Multi-Purpose Hall
Canterbury Boys High School

220-252 Holden Street, Ashbury

Statement of Environmental Effects

On behalf of
NSW Department of Education
March 2022

mecone

Project Director

Adam Coburn

21/03/22

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* This document is for discussion purposes only unless signed and dated by the Project Director.

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1 Introduction

This Statement of Environmental Effects (SEE) has been prepared on behalf of NSW Department of Education (DoE) to support a Development Application (DA) to Inner West Council (Council) for the construction of a multi-purpose hall (MPH) at Canterbury Boys High School (CBHS), located on Lot 100 DP 738051 being 220-252 Holden Street, Ashbury (the site).

This DA seeks consent for minor excavation, the construction of a new MPH located adjacent to the Hardy Street boundary, associated landscaping, and the removal of 11 existing trees.

DoE requires a new multi-purpose hall at CBHS. As a Stream 5 high school, CBHS is entitled to a 620m^2 hall space (gymnasium) as part of an 862m^2 movement complex unit under the Educational Facilities Standards and Guidelines (EFSG).

The SEE includes an assessment of the proposed development in terms of the matters for consideration as listed under Section 4.15 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*. More specifically, the SEE includes the following information:

- Description of the site and surrounding context;
- Description of proposed works;
- Assessment against relevant plans and policies including:
    - *State Environmental Planning Policy (Resilience and Hazards) (Resilience and Hazards SEPP) 2021;*
    - *State Environmental Planning Policy (Transport and Infrastructure) (Transport and Infrastructure SEPP) 2021;*
    - *Ashfield Local Environmental Plan (LEP) 2013 ; and*
    - *Comprehensive Inner West DCP 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill 2017*.
- Assessment of potential environmental impacts and identification of mitigation measures.

1.1 Supporting Material

This SEE is supported by, and should be read in conjunction with, the following specialist drawings and reports:

Table 1 – Project Team

Item	Description
Town Planning	Mecone
Architecture	BKA Architecture
Traffic	TTW

Table 1 – Project Team	
Landscape	BKA Architecture
Waste	BKA Architecture
Acoustic	Northrop
Arborist	Moore Trees
Geotechnical	GeoEnviro Consultancy
Contamination/ Remedial Action Plan	GeoEnviro Consultancy
Civil Engineering	Northrop
Plan of Management	Canterbury Boys High School
Heritage	City Plan Heritage
Archaeological	EMM
Survey	LTS
BCA Report	Group DLA
Access Report	Group DLA
QS Report	MBM

1.2 Pre-Lodgement Meetings

1.2.1 Pre DA-Meeting 2021

On 25 May 2021, a Pre-DA meeting was held with Council to discuss the proposed MPH at CBHS. The proposed development has been prepared to address some of the key issues as raised in the Pre-DA meeting. Refer to **Table 2**.

Table 2 – Pre-DA Meeting	
Key Issues	**Response**
Determination/ Approvals The subject site is identified as being Crown Land. In accordance with the requirements of the EP&A Act and Regulations should the proposed Capital Investment Value (CIV) be over $5 Million then the application will	**Complies.** The application has a CIV of over $5 million and will be determined by the Sydney City East Planning Panel. Pursuant to the Environmental Planning and Assessment Regulation 2021, the consent of the owner of the land is not

Table 2 – Pre-DA Meeting	
need to be determined by the Sydney City East Planning Panel. Any development application must be accompanied with the relevant owner's consent.	required for a development application made by a public authority if the applicant complies with subsections (3) and (4) of clause 23. In accordance, the applicant has given notice of the DA to the owner of the land, satisfying subclause (3)(a).
Permissibility The subject site is Zoned SP2 – Infrastructure (Educational Establishment). The proposed multipurpose hall is a building or placed used for education and is permissible in the zone.	**Complies.** The permissibility of the proposed development on the site is noted.
Contamination *State Environmental Planning Policy No. 55 - Remediation of Land* (SEPP 55) (since pre-DA these provisions now transferred into SEPP Resilience and Hazards) provides planning guidelines for remediation of contaminated land. Given the historical use of the site, a minimum Phase 1 Contamination Report is required as part of the DA. If a Phase 2 Detailed Site Investigation (DSI) is required as a result of the recommendation in the Phase 1 Report, this is to be carried out. If the Phase 2 DSI recommends that remediation is required a Remediation Action Plan (RAP) is to be submitted with the DA. For your information, if remediation of the site is required, an assessment needs to be made by a suitably qualitied person to determine whether the works are Category 1 or 2 remediation work under SEPP 55. Category 1 work requires development consent and should be identified in the description of works at DA stage. Notwithstanding, the objective is to	**Complies.** A Detailed Site Investigation (DSI) Contamination Report has been submitted with this application prepared by GeoEnviro Consultancy addressing the remediation of contaminated land and incorporating a Preliminary Site Investigation (PSI) assessment. The DSI has concluded the subject site has contamination issues associated with unacceptable concentrations of PAH, building rubbish (including old footings) and asbestos found within the topsoil/fill and fill with total thickness ranging from 300mm to 900mm. The DSI recommends for the proposed MPH, site remediation and validation of the subject site to be undertaken either via encapsulation and containment or removal off site. The report concludes that with appropriate site remediation and validation works, the site can be considered suitable for the proposed development and satisfies the provisions of the Resilience and Hazards SEPP.

Table 2 – Pre-DA Meeting	
establish whether the site is suitable for the proposed development. This must be satisfactorily addressed prior to any development being approved on the site.	A Remedial Action Plan (RAP) has been prepared by GeoEnviro Consultancy for this application as the DSI concluded the site has contamination issues associated with PAH, rubbish and asbestos. The RAP provides options to remediate the site to ensure suitability of the site for the proposed MPH. The RAP has identified two areas of environmental concern (AEC I and AEC II) impacted by uncontrolled fill, rubbish fill, PAH and asbestos that needs to be remediated for the suitability of the site for the proposal. The RAP identifies 3 options (with options 1-2 combined) to remediate the site to make suitable for the proposed development. These options include; Options 1-2 – Exaction and disposal • Buried rubbish fill, if encountered during construction should be excavated and disposed off-site to an NSW EPA approved landfill. Rubbish fill containing bonded asbestos should be removed and disposal to a landfill as "Special Waste – Asbestos". • Should bonded asbestos be encountered during construction works, all works should cease and an "Unexpected Asbestos Finds Protocol" should be initiated. Should asbestos be encountered, the asbestos impacted fill should be disposed to a landfill as "Special Waste-Asbestos". • All fill material requiring off-site disposal should be laboratory

Table 2 – Pre-DA Meeting	
	tested and characterised in accordance with NSW EPA's guidelines. Option 3 – Encapsulation • As an alternative to Options 1-2, Option 3 involves onsite encapsulation of all asbestos impacted material in a designated area beneath the proposed school building. • This option would need to include remediation of contaminated topsoil/fill encountered by excavation and removal off site to a landfill. • A capping layer consisting of clean and validated fill (Virgin Excavated Natural Material – VENM) of minimum thickness of 0.3m should be placed over the encapsulation area. • A long term Asbestos Management Plan (AMP) should be in place for long term management of the site to ensure the following; Subject to the appropriate site remediation and validation works under the RAP, the site is considered suitable for the proposed MPH. Further details on contamination concerns are provided in Section 5.
Heritage & Design A key element of your particular site is that it is listed as a Heritage Item under the Ashfield Local Environmental Plan 2013. Assessment of the proposal against the requirements of Clause 5:10 of the LEP and by Council's heritage advisor has found:	**Complies.** The application is accompanied by a Heritage Impact Statement prepared by City Plan Heritage which acknowledges the school site is a local heritage site and addresses the provisions of Clause 5.10 of the LEP, that meets the NSW Heritage Office Guidelines.

Table 2 – Pre-DA Meeting	
• A Statement of Heritage Impact will be required that meets the NSW Heritage Office Guidelines. • Any development application will need to demonstrate an understanding of this potential archaeology significance and provide recommendations on processes should significant finds be located. • The Heritage Act S170 Register and study of the standard buildings will need to be consulted, as the main block may (or may not) be a standard building and there may be a plan for extension that was not built (school files at State Records). The Section 170 Register relates to the ownership or management As indicated as part of your application you will need to submit a Heritage Impact Statement (HIS). This statement will analyse the building stages of your site and all original parts of the building. It will then assist with any future design and also establish whether, for example, modifications have occurred that have altered its original form.	The HIS concludes that the proposed works including the construction of the MPH will result in little to no impact on the heritage significance of the CBHS site or heritage items and conservation areas in proximity. An Archaeological Report has been prepared by EMM to assess the presence of archaeological sites of local or State significance. The assessment found that there is generally nil-low potential for archaeological resources associated with the earliest phases of European occupation to be present within the subject site. Further details on heritage and archeological issues are provided in Section 5.
Acoustics Any development application must be accompanied by an acoustic report which assess/considers the potential acoustic impacts from the use of the new development on neighbouring residential receivers. This report must provide recommendations to minimise and limit any potential acoustic impacts from the development. The proposed use of the space is identified to double up as a hall and sports centre.	**Complies.** An Acoustic Report has been prepared by Northrop, which provides an assessment for the proposed development against the relevant state and local noise criteria requirements. The report recommends windows are kept closed for activities involving music, amplified speech, sporting activities and when used as a play area. Strategies are included to mitigate noise in the event of windows and/or doors being open.

Table 2 – Pre-DA Meeting	
Consideration should be provided to internal acoustics and the internal treatments of the spaces to enable such a diverse use. One suggestion is to review and consider the use of acoustic panelling.	With the implementations of recommendations, noise emissions from the project will comply with the acoustic requirements of Inner West Council, NSW EPA Noise Policy for Industry and relevant Australian standards and guidelines. Further details on acoustic matters are provided in Section 5.
Use of Hall/ Plan of Management Details regarding the proposed use of hall outside of school hours should be outlined as part of any application. This information should include details about where visitors are to park, the hours of operation outside of school hours and the frequency of events. This information should be documented in a plan of management to be submitted with any development application.	**Complies.** A Plan of Management has been submitted with this application detailing the use of the MPH outside of school hours, maximum capacity, traffic management, access, operational arrangements, acoustic matters, and waste management. Further details are provided in Section 5.
Streetscape Any final scheme must consider and respond to Hardy Street and incorporate a design presentation which responds and promotes the existing streetscape. The final proposal should incorporate self-finished materials, openings (windows and doors) and a visually interesting façade to Hardy Street. Council will be placing a high degree of emphasis on the Hardy Street Elevation/presentation and request that any final design promote visual interest in the building.	**Complies.** The application is accompanied by Architectural plans, a photomontage of the street frontage and a Landscape Plan prepared by BKA Architecture, that confirms a visually interesting façade, appropriate to the streetscape, will be incorporated into the development at Hardy Street. The design of the hall to address the streetscape has been further revisited since the first Pre-DA meeting. On 23 February 2022, a second informal meeting was held with Council to discuss proposed design changes. Council made comments about the MPH façade and streetscape at Hardy Street.

Table 2 – Pre-DA Meeting	
	Specifically, the final plans have the following changes relating to the entire building: • Full width glass to office. • Protruded bricks to upper portion of brick wall. • Additional articulation to north by reducing brick wall and introducing metal cladding to stage wall. We note Council's email of 28 February 2022, confirming the above changes and final photomontages address Council's concerns with the following statement made. "The revised openings, protruded bricks and additional articulation from metal cladding create the desired streetscape outcome".
Trees The current proposal has been reviewed by Council's Urban Forests Team who provided the following comments: • Hardy Street Eucalyptus boundary trees and trees lining the lawn/parking area will all require a minimum 4 metre set back - Tree Protection Zone (TPZ). Unless there are sound arboricultural reasons to justify their removal, all of these trees are considered significant to the site and locality and are to be retained and protected. • Two small Melaleuca trees growing on the northern boundary will have major impact into their TPZs. No objections to their removal,	**Complies.** An Arboricultural Impact Assessment Report has been prepared by Moore Trees to provide advice and recommendations on trees on the site to be retained and removed. There are 28 trees identified as subject to this report. The trees were inspected on 20 April 2021 and the following assessment of the trees health and condition were made. Trees 1-6 are a row of Date palms that create an avenue entrance to the school's main entry and likely to date from the 1930s. Trees 10-16 border the southern edge of the playing field and car park. All trees are in good health and condition and

Table 2 – Pre-DA Meeting	
subject to replacement as part of landscape works. • The applicant will need to supply an Arboricultural Impact Assessment (AIA) report to identify trees to be retained and trees to be removed. Importantly, the impact of the proposed development on trees to be retained must be assessed. This report must include recommendations and methodologies to mitigate the impact on trees to be retained and a site-specific Tree Protection Plan and Specification. The AIA is to reference Section 3 and 4 of AS4970 'Protection of trees on development sites', Inner West Council's Development Fact Sheets for Trees on Development Sites and Arborist Reports and must be prepared by an Arborist with a minimum qualification of AQF Level 5. If required, AS 4373 Pruning of Amenity Trees must be included.	Trees 13 and 15 found to be in fair condition. Trees 17-22 are large mature mixed Eucalyptus specimens and are also in good health and condition. They front Hardy Street and provide a visual screen between the school and streetscape. Trees 23 and 24 are located on the northern boundary are mature trees. Trees 25 and 26 are also in good health and condition. Tree 28 is the largest tree on site and away from site works and will not be impacted during construction. Trees numbered as 16-26 are required to be removed for the project. All other trees appear possible to retain. Trees 1-9 10-15 and 27 will require tree protection fencing as specified in the Report, located at the TPZ. The Report provides a list of medium sized trees for compensatory planting of trees on the school site. None of the site trees were found to contain Critically Endangered tree species. A Tree Protection Plan has been included in the Arboricultural Report, showing the trees proposed to be retained and removed. The trees removed are to be replaced on the site, with medium sized species recommended as suitable for the school area in the report.
Fire Safety & BCA As part of any development application documentation and plans must address and outline compliance with matters such as fire safety and BCA. Any service requirements must be	**Complies.** The proposal is compliant with fire safety and BCA requirements. Refer to the BCA Report prepared by Group DLA for further comments.

Table 2 – Pre-DA Meeting	
detailed on the proposed plans and incorporate sufficient treatments to avoid detracting from the streetscape or school grounds.	
CPTED Any development application should be accompanied by an assessment against the principles of CPTED and provide measures to ensure a safe environment for all patrons and visitors both during the day and at night.	**Complies.** Section 5 of this report includes comments and assessment of the proposal against CPTED principles. The proposal is considered acceptable and consistent with the CPTED principles.
Stormwater Drainage The proposal has been reviewed by Councils Development Assessment Engineers who provided the following comments with regards to Stormwater Drainage: • Stormwater runoff from all roof and paved areas must be drained by gravity to Council's piped drainage system that traverses through the site. • All stormwater drainage shall be designed in accordance with Australian Rainfall and Runoff (A.R.R.), Australian Standard AS3500.3 'Stormwater Drainage' and Marrickville Council Stormwater and On-Site Detention Code. Pipe drainage systems shall be designed to cater for the twenty (20) year Average Recurrence Interval (A.R.I.) storm. Major event surface flow paths shall be designed to cater for the one hundred (100) year A.R.I. Storm. • OSD is required for this development. On-site retention (rainwater tank) may be used in lieu of OSD in accordance with the Council's DCP 2011 requirements.	**Complies.** The application is accompanied by Civil Plans and a Stormwater Management Report prepared by Northrop. The plans and report detail stormwater management for the proposal including details on stormwater drainage, OSD and stormwater runoff. The stormwater management strategy has been derived for the proposed development in accordance with AS/NZS 3500.3:2018 Plumbing and Stormwater Drainage, the EFSG and Council's DCP. Further details on stormwater management have been provided in Section 5.

Table 2 – Pre-DA Meeting	
• A concept Stormwater Drainage Plan shall be submitted with the Development Application. No pumps or charged pipes must be included in the design. All pipes must have a minimum of 1% slope. • A WSUD design plan and supporting documentation shall be submitted to ensure the treatment measures proposed to meet Council's water quality targets. Modelling for the determination of the pollution load reductions may be required in MUSIC (the Model for Urban Stormwater Improvement Conceptualisation) and in accordance with Marrickville Council's DCP 2011 - Water Sensitive Urban Design (Section 2.17).	
Parking The proposal has been reviewed by Councils Development Assessment Engineers who provided the following comments with regards to parking: • The design of the access and car parking facilities must comply with AS/NZS 2890. 1: 2004 Parking Facilities Part 1: Off- street car parking. • The parking module must have minimum clear dimensions of 5400 x 2400mm. The dimensions must be exclusive of obstructions such as walls, doors and columns, except where they do not encroach inside the design envelope specified in Section 5.2 of AS/NZS 2890.1-2004.	**Complies.** A Traffic and Parking Statement has been prepared by TTW to support this application. The Statement confirms there is no requirements for additional transport facilities including parking as the development will not lead to increase in the number of students or staff. Therefore, based on the MPH not resulting in any additional car parking demand for the site, there is no modification required or proposed to the existing car parking facilities on the site.
Traffic Report The proposal has been reviewed by Councils Development Assessment	**Complies.** A Traffic and Parking Statement has been prepared by TTW to support this application.

Table 2 – Pre-DA Meeting	
Engineers who provided the following comments with regards to traffic: • A Traffic Report must be submitted with the Development Application. The Report must identify all streets and road users that will be impacted upon by the development and provide recommendations on treatments / measures for addressing any issues identified. Any traffic data collected for the study must be included in an appendix of the report.	The proposed MPH will be mainly used internally for the purpose of dance, sport, performance, rehearsals, and music by students from CBHS as well as Canterbury Girls High School and Canterbury Public School (primary school) during school times. The proposal will not lead to an increase in number of students or staff, and therefore there is no requirement for additional transport facilities or services including access ways to the school, car parking and bike parking spaces and facilities. Additionally, the community use will predominately be outside school hours and could utilise school parking if available, encourage walking or cycling to the site for local residents, or utilise public transport. Therefore, the existing parking provision is adequate for the new MPH. Further details on traffic have been provided in Section 5.
Solar Access and Overshadowing You will need to submit shadow diagrams that indicate the effect in plan view of existing and proposed overshadowing for 21 June at hourly intervals between 9:00am and 3:00pm. Shadow diagrams for 21 March/September may be required as described in Control C2 of Part 2.7 of MDCP 2011. Elevational shadow diagrams may also be required to show the extent of impacts on adjoining windows.	**Complies.** Shadow diagrams have been provided for the development in the Architectural Plans prepared by BKA Architecture. The diagrams provide views of existing and proposed overshadowing for 21 June between 9:00am to 3:00pm.
National Construction Code (NCC) An assessment of the proposal against the provisions of the NCC has not been carried out. It is advised you seek independent advice regarding the	**Complies.** A NCC Report has been submitted with the application prepared by Group DLA with comments regarding

Table 2 – Pre-DA Meeting	
development's compliance with the NCC.	the current design's compliance with the NCC/ Access Code. The design and construction of the MPH will stay consistent with Group DLA's recommendations. Further details are provided in Section 5.

1.2.2 Informal meeting with Council 2022

On 23 February 2022, a second informal meeting was held with Council to discuss the proposed design changes to the proposed MPH. The architectural plans have been amended since the meeting to address Council's concerns about the MPH façade and streetscape at Hardy Street.

Specifically, the final plans have the following changes relating to the entire building:

- Full width glass to office.
- Protruded bricks to upper portion of brick wall.
- Additional articulation to north by reducing brick wall and introducing metal cladding to stage wall.

We note Council's email of 28 February 2022, confirming the above changes and final photomontages address Council's concerns with the following statement made.

> *"The revised openings, protruded bricks and additional articulation from metal cladding create the desired streetscape outcome"*

2 The Site

2.1 Location

CBHS is located at Lot 100 DP 738051 being 220-252 Holden Street, Ashbury NSW, in the local government area of Inner West Council.

CBHS is located at the south-western corner of the Inner West LGA boundary, surrounded by low density residential development. Lot 100 is irregular in shape with an area of approximately 2.71ha in area.

CBHS contains a parking lot at the south of the site with access provided from Hardy Street, five physically separate buildings clustered at the south-west corner towards the centre of the site, two multi-purpose sport courts along the eastern boundary of the site and a sports field located at the north of the site.

The site of works for the proposed MPH is cleared vacant land and located between the carpark of the high school and 87 Hardy Street, Ashbury.

The proposed site of works is outlined in blue in **Figure 1** and **Figure 2.**

Figure 1: Subject site (Source: Mecone Mosaic)

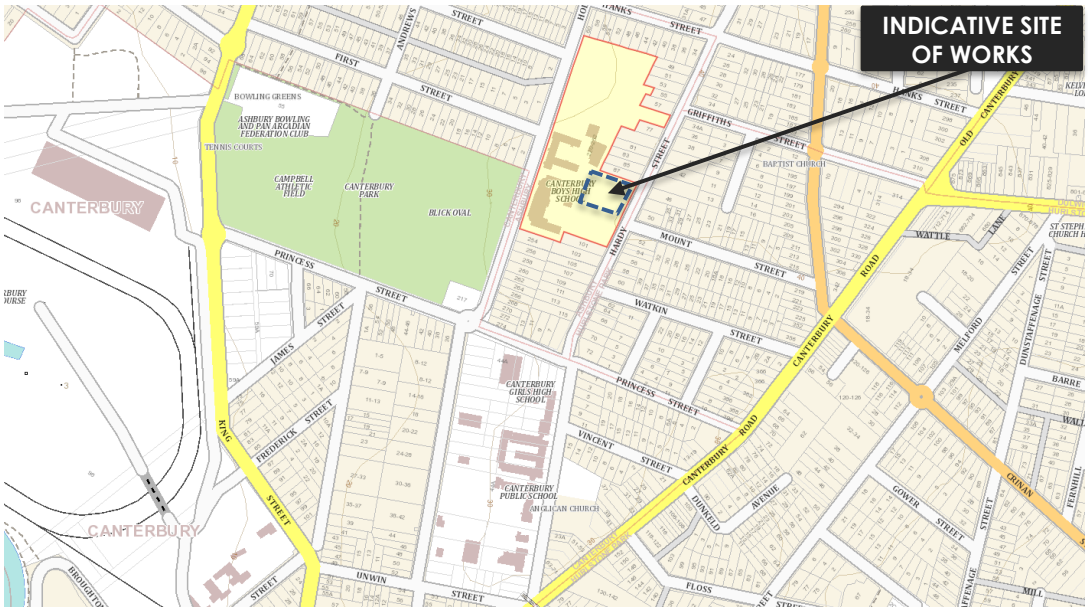

Figure 2: Cadastral view of site (Source: Six Maps)

2.2 Site Description

Table 3 provides a summary description of the site and surrounding development.

Table 3 - Site Description	
Item	Description
Legal description	Lot 100 DP 738051
Address	220-252 Holden Street, Ashbury NSW
Site area	Approximately 2.71 ha
Frontage	The site provides for two frontages: **Primary frontage:** Approx. 262m to Holden Street **Secondary frontage:** Approx. 268m varied to Hardy Street
Current uses	The site is currently used as a school being CBHS. The school contains a parking lot, five physically separate buildings, two multi-purpose sport courts, a sports field located to the north and associated landscaping.
Surrounding development	The immediate surrounding development to the site includes Blick Oval, Canterbury Park and Campbell Athletic Field separated by Holden Road (west of site), Hurlstone Park village centre located along New Canterbury Road (east of the site) and Canterbury Girls High School, (south of the site).
Access	The main entrance and access to CBHS is available via Holden Street (Gate 1 for pedestrians). Gates 2 and 3 provide additional access along Holden Street for public, students and staff. Student and staff access to CBHS is available via Hardy Street, with two driveways (Gate 4 and Gate 6) located along the eastern boundary of the site.
Public Transport	CBHS benefits from a bus stop located along their eastern boundary at Hardy Street, *Canterbury Boys High School, Hardy Street*. However, there are limited routes available at this bus stop. Bus stops located less than 5 minutes walking distance from CBHS along Canterbury Road provide services to a range of locations. Bus stops provide services along routes 428, 428X and 445, stopping at locations including Campsie Station, Canterbury Station, Dulwich Hill Shops, Lewisham Public School, Marrickville High School, Marrickville Park, Newtown Station, Central Station,

Table 3 - Site Description	
	Museum Station, Martin Place Station, University of Sydney, Broadway Shopping Centre Enmore Park, Sydney College of Arts, Rozelle Public School and TAFE Sydney.

3 Proposed Development

3.1 Objectives of this proposal

The proposal will seek approval for the construction of a multi-purpose hall (MPH).

As per the Department's EFSG, CBHS is entitled to 620m^2 of hall space which does not currently exist. The DA is considered necessary for the construction of a MPH to provide fit-for-purpose facilities to the school, in line with educational entitlement and the approved business case by Treasury.

The benefits of the proposed MPH include;

- Increase student participation in extracurricular activities and promote healthy student enrolment numbers.
- Inclusion of a purpose-built performance space to meet school needs and ESFG standards.
- Provision of a full-size all-weather sport facility for the school.
- A building to enhance school identity and the sense of arrival via vehicular and pedestrian entry.
- Locating a building near the front entry gate to allow the community to access the facility without entering the school grounds proper.
- Potential for the new building to activate existing playing areas.
- Existing Basketball courts are retained.
- Potential for building to connect to adjacent buildings through a new covered walkway.

3.2 Development Overview

Specifically, the proposal will seek approval for the following works

- Demolition of minor structures and site works;
- Construction of a single level multi-purpose hall featuring a stage, seating area, storerooms, toilets, shower rooms, equipment rooms, kitchen, office,
- Associated site landscaping; and
- The removal of 11 trees, with the replacement of trees at a ratio of a minimum of 1:1 on the site (within school grounds).

Architectural Plans have been prepared by BKA Architecture to accompany this DA. Refer to the architectural extracts in **Figures 3 – 5.**

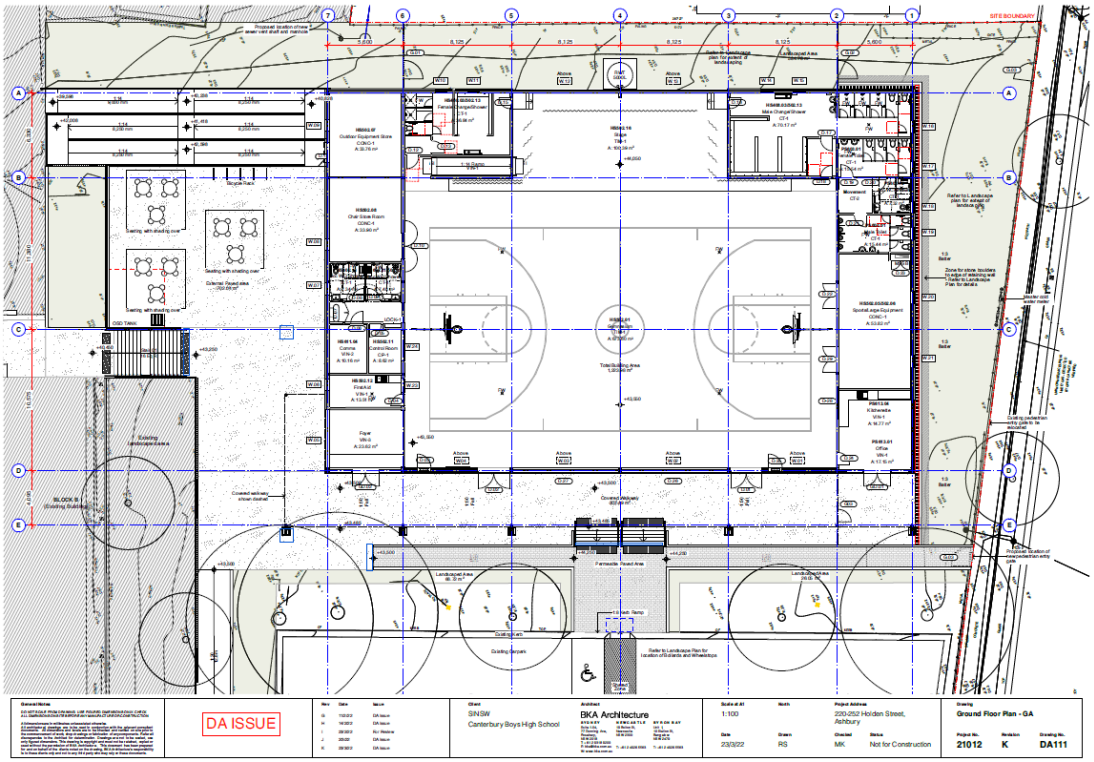

Figure 3: Ground Floor Plan (Source: BKA Architecture)

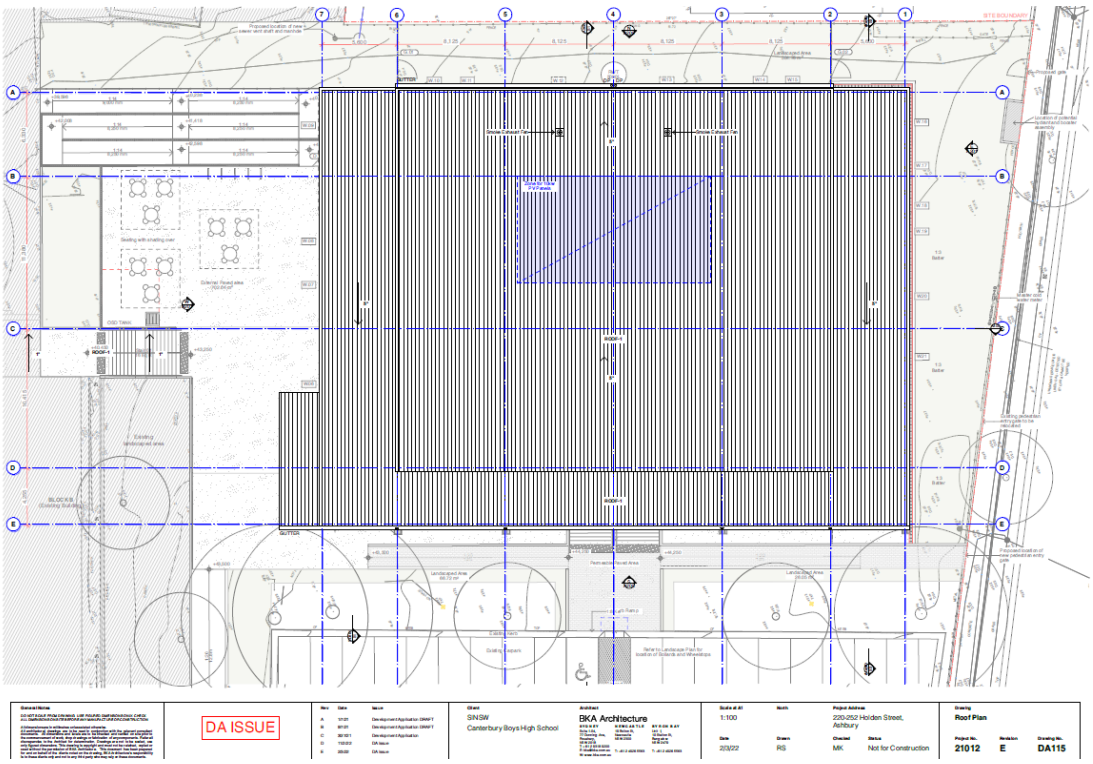

Figure 4: Roof Plan (Source: BKA Architecture)

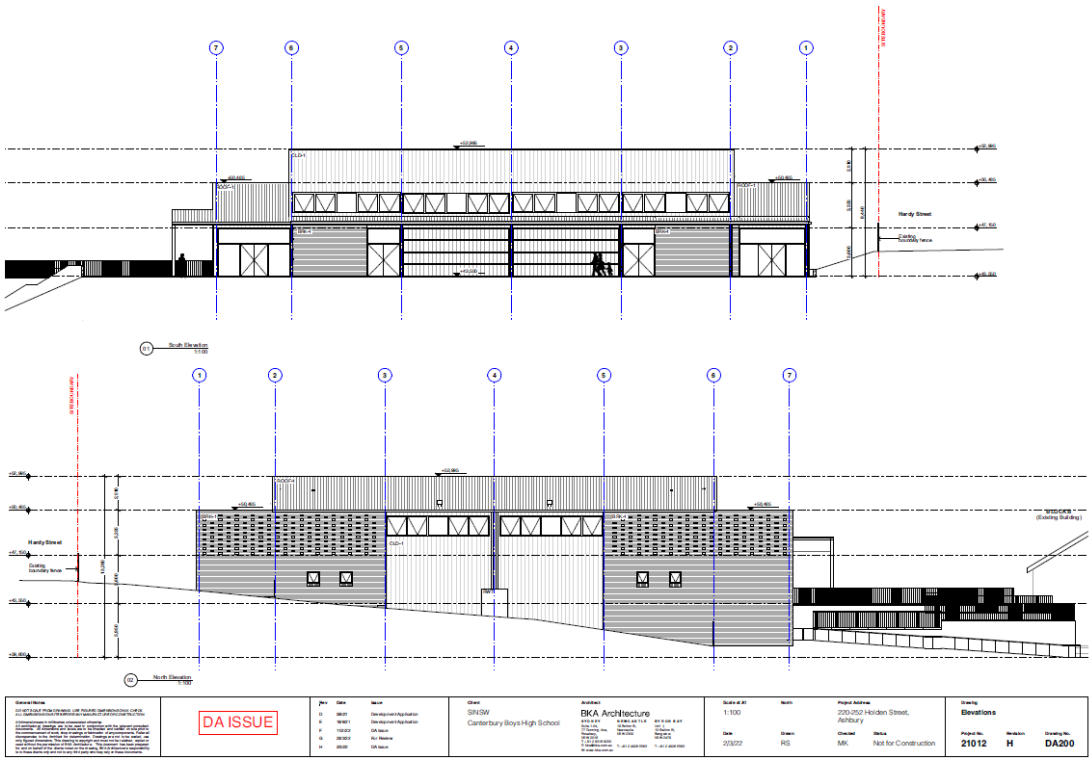

Figure 5: Elevations (Source: BKA Architecture)

4 Planning Assessment

This section provides an assessment against key relevant planning controls contained in the following documents:

- State Environmental Planning Policy (Resilience and Hazards) (Resilience and Hazards SEPP) 2021;
- State Environmental Planning Policy (Transport and Infrastructure) (Transport and Infrastructure SEPP) 2021;
- Ashfield Local Environmental Plan (LEP) 2013 ; and
- Comprehensive Inner West DCP 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill 2017.

4.1 State Environmental Planning Policy (Resilience and Hazards) 2021(Resilience and Hazards SEPP)

Chapter 4 of the Resilience and Hazards SEPP 2021 provides a Statewide planning approval to the remediation of contaminated land. This chapter aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

GeoEnviro Consultancy Pty Ltd prepared a Detailed Site Investigation report dated 29 March 2021 to assess the site for potential contamination, to assess the suitability of the site for the proposed land use and to make any recommendations required for further investigations for the proposed MPH.

The investigation consisted of a review of site history, a site inspection, borehole investigation, soil sampling and laboratory analysis. At the time of the site investigation, the proposed MPH location was vacant and grassed with an asphalt footpath. School buildings were situated to the west, an asphalt car park to the south and a residential property to the north.

The school was occupied by residential dwellings prior to 1971 with some school buildings evident between 1971 to 1991. Most of the site has been vacant with grass cover since the 1990's.

The report concluded the site is impacted by some contamination including unacceptable concentrations of Polycyclic Aromatic Hydrocarbons (PAH), building rubbish (including old footings) and asbestos found within the topsoil/fill and fill with total thickness ranging from 300mm to 900mm.

For the proposed MPH, site remediation and validation of the subject site will be required, which may involve either encapsulation and containment (preferred, less disturbance) or removal off site.

A Remedial Action Plan (RAP) has been prepared by GeoEnviro Consultancy for this application as the DSI concluded the site has contamination issues associated with PAH, rubbish and asbestos. The RAP provides options to remediate the site to ensure suitability of the site for the proposed MPH.

The RAP has identified two areas of environmental concern (AEC I and AEC II) impacted by uncontrolled fill, rubbish fill, PAH and asbestos that needs to be remediated for the suitability of the site for the proposal.

The RAP identifies 3 options (with options 1-2 combined) to remediate the site to make suitable for the proposed development. These options include;

Options 1-2

- Buried rubbish fill, if encountered during construction should be excavated and disposed off-site to an NSW EPA approved landfill. Rubbish fill containing bonded asbestos should be removed and disposal to a landfill as "Special Waste – Asbestos".
- Should bonded asbestos be encountered during construction works, all works should cease and an "Unexpected Asbestos Finds Protocol" should be initiated. Should asbestos be encountered, the asbestos impacted fill should be disposed to a landfill as "Special Waste- Asbestos".
- All fill material requiring off-site disposal should be laboratory tested and characterised in accordance with NSW EPA's guidelines.

Option 3

Encapsulation

Subject to the appropriate site remediation and validation works under the RAP, the site is considered suitable for the proposed MPH.

4.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 3 aims to improve the regulatory certainty and efficiency for educational establishments through a consistent planning regime.

We have reviewed the Transport and Infrastructure SEPP, with respect to works that could be undertaken as exempt, without consent or complying development. Our review indicates that a DA would need to be lodged for the proposed works.

4.2.1 Permissibility

The development is permitted with consent pursuant to provisions of clause 3.36(2) whereby the proposal fits the purpose specified in clause 3.40(1)(a)(ii) of the Transport and Infrastructure SEPP.

Under clause 3.36(2), development for a purpose specified in clause 3.40(1) may be carried out by any person with development consent on land within the boundaries of an existing school. The proposal being the construction of a MPH is an identified use under 3.40(1)(a)(ii), "*a gym, indoor sporting facility or hall*". As such the proposed development is permissible with consent.

4.2.2 Design requirements

Design requirements of the proposal will follow provisions of clause 3.36 (6), whereby Council will take into consideration the design quality of the development in accordance with the design quality principles set out in Schedule 8 and whether the development enables the use of school facilities to be shared with the community. Consideration of the design quality principles in Schedule 8 is detailed in **Table 4.**

Table 4 – Schedule 4 – Schools – Design Quality Principles		
Principle	**Detail**	**Consistency**
Principle 1—context, built form and landscape	• Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate. • Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites. • School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and protect the special visual qualities and natural environment of the area and located and designed to minimise the development's visual impact on those qualities and that natural environment.	**Consistent**. The proposed MPH responds to the existing setting of the school by ensuring appropriate separation from existing structures. The location of the MPH is proposed on undeveloped land to minimise disturbance to the existing buildings and structures in the surrounds. Demolition and tree removal is proposed as part of the development to clear the site. As part of updates to the design of the proposed MPH, the final design will only require the removal of 11 trees compared with the initial proposal for 18 trees to be removed. As the site is sloped, the height of the building varies up to a maximum height of 13.4m. The MPH will be a singly storey structure with a distributed scale and form to avoid dominating the streetscape at Hardy Street. The MPH will maintain a 5-metre side setback and setback to street to maintain the local character and to comply with the heritage listed nature of the site.
Principle 2—sustainable, efficient and durable	• Good design combines positive environmental, social and economic outcomes. Schools and	**Consistent**. The proposed MPH will respond to the lack of infrastructure which CBHS is

Table 4 – Schedule 4 – Schools – Design Quality Principles		
	school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling. • Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.	entitled to under the EFSG in line with the business case approved by Treasury. The design utilises ESD principles and is adaptable in its multi-purpose nature to accommodate both indoor sporting activities, as well as assemblies and presentations.
Principle 3—accessible and inclusive	• School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities. • Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.	**Consistent**. The proposed MPH is to be constructed on level ground near the Hardy Street entrance of the school between the staff carpark and a residential dwelling located at 87 Hardy Street, Ashbury. A ramp and disabled access are to be provided with the MPH. The development will benefit from direct access to Hardy Street including the existing car park. The proposed MPH will also be used out of school hours for community uses.
Principle 4—health and safety	• Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.	**Consistent**. The proposed MPH will address health and safety concerns to ensure the proposed development has no adverse impacts to the surrounding environment. The MPH is proposed away from existing structures on the school site to reduce any

Table 4 – Schedule 4 – Schools – Design Quality Principles		
		privacy, acoustic and overshadowing impacts. The MPH will provide positive health benefits to students through the provision of an appropriate space dedicated to physical activities.
Principle 5—amenity	• Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood. • Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants. • Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.	**Consistent**. The proposed MPH will be a pleasant and engaging space on the school site that will provide sufficient space for school activities. The impacts of the proposed MPH on the surrounding buildings in CBHS residential area is considered positive and will add to the facilities available to the school. The proposed MPH won't result in adverse impacts to view and privacy and overshadowing impacts on surrounding residential neighbours.
Principle 6—whole of life, flexible and adaptive	• School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of	**Consistent**. The MPH will respond to the need for a hall facility as per the entitlement under the EFSG. The MPH responds to a requirement for minimum

Table 4 – Schedule 4 – Schools – Design Quality Principles		
	adaptation and maximise multi-use facilities.	standards and does not affect student numbers. The MPH will provide a flexible multi-use space that can be utilised for a variety of school events and uses. The MPH is intended to be a standalone structure but will also read as part of the school during school hours.
Principle 7—aesthetics	• School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood. • The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.	**Consistent**. The proposed MPH design considers the surrounding buildings in the school and neighbourhood to ensure the proposal complements the existing built form. The proposal has a positive relationship to the local context and identity of the neighbourhood.

Overall, the proposed works are consistent with Schedule 8 of the Education SEPP. +

4.3 Ashfield Local Environmental Plan 2013

The site is subject to the provisions of the Ashfield Local Environmental Plan (LEP) 2013.

Table 5 below provides an assessment against key relevant provisions of Ashfield LEP 2013.

Table 5 – Ashfield LEP 2013 Compliance Assessment		
Clause/Control	**Provision**	**Complies**
Land use objectives	The site is zoned as SP2 Infrastructure Educational Establishment. Objectives of zone • To provide for infrastructure and related uses. • To prevent development that is not compatible with or that may detract from the provision of infrastructure.	**Complies.** The proposed MPH will not detract from the current use of the site as an educational establishment. The proposed MPH is permitted with consent in this zone as development that is ancillary to development for the purpose of an educational establishment.
Clause 4.1 Minimum Lot Size	The site is mapped with a minimum lot size control of 500m^2.	**Not applicable.** The control is not applicable to this development noting no subdivision is proposed.
Clause 4.3 Height of buildings	The site is not mapped with a maximum building height limit.	**Not applicable.** The proposed MPH provides a maximum building height of 9.44m. It is noted there is no building height control mapped for the site however the height of the MPH is lower than that of the tallest existing building on the school site (B000A).
Clause 4.4 Floor space ratio	The site is not mapped with a maximum floor space ratio (FSR).	**Not applicable**. There is no FSR control for the site.
Clause 5.10 Heritage conservation	(2) Requirement for consent Development consent is required for any of the following— (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)— (i) a heritage item,	**Complies.** The proposal will involve the construction of a MPH on the site of the local heritage item 'School' (item no.3) as listed on Part 1 of Schedule 5 of the Ashfield LEP 2013. Therefore, consent is required under clause (2)(e)(i). To address heritage impacts of the proposal, a Heritage Impact Statement (HIS) has been prepared by City Plan

Table 5 – Ashfield LEP 2013 Compliance Assessment		
	(ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area, Canterbury Boys' High School' including the indicative location of the proposed MPH is listed as a local heritage item (Item: 3 under LEP) being 220-252 Holden Street, Ashbury. The site has been identified as in close proximity to the following. General (Local) items • Item 2 – *House* – 38 Hanks Street, Ashbury • Item 4 – *Houses* – 262-270 Holden Street, Ashbury • Item 465 – *House* – 42 Hardy Street, Hurlstone Park • Item 466 – *House* – 54 Hardy Street, Hurlstone Park Heritage Conservation Area (Local): • Item C42 – Portion of land fronting Hillcot Street, Hurlstone Park – *Haberfield Conservation Area* (nominated area of State significance)	dated 16 February 2022. Refer to Section 5.5 for more details. An assessment of the proposal against the provisions of Clause 5.10 of the LEP is provided in the HIS. The report concludes the MPH will result in little to no impact on the heritage significance of the CBHS site or heritage items and conservation areas in proximity.
Clause 5.21 Flood planning	The site is not mapped within a flood planning area.	**Not applicable**. The proposed MPH will have not have any detrimental flood impacts to the site.

Table 5 – Ashfield LEP 2013 Compliance Assessment		
Clause 6.1 Earthworks	(3) Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters— (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development, (b) the effect of the development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) the proximity to, and potential for adverse impacts on, any waterway or riparian land, drinking water catchment or environmentally sensitive area, (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.	**Complies.** Minor earthworks are proposed for the development with a maximum cut and fill depth of 2.5 metres. Refer to the Bulk Earthworks Plan prepared by Northrop for further details of works, in the Civil Plans provided. The earthworks will be carries out in accordance with relevant specifications to ensure no adverse impacts to the site.

4.4 Comprehensive Inner West DCP 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill

The Comprehensive Inner West DCP 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill (DCP) 2017 is the applicable DCP for the site.

There is a lack of specific controls for the erection of multipurpose halls or controls regarding school infrastructure more broadly under the DCP. Therefore a general assessment of the development has been provided under Chapter A of the DCP for miscellaneous controls.

The proposal will need to consider requirements for development within heritage items under Chapter E1 of the DCP. The entire site including the extent of works for the new MPH is identified as a local heritage item. Therefore, the proposal will require consideration of external form and setting to ensure the development is sympathetic to the existing bulk, form, style, character, scale, setbacks and materials on site.

An assessment against the following key provisions of Chapter A Miscellaneous and Chapter E1 Heritage Items and Conservation Areas (excluding Haberfield) of the Comprehensive Inner West DCP 2017 are provided in **Table 6** below.

Table 6– Comprehensive Inner West DCP 2017 Compliance Assessment

Clause/Control	Provision	Complies
Chapter A: Miscellaneous		
Part 1 Site and Context Analysis		
Site and Context Analysis	PC1. Development is well designed, deriving from and respecting site and desirable neighbourhood characteristics, and reinforcing the character of the LGA.	**Complies.** The proposed MPH has been designed in consideration of the Ashbury neighbourhood and character of the Inner West LGA. The colours, materials and design to the streetscape has been chosen in respect to Council's guidance and comments. Refer to the Architectural Plans prepared by BKA Architecture for details of the proposed design
Part 2 Good Design		

Table 6– Comprehensive Inner West DCP 2017 Compliance Assessment		
Scale and Built Form	PC2. Development has a scale: • that suits the scale of the street and the surrounding buildings • in areas undergoing substantial change, contributes to the creation of the identified desired future character	**Complies.** The proposed design of the MPH ensures the scale and bulk has no adverse impacts to the streetscape and existing buildings on the school site. The MPH is to be designed in a simple fashion with contemporary materials which will integrate into the existing school environment and still be identified as a new structure in the school. Refer to the Architectural Plans prepared by BKA Architecture for details of the proposed design
	PC2.1 Development has a built form that: • is appropriate for the site and the building's purpose in terms of building alignments, proportions, building type and building elements • defines the public domain • contributes to the character of streetscapes and parks, including their views and vistas • provides internal amenity and outlook	
Resource, energy and water efficiency	PC4. Development: • makes efficient use of natural resources, energy and water throughout its full life cycle • uses appropriate and sustainable materials	**Complies.** A BCA Report has been prepared by Group DLA to assess the proposed MPH's compliance with the Building Code of Australia 2019. Subject to the proposed development meeting the recommendations of the report, the proposal will be compliant with the BCA.

Table 6– Comprehensive Inner West DCP 2017 Compliance Assessment		
Landscape	PC5. Development incorporates landscaping that: • integrates with buildings • builds on the existing site's natural and cultural features in responsible and creative ways • enhances micro-climate, tree canopy and habitat values, • presents a positive image to the streetscape • contributes to neighbourhood character • promotes appropriate levels of privacy and respect for neighbours' amenity	**Complies.** The proposed MPH is located on currently undeveloped turfed area with no physical impacts on any elements of the school. A Landscape Plan has been prepared by BKA Architecture for the DA where landscaping details are provided for the new MPH.
Amenity	PC6. Development: • provides amenity through high quality physical, spatial and environmental design • has access to: - sunlight - natural ventilation - visual privacy - acoustic privacy - storage - indoor and outdoor space - outlook and views	**Complies.** The proposed MPH has regards for amenity principles including access to sunlight, natural ventilation and privacy. An Access Report has been prepared by Group DLA providing details of accessibility to the MPH including lifts, walkways, ramps, stairs, signage, entrances and paths of travel.

Table 6– Comprehensive Inner West DCP 2017 Compliance Assessment		
	• has ease of access for all age groups and degrees of mobility • has efficient layouts and has appropriate room dimensions and shapes	
Safety and Security	PC7. Development: • optimises safety and security, both internal to the development and for the public domain • maximises overlooking of public and communal spaces while maintaining internal privacy • avoids dark and non-visible areas • maximising activity on streets • provides clear, safe access points • provides quality public spaces that cater for desired recreational uses • provides lighting appropriate to the location and desired activities • provides clear definition between public and private space	**Complies.** The proposed MPH has been designed in regard to safety and security of students, staff and visitors. The development complies with CPTED principles as discussed in Section 5.15 of this SEE.
Aesthetic	PC8. Development: • has an appropriate composition and architectural standard,	**Complies.** The proposed MPH has been designed to contribute to the character of the area and

Table 6– Comprehensive Inner West DCP 2017 Compliance Assessment		
	including its building elements, textures, materials and colours • relates to the environment and context, particularly responding to desirable elements of the existing streetscape or, in areas undergoing substantial change, contributes to the desired future character of the area	provide an optimal architectural outcome. Refer to the Architectural Plans prepared by BKA Architecture for details of the proposed design.
Part 3 Flood Hazard		
Flood Hazard	-	**Not applicable.** The site has not been identified as flood prone and the development is anticipated to not have any adverse flood risk impacts.
Part 5 Landscaping		
Character	PC1.1 To maintain and enhance the landscape character of the LGA PC1.2 To reinforce the visual landscape character of streets that have a distinct planting pattern, in particular those that are heritage listed	**Complies.** A Landscape Plan has been prepared by BKA Architecture for the DA where landscaping details are provided for the new MPH. The landscape provided will complement the existing area and provide an attractive environment.
Part 6 Safety by Design		
CPTED	PC1. Development is sited and designed in accordance with the principles of Crime	**Complies.**

Table 6– Comprehensive Inner West DCP 2017 Compliance Assessment		
	Prevention Through Environmental Design (CPTED), including consideration of: • surveillance • legibility • territoriality • vulnerability	The development complies with CPTED principles as discussed in Section 5.15 of this SEE.
Part 7 Access Mobility		
BCA Report	DS1.1 For non-residential development, reference is to be made to the access requirements of the BCA. A brief report should be submitted with the development application explaining that the design is capable of complying with BCA access requirements without the need for future modifications to any development consent.	**Complies.** A BCA Report has been prepared by Group DLA to assess the proposed MPH's compliance with the Building Code of Australia 2019. Subject to the proposed development meeting the recommendations of the report, the proposal will be compliant with the BCA.
Access to buildings of heritage significance	DS1.1 The provision of access to Heritage Items and buildings within Heritage Conservation Areas is required in the same way as to other buildings. However, it is important that access to areas of these buildings must be done with sensitivity and with no adverse impact on the significance of the item or area. If possible, it should be reversible.	**Complies.** The entire CBHS site is identified as a heritage items and the proposed design of the MPH ensures there is little to no impact on the character of the surrounding area and school site as a whole. Access to existing buildings on the site will not be altered with this new MPH. Refer to the HIS prepared by City Plan for further details, accompanying this application.
Part 8 Parking		
Parking	Educational Institutions	**Complies.** A Traffic Statement has been prepared by TTW to investigate

Table 6– Comprehensive Inner West DCP 2017 Compliance Assessment		
	Employees/ Occupants: 1 per 20 employees *Visitors/ Customers:* Schools: 1 per 5 full time students over year 4. Colleges: 1 per 20 full time students	transport and parking provisions and the impact of construction on school access and traffic. According to the parking rates determined in the Inner West DCP, the existing parking spaces at CBHS will support the parking requirements of the proposed MPH including: • Occasional events i.e. graduation ceremonies and presentations held during PM peak hours once or four times a year. • During weekends for the gymnasium with maximum of 60 attendees. The parking demands are calculated as follows: • Occasional events: 100 vehicles (example: if there are 200 attendees at 2 persons per vehicle) • Weekend usage: 40 vehicles (60 attendees at 1.5 persons per vehicle). Parking is deemed sufficient on site for the proposed MPH.
Part 14 Contaminated Land		
Contamination	PC1. Development minimises the risk of harm to people, property or the environment from land contamination	GeoEnviro Consultancy Pty Ltd prepared a Detailed Site Investigation report dated 29 March 2021 to assess the site for potential contamination, to assess the suitability of the site for the proposed land use and to make any recommendations required for further investigations for the proposed MPH.

Table 6– Comprehensive Inner West DCP 2017 Compliance Assessment		
		The report concluded the site has contamination issues associated with unacceptable concentrations of Polycyclic Aromatic Hydrocarbons (PAH), building rubbish (including old footings) and asbestos found within the topsoil/fill and fill with total thickness ranging from 300mm to 900mm. The DSI recommends for the proposed MPH, site remediation and validation of the subject site to be undertaken either via encapsulation and containment or removal off site. A Remedial Action Plan (RAP) has been prepared by GeoEnviro Consultancy for this application as the DSI concluded the site has contamination issues associated with PAH, rubbish and asbestos. The RAP provides options to remediate the site to ensure suitability of the site for the proposed MPH. The RAP has identified two areas of environmental concern (AEC I and AEC II) impacted by uncontrolled fill, rubbish fill, PAH and asbestos that needs to be remediated for the suitability of the site for the proposal. The RAP identifies 3 options (with options 1-2 combined) to remediate the site to make suitable for the proposed development. These options include; Options 1-2 – Exaction and disposal

Table 6– Comprehensive Inner West DCP 2017 Compliance Assessment		
		• Buried rubbish fill, if encountered during construction should be excavated and disposed off-site to an NSW EPA approved landfill. Rubbish fill containing bonded asbestos should be removed and disposal to a landfill as "Special Waste – Asbestos". • Should bonded asbestos be encountered during construction works, all works should cease and an "Unexpected Asbestos Finds Protocol" should be initiated. Should asbestos be encountered, the asbestos impacted fill should be disposed to a landfill as "Special Waste- Asbestos". • All fill material requiring off-site disposal should be laboratory tested and characterised in accordance with NSW EPA's guidelines. Option 3 – Encapsulation • As an alternative to Options 1-2, Option 3 involves onsite encapsulation of all asbestos impacted material in a designated area beneath the proposed school building. • This option would need to include remediation of contaminated topsoil/fill encountered by excavation and

Table 6– Comprehensive Inner West DCP 2017 Compliance Assessment		
		removal off site to a landfill. • A capping layer consisting of clean and validated fill (Virgin Excavated Natural Material – VENM) of minimum thickness of 0.3m should be placed over the encapsulation area. • A long term Asbestos Management Plan (AMP) should be in place for long term management of the site to ensure the following; Subject to the appropriate site remediation and validation works under the RAP, the site is considered suitable for the proposed MPH. Refer to Section 4.1 for more details on the remediation of land.
Part 15 Stormwater Management		
Stormwater	PC1. Development: Where consent is required at Development Application stage for stormwater drainage, or guidance for stormwater design is required, development is to comply with the provisions contained in Section 2.25 of the Marrickville DCP 2011.	**Complies.** The application is accompanied by Civil Plans and a Stormwater Management Report prepared by Northrop. The plans and report detail stormwater management for the proposal including details on stormwater drainage, OSD and stormwater runoff. The stormwater management strategy has been derived for the proposed development in accordance with AS/NZS 3500.3:2018 Plumbing and

Table 6– Comprehensive Inner West DCP 2017 Compliance Assessment		
		Stormwater Drainage, the EFSG and Council's DCP. Further details on stormwater management has been provided in Section 5.
Chapter E1 Heritage Items and Conservation Areas (excluding Haberfield)		
Part 1 General Controls		
Part 1.3 Conservation Management Plans	C1 A Conservation Management Plan prepared by a suitably qualified heritage consultant is to be submitted prior to the submission of Development Applications in the following circumstances: a) A change of use for a heritage item included on the State Heritage Register; b) Any alteration to the fabric or setting of a heritage item on the State Heritage Register;	**Noted.** It is considered a CMP is not necessary for the proposal noting no works are proposed relating to Building B00A on the site which contributes to the overall significance of the site. Refer to the HIS prepared by City Plan for further details, accompanying this application.
1.5 Statements of Heritage Impact	C1 A Statement of Heritage Impact is to be submitted with development applications affecting: a) heritage items identified in the Ashfield LEP Schedule 5 Part 1: Heritage items; or b) properties within a Heritage Conservation Area identified in the Ashfield LEP Schedule 5 Part 2: Heritage Conservation Areas where required by Council. C2 A Heritage Impact Statement is to be prepared by a suitably qualified heritage consultant and is to follow the methodology set out by the NSW Heritage Division guidelines.	**Complies.** A HIS has been provided with this application, prepared by City Plan in accordance with this clause of the DCP due to the site's heritage listing. Refer to the HIS prepared by City Plan for further details, accompanying this application.

Table 6– Comprehensive Inner West DCP 2017 Compliance Assessment		
1.6 Aboriginal Heritage	C1 An applicant must refer to the National Parks and Wildlife Act 1974 should an Aboriginal archaeological object be discovered when undertaking development. C2 Development applications on land on which there is an item of Aboriginal archaeological significance are required to be supported by an Aboriginal archaeological heritage assessment prepared in accordance with the requirements of the National Parks and Wildlife Act 1974. C3 An Aboriginal archaeological assessment is to include appropriate recommendations to inform the long-term management of the item of significance.	**Complies.** A search of the AHIMS Web Services (Aboriginal Heritage Information Management System) was undertaken for Lot 100 in DP 738051, which it has shown that to a distance of 200m: • 0 Aboriginal sites are recorded in or near the location, and; • 0 Aboriginal places have been declared in or near the location. Therefore, no impact on a known Aboriginal place of significance is anticipated. Refer to the HIS prepared by City Plan for further details, accompanying this application.
1.7 Non-Aboriginal Archaeological Sites	C1 When intending to disturb or excavate land where archaeological relics have been identified or are considered likely to occur, an applicant must seek approvals, including an excavation permit or an exemption under section 139 and section 140 of the Heritage Act 1977. C2 Council may request an archaeological assessment to confirm the likelihood and potential significance of relics on a site and recommend appropriate action in the context of the proposed development.	The proposed works will require the excavation of a currently undeveloped area of the site which has been utilised formerly. A detailed historical archaeological baseline assessment has been prepared by EMM dated February 2022 to assess the potential for archaeological findings and guide treatment of the area as relevant to the proposed works. The report found there is generally nil-low potential for archaeological resources associated with the earliest phases of occupation to be present within the subject site, whilst there is moderate potential for archaeological resources associated with late-

Table 6– Comprehensive Inner West DCP 2017 Compliance Assessment		
		nineteenth to mid-twentieth century residential development. It is recommended that a Section 139(4) Exception Notification, under the Heritage Act, 1977, be prepared prior to commencement of ground disturbing works.
1.8 Development in the vicinity of Heritage Items	The design of new development adjacent to a heritage item should: C1 Be designed to respond to the setting, setbacks, form, scale and style of nearby heritage items. C2 Maintain significant views to and from the heritage item. C3 Ensure adequate setbacks from the site of the heritage item to retain its visual setting. C4 Retain original or significant landscape features that are associated with the heritage item or that contribute to its setting. C5 Use materials, finishes and colours selected to avoid strong contrast with the heritage item in order to retain the visual importance or significance of the heritage item.	**Complies.** The proposed design of the MPH ensures there is little to no impact on the character of the surrounding area and school site as a whole. Existing significant views to the original Building B00A are currently already obscured to the subject site by existing surrounding school buildings. Therefore, the new MPH will have little to no impact on any existing significant views to and from the heritage item. The current visual setting available from Hardy Street is disjointed due to inconsistent setbacks, distance through the length of the existing carpark and current turfed area which provides views mainly to Block B and the north of the site. The landscaping at the subject site is a result of modifications to the site in the 1970s and not an original element of the landscape. The MPH is to be designed in a simple fashion with contemporary materials which will integrate into the existing school environment and still be identified as a new structure in the school.

Table 6– Comprehensive Inner West DCP 2017 Compliance Assessment		
		Refer to the HIS prepared by City Plan for further details, accompanying this application.
Part 2 Heritage Items		
2.2 External Form and Setting	C1 Retain features (including landscape features) that contribute to the significance of the item. C2 Remove unsympathetic elements and reconstruct significant elements where possible or appropriate. C3 New work is to be consistent with the setback, massing, form and scale of the heritage item. C4 Retain significant fabric, features or parts of the heritage item that represent key periods of the item. C5 Alterations and additions are to be generally located away from original and intact areas of the heritage item. C6 Maintain the integrity of the building form (including the roof form and profile) so that the original building is retained and can be clearly discerned, particularly when viewed from the public domain.	**Complies.** The proposed MPH is located on currently undeveloped turfed area with no physical impacts on any elements of the school with heritage significance. Only minor excavation works are proposed. Therefore, the proposed work will have no physical impact on any elements of the school identified as of heritage significance. Refer to the HIS prepared by City Plan for further details.
Part 4 Particular Building Types and Building Elements for Heritage Items and Contributory Buildings within Heritage Conservation		
4.1 Roofs, Dormers, Chimneys and Skylights	Roofs C1 Original and significant roof forms, materials, finishes and details to roofs are to be retained. C2 Where the replacement of deteriorated roof elements or features is required, materials are to be replaced with the	**Complies.** The proposed works will not involve any physical impact to elements of the subject site identified as of heritage significance. The design of the new MPH will be contemporary in nature avoiding distraction of the key

Table 6– Comprehensive Inner West DCP 2017 Compliance Assessment		
	same or similar materials or where historically associated with the building style. If changes to materials are to take place Council consent will be required. C3 The roof form and detail of the main building and any significant rear wings are to be retained except where a dormer or skylight is permitted.	visual character imparted on the school by the original school building B00A, while remaining easily identifiable as new work part of the layered history of the site
4.5 Building Materials, Finishes and Colour	New infill development C6 Infill buildings should be well-designed contemporary buildings that 'fit' into the form, character and general pattern of material use that is found with the heritage conservation area. Materials may be contemporary but should not dominate the setting or stand out. Infill development should not replicate traditional forms or details.	**Complies.** The proposed MPH is well-designed to fit into the existing environment of the school in regard to materials and colours. The application is accompanied by Architectural plans, a photomontage of the street frontage and a Landscape Plan prepared by BKA Architecture that confirms a visually interesting façade will be incorporated into the development at Hardy Street. Specifically, the following changes relating to the entire building have been made to MPH façade and streetscape at Hardy Street. • Full width glass to office. • Protruded bricks to upper portion of brick wall. • Additional articulation to north by reducing brick wall and introducing metal cladding to stage wall.

The assessment has shown the proposal is largely consistent with the key provisions of the Inner West DCP.

5 Environmental Impacts

5.1 Amenity

The MPH is proposed away from existing structures on the school site to reduce any privacy, acoustic and overshadowing impact and will provide positive health benefits to students through the provision of an appropriate space dedicated to physical activities.

The impacts of the proposed MPH on the surrounding buildings in CBHS residential area is considered positive and will add to the facilities available to the school.

The proposed MPH won't result in adverse impacts to view and privacy and overshadowing impacts on surrounding residential neighbours.

An Access Report has been prepared by Group DLA providing details of accessibility to the MPH including lifts, walkways, ramps, stairs, signage, entrances, and paths of travel.

Shadow diagrams have been provided for the development in the Architectural Plans prepared by BKA Architecture. The diagrams provide views of existing and proposed overshadowing for 21 June between 9:00am to 3:00pm to confirm no adverse overshadowing impacts will result from this proposal.

5.2 Operation and Use

5.2.1 Use

The maximum seating capacity of the proposed MPH of 535 students is expected to be fully used once per term for assemblies.

The MPH will not result in an increase in student numbers. The purpose of the development is to enable the school to hold indoor sports activities, school assemblies, music recitals in collaboration with other schools and presentations as part of normal school operations.

A Plan of Management has been submitted with this application detailing the use of the MPH outside of school hours, maximum capacity, traffic management, access, operational arrangements, acoustic matters and waste management.

5.2.2 Operating Hours

The expected frequency of use is still to be established for the MPH, however as a guide the following hours of use may be used.

- Weekdays – not after 9:00pm
- Saturday – between 9:00am and not after 9:00pm
- Sunday – between 9:00am and 4:00pm

5.2.3 Traffic and Access

Depending on the activity, the existing 45 on site car parking area will be available. In addition, on street parking is available in Holden and Hardy Street and other nearby streets.

Secure access to the school grounds by the community will be managed with agreed hours through the electronically monitored pedestrian and vehicle access gates located in Hardy St.

Electronic access control will be provided for entry into the MPH and external to the MPH, CCTV monitoring is available.

5.3 Arboricultural

An Arboricultural Impact Assessment Report prepared by Moore Trees dated 16 Feburary 2022 accompanies this application to assess the health and condition of twenty-eight (28) trees located on the site.

The trees were inspected on 20 April 2021 and the following assessment of the tree's health and condition were made.

- Trees 1-6 are a row of Date palm that create an avenue entrance to the school's main entry and likely to date from the 1930s.
- Trees 10-16 border the southern edged of the playing field and car park. All trees are in good health and conditions except Trees 13 and 15 were found in fair condition.
- Trees 17-22 are large mature mixed Eucalyptus specimens and in similar condition to Trees 10-16. They front Hardy Street and provide a visual screen between the school and streetscape.
- Trees 23 and 24 are located on the northern boundary and are mature trees.
- Trees 25 and 26 are also in good health and condition.
- Tree 28 is the largest tree on site and away from site works and will not be impacted during construction.

The following recommendations for this proposal were made in the report.

- Project Arborist is to be appointed to oversee arboricultural works for the project and all tree works shall be carried out by a qualified Arborist.
- Trees numbered as 16-26 are required to be removed for the project. All other trees appear possible to retain.
- The location of underground services, and associated excavations, may potentially impact on the site trees and the root systems of Trees 11-15. All disciplines that have to plan service locations that require trenching shall be supplied the TPZ distances in this report so that major incursions of greater than 10% can be avoided.
- The Project Manager is recommended to apply the calculated Tree Protection Zones (TPZ) and Structural Root Zone (SRZ) distances in the Report to their construction drawings and assess impacts should the current designs change. The Project Manager should notify Moore Trees during the design stage should any works fall within the TPZ and SRZ distances of any tree to be retained.
- Trees 1-9 10-15 and 27 will require tree protection fencing as specified in the Report, located at the TPZ.
- Areas on the site have to be set aside for the use of construction access points, position of site sheds and latrines and temporary services and storage of materials, outside of any TPZ area.
- All tree works is to be carried out by a qualified Arborist according to AS 4373 (Pruning of Amenity Trees, 2007).

- The proposal will be compliant with the Transport and Infrastructure SEPP.
- The Report provides a list of medium sized trees for compensatory planting of trees on the school site.

None of the site trees were found to contain Critically Endangered tree species.

The trees proposed for removal are to be replaced on the site with medium sized tree species which are suitable for the school area, as listed in the report.

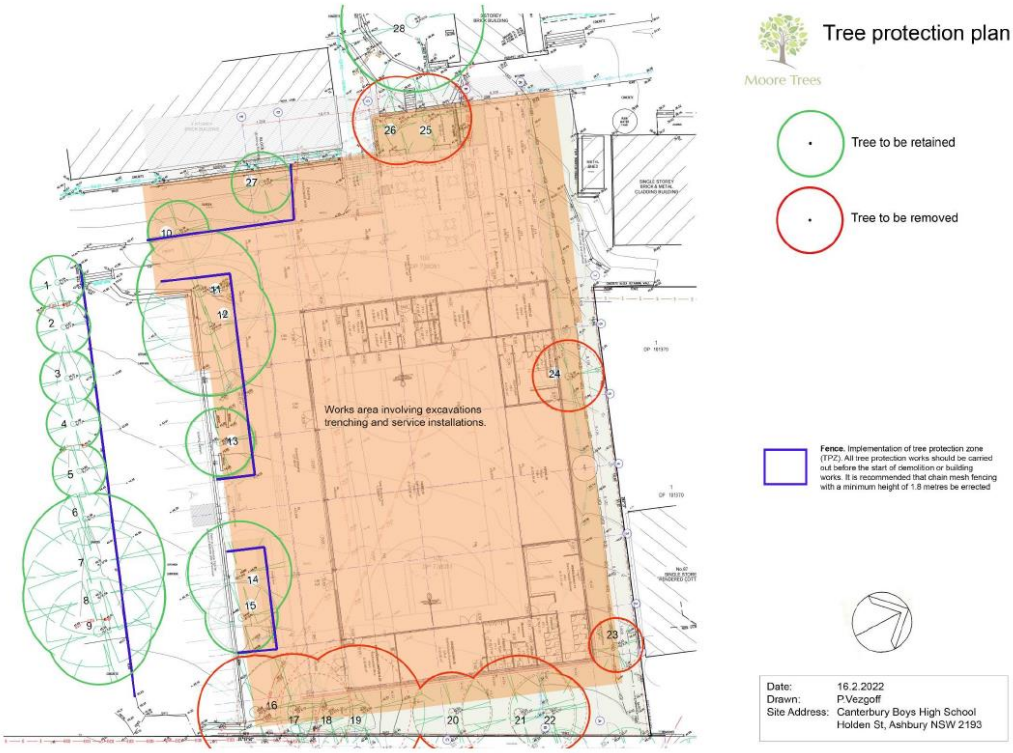

Figure 6: Tree Removal and Tree Protection Plan (Source: Moore Trees)

5.4 Traffic

A Traffic Impact Statement has been prepared by TTW dated 8 March 2022 to investigate transport and parking provisions and the impact of construction on school access and traffic.

An additional accessible carparking bay is proposed and served by a kerb ramp in compliance with the BCA as detailed in the Access Report prepared by Group DLA.

5.4.1 Parking Demands

According to the parking rates determined in the Inner West DCP, the existing parking spaces at CBHS will support the parking requirements of the proposed MPH including:

- Occasional events i.e. graduation ceremonies and presentations held during PM peak hours once or four times a year.
- During weekends for the gymnasium with maximum of 60 attendees.

The parking demands are calculated as follows:

- Occasional events: peak demand would be for 100 vehicles (example: if there are 200 attendees at 2 persons per vehicle)
- Weekend usage: 40 vehicles (60 attendees at 1.5 persons per vehicle)

As shown in **Figure 7** below, the existing car spaces will be able to support the parking requirements for the MPH.

Table 4-1 : The proposed new development

Parking Spaces	Current parking spaces	Required Parking Spaces for New Development
		Gymnasium (580)
Cars	45	4 spaces per 100 m2 gross floor area = 25
Accessible	1	5 designated spaces per 100 spaces of car park = 1.25
Bicycles	10	1 per 400 m2 gross floor area for employees + 1 per 200 m2 gross floor area for students = 5

Figure 7: Parking demand (Source: TTW)

5.4.2 Traffic Generation

There is no significant traffic volume anticipated to be generated with this development.

For ceremonies and presentations, a traffic generation volume of 75 vehicles within 30 minutes, or an equivalent rate of 150 vehicles per hour (for 30 minutes only) is anticipated. Given that these events would occur outside any peak commuter travel periods, and that these events are already occurring on the site, this operation is considered acceptable.

For weekend usage, a traffic generation volume of 60 vehicles within 30 minutes, or an equivalent rate of 120 vehicles per hour for that period is anticipated. Similarly, this usage would occur on weekends and outside peak periods and thereby not create a significant impact to the current traffic operations in the area.

5.4.3 Transport Provisions

The proposed MPH will not lead to the increase in the number of students or staff for CBHS. Therefore, there is no requirement for the provision of additional transport facilities or services including access ways, car parking, bike parking spaces and facilities.

5.4.4 Site Access

The new MPH will be constructed in the south-eastern area of the campus along Hardy Street near Gate 6, Gate 5 and Gate 4. The current accessways into CBHS will used for the new MPH, therefore there is no need to consider further entrance/exit gates for CBHS.

5.4.5 Construction Traffic and Access

Minor inevitable construction traffic will occur however no increased operational traffic is anticipated from the proposed MPH as the development will not result in an increase in student and staff numbers at the school.

The report makes the following recommendations for consideration when creating a Construction Traffic Management Plan for the development.

- Trucks swept path for turning into the campus during the construction needs to be provided;
- The impact of trucks delivering construction materials on traffic operation of the precinct should be investigated; and
- The traffic management plan needs to be developed for loading and unloading trucks.

Access to the new development is proposed to be through Hardy Street. Furthermore, it is proposed that there will be no changes to the existing accessways during construction of the MPH.

5.5 Acoustic

An Acoustic Report has been prepared by Northrop dated 8 March 2022, which provides an assessment for the proposed development against the relevant state and local noise criteria requirements.

5.5.1 Operational Noise

The noise levels generated from activities within the proposed new MPH are expected to be higher than other internal school areas. The report details the expected times of day and noise levels expected to be produced by activities expected for the operation of the MPH.

The assessment found that compliance can be achieved at the nearest affected receivers for all activities with windows and doors to the MPH closed.

In order to manage the noise impact, the following management strategies are recommended to be implemented if the MPH is proposed for use with windows and/or doors open:

- Windows and/or doors are closed after 6pm, during any events with amplified speech and music, for any events with over 100 attendees, and when the MPH is used as a play area in break times for inclement weather conditions
- Children are to be supervised at all times during use of MPH as play area in break times when weather conditions are not suitable.
- Keep neighbours informed of any events or activities involving sport, music or amplified speech happening outside of regular school times. Neighbours shall be informed of the nature of the event or activity and expected start and finish times.
- Provide neighbours with a direct line of contact to the school for resolution of any issues.

- The noise impacts to the existing school buildings to be managed internally by the school staff.

These strategies are incorporated in the Plan of Management prepared to accompany this application.

5.5.2 Mechanical and Building Services Noise

Mechanical plant noise can be controlled using standard engineering control measures.

It is anticipated that in principle noise engineering measures can be utilised to meet the environmental noise criteria if required such as:

- Enclosures – housing of plant and equipment inside the plant room, typically 20 to 30 dB(A) reduction.
- Acoustic louvers and acoustically treated intakes and discharges – to acoustically treat air intakes into plant rooms using acoustic louvers, lined intakes/discharges and attenuators
- Barriers – use of acoustic barriers or screens to shield sensitive receivers.

5.5.3 Noise Impact from Generated Traffic

The development is not expected to increase local traffic volumes and thus no assessment of generated traffic was undertaken. The traffic impact assessment calculates the generated traffic for weekend uses of the MPH to be 56 vehicles which is expected to be minimal.

5.5.4 Conclusion

Northrop established a noise criteria for the development based on the ambient noise measurements and requirements of the EPA NSW Noise Policy for Industry.

Noise emission levels to the surrounding sensitive receivers from the development were assessed against the project criteria and where exceedances occurred, recommendations are provided for compliance in the report.

With the implementations of these recommendations, noise emissions from the project will comply with the acoustic requirements of Inner West Council, NSW EPA Noise Policy for Industry and relevant Australian standards and guidelines.

5.6 Heritage

A Heritage Impact Statement (HIS) was prepared by City Plan Heritage dated 8 March 2022 in accordance with relevant State and local heritage standards and policies.

5.6.1 Heritage Listing

The entire school site including the site of works has been listed as a local heritage item under Part 1 of Schedule 5 of the Ashfield LEP 2013 as Item No. 3 – 'School'. The site contains a listing on the Department of Education State Agency Heritage Register under the name of 'Canterbury Boys High School – Building B004'. The site is also in close proximity to a number of heritage items and conservations areas as detailed in the HIS.

5.6.2 Significance of the Site

CBHS is of local significance, comprising a group of school buildings dating from the Inter-War and Post-War periods. The school is chiefly significant due to the aesthetic and historic value of the original school building (B00A) and the overall site which incorporates part of the 100-acre grant made to the colony's first chaplain Rev. Richard Johnson in 1793.

CBHS site's long history as an educational facility commencing in 1919 has continued to provide an important social function for the local Ashbury/Canterbury area with students having considerable influence on the wider community including the former Australian Prime Minister John Howard.

5.6.3 Conclusion

The report concludes the proposed works including the construction of the MPH will result in little to no impact on the heritage significance of the CBHS site or heritage items and conservation areas in proximity.

The proposed building is located in an area of the site that historically featured residential development till c.1970s, therefore, the inclusion of a new building on the site is not considered to impact any historical configuration or usage of this particular area of the site. This area on the eastern side of the site is also sufficiently distanced from the significant original school building (Building B00A) to avoid any impact on the ability to appreciate the significant original building or detract from the site's surrounding character.

Further, the design of the proposed new MPH is to be undertaken in a manner which is simple in form and utilises contemporary materials, which will allow the MPH to be readily identified as new work and part of the layered history of the site.

The proposal demonstrates compliance with the existing controls regarding heritage conservation and is therefore recommended to Council for approval.

5.6.4 Recommendations

The HIS makes the following recommendations for the development.

- Archaeology - The proposed works must be undertaken in accordance with the recommendations for archaeology provided in the historical archaeological baseline assessment prepared for the site by EMM dated February 2022.
- Landscape - A landscape management plan for the site must be prepared prior to the commencement of excavation works that outline protective measures that will be undertaken to ensure the preservation of the historically significant Phoenix Palms lining the eastern approach to the school's historic core.

5.7 Archaeological

A historical archaeological baseline assessment was prepared by EMM dated February 2022 to assess the presence of archaeological sites of local or State significance.

5.7.1 Conclusion

The assessment found that there is generally nil-low potential for archaeological resources associated with the earliest phases of European occupation to be present within the subject site.

Whilst there is moderate potential for archaeological resources associated with late-nineteenth to mid-twentieth century residential development, these archaeological resources are not likely to hold research potential through archaeological excavation. As a result, they have been assessed as being generally unlikely to reach the threshold for 'relics' as defined under the Heritage Act.

5.7.2 Recommendations

The report made the following recommendations for the proposed development.

- Apply for an exception notification under Section 139(4) Standard Exemption 4(c) as the site is listed on the Ashfield LEP Plan 2013.
- If substantial, intact unexpected finds are encountered during the excavation process, works should cease, the unexpected finds area should be secured to avoid further impact, and a suitably qualified archaeologist should be notified to provide further instruction prior to works recommencing.
- Unexpected finds may be in the form of Aboriginal objects and the archaeologist will advise when works in that area can re-commence

5.8 Waste Management

A Waste Management Plan was prepared by BKA Architecture to provide details on waste management for the site during demolition, construction and operational phases of the project.

5.8.1 Waste Storage and Method of Disposal

All demolished material is to be carted off site in 10 cubic metre skips or similar. Waste removal will occur at frequent intervals depending on the type of work being carried out at the time. It is anticipated that the bins will be positioned on site within secured site fencing.

5.8.2 Waste Control

The following methods are stated in the report for waste control during construction works.

- Provide dust-proof screens and covers to protect existing finishes and the immediate environment from dust and debris.
- Provide 1800mm high hoarding to immediately surrounding the subject building site during demolition, excavation and throughout the construction works.
- Maintain sediment control barriers around the perimeter of the site to control sediment runoff during the excavation and building in accordance with Council requirements.
- Provide further fencing and hoarding as may be required during the duration of the building works.

5.8.3 Waste Type, Volume and Recycling Potential

The majority of waste will include excavated materials, masonry, timber, metal sheet roofing and internal linings. There is a potential for recycling of some raw materials such as the excavated material. The contractor is to comply with all necessary council controls for waste mitigation.

5.9 Contamination

5.9.1 Detailed Site Investigation

A Detailed Site Investigation (DSI) was prepared by GeoEnvrio Consultancy dated March 2021 to assess if significant land contamination is likely to exist on site that may present a risk to human health and/or the environment as a result of previous and current land use and to provide our assessment and recommendation on suitability of site for the proposed MPH. The DSI also includes a preliminary site investigation (PSI).

The investigation uncovered contamination issues in relation to unacceptable concentrations of PAH, building rubbish (including old footings) and asbestos within the topsoil/fill and fill with total thickness ranging from 300mm to 900mm.

The DSI recommends for the proposed MPH, may be required depending on whether the methodology is to encapsulate and contain or removal off-site.

Buried rubbish fill was not encountered in all boreholes but it may still exist in between borehole locations and should be excavated and disposed off-site to an NSW EPA approved landfill during construction, if encountered.

Rubbish fill containing bonded asbestos may still be present elsewhere within the site in between borehole locations and should bonded asbestos be encountered during construction works, all works should cease and an "Unexpected Asbestos Finds Protocol" should be initiated.

Should asbestos be encountered, the asbestos impacted fill should be disposed to a landfill as "Special Waste- Asbestos". All fill material requiring off-site disposal should be laboratory tested and characterised in accordance with NSW EPA's guidelines.

Subject to appropriate site remediation and validation works, the site can be considered suitable for the proposed MPH.

5.9.2 Remedial Action Plan

A Remedial Action Plan (RAP) was prepared by GeoEnvrio Consultancy dated March 2022 to provides a strategy to remediate the site to ensure suitability for the proposed MPH.

The objective of this RAP is to provide a strategy to remediate the site to ensure suitability of the site for the intended land use. This RAP is based on information obtained from the DSI.

The DSI identified that the subject site has contamination issues associated with elevated concentrations of PAH, rubbish and asbestos. An additional test pit investigation to further assess the asbestos contamination of the insitu soil was undertaken in March 2022.

The RAP has identified two areas of environmental concern (AEC I and AEC II) impacted by uncontrolled fill, rubbish fill, PAH and asbestos that needs to be remediated for the suitability of the site for the proposal.

Remediation Options 1 and 2

AEC I – Topsoil/Fill

This area is impacted by topsoil/fill with a significant amount of building rubbish and asbestos impacted fill with some Lead and PAH contamination in two locations.

The remediation strategy for AEC I is as follows;

- Stripping of the grass and organic and isolate separately for off-site disposal to a landfill. This organic layer is likely to be impacted by asbestos and therefore should be disposed as "Special Waste -Asbestos".
- The topsoil/fill which contains a significant amount of building rubbish and asbestos should be excavated and disposed off site to a landfill as "Special Waste -Asbestos". During excavation, there may be areas with clean topsoil/fill with no obvious signs of building debris/asbestos and where encountered, this topsoil/fill should be isolated from the asbestos impacted material for reuse on site subject to validation of the material as clean fill within the acceptable criteria outlined in the report.

AEC II – Fill

This area consists of fill impacted by building debris and asbestos encountered in Test Pit (TP) 7.

The remediation strategy for AEC II is as follows;

- Excavation of all building rubbish and asbestos impacted fill in TP 7 location and disposal of this material to a NSW EPA approved landfill as "Special Waste-Asbestos".
- Excavation of the remaining areas of AEC II to expose natural clay. All excavated fill should be noted for buried rubbish inclusion including bonded asbestos.
- The excavated fill material should be stockpiled into the following categories;
    - Type 1 Stockpile –Fill containing unacceptable levels of asbestos and foreign materials that are not considered practical for treatment or reuse.
    - Type 2 Stockpile –Fill containing fragments of foreign materials such as building debris and other signs of contamination where treatment is possible prior to reuse.
    - Type 3 Stockpile - Clean fill that appears to have no obvious signs of contamination and suitable for reuse subject to contamination clearance by validation.
- Validation sampling and laboratory testing should be carried out on the natural surface to ensure the underlying soil is clean of contaminants of concern are not exceeding the criteria.
- In the event where the validation samples are found to have contamination, further excavation and removal of the affected soil should be carried out and additional validation sampling should be carried out to confirm complete removal of the contaminated soil.

Remediation Option 3

As an alternative to remediation Options 1 and 2, the topsoil/fill and fill from AEC I and II may be remediated by onsite encapsulation of all asbestos impacted material in a designated area beneath the proposed school building.

The remediation strategy is as follows;

Borehole (BH) 5 Location

- Excavation of the PAH impacted topsoil/fill from BH 5 over an area of 5m by 5m and about 0.6m deep and stockpile separately for disposal to a landfill. As this topsoil/fill contains asbestos, this fill should be classified as "Special Waste - Asbestos".
- Sampling and laboratory analysis should be carried out around the perimeter and base of the excavation to confirm adequate removal of all PAH impacted topsoil/fill.
- Additional excavation and removal of PAH impacted topsoil/fill should be carried out should the laboratory analysis encounter unacceptable concentrations of PAH and this should be followed by additional sampling and analysis as described above.

AEC I and II

Onsite encapsulation remediation strategy for AEC I and II should include the following;

- Ensure that the area is isolated and the site is secured to ensure any potential dust is managed.
- Engagement of a competent person/asbestos assessor (hygienist) to determine if the asbestos is friable or non-friable and the extent of impact (lateral and depth) through selected sampling and analysis. The document is to be submitted to SafeWork NSW along with a permit application to SafeWork NSW by the selected asbestos removal contractor.
- The Department to obtain written approval from EPA before work permit is granted by the Department. The Department is to verify compliance under WH&S and POEO Act.
- Notification by The Department is to be made to the respective council to allow inclusion on the site S10.6 Certificate (under the NSW EPA Act 1997).
- The area to be encapsulated is to be documented and surveyed in such a manner to accurately determine location and depth.
- Upon obtaining permits from SafeWork NSW, works are to commence and this should include establishment of asbestos air monitoring by a hygienist.
- All asbestos impacted topsoil/fill and fill should be excavated from the AEC and placed in the designated encapsulation area beneath the proposed school building.
- A capping layer consisting of clean and validated fill (Virgin Excavated Natural Material – VENM) of minimum thickness of 0.3m should be placed over the encapsulation area.
- A layer of geofabric (eg Bidim A34) in accordance with "Guidelines for the Assessment, Remediation and Management of Asbestos Contaminated Sites" (Reference 13) may be placed on top of the insitu asbestos impacted material in order to enable future identification and delineation of the impacted material and capping layer.

- Survey of the site to record the location and final surface levels, including a cadastral survey to locate the site in relation to cadastral boundaries.
- All fill material (ie cell material, capping material and general fill) should be placed in layers not exceeding 250mm thickness and compacted to a minimum 98% Standard Maximum Dry Density (SMDD) at within 2% Optimum Moisture Content (OMC).
- A long-term Asbestos Management Plan (AMP) should be in place for long term management of the site to ensure the following.

In conclusion, subject to site remediation works as outlined in the RAP, the site will be suitable for the proposed MPH.

5.10 Geotechnical

A Geotechnical Investigation Report was prepared by GeoEnvrio Consultancy dated March 2021 to assess soil salinity and soil aggressiveness, subsurface and subgrade conditions, and site preparations/ design.

5.10.1 Site Preparation

The report anticipates the development will require some cut and fill works and recommend the following building preparation.

- Stripping surface organic layer including grass and the topsoil/fill material.
- Excavation of all institu fill to exposed natural clay.
- Proof rolling of exposed natural clay and any heaving and soft areas should be excavated and replaced with a select granular fill.
- Earthworks to be closely monitored by a geotechnical engineer.

5.10.2 Batter Slopes and Retaining Wall Support

Retaining walls may be required to retain cut and fill with design parameters depending on the type of wall uses. Excavation and filling not stabilised by retaining walls should be adequately battered. Further details are included in the report to guide the design.

5.10.3 Foundation Design

The assessment recommends the proposed MPH be supported on pier footings with concrete slab on ground. Suitable pier footings may consist of bored piers, grout injected pier or continuous flight auger (CFA) piles. Care should be taken to ensure bases of footings be cleaned of wet/loose and remoulded debris prior to concreting and all footing construction should be supervised by a suitably qualified engineer.

5.10.4 Salinity/ Soil Aggressiveness

The assessment concludes the subsurface soil is generally Non to Slightly Saline.

The following recommendations are made as salinity management.

- A high impact waterproof membrane, not just a vapour proof membrane, should be lain under slabs.

- For masonry building construction, the damp proof course must consist of polyethylene or poly-ethylene coated metal and correctly placed in accordance with BCA.
- Utilise native and deep-rooted vegetation in order to minimise soil erosion and limit the rising of the water table.
- Concrete piers and footings should be constructed using a minimum Class 32MPa concrete, or sulphur resisting concrete with a water cement ratio of 0.5.
- Concrete footings should have a minimum cover to reinforcement of 50mm from unprotected ground and 40mm from a membrane in contact with the ground
- Use Copper or non-metallic pipes instead of galvanised iron.
- Slabs must be vibrated and cured for a minimum 3 days.
- Admixtures for waterproofing and /or corrosion prevention may be used.

5.11 Stormwater Management

A Stormwater Management Report has been prepared for this application prepared by Northrop dated 31 August 2021 to detail the proposed stormwater drainage, stormwater quantity, stormwater quality/Water Sensitive Urban Design (WSUD) for the site.

5.11.1 Stormwater System

Stormwater runoff will be conveyed via a below-ground pit and pipe system to the proposed On-Site Detention (OSD) tank located under the new paved area prior to discharging into the existing site stormwater system. All existing stormwater outside of the proposed works is to be maintained and remain unchanged.

The existing stormwater network is assumed to be adequate for existing flows within the site, and with the addition of the OSD at the proposed building to reduce the flow, should not exceed its current capacity.

5.11.2 Stormwater Quantity Management

The proposed OSD has been modelled and optimised using DRAINS hydrological software. The OSD will be below ground tank adjacent to the new MPH that will have a staged outlet consisting of an orifice and weir wall.

5.11.3 Stormwater Quality Management

Stormwater quantity and quality management measures have been modelled using MUSIC software.

The proposed water quality treatments include a rainwater re-use tank, proprietary stormfilters and proprietary pit baskets.

The proposed rainwater re-use tank will have re-use for irrigation use to reduce the requirement for mains water usage.

Pit baskets will be used as a pre-treatment to target the pollutant reduction of gross pollutants, litter, grit, sediments, and associated oils prior to stormwater discharging into OSD tank.

5.11.4 Conclusion

The stormwater management strategy for the proposed MPH is in accordance with AS/NZS 3500.3:2018 Plumbing and Stormwater Drainage, the EFSG and Council's DCP.

Stormwater runoff from the proposed development is to be directed into the proposed underground pit and pipe system and OSD before being conveyed into the existing school stormwater system.

5.12 Landscape

Landscaping works for the site are to be undertaken in accordance with the Landscape Plan prepared by BKA Architecture dated 2 March 2022.

All tree removal and tree retention will be carried out in accordance with the Arborist Report. It is proposed 18 trees will be planted in an alternate location upon the school grounds as replacement planting.

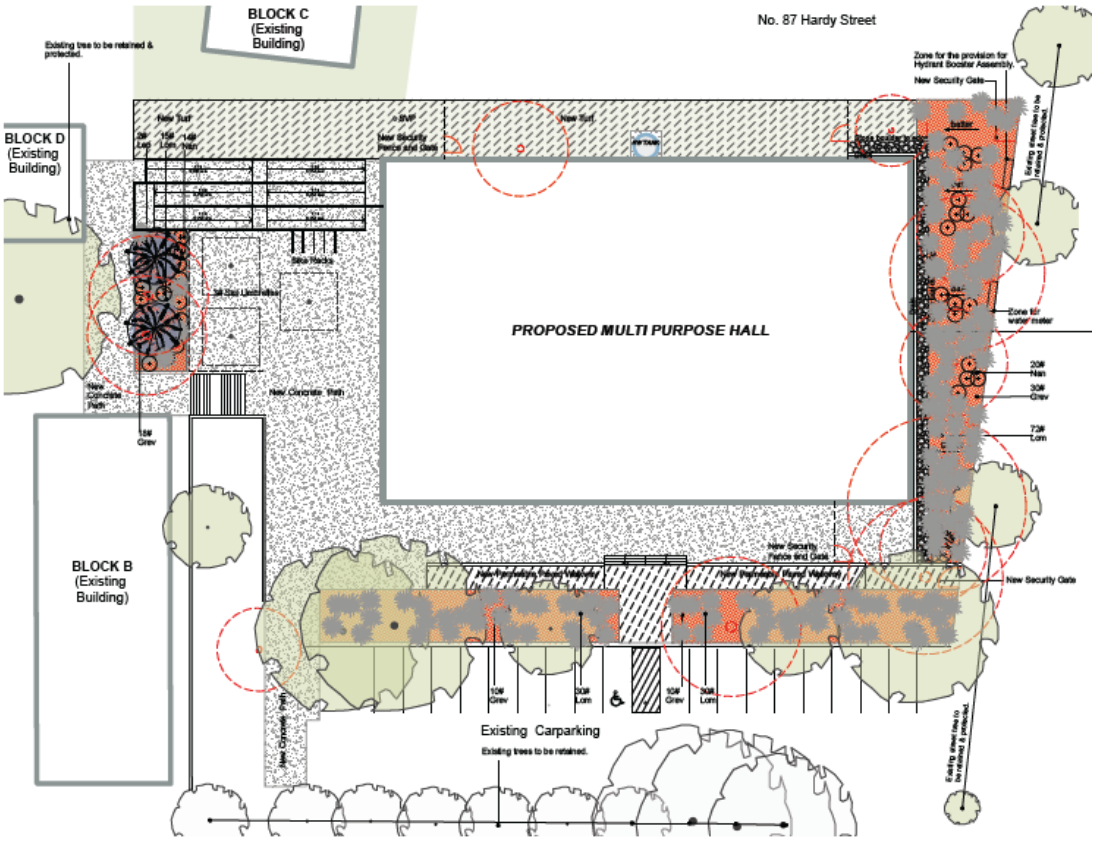

Figure 8: Landscape Plan (Source: BKA Architecture)

5.13 BCA Report

A BCA Report has been prepared for this application by Group DLA to address compliance with the Building Code of Australia 2019 and fire safety standards. Refer to the Report for further comments on compliance. The proposal will remain consistent with Group DLA's comments.

It is noted that to satisfy the requirements of Section 6.28 of the Environmental Planning and Assessment Act 1979, a separate Crown Certificate Review / Approval is required for the new MPH.

5.14 Access

An Access Report has been prepared for this application by Group DLA to address compliance accessibility standards including the *Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards)*, the access provisions of *Volume 1 of the Building Code of Australia 2019 Amendment One (BCA)* and referenced Australian Standards (AS) and the objectives of the *Disability Discrimination Act 1992 (DDA)*.

The building is provided with an accessway from the proposed pedestrian entrance on Hardy Street to the entry foyer of the new MPH. The proposed building is located at the back of the allotment thus, it is interconnected with the existing portions of the school via a set of ramps. An additional accessible carparking bay is proposed and served by a kerb ramp in compliance with the BCA.

Design comments have been made in the Report to ensure the MPH is accessible with appropriately designed ramps, accessways, stairs, sanitary facilities & showers, wheelchair seating, signage, and pedestrian entrances.

5.15 Crime Prevention through Environmental Design

This section addresses Crime Prevention Through Environmental Design (CPTED) principles and how the proposed development minimises opportunity for crime.

These principles aim to reduce crime by using design and place management concepts to decrease the likelihood that the constituents of crime events (victim, offender, opportunity) come together in space and time. More specifically, CPTED aims to:

- Increase the perception of risk to criminals by increasing the possibility of detection, challenge and capture;
- Increase the effort required to commit crime by increasing the time, energy or resources that need to be expended;
- Reduce the potential rewards of crime by minimising, removing, or concealing "crime benefits"; and
- Remove the conditions that create confusion about required norms of behaviour.

5.15.1 Principles

The key CPTED principles have been assessed as follows:

Surveillance

The proposal presents ample opportunities for improving surveillance on the street by having the building largely addressing the street and windows along the east façade at Hardy Street and main entrances. This establishes a form of 'natural surveillance' on the street and local area.

Access Control

The proposal will have secure building entrances to prevent strangers from entering. Access control will be arranged through a combination of natural, technical and organised measures. Secure access to the school grounds by the community will be managed with agreed hours through the electronically monitored pedestrian and vehicle access gates located in Hardy Street. Electronic access control will be provided for entry into the MPH and external to the MPH, CCTV monitoring is available.

Territorial Enforcement

The proposal encourages a close relationship between the existing school grounds and the MPH through building design, siting, entry points and landscaping treatments. These features promote safe pedestrian desire lines along the street, the internal landscape treatments compel students and staff to share responsibility for the condition of surrounding grounds.

Space Management

The proposal has no features that would hinder the application of appropriate space management measures, such as site cleanliness, rapid repair of vandalism and graffiti.

5.15.2 Site-Specific Recommendations

To address the CPTED principles several site-specific recommendations have been provided that should be considered during detailed design.

Surveillance

- At a minimum, surveillance cameras should be installed in discrete and suitable areas;
- Lighting should be provided at all entry points, public areas, and walkways. This lighting can be automatically controlled by time clocks and/or sensors where appropriate;
- Low level bollard lighting should be considered near the residential properties to then north;
- Lighting should be provided in accordance with the relevant Australian Standards; and
- Lighting fixtures should be 'vandal proof' where possible.

Access Control

- Driveway entry gates are to be sturdy, 'vandal proof' and fast operating;
- The different uses should be clearly identified as such by signage or other treatments;
- Ensure the entries are provided with an architectural treatment/materials/colours to make them readily identifiable for students, staff and community;
- Fire exit doors should be fitted with measures to restrict unauthorised access; and
- All areas should be fitted with doors that comply with Australian Design Standards.

Territorial Enforcement

- The MPH including all internal rooms should be clearly identified; and
- Establish a clear hierarchy of private and public spaces through distinct landscaping treatments and building materials such as planting, footpaths and building identification signs where suitable. This has been demonstrated in the proposed landscaping plan.

Space Management

- Any burnt out lighting should be replaced quickly;
- Ensure adequate and timely asset management and maintenance;
- General cleaning and rubbish collection should be undertaken regularly;
- Graffiti should be removed as soon as possible; and
- Vandal-proof and graffiti-proof finishes should be considered.

5.16 Site Suitability

The proposed development is considered to be suitable on the site for the following reasons:

- The proposal is consistent with the zone objectives;
- The proposal is compatible with adjoining uses and complements the existing CBHS;
- The proposal is consistent with the relevant SEPP, LEP and DCP controls;
- The proposal will not result in any adverse impacts on the environment with any identified potential impacts capable of being mitigated; and
- There are no environmental constraints on or around the site of such significance as to preclude the proposal.

5.17 Public Interest

The proposed development is within the public interest for the following reasons:

- The proposal will establish a high quality educational and learning facility on the existing school site and provide a flexible, multi-use space to meet the needs of the school
- The proposal provides for additional student facilities on an existing school site for school activities and events;
- Environmental impacts associated with the proposal are considered acceptable given the location and proposed built form;
- The proposal has been designed in consideration of CPTED principles and minimises opportunities for crime; and
- The proposal does not give rise to any additional amenity impacts including noise, intensity of use and overshadowing.

5.18 Social Impact

Section 4.15 of the EP&A Act provides that the consent authority must take into consideration certain matters of relevance to the development in the determination of a DA. This includes the likely impacts of the proposed development on the social impacts of the locality.

Whilst the proposal is considered to have no immediate social impacts, there is expected to be some social benefit in the provision of a facility for school activities and events.

5.19 Economic Impact

The likely economic impacts of the proposed MPH generally relate to modest employment gained from construction, with the associated costs contributing to the local economy.

6 Section 4.15 Compliance Table

In summary, **Table 7** provides an assessment of the proposal against the provisions identified under Section 4.15 of the EP&A Act 1979

Table 7 - Section 4.15 Assessment Summary

Clause No.	Clause	Assessment
(1)	Matters for consideration – general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:	
(a)(i)	The provision of: Any environmental planning instrument, and	The development has been assessed against Ashfield Local Environmental Plan 2013 and the proposal meets the relevant provisions.
(ii)	Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	There are no relevant proposed planning instruments that have been subject of public consultation under the Act or have been notified to the consent authority.
(iii)	Any development control plan, and	The development has been assessed against Comprehensive Inner West Development Control Plan 2017 and meets the relevant provisions.
(iiia)	Any planning agreement that has been entered into under Section 93F, or any draft planning agreement that a developer has offered to enter into under Section 93F, and	There are no planning agreements that relate to the development application.

Table 7 - Section 4.15 Assessment Summary		
Clause No.	**Clause**	**Assessment**
(iv)	The regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	There are no prescribed matters in the *Environmental Planning and Assessment Regulation 2000* that apply to this application.
(v)	Any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,	N/A. The proposal is not located within a coastal zone.
(b)	The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The proposed development will not generate any adverse environmental impacts. Refer to Section 4 and 5 above for further discussion.
(c)	The suitability of the site for the development,	The proposed development is considered suitable for the site as it meets the zone objectives and consistent the design of existing structures in the school
(d)	Any submissions made in accordance with this Act or the regulations,	As required, the application will be publicly exhibited in accordance with Council requirements.
(e)	The public interest.	The proposal provides a public benefit to the community with the provision of a facility for educational events and activities.

7 Conclusion

This SEE has been prepared on behalf of DoE to support a DA to Inner West Council for the construction of a MPH at CBHS, located on Lot 100 DP 738051 being 220-252 Holden Street, Ashbury.

This DA seeks consent for the removal of existing trees, minor excavation works and the construction of a new MPH located adjacent to the Hardy Street boundary.

This statement describes the proposed works in the context of relevant planning controls and policies applicable to the form of the development proposed. In addition, the statement provides an assessment of those relevant heads of consideration pursuant to section 4.15 of the *Environmental Planning and Assessment Act 1979 (EPAA)*.

DoE requires a new hall at CBHS to meet the shortfall of the minimum entitlement for infrastructure facilities at CBHS under the EFSG and line with the approved Treasury business case.

An environmental assessment has been undertaken in Section 5 of this report, supported by additional consultant studies as per the requirements of Council. The environmental assessment found the associated impacts of the proposal are considered to be minimal and manageable.

The proposal therefore:

- Is a suitable development for the subject site;
- Responds to heritage considerations and will not reduce the current heritage significance of the site;
- Results in a contemporary, high quality design MPH that also responds to the existing style of building in the school;
- Generates no adverse impact on the continued use of the site or poses an unreasonable impact on traffic conditions; and
- Provides a public benefit by providing a hall space for the school.

Accordingly, we request that Council recommend that the proposed development be granted development approval.

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