

5 November 2021

NSW Department of Planning, Industry and Environment
Regional Assessments
4 Parramatta Square, Darcey Street
Parramatta NSW 2150

Attention: Dimitri Gotsis (Senior Planning Officer)

By email: dimitri.gotsis@planning.nsw.gov.au

Dear Dimitri,

RESPONSE TO SUBMISSIONS PART 1 – SSD11869481 - UPGRADES TO NORTH SYDNEY PUBLIC SCHOOL

1. OVERVIEW

The Environmental Impact Statement (EIS) for the upgrades to North Sydney Public School was publicly exhibited concluding on Tuesday 5 October 2021. In total, 18 submissions were received, including 11 public submissions and submissions from the following agencies:

- Department of Planning, Industry and Environment (DPIE)
- Environment, Energy and Science Group (EES)
- NSW Government Architect through State Design Review Panel (GANSW)
- North Sydney Council (Council)
- Sydney Water
- Transport for NSW (TfNSW)
- Heritage NSW - Aboriginal Cultural Heritage (HNSW ACH)

The majority of submission received are supportive of the proposal in principle, with a few matters raised that require further consideration.

This report forms the first part of a staged response to submissions (RtS) and has been prepared on behalf of School Infrastructure NSW (SINSW). This initial response addresses all matters raised, with the exception of the built form/design feedback from GANSW and DPIE. The second stage of this RtS will be submitted in due course and will address the built form/design feedback provided by GANSW and DPIE.

The table at Appendix 1 provides a response to each matter raised in each submission, where relevant, and should be read in conjunction with the following annexures:

- Appendix 2: Landscape Response Letter prepared by Taylor Brammer dated 29 October 2021
- Appendix 3: Stormwater Response Letter prepared by Aurecon dated 22 October 2021
- Appendix 4: Traffic Response Letter prepared by Ason Group dated 1 November 2021
- Appendix 5: Additional Shadow Diagrams prepared by Fulton Trotter dated 29 October 2021
- Appendix 6: Services Response Letter prepared by LCI dated 1 November 2021
- Appendix 7: Acoustics Response Letter prepared by Marshall Day Acoustics dated 2 November 2021

- Appendix 8: Amended BDAR Waiver Request prepared by Eco Logical Australia dated 22 October 2021 (note, SINSW has already issued the request to DPIE)
- Appendix 9: SINSW Response Letter addressing community feedback on waste collection and recreational areas.

We note that no amendments have been made to the proposed development in RtS part 1. Amendments relating to materiality and architectural design responding to the feedback from DPIE and the GANSW will be included in RtS part 2. Part 2 of the RtS will be submitted to the DPIE following attendance at the SDRP on the 10 November 2021. Section 2 of this RtS provides a supplementary assessment of the proposal having regard to the SEARs as issued by DPIE on 24 December 2020 and taking into consideration the issues raised in the submissions during the notification period.

2. RESPONSE TO SUBMISSIONS

As noted in Section 1 above, Appendix 1 provides a detailed response to each matter raised in each submission, where relevant, excluding the built form feedback from DPIE and the GANSW. In summary, the issues raised relate to:

- Traffic impact to the intersection of McHatton Street and Crows Nest Road;
- Whether on-site construction worker parking will be available;
- Hourly internal shadow diagrams at mid-winter;
- Preparation and implementation of a Construction Management Plan including Construction Pedestrian Traffic Management Plan post SSDA consent;
- Implementation of the School Transport Plan post SSDA consent;
- Tree removal;
- Overtopping of the sandstone wall; and
- Waste management during operation and construction.

All of the above issues have been satisfactorily addressed without any need to amend the proposal, at this stage. An assessment of the proposal having regard to the above issues and the SEARs issued by DPIE is undertaken in Section 3 below.

3. RESPONSE TO SEARS

The proposal is reassessed having regard to the SEARs below, to determine any change in the environmental assessment of the proposed development in the original EIS.

Table 1: Response to SEARs

SEAR	RESPONSE HAVING REGARD TO RTS
General requirements- QS report/CIV	No change from the EIS dated 27 August 2021.
1. Statutory and Strategic Context	No change from the EIS dated 27 August 2021.
2. Built Form and Urban Design	No change from the EIS dated 27 August 2021. Part two of the RtS will provide an updated response to SEAR 2.
3. Trees and Landscaping	As discussed in the EIS, the design promotes a replenishment tree strategy which will increase the tree canopy cover from 32% to 33%. Taylor Brammer notes in Appendix 2 of this report that the tree protection measures will be followed in accordance with the Arboricultural Impact Assessment prepared by Arboreport (Appendix M of the EIS) to ensure the protection of existing vegetation during construction.
4. Environmental Amenity	No change from the EIS dated 27 August 2021. Part two of the RtS will provide an updated

SEAR	RESPONSE HAVING REGARD TO RTS
	response to SEAR 4.
5. Transport and Accessibility	<p>Ason Group has prepared a Traffic Response Letter in Appendix 4. This addresses the feedback provided by TfNSW and DPIE. In summary:</p> <ul style="list-style-type: none"> • With the drop-off and pick-up relocated from McHatton Street to Bay Road and the associated change in on-street parking restrictions (refer to Appendix N of the EIS), the level of traffic expected at McHatton Street is not expected to result in any significant increase above and beyond existing traffic volumes. Ason Group consider the impact negligible, hence intersection analysis is not required. • Construction parking cannot be accommodated on-site, except during school holidays, weekends and outside of school operation hours. This is a typical scenario for existing in-fill redevelopment where there is limited parking on-site. The contractors will be informed and encouraged of public transport options. This will form part of the Construction Management Plan and be a requirement for contractors. On-street parking in the immediate vicinity of the site is restricted and by nature will limit usage. • End of trip facilities are provided in Building J- Level 1 and shown on the Architectural Plans prepared by Fulton Trotter (refer to Appendix B of the EIS). Bicycle parking in the north-west of the site is illustrated on the Landscape Plans prepared by Taylor Brammer (refer to Appendix C of the EIS). In total 63 bicycle spaces are provided, achieving the requirements. • The School Transport Plan (Appendix O of the EIS) will be developed further post consent, consistent with other SINSW projects. Refer to mitigation measures E1 and E2. • A Construction Management Plan will be prepared prior to the commencement of works. Refer to mitigation measure B16 and B19.
6. ESD	No change from the EIS dated 27 August 2021.
7. Heritage	No change from the EIS dated 27 August 2021 in RtS part one. Part two of the RtS will include a heritage response on the built form/design matters.
8. Aboriginal Cultural Heritage	Mitigation measure B38 has been included requiring the preparation of an unexpected finds protocol prior to the commencement of works. This is in response to the feedback provided by HNSW ACH.
9. Social Impacts	No change from the EIS dated 27 August 2021.
10. Noise and Vibration	Marshall Day Acoustics and LCI have responded to the community's concern regarding acoustic safeguards for the hall and closure of windows and doors to achieve noise levels. In summary, the proposal delivers outside air to each learning space by means of ducted mechanical ventilation and air conditioning. The system exhausts the same amount of air as the introduced outside air, which removes contaminants from the space, allowing for windows/doors to be closed whilst maintaining adequate outside air ventilation and circulation to each space. Operational measures will be in place to manage noise impacts from the hall, particularly during events in the evening. Refer to mitigation measures E3, E5 and E6.
11. Biodiversity	An amended BDAR Waiver Request Report was submitted by SINSW to the DPIE on 27 October 2021. Refer to Appendix 8. This ensures the proposed clearing corresponds with the trees identified for removal in the Arboricultural Impact Assessment prepared by Arboreport dated 25 August 2021.
12. Contributions	No change from the EIS dated 27 August 2021.
13. Staging	No change from the EIS dated 27 August 2021.

SEAR	RESPONSE HAVING REGARD TO RTS
14. Utilities	No change from the EIS dated 27 August 2021.
15. Stormwater Drainage	Aurecon has prepared a Stormwater Response Letter in Appendix 3. The letter addresses matters raised by the Edward Precinct Community Group. We note: <ul style="list-style-type: none"> The new building includes a stormwater management system for the development area in accordance with Council's requirements; There is an overland flow path through the school which would be considered nuisance flow and may result in the anecdotal overtopping of the sandstone wall. Council requires the project to address overland flows directly impacted by the subject project, noting that the area of the nuisance flow is not impacted by the development; and Stormwater has considered the 1 in 100yr storm event. Overland flow paths have been considered and will occur post a 1 in 100yr storm when the capacity of the internal network is full.
16. Flooding	
17. Soil and Water	No change from the EIS dated 27 August 2021.
18. Waste	SINSW has provided a response to the matter raised by the community on waste collection and frequency. As outlined in Appendix 9, this is an operational matter which will be dealt with directly by the school operations and nominated waste contractor.
19. Contamination	No change from the EIS dated 27 August 2021.
Plans and Documents	Not applicable.
Consultation	A response to the issues raised during public notification/consultation of the EIS is provided in Appendix 1.

Having regard to the above assessment, we consider the proposal (unamended in RtS part one), will continue to not result in any adverse environmental impact, subject to implementation of the amended set of mitigation measures, as set out in Section 4 below. The SEARs have been satisfied and notification is not warranted as no amendments are proposed.

4. UPDATED TABLE OF COMMITMENTS/MITIGATION MEASURES

Below is an updated table of commitments/mitigation measures based on the outcomes of Section 3 of this RtS above. All proposed changes are in red.

Table 2: Mitigation measures

ID	MITIGATION MEASURES
Part A- Administration	
A1	The development is to be carried out in accordance with the Architectural Plans prepared by Fulton Trotter dated 18 August 2021.
A2	The development is to be carried out in accordance with the Landscape Plan prepared by Taylor Brammer dated 17 August 2021.
Part B - Prior to Commencement of Construction	
B1	Prior to commencement of construction, address the recommendations contained the Arboricultural Impact Assessment dated August 2021 to minimise impacts to retained trees.
B2	Evidence must be submitted to the satisfaction of the Certifying Authority that all outdoor lighting within the site has been designed to comply with AS 1158.3.1:2005 Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements and AS 4282-2019 Control of the obtrusive effects of outdoor lighting.
B3	The incumbent contractor will be required to ensure contractors working on the project are aware of the available

ID	MITIGATION MEASURES
	transport options and encouraged to carpool. All workers and subcontractors will complete a site induction.
B4	A construction fence provided on Bay Road and internally within the school to provide safe pedestrian access. The fence is to consist of chain wire fencing along the remaining site boundaries and maintained for the duration of the construction program.
B5	Liaise with Council the altered parking restrictions on Bay Road to facilitate the new drop-off and pick-up.
B6	Unless otherwise agreed by the Planning Secretary, the applicant must demonstrate that ESD is being achieved by registering for a minimum 5-star Green Star rating with the Green Building Council Australia and submit evidence of registration to the Certifying Authority.
B7	Implement the recommendations made by Integral in the ESD Report dated August 2021.
B8	Prepare a Heritage Interpretation Strategy for the site to offset and mitigate heritage impacts that have been identified as unavoidable in the context of the feasibility of the design brief, such as minor physical and visual impact to the southern heritage fence. It should develop appropriate and meaningful interpretation initiatives to be installed as part of the works. For the new Bay Road entrance, the final interpretation product is to be developed in consultation with the regulatory bodies and appointed heritage consultant.
B9	Prepare a full archival recording of structures and elements proposed for demolition including Building B, Building C and current, unimpacted form of the former Crows Nest Estate fenceline, particularly the southern elevation where the new entrance is proposed.
B10	In consultation with a structural engineer and heritage architect finalise the detailed design of the new entrance from Bay Road to minimise impacts to the existing fabric.
B11	All contractors undertaking earthworks are to undergo induction on identifying Aboriginal heritage objects, protection of Aboriginal heritage objects under the <i>National Parks and Wildlife Act 1974</i> and penalties for damage to these items.
B12	Proactive and ongoing engagement with the school community and local community to build awareness and preparedness for the construction program.
B13	Implement a child-focussed educational program focused on safety around construction sites.
B14	Work with the community user group to plan for disruption and identify potential issues that may impact continuation of educational service through the construction program. Consult with Council as required.
B15	Ongoing engagement with the Aboriginal stakeholders.
B16	Prepare a detailed CMP addressing noise, dust and traffic and pedestrian mitigation measures, including indicating active transport modes available for construction workers and construction equipment drop-off/pick-up procedure.
B17	Prepare and implement a CNVMP once the detailed construction methodology is available, having regard to the recommendations for inclusion by Marshall Day Acoustics dated August 2021.
B18	Undertake detailed traffic noise measurements and analysis to assess the potential impact on residential receivers along the surrounding local roads. Implement any recommendations that arise from that assessment.
B19	As required, update the Construction Management Plan and Preliminary Construction Traffic Management Plan.
B20	Educate the school and wider community on the staging plan and construction program.
B21	Obtain approvals from relevant service providers to deliver utility infrastructure.
B22	As required, update to the sediment and erosion control plan.
B23	Provision of sediment fences to the perimeter of the construction area as required.
B24	Nominate specific areas for plant and construction material storage.
B25	Diversion of upstream stormwater runoff around disturbed areas of the development as required.

ID	MITIGATION MEASURES
B26	Immediate stabilisation of disturbed areas as required.
B27	Designation and marking of transport routes across the site to minimise dust disturbance.
B28	Provision of rock pad or shaker grid on the site's construction exit.
B29	Provision of stormwater inlet protection devices to existing stormwater inlet structures within the site, and within the roadway immediately downstream of the site.
B30	Education of site personnel to the sediment and erosion control measures implemented on-site.
B31	Prepare and implement a sediment and erosion control plan in accordance with Council's requirements and Managing Urban Stormwater Soil and Construction 2004 (Blue Book)
B32	Ensures routes for movement of waste from work site to storage area is clear of obstruction.
B33	Induct contractors on waste management processes during demolition and construction. Post signage across the construction site.
B34	Dispose of waste in accordance with Council standards.
B35	Waste to be collected during standard Council hours.
B36	Prepare an unexpected finds protocol to establish a framework for management should an isolated unexpected contamination occurrence be identified and accordingly will be disposed of appropriately.
B37	Prior to the commencement of construction, evidence of compliance with this condition from an appropriately qualified person is to be provided and that the requirements are referenced on any certified plans.
B38	Prior to the commencement of works, prepare an unexpected finds protocol with the Registered Aboriginal Parties in the event unexpected finds are found during the construction works.

Part C - During Construction

C1	During construction, implement recommendations contained the Arboricultural Impact Assessment dated August 2021 to minimise impacts to retained trees.
C2	<p>Construction of the proposal will be undertaken during the following standard hours:</p> <ul style="list-style-type: none"> Monday to Friday: 7:00am to 5.00pm Saturday: 8:00am to 1:00pm Sunday and Public Holidays: No work <p>It is noted that no construction deliveries between 7:30am and 9:00am and 1:30pm and 3:00pm on school days are permitted.</p>
C3	Traffic control be provided, as required, to regulate movements in and out of the site during construction in accordance with AS1742.3 and RMS "Traffic Control at Worksites" manual at all times.
C4	The work zone will be managed via construction scheduling set by the incumbent contractor to ensure no queuing or parking on local streets occur.
C5	Disruption to road users is to be kept to a minimum by scheduling intensive delivery activities outside of peak network hours.
C6	<p>If any objects are found during construction that is suspected to be an Aboriginal object or material, the following process is to be followed:</p> <ul style="list-style-type: none"> No further harm or do not move the object; Immediately cease work at that particular location; Secure the area so as to avoid further harm to the Aboriginal object; Notify a qualified archaeologist as soon as possible to inspect, assess and, if necessary, record the object of material; Immediately notify Heritage NSW if the object of material is Aboriginal cultural heritage material on 131555,

ID	MITIGATION MEASURES
	<p>providing any details of the Aboriginal object and its location, and; Not recommence any work at that particular location unless authorised in writing by Heritage NSW.</p>
C7	<p>If any object is found suspected to be human remains, the following process must be followed:</p> <ul style="list-style-type: none"> • Prevent all personnel and vehicular access to or near the object; • Immediately contact NSW Police; • Immediately notify Heritage NSW on 131555, noting potential Aboriginal human remains and providing any details of the object and its location; • Contact the project archaeologist; and <p>Not recommence any work at that particular location unless authorised in writing by Heritage NSW.</p>
C8	Establish clear site entry and exist points for construction, separate from the general school community.
C9	Proactive and ongoing engagement with the school community and local community to identify issues during the construction process.
C10	Establish bi-weekly progress meetings involving the contractor, SINSW and school staff to identify issues and proactively address as required.
C11	<p>Construction of the proposal will be undertaken during the following standard hours:</p> <ul style="list-style-type: none"> • Monday to Friday: 7:00am to 5.00pm • Saturday: 8:00am to 1:00pm • Sunday and Public Holidays: No work <p>It is noted that no construction deliveries between 7:30am and 9:00am and 1:30pm and 3:00pm on school days are permitted.</p>
C12	Prior to the release of any stormwater from the site, water quality samples are to be taken and analysed.
C13	Monitoring of stormwater quality discharging from the development and the implementation of additional measures/modification of existing measures if the quality of stormwater discharging from the site will have a negative impact. The quality of stormwater released from the site is to meet the NSC's stormwater quality standards.
C14	Construction activities are to be limited to the designated construction area(s).
C15	Regular inspection and maintenance of erosion control measures. Following rainfall events greater than 200mm, inspection of erosion control measures and removal of collected material shall be undertaken. Replacement of any damaged equipment shall be performed immediately.
C16	Monitoring of water quality impacts from construction activities as appropriate. Any erosion and sediment control devices that are not performing adequately to meet NSC standards are to be replaced or supplemented with additional measures.
C17	Select materials to minimise waste generation.
C18	Dispose of waste in accordance with Council standards.
C19	Waste to be collected during standard Council hours.
C20	As practicable, the design of new structures be shallow pad or pile footings on weathered shale bedrock.
C21	Undertake bored pile footings for deep foundations. Particular attention to be given to ensuring the socket is cleared and roughened using a suitable scraper such as a tooth, orientated perpendicular to the auger shaft prior to pouring of concrete.
C22	For all footing design, where a Serviceability End Bearing Pressure of greater than 1,000kPa is adopted, the rock quality across the building footprint must be assessed by a cored borehole investigation.
C23	Prior to the commencement of construction, all footings to be inspected by a geotechnical engineer to confirm that a suitable founding stratum has been reached.
Part E - Post Occupation	

ID	MITIGATION MEASURES
E1	The School Transport Plan must be implemented and updated annually.
E2	Implement the School Transport Plan prepared by Ason Group dated August 2021.
E3	Implement DoE's community use of school facilities policy to promote utilisation of new facilities.
E4	Identify opportunities to build partnerships with Aboriginal stakeholders to develop educational programs.
E5	Inform the community of noise events and no events to be held between 10pm and 7am.
E6	Provide contact number of the relevant persons employed to communicate with the community during noisy events.
E7	Provision of signage in all waste disposal, storage and collection points to illustrate how to use the waste management system.

5. CONCLUSION

Based on the discussion contained within this RtS and the accompanying documentation, we consider that the matters raised by the public and relevant agencies during the notification period have been satisfactorily addressed. As advised in Section 1 of this report, the built form/design matters raised by DPIE and GANSW will be addressed in part two of the RtS.

Should you wish to discuss, please do not hesitate to contact the undersigned or Olivia Page (Senior Project Planner) on (02) 9068 3500 or oliviap@gyde.com.au.

Yours sincerely,



Mel Krzus
Director

Appendix 1

Response to Submissions Matrix

AGENCY	SUMMARY OF MATTERS RAISED	PROPONENT'S RESPONSE
Department of Planning, Industry and Environment	Traffic and Transport	
	The TIA must provide further information on the expected traffic conditions on McHatton Street and current and future traffic performance for the McHatton and Crows Nest Road intersection.	As detailed in the Transport and Accessibility Assessment Report prepared by Ason Group dated 26 August 2021, the proposal involves the relocation of the drop-off and pick-up from McHatton Street to Bay Road. The proposed change in on-street parking (refer to Appendix N of the EIS) means the level of traffic expected on McHatton Street is not anticipated to be increased above existing volumes. Ason Group therefore consider the traffic impact to McHatton Street/Crows Nest Road to be negligible. No further consideration of the current or future traffic performance of that intersection is required. Refer to the Traffic Response Letter in Appendix 4.
	<p>Section 11.3 of the TIA states that on-site parking will not be available to construction workers on site and Section 11.8 states that there will be an average of 20 to 40 workers on-site during peak construction activities. Reliance on on-street parking is not encouraged where there are alternative options for off-street parking. No justification has been provided regarding the availability of on-site parking and no on-street parking analysis has been provided to demonstrate existing parking availability on streets for construction worker parking use. Further, the majority on-street parking surrounding the site is time restricted and the proposed temporary work zone on Bay Road would remove time restricted parking during construction periods which would likely shift on-street parking demand to surrounding streets.</p> <p>The RtS must include additional information detailing:</p> <ul style="list-style-type: none"> • if construction worker parking can be accommodated on-site. • measures to minimise construction worker parking demand. • where there is likely to be overflow on-street parking required, the capacity of the surrounding proposed streets to ensure 	<p>On-site parking will generally not be available to construction workers. The on-site parking in the north-west of the site is used by school staff. Only during school holidays, weekends and outside of school operating hours will on-site parking be available for use by construction workers.</p> <p>Ason Group outline in Appendix 4 that the contractor will be informed of public transport options, as well as the closest commercial parking and be advised no on-site parking is available. This will form part of the Construction Management Plan refer to mitigation measure B16. A drop-off zone may be established to allow contractors to drop off equipment at the start and end of shifts, as required. This is common practice for construction in areas such as North Sydney and the Sydney CBD. The on-street parking restrictions in the immediate vicinity of the site (2 hours, 5 minutes, no stopping and drop-off/pick-off) make on-street construction worker parking impractical. There are many public transport options available including the train accessible from Waverton and North Sydney Stations and bus infrastructure, particularly on the Pacific Highway corridor.</p>

AGENCY	SUMMARY OF MATTERS RAISED	PROPONENT'S RESPONSE
	<p>construction worker parking does not detract significantly from existing on-street parking supply.</p>	
	<p>Built Form and Urban Design</p>	<p>A detailed response to DPIE and GANSW's built form and urban design feedback will be provided in part two of the RtS, following the SDRP meeting on 10 November 2021.</p>
	<p>Address the Government Architect NSW comments on the EIS dated 6 October 2021.</p>	
	<p>Shadowing</p> <p>Sections 7.3.2 and 7.1.2 of the EIS state that shadows generated by the proposal would not impact surrounding development and that shadows would fall onto Bay Road and the footpath at 3pm in mid-winter. The shadow diagrams lodged with the EIS show that at 3pm shadows are cast across Bay Road and onto properties opposite the site on Bay Road. To allow for proper assessment of shadow impacts, hourly shadow diagrams are required between 12pm and 3pm in mid-winter, and elevation shadow diagrams are required to demonstrate from what time and where shadows will fall on north facing elevations of development opposite the site on Bay Road.</p>	<p>Following discussion with DPIE on 22 October 2021, it was agreed that hourly plan shadow diagrams would be sufficient in demonstrating/assessing the shadow impact of the proposal, as opposed to requiring submission of elevational diagrams. To this end, Fulton Trotter has prepared hourly interval shadow diagrams for the mid-winter period and they can be found at Appendix 5. The shadow analysis clearly demonstrates the shadow cast from the proposal starts to encroach within the boundaries of a series of properties on the southern side of Bay Road at 2pm. These properties comprise a mix of single residential dwellings, to three (3) storey apartment buildings and a few mixed-use developments closer to the Pacific Highway (with retail at the ground floor and residential apartments above). However, as can be seen in the extracts below, which provide a snapshot of the shadow impact at 2pm and 3pm, there is very little impact at 2pm. The impact is more evident at 3pm.</p>

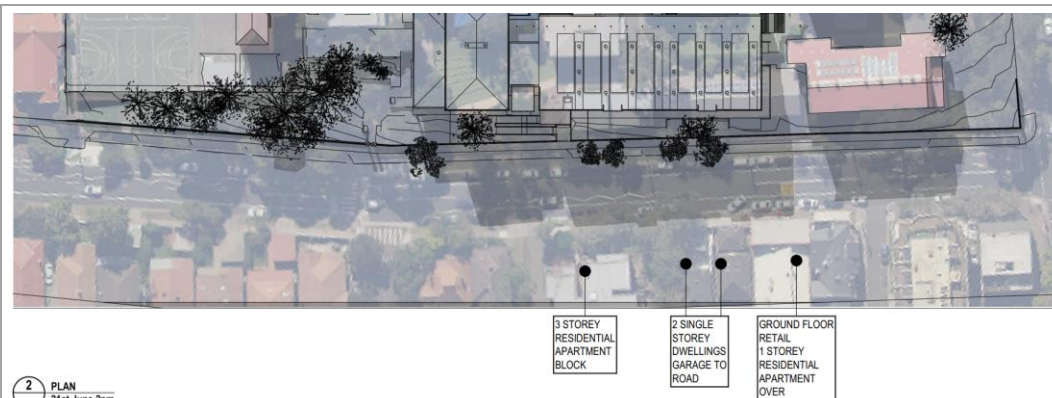


Figure 1 2pm Mid-Winter Shadow Diagram Extract (Source: Fulton Trotter)

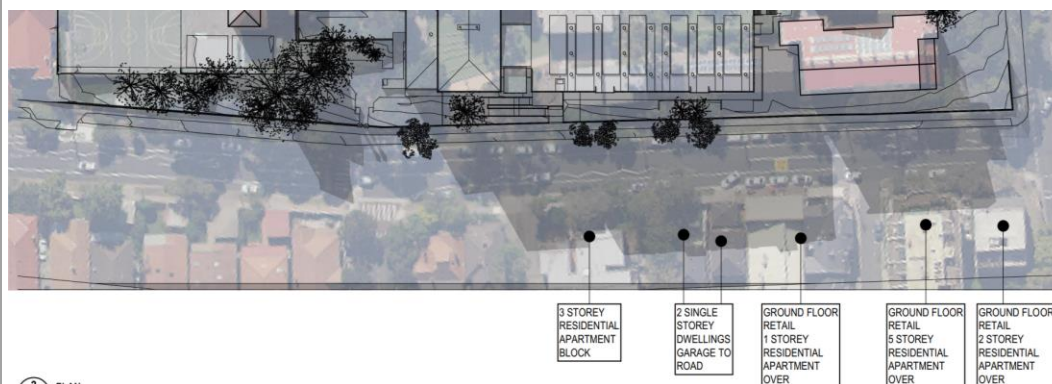


Figure 2 3pm Mid-Winter Shadow Diagram Extract (Source: Fulton Trotter)

A detailed analysis of the above is below:

- At 2pm, there is overshadowing to Bay Road, the road reserve and what appears to be a very minor part of the front boundary of 12-14, 10, 10A (which is a battle-axe lot), 8B (which is also a battle-axe lot), 10 and 8A Bay Road. No dwellings or habitable areas are affected. A very minor shadow is cast to a very small part of the northern façade of the garages to 10 and 8A/8B Bay Road.

AGENCY	SUMMARY OF MATTERS RAISED	PROPONENT'S RESPONSE
		<ul style="list-style-type: none"> At 3pm, the proposed building will cast a shadow to the properties located at 4B Bay Road through to 12-14 Bay Road. The impact in this regard is considered to be reasonable, given at all periods prior to this time in mid-winter, these properties (and any internal living areas off the front/northern elevation) continue to maintain and benefit from generous direct sunlight from 9am to 2pm. <p>The dwelling houses on the southern side of Bay Road receive more than 3 hours of solar access between 9.00am and 3.00pm mid-winter in accordance with Section 1.3.7 of the North Sydney Development Control Plan 2013. Furthermore, the units in the residential flat buildings receive greater than 2 hours solar access between 9.00am and 3.00pm mid-winter in accordance with Part 4A of the Apartment Design Guide.</p> <p>Having regard to the above and detailed hourly shadow diagrams at Appendix 5, we consider that the level of impact, which is restricted to 3pm in mid-winter, is reasonable and will not result in any unreasonable loss of amenity for the aforementioned properties on the southern side of Bay Road.</p>
	<p>Biodiversity</p> <p>Confirm that the proposal remains as described in Schedule 1 of the BDAR waiver granted by the Environment, Energy and Science Group of the Department on 18 May 2021 and that the 0.06ha of proposed clearing is consistent with trees identified for removal in the Arboricultural Impact Assessment prepared by Arboreport dated 25 August 2021.</p>	<p>Eco Logical Australia prepared an Amended BDAR Waiver Request Report and SINSW submitted this to DPIE on 27 October 2021, refer to Appendix 8. The report reflects the proposal currently under assessment, noting there has been minor changes since the issue of the original BDAR Waiver dated 18 May 2021. The changes include an increase in the planted native/exotic vegetation to be removed from 0.06 hectares to 0.13 hectares, reflecting the tree removal in the Arboricultural Impact Assessment prepared by Arboreport dated 25 August 2021. We understand this process will run in parallel to the SSDA assessment.</p>
EES Group	Biodiversity	
	As per above.	-
	Flooding	
	There are no outstanding flooding or floodplain risk management matters to be addressed.	Not applicable.
GANSW through SDRP	Bay Road Entry Façade and roof form	A detailed response to GANSW's built form and urban design feedback will be provided in part two of the RtS, following the SDRP meeting on 10 November 2021.

AGENCY	SUMMARY OF MATTERS RAISED	PROPONENT'S RESPONSE
	<p>Landscaping</p> <p>The location of additional trees to the western portion of the central courtyard and north-east corner of the site is noted and supported. Noting a comparison of tree removal between SDRP and EIS designs is not available at this time.</p>	<p>Taylor Brammer has prepared a Landscape Response Letter in Appendix 2 to address all landscape matters raised in the submissions. The feedback from the SDRP is noted. No further response is required.</p>
HNSW ACH	<p>HNSW is satisfied that the supplied documentation has adequately identified and assessed the impact of the proposal on any ACH and HNSW support the recommendation to not undertake any further ACH investigation within the curtilage of the proposal area.</p> <p>Stop work procedures have been recommended in the event objects or human remains are found.</p> <p>It is recommended a condition of consent be created to ensure an unexpected finds protocol is developed in consultation with the RAPs.</p>	<p>Mitigation measure B38 has been added to address the feedback from HNSW ACH.</p>
North Sydney Council	<p>Council has no objection to the upgrade of the school. It is requested that efforts be made to minimise traffic impacts during construction and that all relevant permits and construction management plans are adhered to. It is also requested vegetation loss is minimised in accordance with the landscape plan and suitable measures are employed to protect vegetation during construction.</p>	<p>A Preliminary CTMP has been prepared by Ason Group and was attached the EIS in Appendix N. In addition, a detailed CMP will be prepared prior to the commencement of works addressing traffic measures during construction. Refer to mitigation measure B16 and B19.</p> <p>Mitigation measure A2 ensures the proposed will be developed in accordance with the Landscape Plan prepared by Taylor Brammer dated 17 August 2021. Refer to Appendix 2 of this letter for further discussion.</p>
Sydney Water	<p>Water servicing</p> <ul style="list-style-type: none"> portable water servicing should be available to the site Sydney Water has no objection to the proposed connection to the DN200 CICL watermain on Bay Road as noted in the Utilities Report Amplifications, adjustments and/or minor extensions may be required <p>Wastewater servicing</p>	<p>The advice from Sydney Water is noted and will be suitably addressed post SSDA consent.</p>

AGENCY	SUMMARY OF MATTERS RAISED	PROPONENT'S RESPONSE
	<ul style="list-style-type: none"> Wastewater servicing should be available via DN225 SGW and DN225 VC wastewater main on Bay Road Amplifications, adjustments and/or minor extensions may be required <p>Critical asset</p> <ul style="list-style-type: none"> Sydney Water has a critical DN500 CACL water main traversing the site. Please follow BOA guidelines to ensure there are not adverse impacts to the existing DN500 main (eg: vibration) easement during demolition of the existing building. The applicant must ensure that there is 24 hour access for Sydney Water personnel to access the easement zone. 	
TfNSW	Active Transport Considerations	
	<p><u>Comment:</u> The TIA indicates that there will be secure bicycle parking facilities, however there is no reference to the number and location of end-of-trip facilities that will be provided to encourage active transport to the site. The NSW Planning Guidelines for Walking and Cycling has been superseded by Cycling Aspects of Austroads Guides, 2017, which recommends that bicycle parking for all-day use on a regular basis should be expected to be combined with end-of-trip facilities such as showers, lockers etc.</p> <p><u>Recommendation:</u> As part of the RtS, TfNSW requests that the Applicant considers the provision of bicycle parking and end of trip facilities for staff, students and visitors in accordance with Australian Standard AS1742.9:2018 Manual of Uniform Traffic Control Devices - Bicycle Facilities, and Cycling Aspects of Austroads Guides to encourage and support active transport to the site.</p>	<p>Ason Group outline in Appendix 4 that 63 on-site bicycle spaces are proposed on the site, including 55 spaces in the north-eastern corner of the site and 8 spaces adjacent to the lockers and staff end of trip facility. The end of trip facilities, including eight staff bicycle spaces, showers and lockers, are depicted on the Architectural Plans prepared by Fulton Trotter dated 18 August 2021 (Appendix B of the EIS). The 55 bicycle spaces proposed in the north-east of the site are annotated on the Landscape Plans prepared by Taylor Brammer dated 17 August 2021 (Appendix C of the EIS). Ason Group confirm this provision satisfies the demand generated by the development and the design of those spaces are in accordance with the relevant Australian Standards.</p>
	School Transport Plan	
	<p><u>Comment:</u></p>	<p>Ason Group confirm the Preliminary School Transport Plan (Appendix O of the EIS) will be updated</p>

AGENCY	SUMMARY OF MATTERS RAISED	PROPONENT'S RESPONSE
	<p>Transport for NSW (TfNSW) has reviewed the School Travel Plan (STP) and acknowledges the effort the Applicant has undertaken to date in the development of the STP. TfNSW has reviewed the STP and has a number of recommendations, which we would welcome further discussions with the Applicant regarding these matters to ensure their delivery.</p> <p><u>Recommendation:</u> TfNSW recommends that the Applicant is conditioned to the following:</p> <p>Prior to occupancy, the Applicant is to provide a School Travel Plan (STP) for TfNSW review and endorsement that:</p> <ul style="list-style-type: none"> • Provides details of end of trip/journey facilities, including number and location of all secure bike parking, casual bike parking, any e-bike charging points, showers and lockers, and include this information in the Travel Access Guide (TAG); • Audits the site's surrounding transport network for potential active transport improvements; • Includes ambitious targets for cycling and other micro-mobility for staff and students; • Identifies anonymised staff residential postcodes, to help inform service provision; • Considers further incentives for staff (noting a third of the responding staff would be strongly encouraged by better cycling facilities) to use active and public transport such as: <ul style="list-style-type: none"> – Pre-loaded opal cards during orientation; – Providing panniers or backpacks for staff committed to active travel; – Salary sacrifice options for purchases of bikes or other micro-mobility options; – Opportunities for staff to share tips and support other staff wanting to start cycling; 	<p>to a final, detailed STP following issue of the SSDA consent, consistent with precedent set by other school projects. The final STP will be prepared in consultation with TfNSW, Council and the School. Mitigation measures E1 and E2 ensure ongoing updates to the STP and implementation during operation.</p>

AGENCY	SUMMARY OF MATTERS RAISED	PROPONENT'S RESPONSE
	<ul style="list-style-type: none"> – Wayfinding to end of journey facilities; – Bike maintenance equipment for use onsite and bike lights for emergency loans; – Encouraging staff to leave earlier to avoid evening peaks; <ul style="list-style-type: none"> • Considers further possible incentives for students to use active and public transport such as: <ul style="list-style-type: none"> – Promoting to parents the potential of active travel to school as an opportunity to stay active themselves; – Considering active transport trips after school to a local park or other place of interest with potential for information sharing and community building, as part of the proposed events calendar; – Investigating the feasibility of “School street” type initiatives along McHatton Road. • Includes a completed TAG as noted in the STP with the potential to develop one tailored for students (based on the make your move format) and one for the rest of the school community. <p>Please send the STP to development.sco@transport.nsw.gov.au.</p>	
	<p>Construction Pedestrian and Traffic Management Plan</p> <p><u>Comment</u></p> <p>The cumulative increase in construction vehicle movements from this project could have the potential to impact on general traffic and bus operations within the precinct as well as the safety of pedestrians and cyclists.</p> <p><u>Recommendation</u></p> <p>It requested that the applicant be conditioned to prepare a Construction Pedestrian and Traffic Management Plan (CPTMP). Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, the Applicant should prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation TfNSW.</p>	<p>A Construction Pedestrian and Traffic Management Plan will be prepared prior to the commencement of works. Refer to mitigation measures B16 and B19.</p>

AGENCY	SUMMARY OF MATTERS RAISED	PROPONENT'S RESPONSE
	<p>The CPTMP should include, but not limited to, the following:</p> <ul style="list-style-type: none"> • A description of the development; • Location of any proposed work zone(s) • Details of crane arrangements including location of any crane(s); • Haulage routes; • Construction vehicle access arrangements; • Proposed construction hours; • Predicted number of construction vehicle movements and detail of vehicle types, noting that vehicle movements are to be minimised during peak periods; • Construction program and construction methodology; • Any potential impacts to general traffic, cyclists, pedestrians and light rail and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works; • Cumulative construction impacts of projects and • Proposed mitigation measures. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP. • Submit a copy of the final plan to TfNSW for endorsement; and • Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and TfNSW to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. <p>The applicant is responsible for ensuring the builder's direct contact number is current during any stage of construction.</p>	
Public Submissions	The proposal does not respond adequately to the important heritage site or fit well into the local environment.	A detailed response will be provided by Curio Projects in part 2 of the RtS.
	The setback adopted is insufficient and is similar to that of an	A detailed response will be provided by Fulton Trotter in part 2 of the RtS.

AGENCY	SUMMARY OF MATTERS RAISED	PROPONENT'S RESPONSE
	existing single storey building to the west and is inadequate for a three storey building.	
	Building lengths are out of scale with the neighbouring development and space should be provided between the new buildings.	A detailed response will be provided by Fulton Trotter in part 2 of the RtS.
	Roof form is not in keeping with the character of the heritage building.	A detailed response will be provided by Fulton Trotter in part 2 of the RtS.
	The proposal causes shadow impacts onto Bay Road properties.	As discussed earlier in this response table, Fulton Trotter has prepared hourly interval shadow diagrams in Appendix 5. These demonstrate the properties on the southern side of Bay Road will experience minor shadow impacts only between 2.00pm and 3.00pm mid-winter, meaning they benefit from no shadows by the proposal for 5 hours in mid-winter, reflecting a worst case scenario (noting the shadow impact will be less at other times of the year) and a reasonable outcome given the generous level of solar access maintained for these properties between 9am and 2pm.
	The proposal involves the removal of a substantial number of trees.	The Arboricultural Impact Assessment, Appendix M of the EIS, provides a detailed arboriculture assessment of the trees on-site. The proposal requires the removal of 16 trees, nine low significance, four low-medium significance and three medium to high significance. To offset the removal of these trees, the Landscape Plans (Appendix C of the EIS) proposed 20 new endemic trees as replenishment planting. The proposed tree planting and other supplementary landscaping will provide the site with an increase in tree canopy cover from 32% to 33% of the site area. Refer to Appendix 2 for further discussion.
	Overland flow path to be examined as substantial overtopping to the sandstone wall has occurred historically.	Aurecon has provided a detailed response in Appendix 3. In summary, there is an overland flow path through the school. Council requires the project to address overland flows directly impacted by the subject works. The area of nuisance flow is not impacted by the proposal and is therefore not required to be addressed as a result of the subject project.
	Proposal causes unacceptable visual impact on the Bay Road public domain.	A detailed response will be provided by Fulton Trotter in part 2 of the RtS.
	Proper acoustic safeguards must be in place for the hall for after hours community and school use.	Marshall Day Acoustics has prepared an Acoustic Response Letter at Appendix 7. The hall will be naturally ventilated and require that operational controls be in place to mitigate noise impacts. The noise from the hall will vary depending on the use and activities. Noise emissions will generally occur during the day and not exceed assessment criteria. However, for noisier activities the eastern doors

AGENCY	SUMMARY OF MATTERS RAISED	PROPONENT'S RESPONSE
		will be required to be closed. This is a noise management control that can be implemented on a case-by-case basis dependent on the use, at the discretion of the school. Following detailed design post SSDA, noise levels from proposed uses can be revised and optimised once acoustic containment of the building envelope and openings is known.
	CMP to address ongoing and cumulative construction impacts with other development.	A CMP will be prepared prior to the commencement of works. Refer to mitigation measures B16 and B19.
	Consideration to be given to the treatment of outdoor play areas to provide sun protection.	Due consideration has been given to shade amenity in the context of the proposed upgrades. Taylor Brammer outline in Appendix 2 that the proposal involves the retention of existing shade sails adjacent to Building A and the inclusion of a new covered outdoor learning area in the central courtyard.
	Other options for the 'kiss and ride' should be explored. A comprehensive traffic management plan during construction should be prepared.	<p>As discussed by Ason Group in detail in Appendix N of the EIS and Appendix 4 of this RtS, the proposal involves the relocation of the drop-off and pick-up from McHatton Street to Bay Road. The relocation arose during the interview Ason Group had with the Deputy Principal and Principal of the School. The reason for the relocation includes:</p> <ul style="list-style-type: none"> • The Bay Road spaces are indented and wider in comparison to McHatton Street; • The Bay Road spaces are separated from major intersections; and • The current McHatton Street drop-off and pick-up experiences queuing issues extending to Pacific Highway. <p>Mitigation measures B16 and B19 ensure a CMP will be prepared prior to the commencement of works.</p>
	The Noise and Vibration Report notes it will be necessary to allow for external windows and doors to be closed when compliance with the EFSG criteria is required. It should be feasible to ensure that such spaces have an adequate outside air provision.	For a detailed response, refer to the Services Response Letter prepared by LCI (Appendix 6) and the Acoustic Response Letter prepared by Marshall Day Acoustics (Appendix 7). In summary, the new buildings (excluding the hall) will be air conditioned and mechanically ventilated. LCI outline that this system exhausts the same amount of air as the introduced outside air, which removes contaminants from the space, allowing for windows/doors to be closed whilst maintaining adequate ventilation and air circulation. The air is cooled or heated by a fan coil unit in the ceiling, which will help de-stratify the air and reduce the change of pockets of stagnant air, helping to dilute any airborne pathogens.
	Oversight with the demolition of the Lady Hay Hall given its historical context.	A detailed response will be provided by Curio Projects in part 2 of the RtS.

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	Inadequate consultation has occurred with the community.	As outlined in Section 6 of the EIS, SINSW undertook community consultation prior to the lodgement of the EIS with the DPIE. The EIS was then on public exhibition for 28 days. During this time, feedback from the community was welcomed. This report and the accompanying documentation provide a response to the feedback received. We note, part 2 of the RtS will also address the matters pertaining to built form, design and heritage response.
	Minimise rubbish during construction and operation.	Elephants Foot has prepared a Construction and Demolition Waste Management Plan (refer to Appendix W of the EIS). Elephants Foot make a series of recommendations to minimise waste during construction. These will be implemented in accordance with mitigation measures B32 to B35. SINSW has provided a response to the matter raised by the community on waste collection and frequency. As outlined in Appendix 9, this is an operational matter which will be dealt with directly by the school operations and nominated waste contractor.
	Impose standard construction hours.	Refer to mitigation measure C11.
	Disappointed the basketball courts are not being upgraded with the proposal.	Basketball courts do not form part of the proposed upgrades to the school. As shown on the Architectural Plans prepared by Fulton Trotter which accompanied the EIS, the upgrades provide improved open space for students. Refer to Appendix 9 for further discussion.