitors.

5.9 Social and Economic Impacts

The social and economic impacts of the proposed development are deemed to be positive given the school's long-standing and important role within the social and education fabric of the inner western suburbs of Sydney. The positive education and social benefits which will arise from investment in new school infrastructure are palpable.

The development will build capacity for Rosebank College on underutilised and presently inefficiently used parts of the school site. The development is an important step by the school to future-proof its activities and remain a strong provider of education and other services to the community. The development facilitates future-proofing for the next generations of school children in this locality, providing new up-to-date and state-of-the art school accommodation within the existing community and social fabric of the inner west thereby ensuring a continuity of connectivity and identity with the established community networks.

From a physical infrastructure perspective, the new school and its community spaces will become an immediate community asset. New and expanded community spaces result from the development including the sports courts.

Additionally, the construction provides:

- Economic stimulation to the labour market and investment during the construction phase of the project. Cost benefit analysis, economic appraisal, qualitative and quantitative measures leading to this DA confirm the project is cost effective and the best value for money for Rosebank College.
- Environmental design measures in building form, materials, thermal comfort, energy efficiency, water conservation, heritage conservation, landscaping, management of environmental hazards, waste management and construction standards.
- Social benefits and prosperity from investment in social infrastructure and facilities which meet the educational objectives and goals.

The consequences of not proceeding with the development at this site can only be identified as negative.

5.10 Suitability of the Site

The site's suitability for the proposed development is demonstrated through:

- its permissibility under both the LEP and the Education SEPP;
- the development's general benign nature in terms of negative impacts upon other uses within the locality, and its immediate vicinity;
- the development's positive contribution to the appearance and amenity of the school and Parramatta Road, as well as enhancing the functionality and capacity at the school in a presently underutilised part of the site;
- the general lack of environmental and planning constraints present on the site;
- its appropriate placement of the development on the site to avoid significant impacts upon heritage values and additional loss of trees; and
- the neutral or positive economic and social impacts as identified above and the public interest outcomes highlighted below.

5.11 The Public Interest

The proposal involves the realisation of the long-awaited final stage of the enhancement of education services at Rosebank College. The development will bring further new and contemporary education facilities to the school and enhance its existing services and reputation. To that end, the development reinforces and meets the school community's expectations for development at the site.

The proposal fits its location and is entirely within the character of the use that would be expected to be located at the school. It facilitates the completion of development around the perimeter of the school and provides a significantly improved appearance and amenity. It provides the Parramatta Road frontage of the school with a new identity and address.

The proposal suitably addresses or mitigates impacts upon the environment and the amenity of its neighbours. It provides a sensitive response to heritage and arboricultural matters in particular and its impacts are minor, minimal and manageable in their context. To forego the development of the site as proposed would not be in the public interest.

5.12 Student and Staff Caps

Based on consideration of the above section and assessment in the preceding section, the imposition of a student and/or staff cap to limit or control the development is not warranted. It is the applicant's strong preference that no limits or caps be imposed so that the intent of the available provisions of *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* is maintained and maximised to ensure appropriate flexibility. It is our view that conditions with a trigger point threshold are more appropriate in managing the need for any modification or new DA with respect to incremental and minor manageable growth.

Applying Planning Circular 'PS17 - 004 – Regulating expansion of schools the principles set out for consent authorities' consideration in determining whether to place a condition on a consent that will impose and numerical limit on student and staff numbers at school sites articulates that any cap can only be imposed if there is an extremely strong evidence and valid planning reason for doing so. The following provides an assessment against these principles.

It should be remembered that the school is now at the end of its 8-stage redevelopment program. Growth will be limited, however the opportunities to use the Education SEPP to flexibly upgrade, improve or restore accommodation should not be limited by a cap on student or staff numbers, even where modest gains in space can be secured by such works.

Application of outcome-based consent conditions to retain flexibility

Based on the Circular, the consent authority should consider whether an outcome-based condition would mitigate the impact, rather than a prescriptive, numerical cap. Section 4.17 of the EP&A Act allows conditions to be expressed as an outcome or an objective, so long as there are clear criteria against which achievement of the outcome or objective can be assessed.

If a cap on student numbers is considered warranted, the condition should be drafted to require delivery of the desired outcome of the cap. For example, a cap condition placing an upper limit of student and staff numbers above current enrolment needs could be applied and the condition drafted to require certain measures to be implemented progressively prior to any increase in student numbers. This could include a condition requiring the applicant to submit revised traffic and pedestrian management plans to the consent authority to reflect the increased number to the satisfaction of the approval of the consent authority. This approach delivers an absolute limit to growth at the school but provides flexibility for incremental increases up to the limit permitted by the cap condition to address future operating needs without the need for a new application or a modification.

As noted in the Circular, the consent authority should recognise the need for flexibility when limiting staff and student numbers. Non-government schools (such as Rosebank College) can also experience similar fluctuations in enrolments due to changes in population and parental preference. Staff numbers may also fluctuate at schools depending on student numbers and specialist learning needs of the school. Should a consent authority determine that a cap is required, then it should also consider how the cap may be reasonably implemented with sufficient flexibility to allow the school to meet increased student enrolment demands.

6.0 CONCLUSION

The proposed development at Rosebank College for a new 2-3 storey GLA building and ancillary works at its 1A Harris Road, Five Dock location will have no significant or lasting adverse environmental impacts upon its locality, including heritage impacts, overshadowing, privacy and amenity or traffic impacts. Any impacts it does have whether temporary during construction, or ongoing during its operational phase / life, will be able to be suitably managed and mitigated.

The proposed development enables the construction of a new state-of-the art and contemporary teaching facility which generally complies with the relevant requirements and provisions all applicable planning legislation. It replaces redundant and outdated temporary demountable accommodation. The project brings to resolution the current long-term strategy planning and development program for Rosebank College.

It is recommended that the Council / Regional Planning Panel grant consent to this DA.