



Ms Barbara Watkins
Chief Executive
264 Miller Street
North Sydney NSW 2060

20/12/2021

Dear Ms Watkins

**Marist Catholic College North Shore (SSD-10473)
Response to Submissions**

The exhibition of the amended development application for the above proposal - including the Response to Submissions (RtS) ended on 13 Dec 2021. Submissions from North Sydney Council, the public, and all Government agency advice received by the Department of Planning, Industry and Environment (the Department) during the exhibition of the project is available on the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/37081>.

We now require a written response to issues raised in the submissions, as required under clause 82(2) of the *Environmental Planning and Assessment Regulation 2000*. The written response must be in the form of a submissions report that has been prepared having regard to the *State Significant Development Guidelines (2021)*. The *Preparing a Submissions Report Guideline* forms part of the SSD Guidelines (Appendix C).

Please be advised that the NSW Government Architect and Ausgrid have yet to provide comments in relation to the application. Any pending responses will be forwarded upon receipt.

We require a response within two months, or by Wednesday 16 February 2022.

Please lodge your response by progressing the application on the major projects planning portal <https://majorprojects.planningportal.nsw.gov.au/>.

Note that the time between the date of this letter and the date the Secretary receives your response are not included in the period of 'deemed refusal', under clause 113(7) of the *Environmental Planning and Assessment Regulation 2000*.

If you have any questions, please contact Jasmine Tranquille, who can be contacted on 9274 6596 at Jasmine.Tranquille@planning.nsw.gov.au.

Yours sincerely



Karen Harragon
Director, Social And Infrastructure Assessments
Social & Infrastructure Assessments

as delegate for the Planning Secretary

ATTACHMENT 1

1. Heritage

The Department engaged an independent heritage consultant to review the proposal. The consultant identifies the following issues, which the Department requires be addressed as part of any future response to submissions report:

- the bulk and scale of the building at the corner of Miller and Carlow Street has not been assessed. The Department has raised this concern earlier and considers that the scale of the proposal at this corner should be reduced. The design should be revisited with the goal of being able to provide a proposed corner building of a form, that more sympathetically responds to the heritage aspects of the surrounding context.
- the current proposal does not appear to support the conservation of the significance of the heritage items on the site, in the vicinity of the site and on the Heritage Conservation Area (HCA) to the north-west of the site. Consequently, the submitted Heritage Impact Statement (HIS) should be amended and/or an addendum prepared so as to fully assess the potential impacts of the development on the heritage significance of the site and the surrounding HCA. All matters identified in this letter should be addressed in the amended HIS. The analysis of the new building needs to address height, form, materiality, architectural character as well its relationship to the heritage items in the vicinity.
- the submitted images with views within the site, which describe the existing relationships between the heritage buildings (setting) specifically in the area of the proposed plaza to the north of St Mary's Church and to the north and west of the Presbytery building, are not adequate. The images should be amended to provide a clear description of the existing situation, setting, curtilage and landscape character.
- the Visual Impact Analysis (VIA) addresses views of the proposal from the public domain only. Views within the site that demonstrate the relationship between the heritage items and the area of new development and any potential visual impacts on the heritage buildings are not included in either the VIA or the HIS, particularly in relation to the Presbytery. The VIA should be amended to address this matter.
- a detailed description of St Mary's Church and Presbytery and St Mary's Catholic Primary School is required. As work is being proposed to these items, a photographic and written description of each building, including identification of its architectural character, any notable features and the condition and integrity of the building is required. For example: in the case of the proposed changes to the confessionals in side St Mary's Church, internal and external images plus a detailed description would be required to demonstrate an understanding of the fabric being affected. The HIS should be amended to include this information.
- a diagram identifying original fabric and later changes to each building should be submitted to assist in understanding the degree to which original fabric is to be altered.

- the significance of the fabric of the heritage items on the site is not made clear; there is no identification of what is original and what may be a later addition or alteration. If the inference is that all of the fabric is original, then there is no discussion as to whether the proposed action is a positive or an adverse heritage impact in section 6 (Effect of Work), nor what decisions or recommendations may be considered a mitigation measure. These matters are to be addressed in the HIS.
- no reference is made to CA18 – Holtermann Estate D. The HIS should be amended to add a description of the relevant portion of this HCA, a statement of significance, if available, and discussion of potential impacts from the proposal on the HCA. This is required to demonstrate that all heritage aspects of the site have been appropriately considered to ensure that the conclusions are soundly based.
- the scale of the drawings should be mentioned in the plans. The architectural plans (demolition and proposed) should more clearly identify where wall nibs are to be retained to maintain the legibility of the original layout.
- the setting and curtilage of the church group is not identified or described in the HIS, nor is there adequate analysis of the proposed impact of landscaping on the setting and relationships of the group. This is required to be addressed. More detail of the proposed café/canteen building is required to understand any potential heritage impacts on the appreciation of the Presbytery and setting of the church group.
- there has been no assessment of the impact of the development on the North Sydney Hotel. The proximity of this heritage site to the development requires a detailed analysis of the form, scale, materiality and fenestration detail of the new building, as well as an analysis of view impacts, to understand any potential heritage impacts.

2. Traffic

The Department engaged an independent traffic consultant to review the proposal. The peer review advises that the submitted Transport and accessibility impact assessment should be updated and the Department requires the following:

- an analysis of existing queueing, safety and congestion issues at the drop-off/pick-up entry and exit and on surrounding roads should be undertaken to indicate any future impacts.
- survey of at least half of the Marist College North Shore Students should to justify the travel mode splits and proposed targets.
- brief details about the proposed drop-off/pick-up areas and associated operational management plan to consider the potential for vehicle queues entering the car parks spilling back onto surrounding roads as well as drivers in the queues stopping on the circulation roads/parking aisles/local roads to pick up and drop off.
- the following updates to the AIMSUN models:
 - evidence of using signal offset times from the relevant LX file.
 - modelling of intersections as Actuated rather than Fixed signals.

- consideration of delays associated with pedestrian crossings in coding the traffic lights, including on approaches where there is no pedestrian protection arrow.
- Correct and realistic coding of southbound bus movements/merging at the Pacific Highway/Miller Street.
- redundancy of the Static Assignment and Departure OD adjustment given the linear nature of the network (with no alternative routes) and presence of traffic count data.
- accurate bus dwell times and schedules to amend the current results which show unrealistic queues on Miller Street during the AM and PM peaks, as well as blockage on Berry Street during the AM peak.
- consideration of the 2036 northbound AM peak travel times after Ridge Street, which would increase sharply despite the proposed removal of on-street parking.
- the number of unreleased vehicles in all scenario years.
- updates to the SIDRA models to address the following:
 - minor deficiencies with Lane Geometries, Lane Movements, Priorities and Signal Phasing.
 - use of the incorrect Pedestrian Walking Speed (Average).
 - consideration of pedestrian protection delays in all turning movements where there are pedestrian protection arrows and where vehicle/pedestrian movements conflict.
 - evidence of using signal offset times from the relevant LX file.
 - showing the Percentile value, not the Average value in the network queue outputs.

3. Drop-off/pick-up area and car/bicycle parking

The Department seeks clarification on the following matters in relation to the drop-off/pick-up zone:

- clarification of the design and use of the pick-up/drop-off (PUDO) zone for kindergarten to year 1 students on the north-south access, including:
 - updated architectural / landscape plans to show the surface PUDO zone.
 - confirmation of the number of PUDO spaces and vehicle queuing capacity as well as the ability of vehicles to pass in the event the PUDO spaces are occupied.
- clarification of the adequacy of PUDO facilities including:
 - whether the existing PUDO facility is capable of accommodating existing peak demand, whether it results in queuing onto Ridge Street and if so the extent of queuing.

- an assessment of the proposed PUDO spaces (12 spaces for Years 2-12, three spaces for Kinder to Year 1 and nine spaces for childcare) to demonstrate that this is sufficient to meet demand during peak periods.
- confirm the predicted maximum vehicle queue length for each proposed PUDO during peak periods.
- confirm whether the PUDO times for Years 2-12 and the childcare overlap, and whether this cumulative demand results in any adverse queuing.
- clarification of the proposed allocation of parking spaces, in particular:
 - at the basement level of the Carlow Street building, noting the RtS states there are 50 staff parking, 9 childcare, 12 PUDO. However, the architectural drawings indicate 48 staff parking, 10 childcare and 13 Years 2-12 PUDO.
 - the use and allocation of the Ron Dyer spaces.
 - the use of the Carlow Street building PUDO and childcare spaces outside of PUDO times.
- confirmation of the location and amount of existing bicycle parking spaces on the site and their designation (staff/students) to allow a comparison with the proposed bicycle parking.

4. Residential amenity

Provide an assessment of the impact from the Carlow Street building on the residential amenity of the adjoining Marist Brothers residences fronting Carlow Street (located on the site). The assessment should include:

- confirmation of the internal layout of existing residential habitable rooms and location of windows.
- consideration of Apartment Design Guide (ADG) standards and the predicted amenity impacts, including:
 - overshadowing of habitable rooms windows and garden space.
 - impacts on the outlook from existing windows.
 - any reduction of privacy, with particular reference to proposed windows, the first-floor staff outdoor area and science courtyard.

5. Trees and landscaping

The Department requests that the following be provided in relation to tree removal and landscaping:

- confirm the 'as existing' and 'as proposed' tree canopy coverage (in sqm and as a percentage of the total site) to confirm the difference between the existing and proposed canopy coverage.
- clarify the total number of trees for removal and retention. In particular, clarify whether the two trees now proposed for retention (transplanting) are included within the calculation of total number of "trees for removal" (59) OR "trees for retention" (17).

- confirm the total number of proposed replacement trees, noting the RtS and Arboricultural Impact Assessment indicate 60 replacements, however, the updated landscape plans indicate 108 (70 at ground level and 38 at roof terrace levels).

6. Community use

The Department requires you to confirm what existing buildings / spaces are currently available for use by the community, whether they are user-pays, times/frequencies and whether there is any proposed change to those existing arrangements as part of this application.

7. Construction Management

The Department requires you to provide the following details in relation to construction management:

- noting the approval of DA100/21 and removal of some site preparation works, update the Construction Management Plan (CMP) staging schedule to accurately reflect what is / is not proposed as part of this application. In addition, include predicted timeframe for construction of each stage.
- on page 13 onwards of the CMP, clarify what colour coding of purple and brown refers to. In addition, this table is inconsistent with the Phasing Diagrams at Appendix 1.
- provide an updated construction staging plan / table, including:
 - predicted construction start and finish dates.
 - in which stage(s) car parking spaces and PUDO facilities are removed and provided.
 - in which stage(s) student and staff numbers are increased.
 - in which stage(s) the Miller Street vehicle entrances and the existing through-site vehicle route is removed.
- review of the consistency between the CMP and Design Report at Stage 03B and clarify in which stage(s) the demolition of Block A and portables and construction of the pavilion is proposed to occur.

8. Architectural plans

The architectural plans are required to be updated as follows:

- correctly show the 6 parking spaces adjacent to St Mary's Church as accessible spaces (currently shown as 7 standard parking spaces).
- include elevational / sectional drawings showing the amendments to the Ron Dyer Centre and Presbytery and the proposed 2 storey pavilion building.
- include new and updated computer generate imagery (CGIs) including:
 - new CGI imagery taken from within the site to demonstrate the proposed changes - particularly showing the new courtyard north of the Church,

changes and extension of the Presbytery, the revised Ron Dyer Centre and of the Carlow / Miller Street buildings from within the northern quadrangle.

- updated DA-802 (CGI) to reflect the RtS amended Miller Street building.
- include a temporary building plan and elevation(s) for the proposed portables / temporary classroom(s) etc during construction. In addition, confirm the predicted life-span of the temporary buildings and the trigger/timing for their removal.
- include the entire site in the updated drawings. Currently the drawings do not show school buildings / structures at the western extent of the site adjacent to Cassini Avenue or the proposed internal changes to Block F.
- provide a roof plan for all buildings shown on drawing DA-104.
- delete all details of potential future buildings from the drawings and replace with the proposed or retained arrangement. This would be required to be consistent with the statement that “Stage 02A Building + Walkway” is “Subject to Separate Approval”.
- delete the Ron Dyer Centre connection to that future walkway from this application and including it with the Stage 02A future application.

9. Demolition plans

- The demolition drawings continue to show the two terraces, Jacaranda Cottage and other site preparation demolition works for which separate Council DA approval has been granted (DA100/21) and no longer form part of this application. Either remove these works or include a clear annotation with colour change confirming separate approval has been granted for these works and they do not form part of this application.

The demolition drawings include an annotation that that demolition of Block C Annex “Note: Proposed development subject to separate approval”. This being the case, remove the demolition of this building from the demolition drawings.