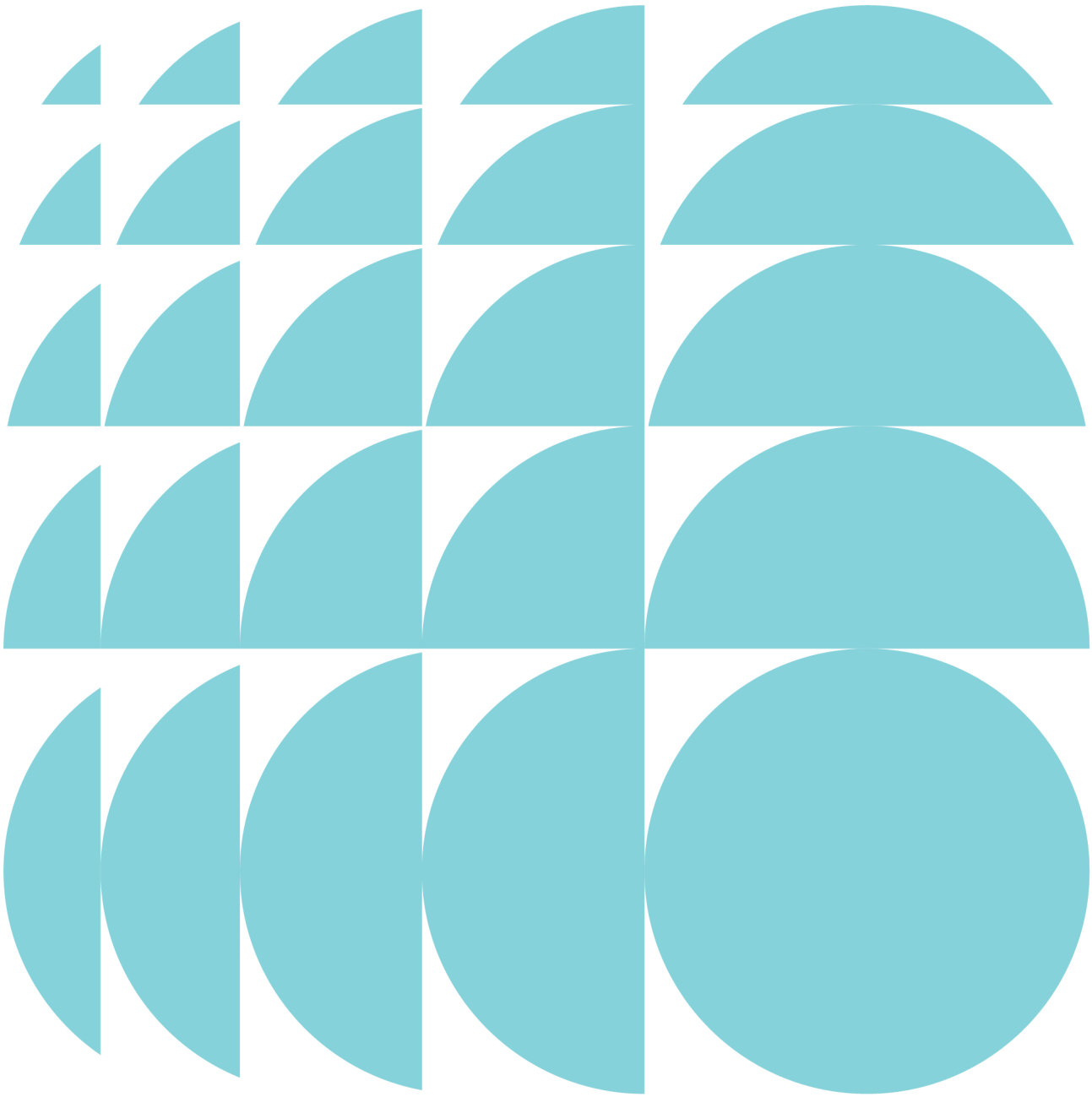
ETHOS URBAN

**Submissions Report**

270 Miller Street, North Sydney
Marist Catholic College North Shore
SSD 10473

Submitted to Department of Planning, Industry and Environment
On behalf of Sydney Catholic Schools

1 November 2021 | 218786



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# Executive Summary

**Purpose of this Report**

This Submissions Report is submitted to the Department of Planning, Industry and Environment (DPI&E) as part of a State Significant Development Application (SSDA) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It relates to a proposal for alterations and additions to Marist Catholic College North Shore at 270 Miller Street North Sydney.

The proposal is identified as a SSD as it has a capital investment value of more than $20 million for the purpose of alterations or additions to an existing school pursuant to Clause 15 in Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). The proposed development will have a capital investment value of over $89 million.

The Environmental Impact Statement (EIS) for the proposal was publicly exhibited between 23 February 2021 until 22 March 2021, during which time submissions were received from members of the public and government agencies. This Submissions Report provides a response to the issues raised in submissions, either through providing additional assessment or information, or in some cases via an amendment to the proposal.

**Overview of the Project**

The SSDA seeks approval for the following development:

- Site preparation work including remediation, demolition, excavation and tree removal.
- Retention of key buildings including St Mary's Church and Parish Centre, the former Presbytery and Monastery, St Mary's Primary School, the Ron Dyer Centre and some existing buildings on the western boundary.
- Demolition works, including demolition of existing buildings along Miller Street and Carlow Street, including the Early Learning Centre and terrace houses.
  - Construction of a mixed-use education precinct comprising a high school and Early Learning Centre, including:
  - Adaptive reuse of the existing Presbytery, and alterations and additions to retained educational buildings;
  - Minor alterations to St Mary's Church to improve access from the north of the building;
  - Construction of a 5 storey (including basement) education building on the corner of Carlow Street and Miller Street;
  - Construction of 4 storey (including basement) building along Miller Street, accommodating teaching facilities, an Early Learning Centre (catering for children aged 0-5 years), and an auditorium;
  - Construction of a new basement car park below the Carlow Street building, accessed off Carlow Street;
  - Provision of separated pick-up/drop-off areas for Kindergarten-1 and Years 2-12; and
  - Provision of ancillary canteen/café uses.
- Landscaping and public domain works, including creation of a new public piazza fronting Miller Street, adjoining St Mary's Church.
- Services and utilities augmentation.

The proposal for which consent is sought is intended to deliver much-improved education facilities which will provide better operational, design and education outcomes for the school's pupils, staff, and community.

**Overview of Submissions**

A total of 38 submissions were received during the public exhibition period.

Submissions were received from the following government agencies:

- Environment Protection Authority
- Heritage NSW - Heritage Council of NSW
- North Sydney Council
- Transport for NSW
- Heritage NSW – Aboriginal Cultural Heritage (ACH)
- Department of Planning, Industry and Environment –Biodiversity and Conservation Division
- Ausgrid
- Sydney Water
- Sydney Metro Corridor Protection

A total of 28 submissions were received from individuals, landowners and special interest groups. The main issues identified within these submissions included:

- Built form, bulk and scale
- Visual impact
- Traffic and parking
- Tree removal and environment
- Construction noise
- Noise and privacy

**Proposed Amendments to the Proposal**

As part of the review and response to submissions process, Sydney Catholic Schools has reviewed the design and layout of the proposed alterations and additions. In accordance with Clause 55AA of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) the design has been amended, as follows:

- Introduction of detailed childcare fitout into the scope of works.
- Interim use of the Miller Street/Carlow Street corner site during construction staging.
- A reduction in scale of the Miller Street building from a 5-storey building (including basement) to a 4-storey building (including basement) with a rooftop recreation space.
- Façade amendments to the Miller Street Building.
- Conversion of the level 1 terrace over the kitchen canteen to service space.
- Minor design amendments, including:
  - Internal design amendments to the Miller Street lobby.
  - Service door location to canteen kitchen moved and ramp access simplified.
  - Adjusted location of security fence in the Presbytery forecourt.
  - Internal design amendments to the kitchen layout in the café/canteen.
  - Tiered seating in undercroft has been amended to incorporate seating on the ground level
  - Incorporation of safety fence on proposed rooftop in the café/canteen.
- Landscaping amendments, including:
  - Two x Platanus Digitata (200l) shall be planted along the Miller Street frontage.
  - Retention and relocation of two Phoenix Canariensis trees.
  - Introduction of landscape steps next to the auditorium foyer.
- Increase in the width of the Miller Street pedestrian pathway with associated landscaping.
- Increase in provision of bike parking spaces from 82 to 109.
- Correction of the site legal description.

These amendments are described in further detail at **Section 4.0** of this Submissions Report and in the accompanying Design Amendment Report.

### Additional Environmental Assessment

The amendments made to the proposed alteration and additions to the school layout and design have been the subject of revised impact assessments, which have also responded to issues raised in submissions. The amendments result in a reduction in the environmental impacts associated with the proposed development.

### Conclusion and Justification

The proposal, identified as a SSD, has been subject to an EIS and, subsequently to this Submissions Report. The potential environmental, social and economic impacts, both direct and cumulative, have been identified and thoroughly assessed as part of the EIS, and also as part of this Submissions Report. No significant adverse environmental, social or economic impacts have been identified by the proposal in preparing the EIS or the Submissions Report.

Any potential environmental and cultural impacts identified during the public exhibition of the EIS have been addressed through design refinements and with additional assessment as set out in this Submissions Report. Any residual impacts will be mitigated through the implementation of measures for the construction and operational phases of the proposal.

The potential impacts of the development are acceptable and are able to be managed, as outlined within the safeguards and mitigation measures contained within the EIS and its appended technical reports, and this Submissions Report.

# 1.0 Introduction

## 1.1 Overview

A State Significant Development Application (SSDA) and accompanying Environmental Impact Statement (EIS) was lodged on 16 February 2021 and was publicly exhibited for a period of 28 days between Tuesday 23 February 2021 and Monday 22 March 2021, in accordance with Clause 83 of the EP&A Regulation. Sydney Catholic Schools (the applicant) is seeking approval for alterations and additions to the existing Marist Catholic College North Shore at 270 Miller Street, North Sydney. The proposed development includes the development of a mixed-use education precinct comprising a high school and an Early Learning Centre.

The exhibited EIS was prepared in accordance with the project SEARS and with the Department's guidelines for SSD applications lodged under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The submissions received during the exhibition of the EIS form the subject of this report, known as the Submissions Report. Design amendments have come about as a result of this response process. Further details of these amendments are provided in **Section 4.0** and in the accompanying Design Amendment Report.

## 1.2 Purpose of this Report

The purpose of this Submissions Report is to respond to submissions raised by both community and government stakeholders during the exhibition of the EIS. This Submissions Report has been prepared to satisfy the provisions of Section 4.39(e) of the EP&A Act and Clause 85A of the EP&A Regulation. Each of the submissions received has been collated, analysed and the relevant issues have been addressed.

This Submissions Report also provides a description of the design amendments made to the proposed development pursuant to Clause 55A of the EP&A Regulation, which have been undertaken to address submissions received and also to reduce the overall environmental impact of the proposal. In addition to this amendment description, this Submissions Report provides further environmental assessment to accommodate the changes to the proposal and serves as an addendum to the technical specialist reporting provided within the EIS.

## 1.3 Background to the Development

### 1.3.1 Approval Pathways

The EP&A Act establishes the assessment framework for development in NSW. Pursuant to Part 4 of the EP&A Act development consent is required for the proposed facility.

The proposed development is defined as alterations and additions to an educational establishment.

The SRD SEPP identifies development that is declared to be State significant. Clause 8 of the SRD SEPP states that any development of a type specified in Schedule 1 or 2 of the SRD SEPP is declared to be SSD pursuant to Section 4.36 of the EP&A Act.

Clause 15 of Schedule 1 of the Policy relates to educational establishments. The proposal is for the purposes of alterations and additions to an existing school and has a capital investment value of over $20 million.

As such, the proposed development is declared to be SSD. The relevant consent authority for SSD is the Minister for Planning and Public Spaces.

### 1.3.2 Overview of the Proposal as Lodged

The SSDA, as lodged, sought approval for the following development:

- Site preparation work including remediation, demolition, excavation and tree removal.
- Retention of key buildings including St Mary's Church and Parish Centre, the former Presbytery and Monastery, St Mary's Primary School, the Ron Dyer Centre and some existing buildings on the western boundary.

- Demolition works, including demolition of existing buildings along Miller Street and Carlow Street, including the Early Learning Centre and terrace houses.
  - Construction of a mixed-use education precinct comprising a high school and Early Learning Centre, including:
  - Adaptive reuse of the existing Presbytery, and alterations and additions to retained educational buildings;
  - Minor alterations to St Mary's Church to improve access from the north of the building;
  - Construction of a 5 storey (including basement) education building on the corner of Carlow Street and Miller Street;
  - Construction of 5 storey (including basement) building along Miller Street, accommodating teaching facilities, an Early Learning Centre (catering for children aged 0-5 years), and an auditorium;
  - Construction of a new basement car park below the Carlow Street building, accessed off Carlow Street;
  - Provision of separated pick-up/drop-off areas for Kindergarten – 1 and Years 2 – 12; and
  - Provision of ancillary canteen/café uses.
- Landscaping and public domain works, including creation of a new public piazza fronting Miller Street, adjoining St Mary's Church.
- Services and utilities augmentation.
- The proposal for which consent is sought is intended to deliver much-improved education facilities which will provide better operational, design and education outcomes for the school's pupils, staff, and community.

### 1.3.3 Demolition of Terraces and Jacaranda Cottage

Development consent to DA 100/21 was granted by North Sydney Council on 28 May 2021 for *"Demolition of two terraces and Jacaranda Cottage, removal of Frangipani tree, retain and make good fencing and extend demolition hours on Saturday to 7.00am to 5.00pm"*.

The purpose of this DA was to allow for the preparatory works on this part of the site to be carried out prior to the determination of the SSDA and to prevent the existing dilapidated buildings from falling into further disrepair.

As such, the works for which consent was granted under DA 100/21 have been removed from the scope of the SSDA.

## 1.4 Consultation activities prior to EIS exhibition

During the preparation of the EIS, a number of consultation activities with key stakeholders took place in order to create an open dialogue. These consultation activities are documented in the EIS and are summarised below.

### 1.4.1 Consultation with Key Stakeholders

As part of the SEARs for the EIS, a number of key public authorities provided comment and requested various inputs be provided as part of the EIS documentation. These authorities included:

- North Sydney Council;
- NSW Government Architect;
- State Design Review Panel (SDRP); and
- TfNSW.

The requested inputs from these authorities were incorporated into the exhibited EIS.

### 1.4.2 Public Consultation

Sydney Catholic Schools has been proactive in consulting with the community and a summary of the ongoing consultation with the community is provided as Appendix KK of the EIS. The community consultation and engagement strategy has included:

- Stakeholder mapping.
- Distribution of fact sheets to approximately 762 households in North Sydney in June and October 2020.
- Creation of a dedicated project page on the North Shore Catholic Education Precinct website in June 2020.
- Holding three (3) community information sessions (webinars) in October 2020.
- Establishment of a dedicated phone number and email address.
- Meetings with North Sydney Council to explain the project and planning proposal and consult on key elements of the design.

### 1.5 Action taken following EIS exhibition

The following actions have taken place since the EIS was placed on exhibition:

- Correspondence dated 29 March 2021 was received by the Applicant from DPI&E, requesting further information be provided to respond to the issues raised in the submissions;
- The project team has undertaken the preparation of updated design and subconsultant documentation to respond to this correspondence;
- The proposed design has been amended to respond to DPI&E feedback and to improve the overall outcomes of the proposal;
- A Design Amendment Report has been prepared (under separate cover), detailing the design amendments proposed; and
- This Submission Report has been prepared.

# 2.0 Analysis of Submissions

## 2.1 Overview

A total of thirty-seven (37) submissions were received in response to the public exhibition of the EIS, including submissions made by government authorities and agencies, and the public, as set out in the following sections.

A response to each of these submissions has been prepared. The key matters raised in the submissions can be grouped into six (6) themes. An overview of the submissions and a summary of the process undertaken to ensure the submissions have been accurately responded to is provided below.

## 2.2 Government Agency Submissions

Submissions were received from a total of nine (9) government agencies as follows:

- Environment Protection Authority
- Heritage NSW - Heritage Council of NSW
- North Sydney Council
- Transport for NSW
- Heritage NSW – Aboriginal Cultural Heritage (ACH)
- Department of Planning, Industry and Environment –Biodiversity and Conservation Division
- Ausgrid
- Sydney Water
- Sydney Metro Corridor Protection

As outlined above, a total of nine (9) government agencies provided submissions, with the DPI&E providing a set of summary comments with the request for a Submissions Report. Each submission varied in terms of the number and type of issues raised, with some agencies raising more issues than others (dependant on their function and responsibility). Each agency submission was reviewed in detail to identify the key issues.

The agency submissions were then provided to the relevant technical specialists of the project team for consideration and preparation of updated or supplementary assessment reports. Where additional information was required to respond to the submission issue raised, it has been provided within this Submissions Report.

A detailed summary of the issues raised by the Government agencies and the response to those issues is provided in **Section 4.0**. A response to DPI&E's request for additional information is provided at **Section 8.0**.

## 2.3 Public Submissions

A total of twenty-eight (28) public submissions was received from individuals, landowners, organisations and special interest groups.

The community submissions were reviewed and summarised into key issues. The main issues identified within these submissions were:

- Built form, bulk and scale
- Visual impact
- Traffic and parking
- Tree removal and environment
- Construction noise
- Noise and privacy

## 3.0 Actions taken since Exhibition

An overview of the actions taken since the public exhibition of the SSDA are outlined below.

| Action | Description |
|---|---|
| Project refinements | Since lodgement and public exhibition of the SSDA, the proponent has further refined the design of the proposed development and made amendments to the built form, landscaping, and overall scope of the proposal. These amendments primarily arise in response to the submissions received during the exhibition period, and comments made by DPI&E. Additional updates have been made as a result of ongoing design development and refinement of the scheme.<br><br>The design amendments are illustrated in the amended design documentation appended to this report and outlined in **Section 4.0** below, as well as in the separate Design Amendment Report. |
| Further engagement | The project team has actively engaged with Sydney Metro during the assessment process to determine the impacts and any required mitigation measures necessary in relation to the Sydney Metro tunnel below the site. A summary of engagement and associated civil engineering drawings are provided in **Appendix R**. |
| Further assessment | A series of additional assessments were carried out by the relevant consultants in response to the issues raised in the submissions during the exhibition period and also in response to the additional information requested by DPI&E. These are as follows and are appended to this Submissions Report:<br><br>• Architectural design (**Appendices A and B**)<br>• Landscape design (**Appendices J, K and L**)<br>• Noise and vibration (**Appendix C**)<br>• Biodiversity (**Appendix D**)<br>• Waste management (**Appendix E**)<br>• Flooding (**Appendix F**)<br>• Visual impact (**Appendix G**)<br>• Traffic and transport (**Appendices H, I, O, and Q**)<br>• Heritage (**Appendices M and N**)<br>• Construction management (**Appendices O and P**)<br>• Archaeology (**Appendix S**) |

# 4.0 Design Refinements

Pursuant to Clause 55 of the EP&A Regulation, the following design amendments are proposed. These are also described in the accompanying Design Amendments Report (submitted under separate cover).

## 4.1 Amendments to the Proposal

- Introduction of detailed childcare fitout into the scope of works.
- Interim use of the Carlow Street/Miller Street corner site during construction staging.
- A reduction in scale of the Miller Street building from a 5-storey building (including basement) to a 4-storey building (including basement) with a rooftop recreation space.
- Façade amendments to the Miller Street Building.
- Conversion of the level 1 terrace over the kitchen canteen to service space.
- Minor design amendments, including:
  - Internal design amendments to the Miller Street lobby.
  - Service door location to canteen kitchen moved and ramp access simplified.
  - Adjusted location of security fence in the Presbytery forecourt.
  - Internal design amendments to the kitchen layout in the café/canteen.
  - Tiered seating in the undercroft has been amended to incorporate seating on the ground level
  - Incorporation of safety fence on proposed rooftop in the café/canteen.
- Landscaping amendments, including:
  - Two x Platanus Digitata (200l) shall be planted along the Miller Street frontage.
  - Retention and relocation of two Phoenix Canariensis trees.
  - Introduction of landscape steps next to the auditorium foyer.
- Increase in the width of the Miller Street pedestrian pathway with associated landscaping.
- Increase in provision of bike parking spaces from 82 to 110.
- Correction of the site legal description.

### 4.1.1 Childcare fitout

Sydney Catholic Schools seeks to amend the original proposal to include the detailed fitout of the childcare centre as part of the SSD. The proposed fitout design takes a pedagogical approach in line with the Sydney Catholic Early Childhood Services and is consistent with the best practice principles of the *Childcare Planning Guidelines* as outlined in the Architectural Design Response prepared by WMK.

The proposed fitout comprises the following elements:

- Dedicated childcare entry established within he separated childcare lobby.
- 675m$^2$ consolidated outdoor play space, comprising:
  - 380m$^2$ covered outdoor space; and
  - 295m$^2$ uncovered outdoor space.
- 328m$^2$ indoor playspace area.
- Cot rooms, craft space and milk preparation dedicated space.
- Staff and children's toilets and amenities.
- Pram storage room located next to the childcare parking.
- Kitchen and laundry allocated space.

With regard to the requirement for unencumbered outdoor space, in accordance with Clause 22 of *SEPP (Educational Establishments and Child Care Facilities) 2017*, DPIE referred the application to the Department of Education for concurrence on 30 April 2021.

This concurrence was received on 28 June 2021, subject to the following recommendations:

*Further natural features and elements be incorporated into the verandah area of the outdoor play space to further enhance the area. This could be achieved by adding a variety of floor type and textures, ridges, mounds and pebbles to mimic the uneven surfaces of an outdoor environment. Other natural elements could also include furniture made of logs, stepping logs and dense indoor planting and green vegetated walls.*

These recommendations have been integrated into the design of the childcare fitout. **Figure 1** illustrates the proposed fitout floor plan and is provided in the Architectural Drawings prepared by WMK as attached at **Appendix A**.

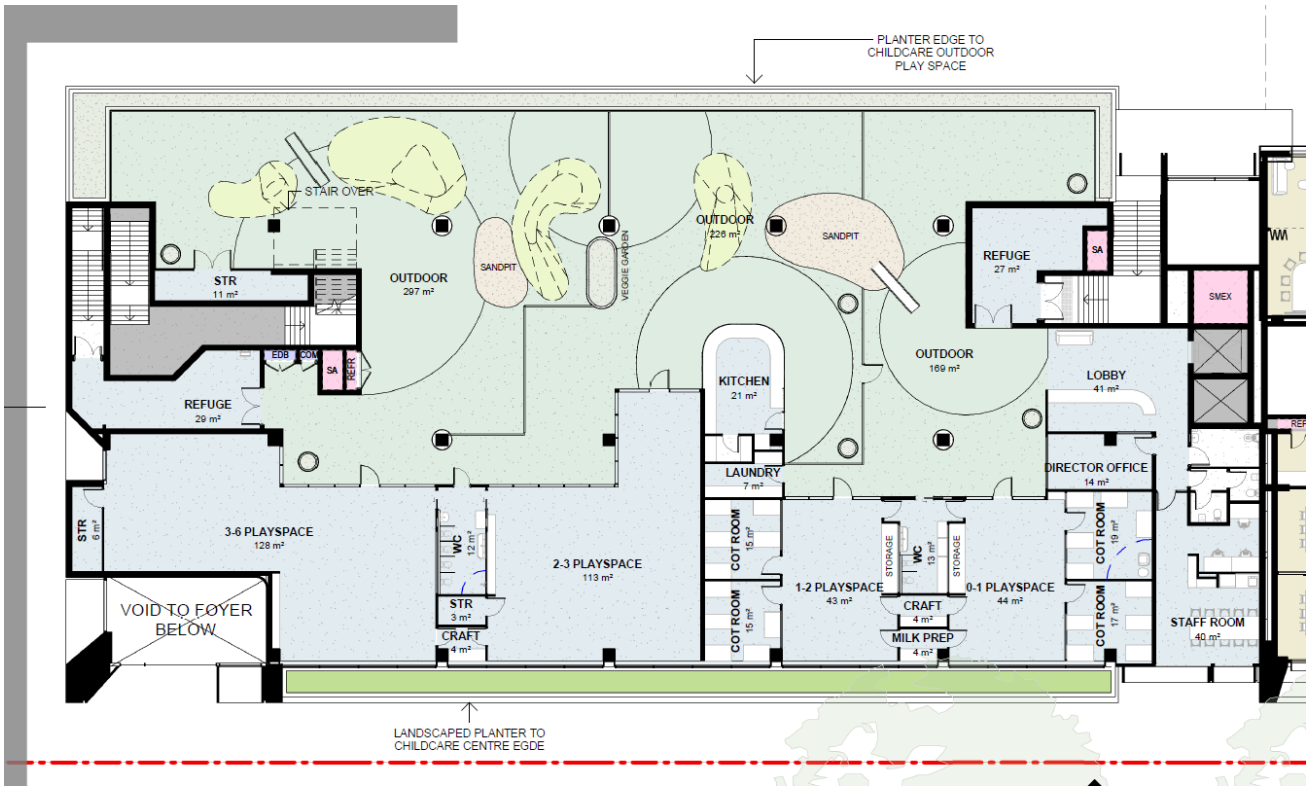


**Figure 1 – Proposed childcare fitout floorplan**

*Source: WMK*

### 4.1.2 Interim use of the Carlow Street/Miller Street corner site during construction staging

Development consent to DA 100/21 was granted by North Sydney Council on 28 May 2021 for *"Demolition of two terraces and Jacaranda Cottage, removal of Frangipani tree, retain and make good fencing and extend demolition hours on Saturday to 7.00am to 5.00pm"*.

The purpose of DA 100/21 was to allow for the preparatory works on this part of the site to be carried out prior to the determination of SSD-10473 and to prevent the existing dilapidated buildings from falling into further disrepair. As such, the works for which consent was granted under DA 100/21 (i.e. the demolition works as described above) have been removed from the scope of SSD-10473.

Instead, this part of the site (which will remain vacant until SSD-10473 is determined) is proposed to accommodate temporary uses during interim construction stages of the project, such as temporary classrooms, canteen, or a contractors' compound.

### 4.1.3 Reduced Height of the Miller Street Building

The proposed Miller Street building has been reduced in height from a 5-storey building (including basement) to a 4-storey building (including basement) including a rooftop recreation space. The proposed reduction responds to concerns raised about bulk and scale, height and perceived 'fortress-like' appearance raised by Department, North Sydney Council and the public. It also responds to the scale of the Presbytery building and height and scale of St

Mary's Church. The Miller Street building also considers the height, scale and articulation of the North Sydney Oval stand buildings.

A comparison of the originally proposed Miller Street building and amended Miller Street building is illustrated in **Figure 2** and **Figure 3** and elevations in **Figure 4** and **Figure 5**.


**Figure 2 – Photomontage of originally proposed Miller Street building**

*Source: WMK*


**Figure 3 – Photomontage of amended Miller Street building**

*Source; WMK*

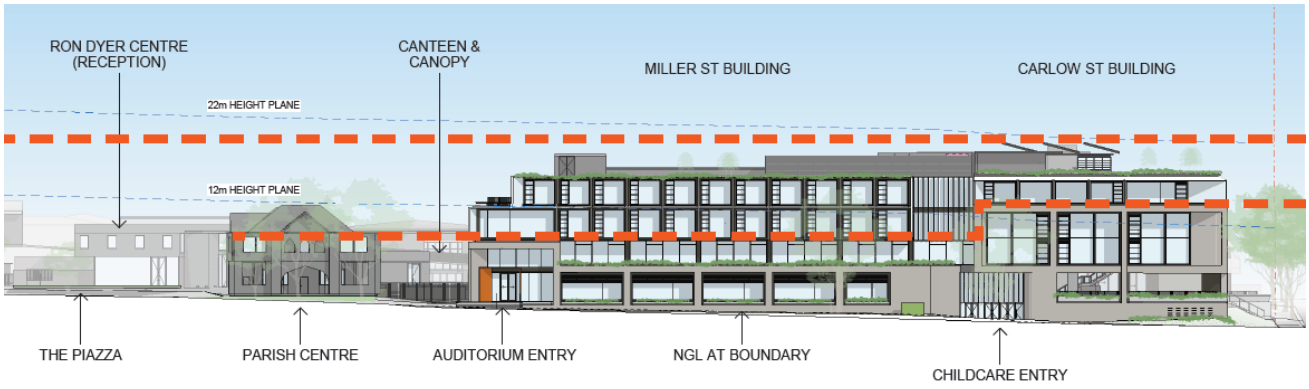


**Figure 4 – Originally proposed Miller Street building elevation**

*Source: WMK*

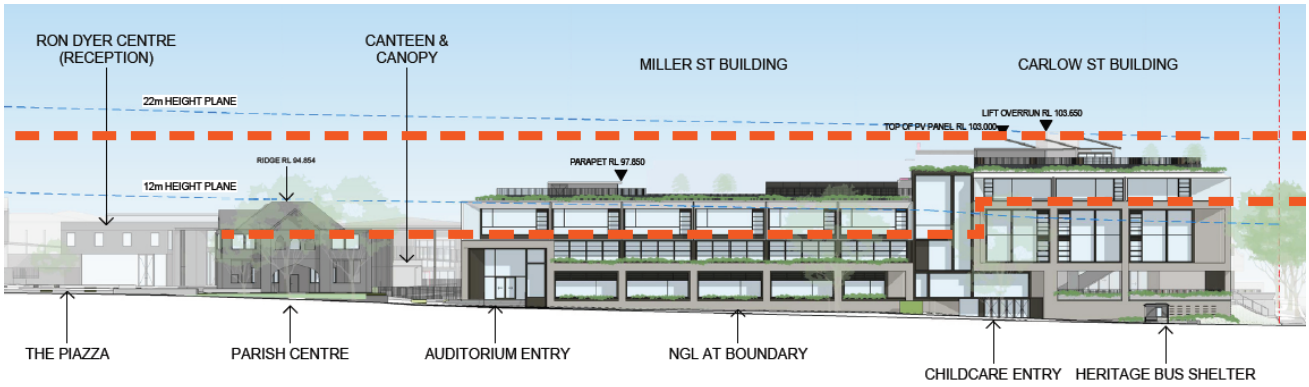


**Figure 5 – Amended proposed Miller Street building elevation**

*Source: WMK*

### 4.1.4 Façade amendments to the Miller Street Building

The proposed façade amendments to the Miller Street building in response to concerns raised of the bulk and scale. The proposed amendments provide articulation and modulation to achieve an appropriate bulk and scale and does not result an overwhelming visual impact.

### 4.1.5 Conversion of Level 1 terrace over the canteen and kitchen to service space

The originally proposed 111m$^2$ terrace at Level 1 over the kitchen and canteen has been converted to a non-trafficable service space as illustrated in **Figure 9** and **Figure 10**. This has reduced the overall GFA of the development to 19,797.07m$^2$.

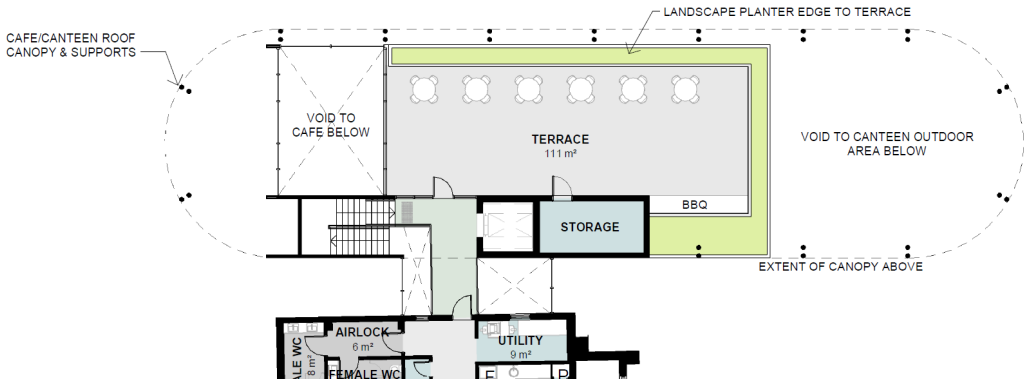


**Figure 6 – Originally proposed level 1 terrace above kitchen canteen**

*Source: WMK*

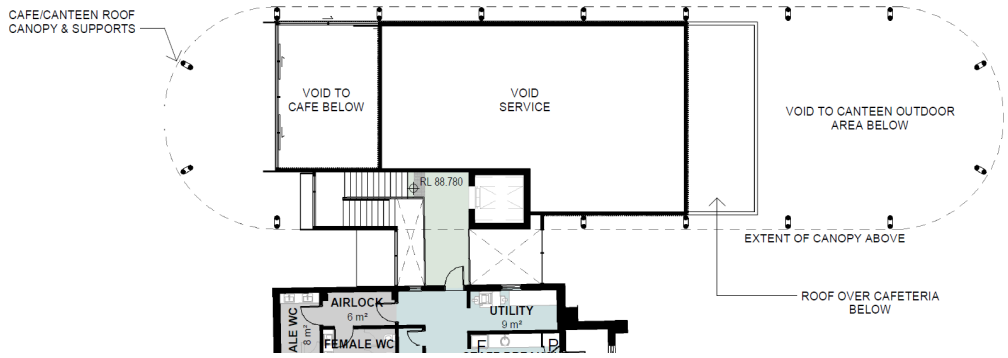


**Figure 7 – Amended proposed level 1 service and planter space above kitchen canteen**

*Source: WMK*

### 4.1.6 Minor design amendments

- Minor design amendments, including:
  - Internal design amendments to the Miller Street lobby.
  - Service door location to canteen kitchen moved and ramp access simplified.
  - Adjusted location of security fence in the Presbytery forecourt.
  - Internal design amendments to the kitchen layout.
  - Tiered seating in undercroft has been amended to incorporate seating on the ground level.
  - Incorporation of safety fence of on proposed rooftop.

The proposed design amendments are a result of design development and are minor in scale. The amendments facilitate an overall improved design and does not result in adverse environmental impact. It is emphasised that the adjustment to Miller St lobby is to achieve childcare entry and security requirements and the proposed fencing adjustment is to ensure student safety and school risk management.

### 4.1.7 Landscape amendments

The following landscape amendments are proposed:

- Two x Platanus Digitata (200l) shall be planted along the Miller Street frontage.
- Retention and relocation of three Phoenix Canariensis trees.
- Introduction of landscape steps next to the auditorium foyer.

The proposed two Platanus Digitata (200l) trees proposed to be planted along the Miller Street frontage and the retention and relocation of three Phoenix Canariensis trees is a direct response to North Sydney Council's recommendation.

The proposed adjustment of the landscape steps to the auditorium entry is a considered design response to make the corner of the building and entry more inviting.

### 4.1.8 Miller Street pedestrian pathway

The width of the Miller Street pedestrian path has been expanded by 1.3m, resulting in 4.8m between the building entry and boundary. This is in response to submissions received by the public around the lack of consideration for increased pedestrian use. The landscaping and planter wall design to the street boundary has been adjusted in line with the site boundary to increase the width of the pedestrian pathway, especially behind the heritage bus shelter which occupies the majority of the Miller Street footpath at this point. The proposed landscape treatment within the setback zone to the building facades along both Miller and Carlow Street provides a significant contribution to the streetscape and public domain in comparison to the existing timber boundary fence as outlined in red and shown in the figures below.

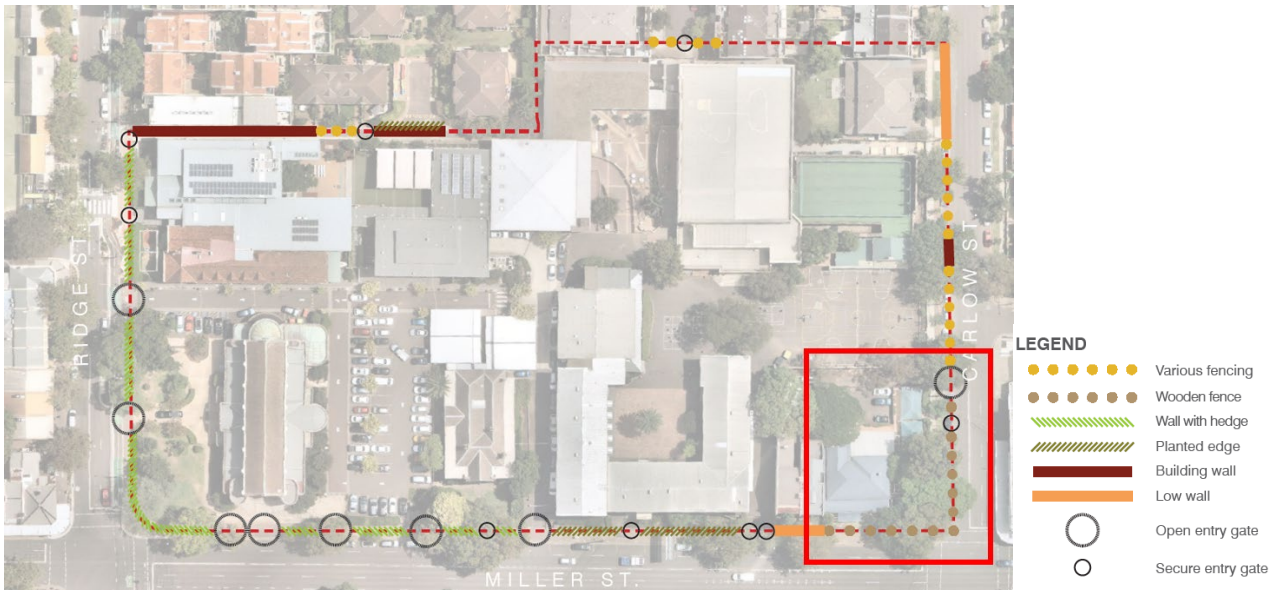


**Figure 8 – Existing timber fence at Miller and Carlow Street (outlined in red)**

*Source: Oculus*

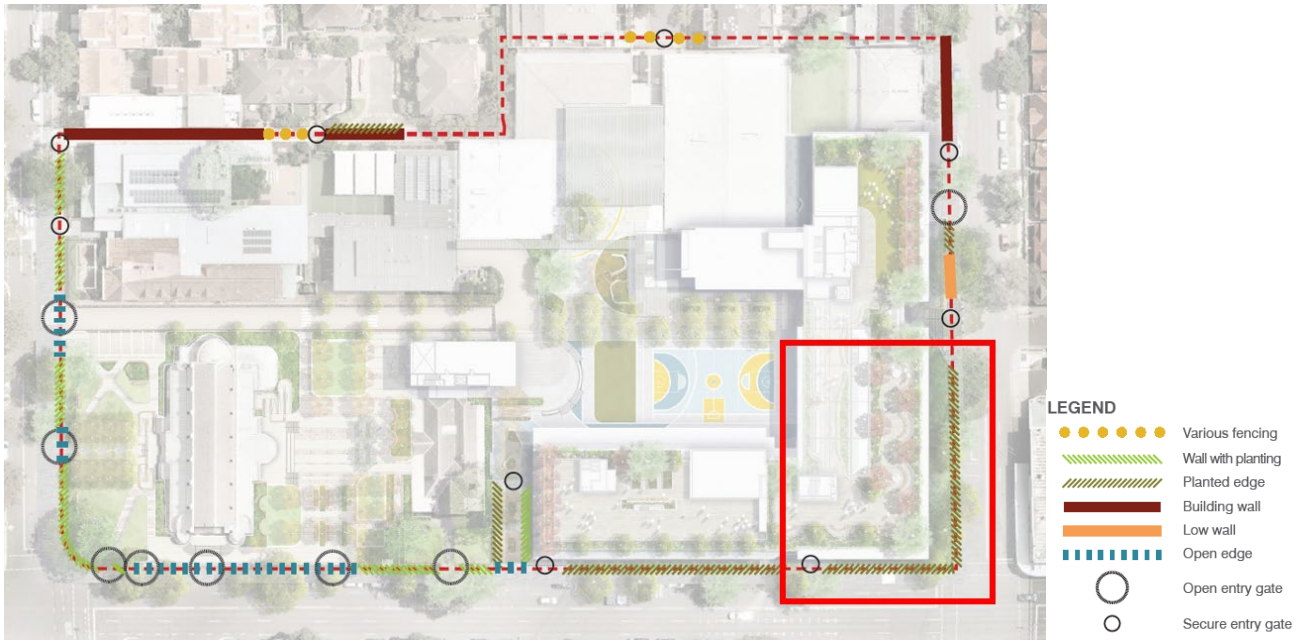


**Figure 9 – Proposed Miller and Carlow Street landscaped planter frontage**

*Source: Oculus*

### 4.1.9 Bicycle parking

Consistent with TfNSW recommendations, 109 bicycle parking spaces are proposed throughout the site. This encompasses 20 spaces for staff in the basement of the Miller Street building, and 89 spaces for students throughout the ground floor of the school site. These locations are illustrated on page 69 of the Design Statement prepared by WMK (see **Appendix B**) and in **Figure 13** and **Figure 14** below.

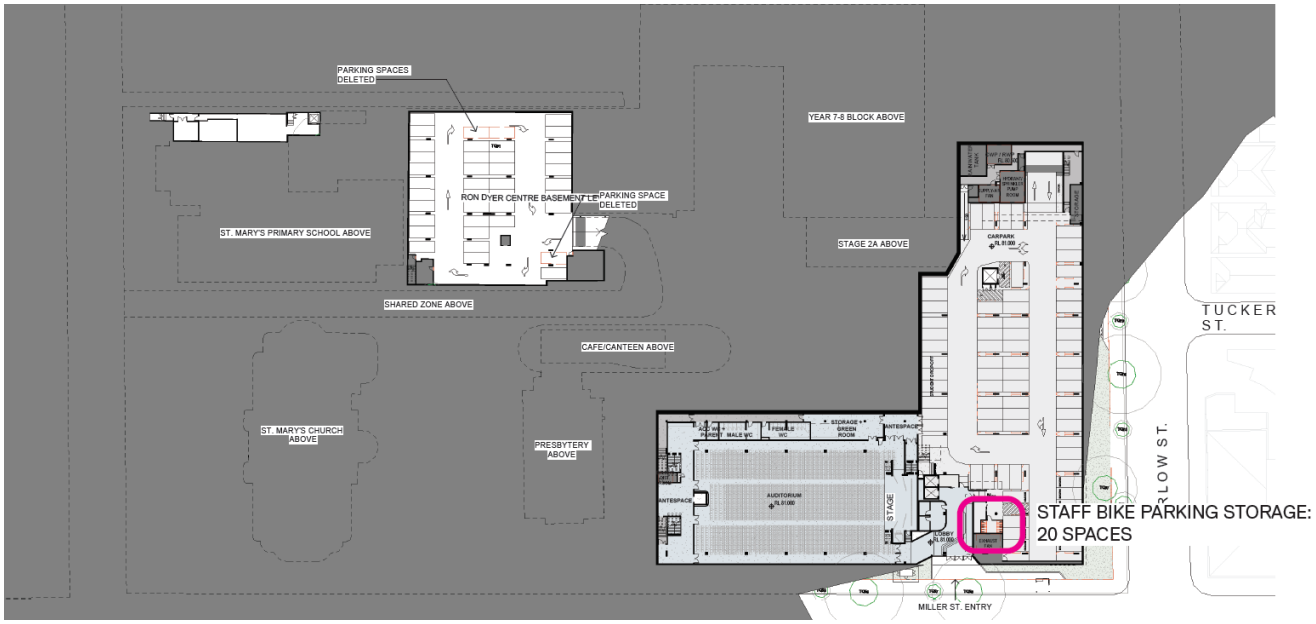


**Figure 10 – Proposed bike parking locations at basement level**

*Source: WMK*

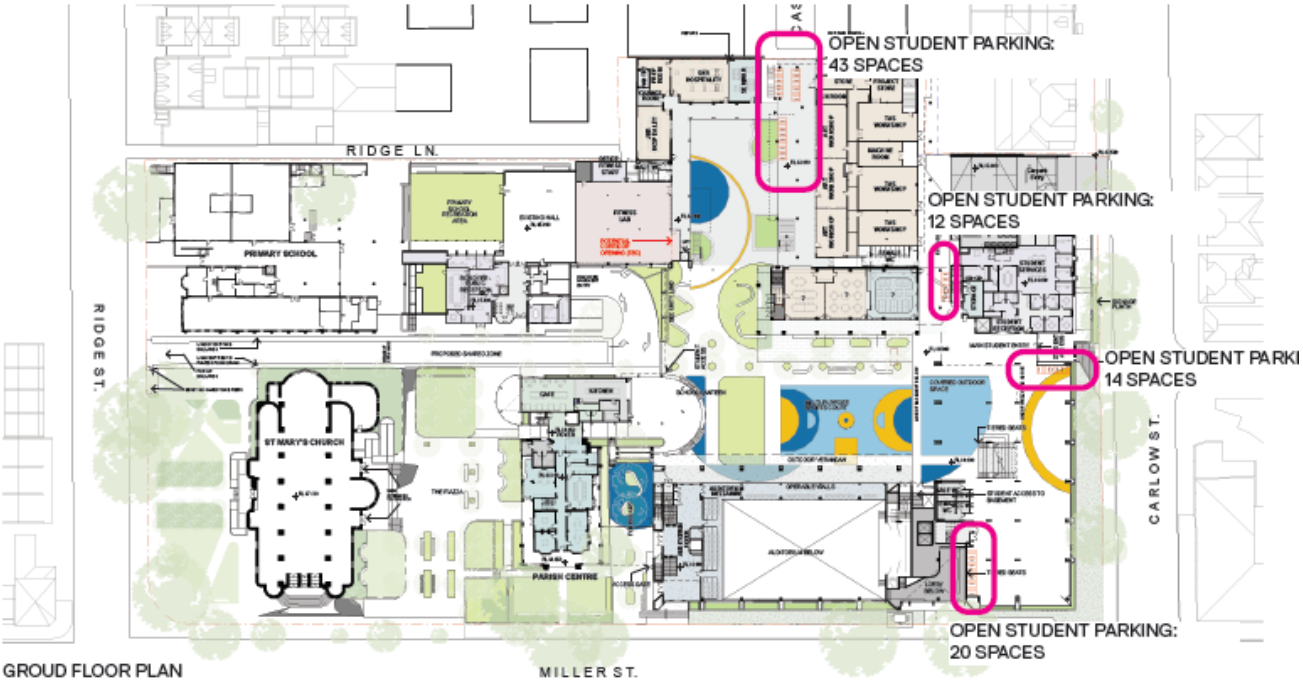


**Figure 11 – Proposed bike parking location on ground floor level**

*Source: WMK*

## 4.2 Correction of Site Legal Description

The following table corrects the minor address errors in the submitted EIS, as requested by DPI&E:

**Table 1 – Correction of site legal description**

| Address | Lot and DP / SP | Area |
|---|---|---|
| 264 Miller Street | Lot 8, 9 & 10 DP1137247 | 6,165m$^2$ |
| 282 Miller Street | Lot A, DP 312439 | 428m$^2$ |
| 288-290 Miller Street | Lot 1 & 2 DP1860 | 1019m$^2$ |
| 25 Carlow Street | Lot 1 DP 561243 | 726m$^2$ |
| 31 Carlow Street | Lot 2 DP561243 | 776m$^2$ |
| 34-36 Ridge Street | Lot 6 DP64401 | 930m$^2$ |
| 40 Ridge Street | Lot 1 DP782363 | 930m$^2$ |
| 40 Ridge Street | Lot 7 DP 1137247 | 2,070m$^2$ |
| 270 Miller Street | Lot 7 DP176556 | 786m$^2$ |
| 270 Miller Street | Lot 4, 5, 6, 8 & 9 DP1860 | 1,391m$^2$ |
| 270 Miller Street | Lot B & C DP312439 | 452m$^2$ |
| 270 Miller Street | Lot 13 & 14 DP1133414 | 2,733m$^2$ |
| 270 Miller Street | Lot 1 DP747691 | 240m$^2$ |
| 270 Miller Street | Lot 1 DP86012 | 1,085m$^2$ |
| 270 Miller Street | Lot 3 DP561243 | 1,263m$^2$ |
| 270 Miller Street | Lot 1 DP310326 | 710m$^2$ |
| 270 Miller Street | Lot 101 DP1110805 | 696m$^2$ |
| 270 Miller Street | Lot 1 DP181153 | 20m$^2$ |
| **Total Site Area** | | **22,420m$^2$** |

# 5.0 Response to Government Agency Submissions

This section provides a response to the key issues raised in the submission from government agencies.

### 5.1.1 Environmental Protection Authority (EPA)

| Issue Raised | Applicant Response |
|---|---|
| *The Environment Protection Authority (EPA) does not review or endorse environmental management plans or similar plans but sets and regulates to environmental outcomes. The EPA does not require any follow-up consultation. North Sydney Council should be consulted as the appropriate regulatory authority for the Protection of the Environment Operations Act 1997 in relation to the proposal.* | Noted. North Sydney Council has been consulted and provided a submission. Refer to **Section 5.1.3** for further detail. |

### 5.1.2 Heritage NSW - Heritage Council of NSW

| Issue Raised | Applicant Response |
|---|---|
| The Statement of Significance for the SHR listing of St Leonards Park recognises its historical values as one of the earliest established public parks in NSW. The subject site is directly adjacent to the Park. Views of the subject site to and from St Leonards Park must be considered so that the building does not dominate the streetscape and the aesthetic values of the SHR item are preserved. | A Heritage Response letter has been prepared by Weir Phillips and is attached at **Appendix N.** The letter confirms that the proposed works will have an acceptable impact on the St Leonards Park for the following reasons:<br>• The proposed works do not impact on the ongoing enjoyment and appreciation of the significant gardenesque style of the Victorian Park. The Park is enjoyed from being within the Park setting and observing and appreciating its historic gardens, the Cricket Oval and WWII Music Shell and Bowling Club.<br>• The existing grandstands located directly opposite the rear elevation of the proposed three storey building are contemporary structures with integrated commercial tenancies, signage and colonnade to Miller Street which form a clear delineation and buffer between the Park and the site and detract from the heritage significance of the Victorian garden character of the item.<br>• The older North Sydney Oval grandstand is set diagonally to Miller Street and the site, behind a forecourt grid of tall palms trees that obscures the view corridors to and from the site.<br>• The principal view corridors to this section of the Park are from Miller Street, the proposed works are set behind and to the west of Miller Street and will not obscure view corridors to the park.<br>• The Park, set diagonally north of the site and below the Miller Street road level, is bounded by mature, dense and established trees along Miller Street, which creates a visual screen and buffer between the Park and the site. The trees delineate and define the boundary of the park and contain the character of the park within it.<br>• The form bulk and scale of the proposed building to Miller Street has been reduced in the Submissions Report drawings. One storey of the building, adjacent to the Presbytery and Church, has been deleted, which provides a building height more in keeping with the removed school building on the site and heritage items. |
| The North Sydney Draft Civic Precinct and Surrounds Planning Study (The Civic Precinct Study) identifies the area north of the CBD through to Falcon St and Crows Nest, as 'characterised by older educational institutions, heritage-listed Victorian | Noted. The proposed works retain the existing character of the area north of the CBD through to Falcon Street and Crows Nest, as defined in The Civic Precinct Study. The majority of the older education institutions, Victorian terraces, St Leonards |

| Issue Raised | Applicant Response |
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| terraced houses, St Leonards Park and a cluster of civic buildings and public open space at the precinct's centre'. The precinct is intended as 'a lower density green break between the two high-density areas of North Sydney CBD and St Leonards' (VIA, p36). | Park and Civic are retained. The principal significance of the Marist College site is retained and enhanced with the restoration of the Presbytery and removal of the intrusive and unsympathetic carpark that dominates the heritage items. The proposed replacement piazza and increased landscaping between the Church and Presbytery building will enhance the setting of the heritage items and create open park space and 'low density green break' to the wider community. |
| The Visual Impact Analysis states that 'views of the proposal may be visible from within the north-west quadrant of St Leonards Park, in particular the formed pedestrian path that traverses the park in a north-east to south-west direction (VIA, p10). The proposed Carlow Building at the corner of Miller and Carlow Street requires the removal of green space that supports a group of high and moderate significance trees, including a mature Jacaranda mimisifolia (Jacaranda) (Tree TQ96) 14 metres in height. This corner is located directly opposite the key entry point to the park and the view along the axial path running east west through the park (CMP, p44). The narrow setbacks to Miller Street associated with the proposed building and the proposal to offset with roof plantings, fails to preserve existing vegetation or allow for suitable deep rooted landscaping such as trees that would sufficiently mitigate the bulk and scale of the proposed development and preserve the landscape character of the locality (Figure 12 and 13, VIA, p21 and 22) | The proposed setbacks to Miller Street have been specifically designed to provide opportunities for planting. The SDRP provides support for the proposed setbacks:<br><br>"*Consideration has been given to the Miller Street / Carlow Street corner, with the setback incorporating existing and proposed tree planting, as well as low level landscaping. The edge of the undercroft space will have an integrated planter along the Carlow and Miller Street frontages which will provide a landscape edge whilst still enabling daylight and ventilation to the space*."<br><br>The Heritage Response Letter prepared by Weir Phillips Heritage and Planning (attached at **Appendix N**) highlights that the view corridors along the east west axial path running through the Park are unaffected by the proposal when looking into the park. The axial view corridor out of the park will look toward a well designed and highly considered education building. Views to the building will be mitigated by the existing trees in the Park and an extension of Council's street tree planting program along Miller and Carlow Streets.<br><br>Further, the Tree Replacement Strategy submitted with the EIS identifies the replanting of trees wherever possible within the site with species appropriate to the particular location, growing conditions, microclimate and use of the space has also been established to compensate for the loss of any existing trees. |
| Whilst the educational establishment at Marist College, North Sydney is associated with an infrastructure landuse, the proposed response to this strategic and visually prominent corner of the site will have a cumulative impact on the views to and from the adjacent St Leonards Park and is inconsistent with Council's objective that requires development to 'conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, setting and views' (cl 5.10 (1) (b) NSLEP 2012). | The Visual Impact Assessment attached as Appendix H of the EIS acknowledges that there is a visual impact when viewing the proposed development from the south west of St Leonards Park. However, it is considered reasonable given that the proposed development will not block or occlude existing significant views in the public domain and several design measures have been incorporated to mitigate the appearance of bulk and scale. Therefore, the proposed works will have an overall minimal and acceptable visual impact on St Leonards Park. |
| Based on the above, the building setbacks and loss of green space at the corner of Miller and Carlow Street is considered unsympathetic to the existing heritage values of the locality and streetscape and it will adversely impact views to and from St Leonards Park. | The proposed building setbacks are consistent with the controls in the DCP, and the delivery of a new green space as part of the Piazza will result in increased open space. The green space on the corner of Miller and Carlow Street is small, poorly used and is inaccessible to the community. The green space is small in scale in comparison to the landscaped Piazza that is created through the removal of the carpark between the Church and Presbytery. The new landscape area will provide a visual and physical amenity to the area and enhance the site's |

| Issue Raised | Applicant Response |
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| | contribution to the precinct as a 'lower density, green break between the two high density areas of North Sydney CBD and St Leonards'. |

### 5.1.3 North Sydney Council

| Issue Raised | Applicant Response |
|---|---|
| **Traffic**<br>Traffic impacts will be a major consideration in the determination of this application. The EIS indicates a progressive increase to student and staff numbers over the next 20 years and anticipates that the proposed capacity will not be reached until around 2040. | The Transport and Accessibility Impact Assessment attached as Appendix W of the EIS notes that mode shares will change with the introduction of the Victoria Cross Metro Station, which will increase patronage from busses to trains, to and from the site as well as the surrounding area. On this basis, the increased bus and train capacity will mean the increase in student and staff numbers is expected to be manageable. |
| **Transport and Accessibility Impact Assessment**<br>Bus occupancy data – the data suggests that most bus services analysed are below 40% occupied. Buses travelling between North Sydney Station and Marist College are often seated and standing capacity with a majority of passengers being school students from local schools including Marist College – particularly between 8am and 9am. It would be prudent to gauge occupancy of the buses departing North Sydney Station Blue Street interchange in the AM; and departing North Sydney Oval – Miller Street in the PM. | An amended Transport and Accessibility Impact Assessment has been prepared by TTPP and is attached at **Appendix H.** The Assessment has utilised bus occupancy data obtained from TfNSW collected on Thursday 20 February 2020 to understand existing capacities of buses. The data indicates that:<br><br>*Existing bus loads within the vicinity of the site currently operate below capacity, with maximum occupancy of 60% The majority of the buses arriving at the selected bus stops have up to 20% occupancy. As such the existing bus facilitites within the immediate vicinity of the site currently have space capacity for any additional bus trips generated by the school.*<br><br>Further a traffic response letter has been prepared by TTPP as attached in **Appendix I**, demonstrating bus occupancy data (table 5) for the requested time periods at North Sydney Station Blue Street interchange and the North Sydney Oval – Miller Street. |
| **Road Network Impacts – Scenario Modelling**<br>The modelling assumes a future road connection from Ridge Street to the Western Harbour Tunnel. There is no such connection proposed as part of the Warringah Freeway/Western Harbour Tunnel project that Council is aware of. This assumption is of concern as it impacts much of the modelling outcomes, and it is stated that the traffic data was supplied by TfNSW. The accuracy of this data and assumptions should be clarified before any determination is made. Clarification of this issue will also be sought from TfNSW. | Data was utilised from TfNSW forecast strategic models. As the Transport Impact Assessment has relied on the TfNSW model for forecasting, assumptions cannot be changed. Refer to page 10 in the traffic response letter prepared by TTPP as attached in **Appendix I** for further detail. |
| **Green Travel Plan**<br>The Green Travel Plan encourages increased walking, cycling and public transport modes to and from the site and is supported. | Noted. |
| **Draft Construction Traffic Management Plan**<br>The project is estimated to commence in mid-2021 and conclude in mid-2026 (5 years duration) in 7 stages. Construction vehicle access is proposed via existing driveways | Noted. The CTMP will be submitted to Council for approval by the North Sydney Traffic Committee prior to issue of a Construction Certificate. |

| Issue Raised | Applicant Response |
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| on Miller Street, and Carlow Street at various stages. Temporary access driveways are also proposed on Miller Street, Carlow Street and Cassins Lane at various stages. A construction Work Zone is proposed on street in Carlow Street during Stage 2. Trucks ranging from 8.8m MRV to 12.5m MRV are proposed. To ensure construction traffic impacts are appropriately managed it is recommended that the CTMP be submitted to Council for approval by the North Sydney Traffic Committee prior to issue of a Construction Certificate. | |
| **Traffic Management**<br>Major development adjacent to a Regional Road. CTMP to be referred to Traffic Committee | Noted. |
| **Stormwater**<br>Existing flooding issues. Major drainage works required. Extensive pipelines to be constructed in Miller Street. Council's Drainage Engineer has some issues with the stormwater management proposal. | Noted. |
| **Sediment and Erosion**<br>Appropriate controls to deal with these issues will be required to be maintained. | The mitigation measured outlined in Section 7 of the EIS will be adopted to ensure the maintenance and mitigation of sediment and erosion. |
| **Excavation and Retaining Walls**<br>Significant excavation for basement parking adjacent to council property noted. Appropriate conditions will be recommended to address the above matters. | Sydney Catholic Schools is willing to accept a condition to appropriately manage and address the basement exaction for parking. |
| **Street trees and private trees**<br>There are many mature street trees potentially impacted by the proposal, two of which and proposed to be removed. A tree bond of $197,000 will be recommended to be imposed on any consent issued.<br>Numerous mature site trees are proposed for removal. While Council would not normally support the removal of such trees, it is considered that in light of the need to maximise the use of the site for growing educational needs, and the well-considered landscape plan prepared by Oculus dated 01/02/21, that improves the public interface and includes replacement planting of a large number of trees, Council would not object to the removal of the proposed trees other than T8, T36 & TQ86, 3 x mature Phoenix canariensis which should be transplanted on site. It should be noted that many of the trees proposed to be removed are not readily observed from the public realm. | Sydney Catholic Schools accepts is willing to accept a tree bond condition as part of the consent. |
| **Landscape plan**<br>The Landscape Drawings prepared by Oculus dated 01/02/21 are generally considered acceptable subject to the following amendments:<br>• T8, T36 & TQ86, 3 x mature Phoenix canariensis shown for removal shall be transplanted on site.<br>• 2 x Platanus digitata (200l) shall be planted along the Miller Street frontage between TQ54 & TQ55<br>• Amended Landscape Plan shall show pot sizes and numbers | Amended Landscape Plans prepared by Oculus have been provided at **Appendix J**.<br><br>The plan comprises the following amendments in response to the comment received:<br>• T36 has previously been removed as part of the Stage 1 works (carried out as Complying Development). T8 and TQ86 have been shown for transplanting to a new location within the piazza.<br>• 2 new street trees have been provided as requested. |

| Issue Raised | Applicant Response |
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| • All trees shall be minimum 75l pot size, with feature trees to be minimum 200l.<br>• All services shall be located so as not to traverse through the SRZ of any protected tree, and to avoid traversing the TPZ of any protected tree. If it is not possible to avoid encroachment within the TPZ of a protected tree, sensitive techniques (eg, boring) shall be used. | • Panting Plans L07 and L08 and Plant Schedule L-003 illustrate pot sizes and numbers<br>• Noted. The Plant Schedule has been amended to reflect minimum 75L pot size.<br>• Noted. The recommendations in the Arboricultural Assessment Report prepared by TreeIQ submitted with the EIS will be adopted for any works within TPZs. |
| **Urban Design**<br>The design of the school is inward looking which responds to the security and operational needs typically required by a school. Having regard to this need the following comments are offered:<br><br>• Height:<br>– A design principle in the Civic Precinct Planning Study is that any additional height should be located (in principle) at the centre of the school's ground with a lower scale perimeter that can relate to the streetscape. Having regard to the design principle the proposed four storey height along Miller Street and Carlow Street might not be considered to respond appropriately to the surrounding low-scale context, particularly as the height is concentrated around the perimeter of the site rather than in the centre. There is no stepping down of height towards at the edges of the site, which reinforces the monolithic form of the development.<br>– Consideration should be given to providing a variation in building height to provide a transition between the proposal and surrounding lower scale development.<br><br>• Bulk and scale<br>– The façade provides no substantial architectural breaks or articulation, resulting in a consistent building mass along the two street frontages. The building does not relate to the low scale residential further north along Miller Street and east along Carlow Street.<br>– The proposal does include elevations that highlight architectural details on the façade and their relationship with the surrounding context. These would be more successful if they incorporated setbacks and height variations.<br>– The length of the development on the corner of Miller Street and Carlow Street should be broken up through physical breaks in the building façade.<br>– The proposal provides up to 3 meters setbacks from Carlow and Miller Streets. This provides deep soil planting opportunities. However, greater setbacks would enhance planting that would reduce the perceived bulk and scale of the development.<br><br>• Piazza<br>– The proposed publicly accessible piazza is supported, especially the connection from Miller Street to the rear shared lane behind the site. The piazza significantly offsets other concerns raised in terms of bulk and scale. The piazza repurposes what is an open-air carpark and represents a significant urban design and potential community benefit.<br>– More information on the defined public/private spaces would be beneficial to define what area is publicly accessible and what is not and under what terms. | An updated Architectural Design Statement has been prepared by WMK Architecture and is attached at **Appendix B**.<br><br>**Height, Bulk and Scale**<br>The proposed height and bulk concentrated towards the north-eastern and eastern edges, appropriately contains impacts within the school boundaries and is supported by the NSW Government Architect. It is considered that the Carlow Street building is consistent with the surrounding low scale context as it is similar in height to the existing Hall, Gym off Cassins Avenue and respects the existing Marist Brothers two storey terraces on the site fronting Carlow Street.<br><br>The proposal has been amended to deliver a 4-storey building (including basement) along Miller Street to appropriately respond to the surrounding low scale context. This reinforces a more transitional built form between the proposal and surrounding development. The maximum height of the building does not exceed the existing St Mary's Church located on site.<br><br>The proposed Miller Street building has been amended to incorporate greater articulation along the street frontages to better respond to the parapet and ridge heights of the adjacent Presbytery and the scale of adjacent buildings on Miller Street.<br><br>Urban space and precinct development was considered with the redevelopment of the existing on-grade carpark in providing the open Piazza and main entry gateway to the whole site. The open space of the Piazza balances both St Mary's Garden on Ridge Street and public open space opposite to North Sydney Oval.<br><br>**Piazza**<br>Details on the various uses and management between private and public spaces of the piazza has been outlined in the Landscape Report prepared by Oculus as attached at **Appendix K**.<br><br>The accessible ramp to the piazza has been identified in the amended Architectural Plans prepared by WMK and Landscape Plans prepared by Oculus appended at **Appendix A** and **Appendix J**.<br><br>**Fortress like Appearance**<br>The design of the Miller Street and Carlow Street Buildings provide a civic front to the street providing protection and privacy for the school, its students and staff. |

| Issue Raised | Applicant Response |
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| – Any proposal should include an accessible ramp to the piazza from Miller Street.<br>• Fortress like appearance<br>- The proposal is designed to focus into the site rather than out. There may be some secondary interaction/glimpses into the under croft play area from the intersection at Miller and Carlow Streets. A setback above the first or second floor is needed to break down the 'fence like' appearance of four storeys around that corner. | This perceived "fortress like" appearance is broken down by the banked landscape treatment within the setback zone and the open undercroft area which is slightly raised from the street. This provides a defined break in the building at the first floor, with the two-storey glazed fenestration above. |

### 5.1.4 Transport for NSW

| Issue Raised | Applicant Response |
|---|---|
| **Network Modelling** | |
| 1. The traffic model does not include the pedestrianisation of Miller Street between Pacific Highway and Berry Street. With the changes proposed by North Sydney Council in their Public Domain Strategy, there would be a significant changes / shift in vehicle movements. The model should incorporate these changes along with the impact of Western Harbour Tunnel. | Consultation with TfNSW has been undertaken since receiving their comments dated 22 March 2021. Through this consultation, TfNSW has now agreed that the Miller Street pedestrianisation does not need to be considered, noting that the pedestrianisation of Miller Street (known as Miller Place) is North Sydney Council's desire, and does not yet have any commitment from either Council or TfNSW regarding if or when this would occur.<br><br>In relation to the Western Harbour Tunnel, the EISs for both the Western Harbour Tunnel and Beaches Links have been reviewed, and road upgrades have been incorporated in line with those documents.<br><br>Traffic forecasts have included the Western Harbour Tunnel and Beaches Link, as provided by TfNSW. |
| 2. Page 39 - 7.2 - The 'evening peak (2:30pm-4:30pm)' used in the Base Model appears unusual. Around the same time in 2019, it appears to show later PM peak times (please see attachments). | A detailed response letter responding to all comments raised by TfNSW is provided at **Appendix I**. The letter clarifies that the Base Model is based on traffic surveys and after school activity assumptions, which have been informed by the School's documentation. |
| 3. Page 46 – 7.6.2 – Based on historical observations of traffic flow in the North Sydney area, the '2020' Base case, Level of Service (LoS) at each signalised intersection is considered generous, which may have an effect to the travel times suggested on page 48 – 7.6.3 | Following a meeting with TfNSW, TTPP has provided a comparison of survey data along Falcon Street and Carlow Street to demonstrate reliable 2020 survey data. Refer to the Transport Impact Accessibility Assessment (**Appendix H**) and response letter (**Appendix I**) for further detail. |
| 4. Page 45 - 7.5.2 suggests "the removal of on street parking in both directions on Miller Street will be required and has been applied to the year 2036 models". Furthermore, it is stated that the planned future upgrade of the Miller Street/Falcon Street intersection have been applied to the "2036 Do Minimum and 2036 Do Minimum + School Demand scenarios". TfNSW requests the intersections should also be analysed for current situation (i.e. without planned upgrades) and for both "with and without" proposed development and submitted for review. | TTPP has undertaken SIDRA network modelling as requested by TfNSW. The SIDRA modelling included future 2026 and 2036 scenarios, with and without planned upgrades and with and without the Miller Street parking restrictions.<br><br>The SIDRA modelling, discussion and results have been provided in the updated TIA report. |
| 5. It is noted the area road network has been modelled in AIMSUN. TfNSW requests all identified intersections should be modelled in SIDRA NETWORK and the SIDRA | |

| Issue Raised | Applicant Response |
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| outputs should be incorporated in the traffic report and submitted for review. | |
| **Active Transport Considerations** | |
| 6. Future Transport 2056 emphasises the importance of walking and cycling for short trips and reinforces the importance of walking and cycling to increase the catchment of public transport as part of the whole customer journey.<br><br>Building Momentum - State Infrastructure Strategy 2018-2038 includes recommendations related to walking and cycling, including integrating transport with land use; managing travel demand; unlocking capacity in existing assets; and improving population health outcomes through more active transport.<br><br>The Transport and Accessibility Impact Assessment (TAIA) proposes 72 bicycle parking spaces for high school students (5% of proposed high school students) and 10 spaces for staff (5% of all proposed staff). Bicycle parking for primary students is not provided, however, cycle represents 3% mode share for existing primary school students. Additionally, there is no mention of end-of-trip facilities. The NSW Planning Guidelines for Walking and Cycling has been superseded by Cycling Aspects of Austroads Guides, 2017, which recommends that bicycle parking for allday use on a regular basis should be expected to be combined with end-of-trip facilities such as showers, lockers etc.<br><br>Bicycle parking for staff should be increased to 10% of proposed staff population to encourage non-car mode share for travel to and from the site, with adequate end of trip facilities also provided. Bicycle parking for primary school students should be provided to support primary school student cycle mode share (3% existing) for the proposed primary school student population | It is proposed to comply with TfNSW's suggestion with a proposed provision of 109 bike spaces, instead of 82 spaces as originally proposed.<br><br>In addition, the revised GTP has included two sets of mode share targets:<br><br>• Short term 'realistic' targets (that have been adopted by the TIA for modelling purposes)<br>• Long term 'aspirational' targets (these are targets that GTP will aim to achieve, with each future update of the GTP coming closer to achieving these goals).<br><br>The long term targets, include a bicycle parking mode share of 10% for staff as recommended by TfNSW. This has resulted in a total of 109 bike parking spaces being provided on site. |
| **Public Transport Considerations** | |
| 7. The following routes have changed since this report was prepared The TAIA and GTP need to be updated to reflect the following information:<br><br>Transport and Accessibility Impact Assessment (TAIA)<br><br>• Tables 2.1 & 2.2<br>– 154X now only operates to Dee Why;<br>– 168, 173 and 188 are discontinued;<br>– Route 200 only operates to Gore Hill;<br>– 343 is cancelled and replaced with 115 which only operates to Bridge St;<br>– School specials 660W & 661W have been renumbered to 793n & 794n<br>– respectively; and<br>• Missing 150X – Manly to Milsons Point (Express Service) | The Transport Impact and Accessibility Assessment (**Appendix H**) and Green Travel Plan (**Appendix Q**) have been updated, as requested. |

| Issue Raised | Applicant Response |
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| Green Travel Plan (GTP)<br>• Tables 2.2 & 2.3<br>– 154X now only operates to Dee Why;<br>– 168, 173 and 188 are discontinued;<br>– Route 200 only operates to Gore Hill;<br>– 343 is cancelled and replaced with 115 which only operates to Bridge St;<br>– School specials 660W & 661W have been renumbered to 793n & 794n<br>– respectively; and<br>• Missing 150X – Manly to Milsons Point (Express Service) | |
| **Car Parking Considerations** | |
| 8. The proposed Carlow Street car park would provide 50 spaces proposed for staff, compared to 44 existing spaces. Proposed parking spaces for staff should remain at the existing 44 spaces to discourage car use and increase non-car mode share for travel to and from the site. The provision of 44 parking spaces for staff parking aligns with Educational SEPP. Measures to discourage staff form using St Mary's Church / Parish Office parking (41 spaces) should be included in the updated Green Travel Plan (GTP). | The proposed development will result in the provision of 56 spaces for staff. Refer to the Transport Response Letter prepared by TTPP as appended at **Appendix I** for further detail. |
| **Green Travel Plan/School Travel Plan** | |
| 9. TfNSW notes the Green Travel Plan (GTP), prepared by TTPP transport planning. The GTP includes some measures to encourage mode shift and mode share targets. TfNSW does not consider the proposed measures or mode share targets to be adequate for this development | The proponent would accept a condition to update the Green Travel Plan prior to the Occupation Certificate and to obtain endorsement form the Sydney Coordination Office. |
| **Construction Traffic Management Plan (CTMP)** | |
| 10. The driveway on Ridge Street must be restricted to left-in and left-out movement to reduce conflicts and avoid vehicle queue back to the intersection of Miller Street/ Ridge Street. Turn paths for the largest vehicle to access the site are required for this left in / left out movement. Truck routes should be updated. | Construction vehicles will not be accessing the site via Ridge Street. |
| 11. The turn paths provided at the intersection of Pacific Highway / McLaren Street are tracking over the concrete central median, this is a safety concern and amended turn paths are required to verify the safety of this movement. | The swept path has been revised to ensure the safety of movement as appended at Appendix A of the Transport response letter prepared by TTPP at **Appendix I**. |
| 12. The 12.5m HV turn path indicates that trucks will be turning right from West Street into Falcon Street from the southbound approach. This is not supported as there is a full time 'No right turn' restriction for this movement. Truck routes should be updated. | |
| 13. No construction vehicle movements are to occur during school drop-off (8.00am to 9.30am) and pick up (2.30pm to 4.00pm) times on school days as the proposed truck route contains school zones. This should be reflected in the CTMP. | The restriction for no construction works between 8:00am to 9:30pm and 2:30pm to 4:00pm has been updated in the revised CTMP prepared by TTPP as attached at **Appendix O**. |

| Issue Raised | Applicant Response |
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| **Other Comments** | |
| 14. TfNSW concurs with the removal of the Miller Street egress. The egress should be removed and replaced with kerb and gutter to Council's satisfaction. | Noted. |
| 15. School zones must be installed along all roads with a direct access point (either pedestrian or vehicular) from the school. School Zones must not to be provided along roads adjacent to the school without a direct access point | Sydney Catholic Schools agree would agree to a condition for school zones to be installed. |

### 5.1.5 Heritage NSW – Aboriginal Cultural Heritage (ACH)

| Issue Raised | Applicant Response |
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| Supports the recommendations made in Section 12 of the report. | Sydney Catholic Schools agree to adhere to the recommendations. |

### 5.1.6 Department of Planning, Industry and Environment - Environment of Energy and Science Group

| Issue Raised | Applicant Response |
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| **Biodiversity** | |
| Several microbats may utilise buildings as roosting habitat, whether intermittently or for overwintering. Potential species found in the locality include Large Bent-winged Bat,Little Bent-winged Bat, Eastern Coastal Freetailed Bat, Eastern False Pipistrelle and Yellow-bellied Sheathtail-bat. The potential for microbats to utilise buildings on site has not been discussed as a potential prescribed impact.<br><br>A candidate list of threatened species should be prepared, in accordance with section 6.7.1.3 of the biodiversity assessment method (BAM). Then, daytime roost searches should be carried out for these species. All roost searches should use a torch to shine in holes, cracks and crevices, and carry a handheld bat detector to locate bats that may call. If bats are detected, observers must confirm the identity of the species and determine if the roost is a maternity roost. The biodiversity development assessment report (BDAR) should be updated to include a description of the searches undertaken and Table 9 of the BDAR will also need to be revised. In addition, if any microbats are detected, an assessment of impacts on prescribed biodiversity values will need to be included in the BDAR, to address section 9.2.1.3 of the BAM. Also, additional measures to be implemented prior to and during construction, to minimise impacts on microbats, will also need to be included in the BDAR. | A candidate list of threatened species is provided in the revised BDAR prepared by Narla Environmental and attached at **Appendix D**.<br><br>A targeted daytime search for potential roost sites within roof cavities was conducted on 15 April 2021. A torch was used to shine in holes, cracks and crevices within the roof space, and a handheld bat detector (Echometer) was used to locate any bats that may call. No individuals were located during the survey, and no signs of roosting (e.g. scats) were detected. In addition, echolocation call analysis indicated that no microbats were present within the roof cavities. It was therefore concluded that the proposed development will have no prescribed impact on threatened microbat species. |
| The information provided to address section 8 of the BAM (avoiding impacts) is very brief. While it is acknowledged that there is minimal scope to avoid impacts, the BAM requires documentation of the efforts taken to avoid impacts through location or design. If no efforts were made, this should be documented. | The revised BDAR (**Appendix D**) emphasises that the site comprises poor biodiversity values and has been designed to avoid and minimise impacts to native vegetation and habitat. The development site is located within an area of minimal biodiversity value with a very low VI score of 4.4. The site does not contain any threatened flora species and there are no anticipated impacts to threatened fauna species, including threatened microbats. In addition, no threatened ecological |

| Issue Raised | Applicant Response |
|---|---|
| | communities occur within the site, and therefore will not be impacted as part of the proposed development. Due to the nature of the development being within a highly urbanised area, the project will not impact on habitat connectivity within the wider locality.<br><br>Although some native vegetation will require removal, the Subject Land predominately comprises of exotic vegetation. It is not anticipated that the removal of such vegetation will impact on habitat for threatened species in the wider area, particularly due to the degraded nature of the site and limited habitat for threatened species in the wider locality. |
| It is noted that Table 6 states credits are required for the Large Bent-wing Bat, it is assumed this is an error. | Table 6 has been amended to reflect no biodiversity offset credits required for Large Bent-wing Bat species. |
| **Flooding** | |
| The report does not adequately address the impacts of the proposed development on flood behaviour and the impact of flooding on the development and its users for the full range of flooding. | A revised Flood Risk Assessment has been prepared by GRC (**Appendix F**) outlining that the proposed development will significantly reduce flooding at the site by diverting more flow into the trunk drainage system. Overall, the site has low flood risk in that in nearly all flood events, the flow does not pose significant risk to students or teachers who may be outside, nor will it cause hazardous flooding inside buildings. |
| The flood impact assessment determines that the proposed development will worsen flood affectation within the school site in the 1% AEP as shown in Figure 3. This impact must be addressed and mitigated. | The proposed design will ensure floor levels comply with the requirements of the Flood Risk Assessment and are above the 1% AEP as identified in the mitigation measures in Section 7 of the EIS. |
| Mapping is limited to 1% AEP Flood depth. There are no maps to show the impacts of the development on flood hazard in the 1% AEP. This information is required to guide decisions on the proposed works and on any mitigation options. | Flood mapping has been prepared by GRC Consulting (**Appendix F**) to demonstrate the proposed case with peak flood depths, levels and hazard for the 1% AEP. The maps illustrate a flood hazard category of H1 and H2 across the site at a 1% AEP design event of peak flood hazard for the proposed development. Proposed pits and pipes with the existing stormwater system will mitigate and manage flooding. |
| The report does not provide maps to show the impact of the development on flood behaviour for the PMF event. This information is required to ensure emergency management response on the site is adequately considered. The proposed development is an education facility which is classified as vulnerable development. Flood risk for the full range of flooding should be adequately addressed and documented. An emergency response plan should be prepared to ensure the safety of students, teachers and members of the school community. | Flood mapping has been prepared by GRC Consulting (**Appendix F**) to include the existing and proposed flood behaviour for the PMF event. The flood maps illustrate a flood hazard category H1, H2, H3, H4 and H5 at PMF design event of peak flood hazard. An emergency response plan has also been included in the report. |

### 5.1.7 Ausgrid

| Issue Raised | Applicant Response |
|---|---|
| Appendix L to the EIS identifies that the proponent has made an initial application for connection to Ausgrid for the new development and has since received a design related services offer from Ausgrid issued on the 9/11/2020. We encourage the | Sydney Catholic Schools is committed to ongoing consultation with Ausgrid, as needed. |

| Issue Raised | Applicant Response |
|---|---|
| proponent to continue to discuss their requirements directly with Ausgrid as needed. | |

### 5.1.8 Sydney Water

| Issue Raised | Applicant Response |
|---|---|
| **Water Servicing** | |
| Potable water servicing should be available via a 180mm PE watermain (laid in 2008) on Carlow St. | Noted. |
| Amplifications, adjustments, and/or minor extensions may be required. | Noted. |
| **Waste Water Servicing** | |
| Wastewater servicing should be available via multiple 225m wastewater mains within the property boundary | Noted. |
| Amplifications, adjustments, and/or minor extensions may be required. | Noted. |
| **Sydney Water Servicing** | |
| A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water. | Sydney Catholic Schools will obtain a Section 73 Compliance Certificate prior to construction. |
| The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs. | |
| **Building Plan Approval** | |
| The approved plans must be submitted to the Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met. | Noted. |

### 5.1.9 Sydney Metro Corridor Protection

| Issue Raised | Applicant Response |
|---|---|
| The final design of pile foundation should be provided in order to confirm the risk levels on Sydney Metro infrastructure. | A summary of engagement with Sydney Metro and civil engineering drawings have been prepared by TTW (see **Appendix R**). This concludes that the final design of pile foundation will not interfere with the Sydney Metro tunnel reserve or give rise to any risk on Sydney Metro infrastructure. |

## 6.0 Submissions from Organisations

**Owners Corporation Committee: 7-21 Carlow Street and 2-10 Cassins Avenue, North Sydney**

| Issue Raised | Applicant Response |
|---|---|
| The traffic surveys undertaken to-date appear to have been done over too small an area ,and not to have included traffic flows in streets such as Hayberry, West, Mrytle, Burlington and Ernest Streets which feed into and are impacted by school traffic flows. Nor have they made convincing reference to understanding traffic flows from Tucker St into and out of Carlow St with students of North Sydney Boys High directly opposite the proposed entry to the parking building for the expanded precinct. | The Transport Impact Accessibility Assessment has been prepared in accordance with the SEARs. A further detailed response relating to Hayberry, West, Myrtle, Burlington, Ernest Streets, and the additional streets in question, is provided in the transport response letter prepared by TTPP as attached at **Appendix I**.<br><br>The development will include an increase to the capacity of drop off areas, which is expected to enable more traffic to be accommodated on-site and as a result reduce on- street parking demand and reduce the number of people who may be circulating the roads looking for a suitable space to stop and drop off their child |
| Much emphasis is placed in the Development Application to a Green Traffic Plan as a cure to the traffic and parking issues of the expanded precinct. Quite candidly, this appears to be a relatively academic and contemporary use of in-vogue language as opposed to a practical solution to the current and prospective issues. Despite undertakings given to us, no evidence has been provided on the claims made to-date by the traffic consultants that Green Traffic Plans have worked offshore. The proposed plan also appears to not factor in the socio-economic characteristics of the lower North Shore and the relatively high level of car ownership and usage by parents and people going to and from work . | A Green Travel Plan was prepared in accordance with the SEARs and is an accepted standard of DPIE. Green Travel Plans provide a strategy to manage travel demand encouraged through sustainable travel methods. Green Travel Plans are used across the nation to support medium-large scale developments. The Green Travel Plan acknowledges the high car dominance as a primary transport mode of students and staff, however promotes public transport use as a mode of travel to mitigate any adverse environmental impacts. |
| Reference was made by the traffic consultants in our December meeting to situations overseas where Green Traffic Plans for similar developments have been accompanied by measurable milestones to quantify the degree to which the traffic and parking plans are being realised. No such milestones are included in the current Development Application. Why not? | The revised Green Travel Plan prepared by TTPP and attached at **Appendix Q** provides short-term and long-term mode share targets as the key measure to assess the effects of the Green Travel Plan initiatives. Further, the Plan is a working document that will be regularly monitored and adjusted throughout operation, and is expected to be updated yearly with initiatives provided with timelines and appointed personnel. |
| Strong emphasis is also being placed on students (and staff) using public transport and especially buses, yet several of the owners in our complex can state cases of students not using buses, especially after school, as they are full by the time they get to Marist College on Miller St. Students appear to acknowledge this in the traffic plan. | The new Victoria Cross Metro Station is expected to increase train usage as a travel mode to the site and thus bus capacity is expected to be managed to be able to accommodate students. |
| Indications from our discussions are that no consideration is being given to alternative traffic and parking options or any variations to the current plans. Consistent reference is made to the State Government and North Sydney Council being firm on not allowing additional traffic to enter or exit onto Miller and Ridge Streets, leaving Carlow as the only option, and to the current church car park not being available for any parking for the expanded precinct as it has to be used for a public precinct. Yet no reference exists in the proposals to the expanded use of roundabouts (eg at the intersection of West and Carlow Sts etc) to help traffic flows or to the option of | The design of the traffic network was prepared within the limitations of the statutory controls imposed on the development by TfNSW and the Infrastructure SEPP.<br><br>A detailed response has been prepared in the transport response letter prepared by TTPP at **Appendix I.** The letter confirms that there will be no adverse traffic impacts as a result of the Miller Street access being removed. |

| Issue Raised | Applicant Response |
|---|---|
| using some or all of the current church car park to accommodate the increased parking and traffic flows caused by the expanded precinct as opposed to trying to serve a "nice-to -have public interest" | |
| The proposal that the parking building for the first stage 5-level building will have an extra 71 parking spots, but none for the second stage (which includes a 1500 seat amphitheatre) seriously understates the parking required for the expanded complex. Without more parking than is being proposed, it serves to highlight that the proposed precinct represents a serious over development for what is a residential area, and one which will fundamentally inconvenience and diminish the exiting amenity for residents and local businesses, and visitors to St Leonards Park and North Sydney Oval, which are regularly used for events during the week as well as at weekends. | It is emphasised that the '1500 seat' refers to the size of the amphitheatre and not the typical use of it. The likelihood of non-school period events that accommodate this level of patronage is low. If such event occurs, an event management plan that includes traffic and car parking management measures would be implemented, including promoting the use of public transport as per the Green Travel Plan.<br><br>Refer to the transport response letter prepared by TTPP as attached at **Appendix I** for further detail. |
| Residents of our complex also have significant concerns in relation to:<br>• the height of the 5-storey Stage One building reducing existing sunlight levels and creating additional shadowing for residents at the eastern end of our complex<br>• the proposed open roof top space ,which will be used for recreational purposes , further adding to already significant existing noise levels from the school, even before an additional 800 students are added .<br>• The open roof top and the balconies which will face towards our complex fundamentally reducing the privacy currently enjoyed by our owners in Carlow St and Cassins Lane. | • The Miller Street Building has been reduced in size to a 4-storey building (including basement) which will not result in adverse overshadowing impacts.<br>• A revised Noise and Vibration Report has been prepared by Stantec as attached at **Appendix C** and confirms that the predicted noise levels at the surrounding noise sensitive receivers is expected to comply with the project noise trigger levels and no further mitigation measures are required for the open rooftop space.<br>• The proposed rooftop has been designed to sensitively respond to the neighbouring properties specifically along the western frontage and Carlow Street building with significant plant edging to provide screening to prevent opportunities for overlooking. Refer to the landscape drawings prepared by Oculus as attached at **Appendix L** for further details. |

# 7.0 Response to Public Submissions

This section provides a response to the key issues raised in the submissions from the public, including special interest groups and private organisations.

## 7.1 Built Form, Bulk and Scale

### Issues Raised

The key built form, bulk and scale issues raised in submissions include:

- 5-storey height is not fitting with the Carlow Street streetscape and character
- Lack of detail for the proposed rooftop and its disruptive and noisy nature
- Incompatibility with surrounding heritage items
- Incompatibility with the North Sydney Hotel
- The Miller Street and Carlow Street setbacks do not provide significant distance to the Marist Brothers residences

### Response to Issues

In response to these issues:

- A revised architectural design statement has been prepared by WMK as attached at **Appendix B**. The proposed Miller Street building has been reduced from a 5-storey building (including basement) to a 4-storey building (including basement). CGI Imagery has been prepared to illustrate that the proposed building is consistent with the existing streetscape and character. Further, existing and proposed street trees provide natural screening to both Miller Street and Carlow Street.
- Sufficient detail of the proposed rooftop has been provided in the Architectural Drawings prepared by WMK (**Appendix A**) in addition to the Landscape Plans prepared by Oculus (**Appendix J**). In regard to concerns about the noisy and disruptive nature of the rooftop, this has been assessed in the Noise and Vibration Assessment prepared by Stantec (**Appendix C**) which confirms that predicted noise levels at the surrounding noise sensitive receivers are expected to comply with the project noise trigger levels and no further mitigation measures are required for the open rooftop space.
- The proposed development has been designed in accordance with the campus design principles that ensure the proposed development is in keeping with the surrounding heritage items and complements the existing heritage fabric.
- The revised Visual Impact response letter prepared by Ethos Urban and attached at **Appendix G** concludes that the proposed development will not hinder the visual prominence of the North Sydney Hotel.
- The proposed bulk and scale is in keeping with the existing school facilities, and the separation from the Marist Brother residences is adequate to provide visual and acoustic privacy.

## 7.2 Visual impact

### Issues Raised

The key visual impact issues raised in submissions include:

- There is no relationship between the proposed building and the surrounding context
- There is a lack of consistency as the proposed development looks out of place

### Response to Issues

- In response to these issues, Ethos Urban has prepared a Visual Impact response letter as attached at **Appendix G.** It is considered that WMK and the project team have made significant efforts to ensure an appropriate design that will accommodate the increased demand for education infrastructure, whilst remaining compatible with the surrounding context.

- The Visual Impact response letter concludes that the proposal will result in a visually acceptable relationship with the existing streetscape, as follows:
  - The scale and bulk of the proposal takes its cue from streetscape elements, and is not considered to be incompatible with adjoining and adjacent heritage items
  - While the original height was not considered to have an unacceptable visual impact, the removal of a full storey from the Miller Street building represents a more visually compatible scale with the Presbytery, and a more aligned height with that of the North Sydney Oval
  - While the setback to the Miller Street and Carlow Street is different to the existing built form, it creates a corner treatment that is consistent with that of the North Sydney Hotel, and together with the hotel and North Sydney Oval functions to delineate the gateway to the North Sydney CBD from residential areas to the north
  - Street facing elevations of the proposal will be broken up into smaller elements, and include considerably more lightweight elements such as large windows. This significantly reduces the appearance of visual scale and bulk when seen in views that include heritage items
  - The proposal has highly articulated streetscape elevations, in particular through the use of brick and finer grain elements such as extensive glazing.

## 7.3 Traffic and Parking

### Issues Raised

Key traffic and parking issues raised in submissions include:

- Increased volume of traffic and congestion with likely convergence of cars entering and exiting
- Lack of consideration for the existing 20 parks during construction (interim)
- Lack of management of traffic around Cassins Avenue, West Street, Ridge Street for pickup and drop off times
- The movement of local traffic to Ridge Street for construction traffic movements will increased traffic flows between West Street and Miller Street with increased safety risks for students
- Not enough parking provided to support increased capacity of the development including the proposed amphitheatre
- Likely traffic bottleneck to occur on Carlow Street as cars try to turn right and be blocked by cars wishing to enter the school
- Lack of information on the impact on the Tucker Street and Carlow Street intersection
- Lack of provision for parking for church services and events
- Lack of consideration for the impact on on-street parking by the St Leonards Park users

### Response to Issues

In response to these issues:

- An updated Transport Impact and Accessibility Assessment has been prepared by TTW as attached at **Appendix H**. Access to the site will be through Ridge Street and Carlow Street, and is supported by TfNSW with the traffic caused by the proposed development likely to result in a minor impact.
- Refer to the Construction and Pedestrian Management Plan prepared by TTW (**Appendix O**) which provides parking arrangements during all construction works and stages. Further, during operation, the displacement parking is to be accommodated within the new Carlow Street carpark.
- All proposed pickup/drop off areas are to operate under a management plan which will include staff managing student and vehicle movements. Additionally, the proposed childcare centre pick up/drop off times are to be staggered with the school to best manage vehicle movements.
- In accordance with the revised CTPM prepared by TTPP as attached at **Appendix O**, the proposed construction traffic generation is expected to be a modest level of vehicular traffic with a maximum of eight truck movements (two-way) per hour forecasted, or up to 50 truck movements per day at the peak of construction activities. As such, the proposed construction activities are expected to result in no adverse impact on the surrounding network.

- The proposed provision of 9 car parking spaces for the childcare centre and 50 car parking spaces for the proposed primary and secondary schools exceed the DCP requirements in order to provide more parking opportunities. Further, refer to the transport response letter prepared by TTPP (**Appendix I**) confirming the parking management arrangements for the proposed amphitheatre.
- The Carlow Street site access has been designed to ensure efficient traffic flows including driveway design for two-way flows and the underground drop-off area.
- The new site access has been designed to permit clear two-way flows for large vehicles (vans, utes etc). Therefore, delays to turning movements are reduced by ensuring that the site driveway and site traffic is operating efficiently. This will effectively reduce the likelihood of queueing issues from the site access along Carlow Street.
- Parking for church services and events will utilise 37 of the existing parking spaces in addition to parish visitors and staff having access to the Carlow Street car park during out of school hours (e,g weekends when services typically run) to accommodate church services and events.
- The development includes additional drop off areas on-site which will effectively reduce on-street parking demand. Additionally, events that are held at St Leonards Park and North Sydney Oval are generally held outside of school traffic peaks and therefore, the peak parking demand for these uses will not coincide with school traffic and parking peak.

## 7.4 Tree Removal and Ecological Impacts

### Issues Raised

Key tree removal and environment issues raised in submissions include:

- Loss of several established and significant mature trees
- The trees are required on site to break down the large scale of development
- Trees are needed to reduce the heat island effect
- The impact of tree removal on bird habitats

### Response to Issues

In response to these issues:

- The removal of trees is required to facilitate the proposed development. Many of the trees identified for removal have a retention value of ‘consider for removal’. The proposed landscape design includes a tree replacement strategy that seeks to achieve a similar canopy cover to the existing. This will include the replanting of new trees wherever possible within the site, with species appropriate to the particular location, growing conditions, microclimate and use of the space.
- The proposed landscaping has been designed to complement the proposed development and contribute to a positive streetscape appearance of the built form.
- In addition to the 60 new trees proposed to off-set the tree removal, the proposed landscape design increases overall green coverage available on site to reduce the heat island effect
- The revised BDAR prepared by Narla Environmental as attached as **Appendix D** identified that the proposed development will not result in the removal of any important breeding or foraging habitat for threatened species including bird habitats.

## 7.5 Construction Noise

### Issues Raised

Key construction noise issues raised in submissions include:

- High noise levels during construction impacting private residences
- The construction occurring over a 4 year period
- Request for no construction noise during the weekend and for works to start at 9am during the week

**Response to Issues**

A revised Noise and Vibration Impact Assessment has been prepared by Stantec Australia as appended as **Appendix C**. The revised Noise and Vibration Impact Assessment provides noise modelling across the main construction stages that have the potential to generate the most significant noise emissions, as follows:

- Early works – demolition and dismantle
- Excavation, retention and foundations
- Structural works
- Facades and finishes

The revised Noise and Vibration Impact Assessment indicates that the worst-case scenario LAEq 15min noise levels during construction range between each stage, with the highest noise levels calculated at nearby receptors R1, R2, W1 and the existing primary school. However, with the proposed mitigation measures it is that concluded no exceedances in the highly noise-affected levels (75dB(A) at any receivers surrounding the proposed works. It is expected that no significant construction noise impacts will impact the surrounding noise sensitive receivers.

The majority of predicted LAeq,15-min noise levels are below the daytime Noise Management Levels applicable at residential and other sensitive receptors for construction works within the recommended standard hours, and all predicted LAeq,15-min noise levels are below the Highly Affected Noise Management Levels applicable at residential receptors.

Overall, these predicted values do not represent a constant noise emission that would be experienced by the community on a daily basis throughout the construction schedule. The predicted noise levels would only be experienced for limited periods of time and will not be experienced over whole day, evening or night-time periods. In practical terms, the predicted noise levels will only be for a temporary period and will not result in permanent impact on the community and surrounding environment. These results, however, do identify that general good-practice construction noise management and control techniques will be necessary to maintain acceptable noise levels at all receptors,

Construction works will operate in accordance with the NSW EPA Interim Construction Guideline, operating at 7am-6pm Monday to Friday, 8am-1pm on Saturdays and no work on Sundays and public holidays.

## 7.6 Noise and Privacy

**Issues Raised**

Key noise and privacy issues raised in submissions include:

- Lack of consideration to protect the surrounding residents' privacy
- The impact of more children disrupting work from home arrangements
- The western elevation is likely to result in overlooking into private residences

**Response to Issues**

In response to these issues:

- An updated Noise and Vibration Impact Assessment including detailed noise investigations of the future school operation on surrounding residential receivers along Carlow Street, Ridge Street and Cassins Avenue has been prepared by Stantec Australia as appended as **Appendix C**. The assessment concludes that:
  - The tall buildings proposed in place of high noise emission zones (existing cricket nets and basketball courts) will act as shielding structures reducing noise to 5-5 dB(A). After taking into account the increase in population, the shielding structures are still likely to decrease noise emissions at receivers along Carlow Street and Ridge Street.
  - The noise emissions from the operation of the school at noise-sensitive receivers along Cassins Avenue is predicted to increase by approximately 0.5 dB(A) (given an increase in primary school population of 11%). Increases in noise levels between 0 and 2 dB(A) are typically imperceptible and hence, the increase in noise level is not expected to have a significant impact on residents along Cassins Avenue.

  - The predicted noise levels generated by children playing within the outdoor area of the childcare centre at surrounding residential receivers are expected to comply with the noise level criteria during the day and evening.
  - The predicted noise level of students playing in the outdoor rooftop terrace area at surrounding residential receivers are expected comply with the project noise trigger levels.
  - The predicted noise level of the loading dock and activities at surrounding residential receivers are expected to comply with the project noise trigger levels.
  - The predicted noise levels of the PA system and school bells at surrounding residential receivers are expected to comply with the project noise trigger levels.
  - The noise generated by the auditorium during a 15-minute period have been predicted to the facades of the nearest surrounding noise-sensitive receivers and comply with the project noise trigger levels.
- The proposed development is required to increase co-educational high school capacity to meet strong demand for affordable non-government education in the Archdiocese of Sydney. The proposed development is not intended to cause disruption to work from home arrangements.
- The nearest residential property to the west is located approximately 20m away, next to Block C and the Brothers' residences which will both be retained. The distance and buffer provided by these existing buildings will ensure that privacy impacts are limited. Further, at roof level, significant planting is proposed along the Carlow Street building's western edge to prevent overlooking.

## 7.7 Other Issues

### Issues Raised

Other key issues raised in submissions include:

- The impact of excavation, soil and structural damages to the neighbouring private residences
- The increase in traffic and parking will result in more pollution and poor air quality
- The Piazza is an unnecessary element to the proposed development
- Presence of asbestos if not managed properly during construction
- Lack of engagement with the community for the design of the development
- Lack of consideration to increased pedestrian use of Carlow Street and Miller Street, thus requiring wider footpaths

### Response to Issues

In response to these issues:

- With regard to the concerns raised about the impact of excavation, soil and structural damages to the neighbouring private residences, a Structural Design Report has been prepared by TTW in addition to a Civil Engineering Service Report prepared by Warren Smith and Partners and the Geotechnical Investigation Report prepared by Alliance Geotechnical that were appended to the EIS. These assessments confirm that there will be no adverse structural impacts upon the neighbouring properties arising from the proposed excavation. Furthermore, it is anticipated that a condition of consent will be imposed which requires a pre- and post-construction dilapidation report to identify and remediate any damage potentially caused during the construction process.
- A revised Green Travel Plan has been prepared by TTPP as attached at **Appendix Q**. It is designed to manage travel demand and support sustainable travel movements, in particular to reduce traffic congestion and the resulting air pollution caused by cars.
- The new public Piazza utilises the existing at grade car park to deliver 7,514m$^2$ of recreational open space to be utilised by the school and broader community. This will be a significant asset that will improve pedestrian accessibility to the school and enhance the existing facilities available at the school.
- In the case of asbestos being found on site during construction, action to limit exposure to uncovered material and dispose of asbestos in accordance with the regulatory requirements in Clause 42 of the *Protection of the Environment Operations (waste) Regulations 2005* will be followed.

- Sydney Catholic Schools has undertaken considerable consultation with the local community in order to understand any concerns and have made substantive amendments to the proposed development in order to avoid, minimise and manage potential impacts.

## 8.0 Additional Matters to be Addressed

This section provides a response to the Department's request for additional information.

***1. Clarification of student numbers***

- ***The "Description of Development" in the EIS does not include any details of the proposed increase in student numbers. In Page 44 of the EIS it is indicated that a student number increase by 732 is proposed. This is a significant component of the development that has been omitted from the earlier development description provided in the EIS. This may require re-exhibition of the application once the Response to Submissions is lodged with the Department.***

**Response:**

The existing school currently accommodates 1,342 students, and the proposed development seeks to accommodate an increase of 732 pupils resulting in a total number of 2,074 as shown in **Table 2** below. There is substantial need for the expansion of the school to accommodate the increasing student population as the Department of Education estimates that an extra 260,000 students will need to be accommodated in government and non-government schools in Greater Sydney by 2031, representing a 21% growth in student numbers. Therefore, the proposed development will contribute to accommodating this demand.

**Table 2 - Existing and proposed student numbers**

| Year | Current enrolments | Proposed capacity |
|---|---|---|
| **Primary** | 466 | 544 |
| **Secondary** | 826 | 1440 |
| **Childcare** | 50 | 90 |
| **Total** | 1342 | 2074 |

The additional student population was described in Section 1.4.1 of the submitted EIS. In subsequent discussions, DPIE confirmed that re-exhibition was not warranted.

Further, it is noted that Sydney Catholic Schools does not have the space in inner Sydney to expand schools where their enrolment growth is strong, due to the price of land in Sydney. The redevelopment of the MCCNS site provides the opportunity to better use Sydney Catholic Schools' land to accommodate additional student capacity in an area where enrolment demand and growth is strong.

***2. Built form and key views***

- ***The Visual Impact Assessment (VIA) report is to be updated to consider the visual impacts that would eventuate from the proposed setbacks and the bulk and scale of the proposed buildings on the site's surrounding heritage items.***
- ***Further consideration should be given to the potential to provide natural screening for the site in order to reduce the bulk and scale of the proposed building. This may require consideration of street tree planting, if there is not sufficient space within the site.***
- ***Consideration to further articulate the façade on Miller Street and stepping the building down following the slope of the land should also be considered.***

**Response:**

A Visual Impact response letter has been prepared by Ethos Urban as attached at **Appendix G** to directly respond to the visual impact comments raised. The letter outlines that the proposed setbacks, bulk and scale will result in an acceptable visual impact and will have minimal impact on heritage items surrounding the site, including St Leonards Park. Specifically, the following key design responses result in a positive visual impact outcome:

- The consolidation of massing in the north-east corner of the site is an intentional and logical response to key site constraints, including a desire to minimise impact on the heritage listed religious cluster of buildings at the site's southern end and residential area adjoining the site's western boundary.
- The proposed Miller Street building setbacks enable the Presbytery to be seen 'in the round', enabling it to be seen in full as a separate landscape element.
- The proposed L-shape footprint of the Miller Street building improves the existing view of the Presbytery by only extending to approximately half its length to allow for a greater visual appreciation of the Presbytery.
- The proposed amendment to remove the fourth storey of the Miller Street building is consistent with the height of the Presbytery.
- The proposed Carlow Street building and Miller Street setbacks to Carlow Street create a built form relationship to the corner of Miller Street and Carlow Street similar to the North Sydney Hotel. This setback pattern combined with the planned landscaping will ensure the North Sydney Hotel is seen in full as a separate streetscape element.
- The street facing elevations of the Carlow Street building are heavily broken up into smaller elements and features, considerable glazing and other details that further reduce the appearance of building scale and bulk.
- The proposed bulk of the Carlow Street building is largely massed horizontally along Miller Street. This massing is consistent with that of the North Sydney Oval.

Landscape setbacks are proposed along Miller Street and Carlow Street, as illustrated in the amended Landscape Plans provided at **Appendix J**. The following amendments have been proposed to provide additional natural screening of the development:

- Additional tree planting along the Carlow Street setback which is consistent with the existing Tallowwood Tree TQ97.
- Graded landscape setback to Carlow Street up towards the building (apart from around the existing tree) to reduce the extent of the blank wall at the base of the building noting that the ground floor level is higher than the street.
- Planters along the elevated Carlow and Miller Street edges of the undercroft space.

Further, the Miller Street building has been reduced by one floor and further articulation of the facade has been provided. This assists in reducing the scale of the building. Further reduction of floors cannot be achieved as the floor space is required to facilitate the projected growth of the school.

***3. Comments from public authorities***

- ***North Sydney Council and Transport for NSW have raised significant concerns regarding the traffic generation due to this proposal and the data gaps in the traffic modelling. The Department supports these concerns and requires you to submit an amended traffic report addressing of the issues raised.***
- ***Heritage Division of the Department of Premier and Cabinet (Heritage NSW) have made particular reference to the adverse impact that the proposed development would have on the State Heritage Register (SHR) item St Leonards Park (SHR no. 01941) located at 283A Miller St. The Department agrees with Heritage NSW's comments and requests that the RtS responds to these comments.***
- ***The Department supports the Environment of Energy and Science Group's comments regarding the site's biodiversity and requires that the RtS thoroughly addresses these comments. Any amendments to the proposal would require the submission of an amended Biodiversity Assessment Report (BDAR).***

**Response:**

- The comments raised by North Sydney Council and Transport for NSW has been addressed above in **Section 4.1.4** and an amended Traffic Impact and Accessibility Assessment has been prepared by TTPP as attached at **Appendix H**.
- The revised Heritage Impact Statement prepared by Weir Phillips as attached at **Appendix M** has concluded that the impact of the proposed development on St Leonards Park will be minimal and acceptable.

- In response to the Environment of Energy and Science Group's comments, refer to **Section 3.1.6** above and the amended BDAR report prepared by Narla Environmental as attached at **Appendix D**.

***4. Plans and elevations***

- ***An excavation plan showing the extent of cut and details of piles for the proposed basement carpark at the Carlow Street Building is required to identify the depth of the basement car park in respect to the Sydney Metro Railway easement that runs directly beneath the site.***
- ***The plan must show the details of the Sydney Metro tunnel depth at this location which should be obtained in consultation with the public authority.***
- ***The Architectural plans provided should be updated to highlight the drop off and pick up location that has been allocated to students in the Carlow Street Building basement car park.***

**Response:**

Engineering plans demonstrating the relationship between the proposed excavation to facilitate the proposed development and Sydney Metro tunnel has been prepared by TTW and is attached at **Appendix R**.

A summary of the consultation undertaken with Sydney Metro is detailed in **Appendix R**.

The architectural plans have been amended to highlight the drop off and pick up location in the Carlow Street Building basement carpark (see **Appendix A**).

***5. Landscape plans***

- ***A revised Landscape Plan that provides exact details of planting locations, species, quantities and pot size is to be submitted in the architectural drawing package.***

**Response:**

Revised Landscape Plans have been prepared by Oculus and is attached at **Appendix J**. The plans clearly illustrate the plant locations, species, quantities and pot sizes to be provided.

***6. Acoustics***

- ***Requirement 12 of the SEARs requires the application to "identify and assess operational noise, including consideration of community uses any school hall for concerts etc. (both during and outside school hours) and any out of hours community use of school facilities".***
- ***In order to comply with this requirement, the noise and vibration assessment should be updated to provide an acoustic assessment of:***
  - ***out of school hours community use of school facilities, including recommendations regarding limitations on permitted hours and frequency of such use, in particular for any outdoor spaces, to mitigate potential noise impacts on the neighbouring residents.***
  - ***the use of the auditorium during and after school hours.***

**Response:**

A revised Noise and Vibration Impact Assessment has been prepared by Stantec and is attached at **Appendix C**.

An assessment on the ground floor auditorium was conducted to assess the potential impact of concert performances on the surrounding receivers, as shown in **Table 2**.

**Table 1 – Predicted noise levels of sensitive noise receivers**

| Most Affected Receiver | Predicted Noise Level LAeq, 15 min – dB(A) | Project Noise Trigger level (evening) LAeq, 15 min – db(A) | Compliance |
|---|---|---|---|
| R1 | 19 | 44 | Yes |
| R2 | 20 | 44 | Yes |
| C1 | 31 | 63 | Yes |
| C2 | 49 | 63 | Yes |
| C3 | 15 | 63 | Yes |

The auditorium would run as late as 10pm on any given day. Stantec has confirmed that the use of the auditorium would comply with the accepted reverberant noise levels for the venue.

***7. Waste collection***

- ***The waste management plan for the site details the existing waste collection operations for the site, however, does not provide details relating to the proposed waste collection times for the school (if any amendments proposed). The waste management plan should be updated to provide this detail.***

**Response:**

A revised Operational Waste Management Plan has been prepared by Waste Audit and is appended at **Appendix E**. The Plan outlines that all general waste and recyclables will be stored in the bin storage rooms on the Ground Floor of the Carlow Street building and that the school cleaners will be responsible for transferring waste and recycling from the common areas to the waste enclosure.

The Plan outlines that because the school is located in a residential area, collections will adhere to time restrictions as nominated by North Sydney Council, with allowed waste collection hours between 6am – 10pm. With the current COVID-19 exemption, collections before 6am are permitted due to social distancing requirements at depots. It is recommended that a collection window of 6am-7:30am be utilised as a reasonable and achievable time for the School's waste contractor.

***8. Crane usage and construction management***

- ***Public submissions have raised concerns that the location of construction cranes may block the laneway at the rear. In this regard, the Construction Management Plan should be updated to include a tentative location of the cranage to demonstrate that none of the surrounding streets would be blocked.***
- ***The Construction Management Plan should be updated to include further details relating to how the safety and amenity of staff and students would be ensured during the construction works. It should also include details of how the ongoing operations of the school would be maintained during construction works.***

**Response:**

A Revised Preliminary Construction Management Plan prepared by ADCO is attached at **Appendix O**.

The proposal will result in various crane configurations and arrangements. As illustrated in the figures below, the cranes will be located on site and will not block the laneway. The tower crane for Stage 2B and Stage 4 is proposed to be located at the south of the site. The contractor, in consultation with the geotechnical engineer, will ensure that the set-up location ground conditions are suitable or appropriately engineered and prepared. The concrete placing boom required for Stage 2B and Stage 4 will be located in accordance with **Figure 13**.

Short and long-term fencing measures will be utilised to provide segregation to ensure the safety and amenity of staff and students. Overhead protection requirements of B-Class hoarding in areas where overhead activity

is present will also be used. Statutory, designation and way-finding signage will be installed on each entry point into the project warning staff, visitors and the general public that an area which is hoarded off is a construction site. All access points allowing entry to the construction site will be locked at all times with the exception of the main entry gate to the site which will be manned for security and remain open during normal working hours.

Access for MCCNS staff and students to the operational part of the site will be maintained, however alterations will be made to suit the staging and sequence of the construction activities. The final access arrangements will be agreed with the contractor prior to the commencement of the main works. The contractor will be responsible for the implementation and management of access plans required for the main works. All plans will need to be approved by CTPG and MCCNS prior to implementation. MCCNS staff will not be able to access the construction works unless prior arrangements have been made with CTPG and the contractor. If access is granted for MCCNS, the staff members must be accompanied by a representative of CTPG and the contractor. Pedestrian circulation pathways will be provided in accordance with the Preliminary Site Management Plan submitted with the EIS.

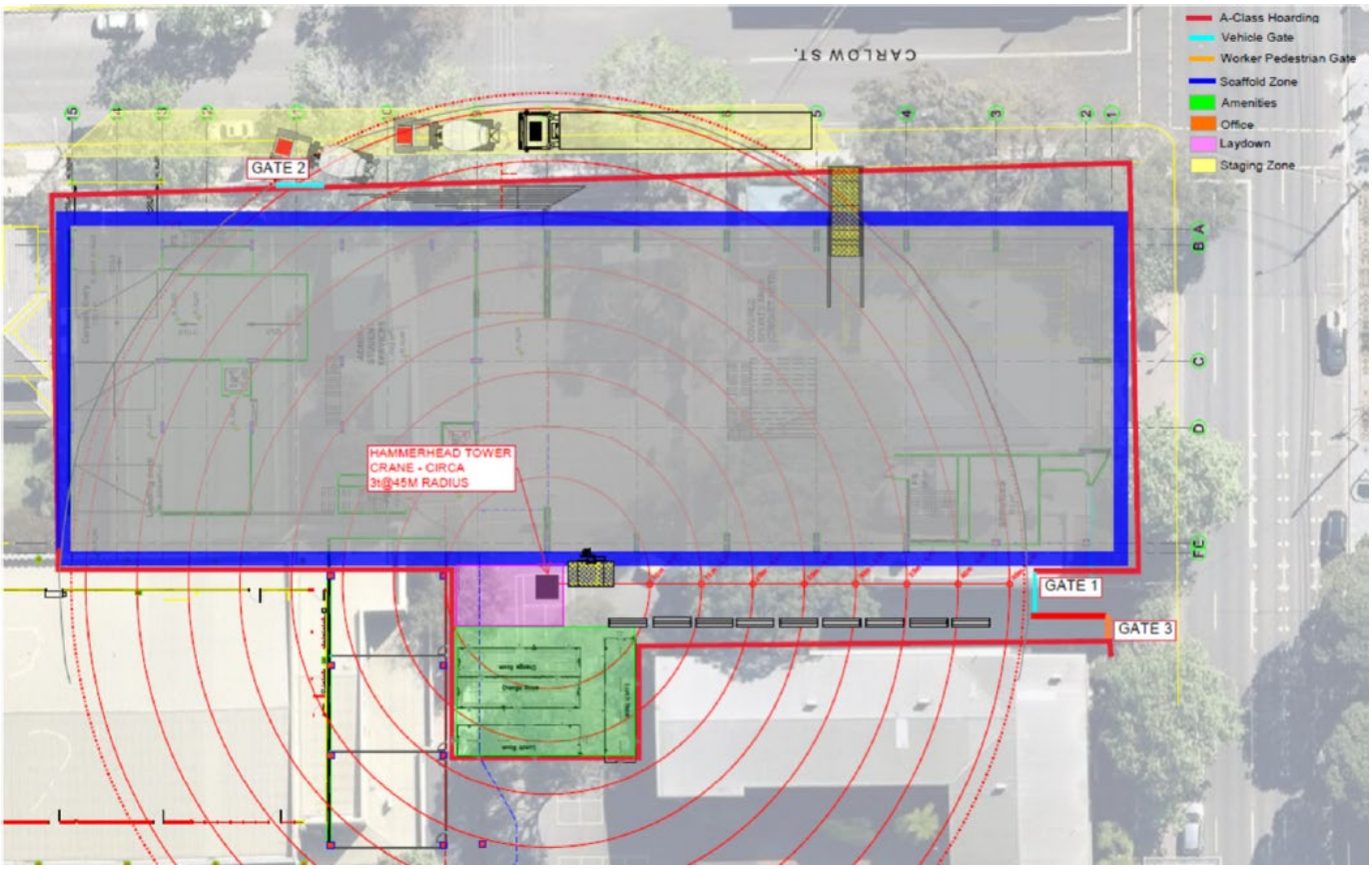


**Figure 12 – Proposed tower crane location for Stages 2 and 4B**

*Source: ADCO*

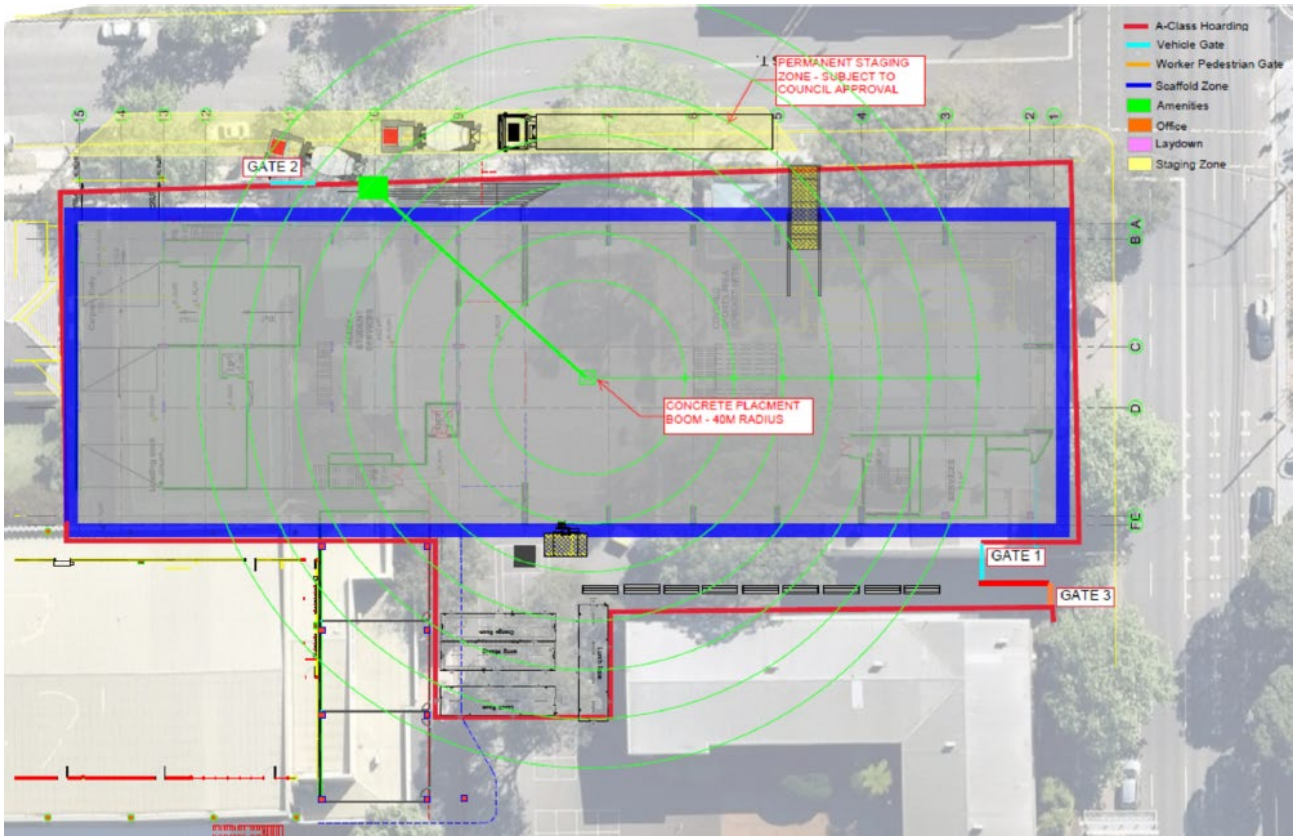


**Figure 13 – Proposed concrete placement boom for Stages 2 and 4B**

*Source: ADCO*

***9. Student safety and amenity***

- ***Page 46 of the EIS states that "the piazza will be accessible 24 hours a day" for the school and the public. Further detail is required relating to how the use of this space by the school and the public would be scheduled in order to ensure the safety and amenity of students.***

**Response:**

**Figure 4** illustrates the areas of the site which will be publicly accessible and the areas which will be secured for school use only. Secure gates will be provided between the two spaces to distinguish the separate spaces. The Piazza space will also be supervised by teaching staff at times it is used for school activities to ensure the safety of students. The proposed café will also promote passive surveillance.

The diversity of uses surrounding the Piazza will enable the intended use of the Piazza as a gathering place for the community. The new café proposed at the north-western end of the Piazza will help activate the space day to day and patrons of the café will be able to use the outdoor seating area. Smaller church events can occupy the seating on the northern side of the church and central paved area of the Piazza. This paved area can also be used for smaller community events. Larger public events will be able to spill out into the peripheral parts of the space and the lawn areas. The proposed uses of these spaces are further detailed on page 60 of the updated Landscape Design Report prepared by Oculus (see **Appendix K**).

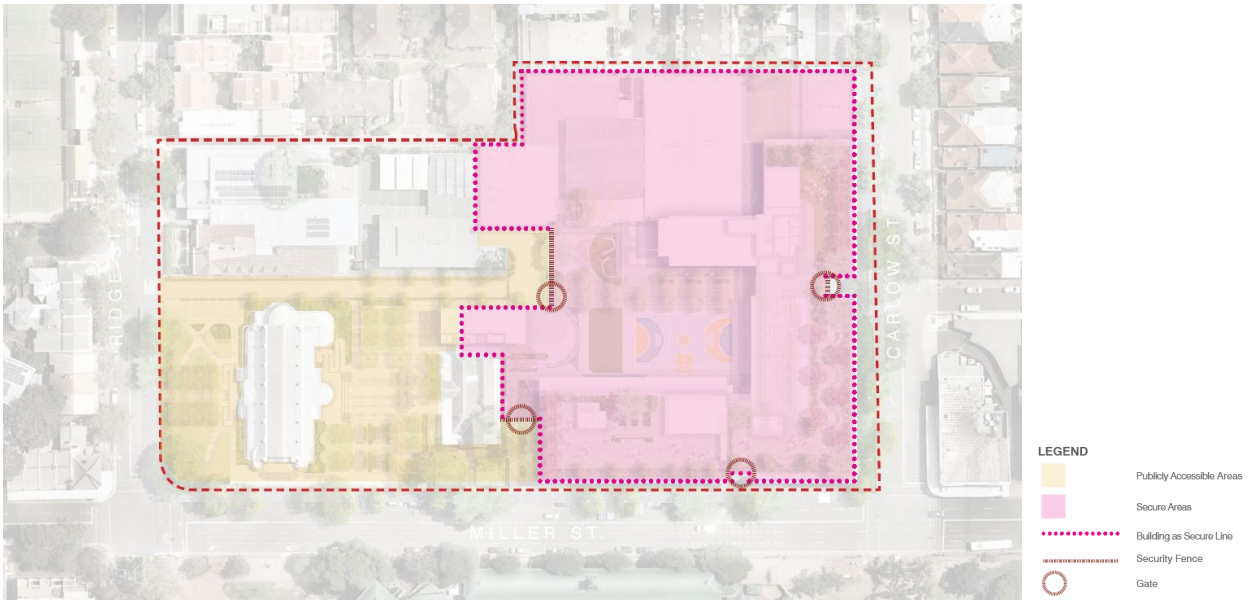


**Figure 14 – Site security and fencing**

*Source: Oculus*

***10. End of trip facilities***

- ***The EIS should be updated to provide details relating to where the end of trip facilities would be located to support the student and staff bicycle spaces that have been proposed.***

**Response:**

End of trip facilities are available for both staff and students within the existing hall building on Level 1, adjacent to the new staff room and facilities. Whilst no additional end of trip facilities are proposed to be provided, the masterplan is designed to enable direct access from staff admin areas and the stair/lift core to the back of the hall for easy access to these existing end of trip facilities. The proposed layout and access strategy is illustrated on page 68 of the Design Statement prepared by WMK (see **Appendix B**).

109 bicycle parking spaces are proposed throughout the site. This encompasses 20 spaces for staff in the basement of the Miller Street building, and 89 spaces for students throughout the ground floor of the school site. These locations are illustrated on page 69 of the Design Statement prepared by WMK (see **Appendix B**).

***11. Landowner's Consent***

- ***Landowner's consent in a form required to satisfy relevant regulations is required to be formally submitted as part of the RTS.***

**Response:**

Landowner's consent has been provided under separate cover which satisfies the relevant regulations.

***12. Heritage Impact Statement error***

- ***Figure 14 on page 11 of the Heritage Impact Statement has the incorrect site circled. Please update this figure to highlight the subject site.***

**Response:**

An amended Heritage Impact Statement has been prepared by Weir Philips Heritage as attached at **Appendix M**.

***Historical Archaeological Assessment***

- ***A further query was raised on 1 September 2021 which requested Section 9, second bullet point of the SEARs to be addressed by identifying any potential impacts on archaeology on the site.***

**Response:**

A Basement Historical Archaeological Assessment has been prepared by Extent Heritage and is provided at **Appendix S**. It recommends that further archaeological investigations be undertaken, including a program of test excavation and a research framework and methodology.

SCS is able to carry out these further investigations prior to excavation and a condition of development consent is welcomed in this regard.

## 9.0 Revised Mitigation Measures

The collective measures required to mitigate the impacts associated with the proposed works are detailed in **Table 4** below.

**Table 2 Mitigation Measures**

| Mitigation Measures |
|---|
| **Construction Pedestrian Traffic Mitigation Measures**<br>• Manage and control construction traffic movements on the adjacent road network and vehicle movements to and from the site;<br>• Trucks to enter and exit the site in a forward direction;<br>• No provision of vehicle parking for construction workers;<br>• Restrict construction vehicle activity to designated truck routes;<br>• Pedestrian movements adjacent to demolition activity will be managed and controlled by site personnel where required;<br>• Pedestrian warning signs and construction safety signs/devices to be utilised in the vicinity of the site and to be provided in accordance with WorkCover requirements;<br>• Construction activity to be carried out in accordance with the approved hours of work;<br>• Truck loads would be covered during transportation off-site;<br>• Activities related to the construction works would not impede traffic flow along local roads;<br>• Materials would be delivered, and spoil removed during standard construction hours;<br>• Construction vehicles not to queue on adjacent roads and be wholly accommodated within the site or the nominated on-street works zone; and<br>• Minimal construction traffic movements to/from the site will be made during peak hours where practical to minimise the impact on the wider road network. |
| **Geotechnics**<br>• Following construction, groundwater seepage should be controlled by a properly designed drainage system including a sub-floor drainage system to create a free-draining layer below the base of the basement slab.<br>• Excavation support: To assess the feasibility of using batter slopes, the footing level of the adjoining structures and infrastructure, and also surrounding services 'invert level should be assessed by the designer.<br>• The anchoring systems should be designed to provide temporary support with long-term lateral support being later transformed onto the permanent structure.<br>• Earth retaining structures should be designed to withstand the applied lateral pressures of the subsurface soil layers, hydrostatic pressure and live/surcharge loads within the zone of influence of the structure.<br>• The bulk excavation level in the proposed Carlow Street building and Miller Street building is anticipated to be founded within residual clay. Given the anticipated loads applied by a five-storey buildings, it is not recommended to adopt shallow pad or raft footings at the basement level. Differential foundation settlement would be expected if the building is founded on a raft footing at the basement level. It is recommended that all structural loads would be taken to the bedrock |
| **Sediment and Erosion Control**<br>• Existing stormwater infrastructure is also to be protected from incoming sediment using<br>– Any Council owned road kerb entry and/or gully pits will be protected by Filter Bales and EcoSocks; and<br>– Internal site drainage pits protected by Sediment Traps consisting of hay bales.<br>• Site runoff within the zones of the excavation will be drained into a central holding well within the excavation. Runoff will be allowed to settle out suspended particles and debris, and an acceptable water of 50mg per litre of Non Filterable Residues (NFR) is required to be achieved prior to discharge.<br>• Dust control, including:<br>– Loose loads entering or leaving the site will be securely covered by a tarpaulin or like material in accordance with RMS and local Council Guidelines.<br>– Soil transport vehicles will use the single main access to the site.<br>– There will be no burning of any materials on site.<br>– Water sprays will be used across the site to suppress dust. The water will be applied either by water sprinklers or water carts across ground surfaces whenever the surface has dried out and has the potential to generate visible levels of dust either by the operation of equipment over the surface or by wind. The watercraft will be equipped with a pump and sprays.<br>– During excavation all trucks/machinery leaving the site will have their wheels washed and/or agitated prior to travelling on Council Roads.<br>– Fences will have shade cloth or similar fabric fixed to the inside of the fence.<br>• General construction maintenance measures, including: |

**Mitigation Measures**

- Prior to the closing of the site each day, the road shall be swept, and materials deposited back onto the site.
- Gutters and roadways will be kept clean regularly to maintain them free of sediment.
- Appropriate covering techniques, such as the use of plastic sheeting will be used to cover excavation faces, stockpiles and any unsealed surfaces;
- If dust is being generated from a given surface, and water sprays fail;
- If fugitive emissions have the potential to cause the ambient as quality to foul the ambient air quality;
- The area of soils exposed at any one time will be minimised wherever possible by excavating in a localised progressive manner over the site; and
- Materials processing equipment suitably comply with regulatory requirements. The protection will include the covering of feed openings with rubber curtains or socks.

**Visual Impact**

- Careful consideration of line, shape and form, colour and texture in the expression of elevations.
- Integration of services such as waste management, loading zones and mechanical plant.

**Construction hours**

- 7.00am to 5.00pm Monday to Friday.
- 7.00am to 5.00pm Saturday.
- No work on Sundays and Public Holidays.
- A detailed Construction Management Plan is to be prepared by the contractor prior to the commencement of works.

**Contamination**

- Proper implementation of the remediation procedures, unexpected finds protocol and completion of the validation assessment detailed in the Remediation Action Plan.

**HAZMAT**

- Removal of Hazardous Materials will be carried out in accordance with the recommendations of the pre-demolition Hazardous Building Materials Survey prepared by Alliance Geotechnical at **Appendix HH**.

**Light spill**

- All external and landscape lighting to be designed to AS4282 “Control of the obtrusive effect of outdoor lighting**”.**
- Implementation of lighting techniques such as use of low glare luminaries, avoiding up-lighting luminaries, and controlling lighting on timers where required to optimise usage to meet compliance.

**Flooding**

- Ensure floor levels comply with the requirements of the Flood Risk Assessment and are above the 1% AEP,

**Noise and Vibration**

Implementation of the following mitigation measures will be required (where relevant) to manage construction related noise and vibration to surrounding sensitive receivers.

- Conduct a closed windows/open windows assessment to improve road noise mitigation.
- If necessary, reduce the amount of noise reaching the relevant receivers through the following actions:
  - Increasing the distance between noise sources and sensitive receivers;
  - Reducing the line-of-sight noise transmission to residences or other sensitive;
  - Constructing barriers that are part of the project design early in the project to introduce the mitigation of site noise; and
  - Installing purpose-built noise barriers, acoustic sheds and enclosures;
- Screening of noise transmission to residences or other sensitive land uses using temporary barriers (stockpiles, shipping containers and site office transportable can be effective barriers).
- Installation of acoustic barriers to the Level 4 AHU plantroom. Acoustic barriers can be solid or can be an acoustic louvre.
- Installation of acoustic barriers to the Level 4 condenser plantroom. Acoustic barriers can be solid or can be an acoustic louvre.
- Regarding loading dock noise and waste collection:
  - No operation before 7am or after 10pm (7 days per week);
  - Maintain rubbish trucks and braking materials to minimise or eliminate noise such as squeaky brakes; and
  - Educating drivers and collectors to be careful and to implement quiet work practices.
- Use an appropriate silencer on the muffler and/or acoustic screen on any diesel cranes.
- Employ alternatives to noise alarms which will cause community nuisance.

**Green Travel**

| Mitigation Measures |
| --- |
| Implementation of the recommendations outlined in the GTP, including:<br>• Site-specific measures (such as limited on-site car parking provision, designated carpool only spaces in centrally manage car parks, walking groups/ walking school bus, bicycle user groups);<br>• Offsite measures (such as improved cycling and pedestrian facilities to the future Metro Station and provision of additional car share facilities within the site surrounds);<br>• Provide a transport access guide (TAG) for users;<br>• Providing adequate information and communication (such as TfNSW information, cycleway finder, and the SkoolBag mobile app); and<br>• Implementation of a key strategy framework action table which can be updated as and when required. |
| **Waste Management**<br>• Construction waste will be undertaken in accordance with the site-specific operational measures detailed in the Construction and Demolition Waste Management Plan prepared by Waste Audit at **Appendix AA**.<br>• Operational waste management will be undertaken in accordance with the methodology detailed in the Operational Management Plan prepared by Waste Audit at **Appendix BB**. |
| **Structural Engineering**<br>The detailed design for MCCNS will be designed to comply with the National Construction Code (NCC 2019) and the relevant Australian loading and design standards, including:<br>• AS/NZS 1170.0/2002 – Part 0: Structural design actions;<br>• AS/NZS 1170.1/2002 – Part 1: Permanent, imposed and other actions;<br>• AS/NZS 1170.2/2011 – Part 2: Wind actions<br>• AS/NZS 1170.4/2007– Part 4: Earthquake actions;<br>• AS3600: 2001 Concrete structures;<br>• AS3700: 2001 Masonry structures; and<br>• AS4100: 1998 Steel structures. |

## 10.0 Updated Evaluation and Conclusion

This proposal for alterations and additions and the development of a mixed-use education precinct comprising a high school and Early Learning Centre has been amended and now seeks approval for the following:

- Introduction of detailed childcare fitout into the scope of works.
- A reduction in scale of the Miller Street building from a 5-storey building (including basement) to a 4-storey building (including basement) with a rooftop recreation space.
- Façade amendments to the Miller Street Building.
- Conversion of the level 1 terrace over the kitchen canteen to service space.
- Minor design amendments, including:
  - Internal design amendments to the Miller Street lobby.
  - Service door location to canteen kitchen moved and ramp access simplified.
  - Adjusted location of security fence in the Presbytery forecourt.
  - Internal design amendments to the kitchen layout in the café/canteen.
  - Tiered seating in undercroft has been amended to incorporate seating on the ground level
  - Incorporation of safety fence on proposed rooftop in the café/canteen.
- Landscaping amendments, including:
  - Two x Platanus Digitata (200l) shall be planted along the Miller Street frontage.
  - Retention and relocation of two Phoenix Canariensis trees.
  - Introduction of landscape steps next to the auditorium foyer.
- Increase in the width of the Miller Street pedestrian pathway with associated landscaping.
- Increase in provision of bike parking spaces from 82 to 109.
- Correction of the site legal description.

This Submissions Report has been prepared to satisfy the provisions of Section 4.39 of the EP&A Act and Clause 85A of the EP&A Regulation. Each of the submissions received during the public exhibition period has been collated, analysed and addressed.

In responding to and addressing the range of matters raised, the proposal has been refined pursuant to Clause 55AA of the EP&A Regulation. This Submissions Report has described and assessed changes that include a reduction in the scale and size of the proposed Miller Street building to deliver a more appropriate built form. The amendments made to the proposal result in a reduction in the environmental impact of the proposed development, compared to the original proposal described in the EIS.

No residual adverse environmental, social or economic impacts have been identified. Residual environmental impacts identified will be mitigated through the implementation of management measures for the construction and operational phases of the proposal.

Having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is considered to be justified for the following reasons:

- The proposal will provide a significant new piece of education infrastructure to meet growing demand on Sydney's North Shore.
- The area and shape of the site allows for the provision of a significant piece of education infrastructure that meets the special design requirements for the proposed uses, whilst not resulting in any significant adverse impacts on surrounding uses.
- The proposal relocates existing at-grade parking underground to create an improved pedestrian environment. This includes the creation of a new, publicly accessible piazza adjacent to St Mary's Church, which will make a significant contribution to the public domain of Miller Street and North Sydney.

- The proposal exhibits a high standard of architectural, urban and landscape design, and provides a recognisable and high-quality contribution to the North Sydney area.
- The proposal provides sustainability initiatives of the highest level, supporting the improved environmental performance of the school.
- The proposal is consistent with the principles of ecological sustainable development as defined by Schedule 2(7)(4) of the EP&A Regulation.
- The proposal is anticipated to generate a total 369 construction jobs and 61 additional operational jobs which will have broader social and economic benefits to the region.
- Traffic and parking impacts associated with the proposed development can be appropriately managed and active transport will be promoted and encouraged.

Given the merits described above it is requested that the application be approved.