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RESPONSE TO SUBMISSIONS

SCEGGS Darlington -
Modification 3
SSD-8993-Mod-3

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

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Project Code	SSD8993
Report Number	Final

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1. INTRODUCTION

This Submissions Report relates to a Section 4.55(1A) Modification application in relation to the Concept State Significant Application (concept SSD 8993) for SCEGGS main school campus located at 215 Forbes Street, Darlinghurst (**the site**). On behalf of SCEGGS Darlinghurst Limited (**the Applicant**), this Submissions Report has been prepared to address the matters raised by public agencies, local Council, the community and other relevant stakeholders throughout the public exhibition period.

The Modification Application was lodged with the Department of Planning and Environment (**DPE**) on 14 February 2021 (SSD-8993-Mod-3). The SSDA was placed on public exhibition for 28 days which ended on the 4 April 2022.

This Submissions Report has been prepared in accordance with the DPIE *State Significant Development Guidelines – Preparing a Submissions Report (Appendix C) July 2021*.

1.1. EXHIBITED PROJECT

The primary purpose of this modification is to make amendments to the approved (existing) Wilkinson House building envelope and associated conditions under the Concept SSD. The modification application was lodged concurrently with the first detailed SSDA (SSD-19989744) under the Concept Approval for the adaptive reuse of Wilkinson House.

This modification seeks to reflect the proposed detailed design prepared by Smart Design Studio, which includes minor external alterations and additions, internal alterations to the existing Wilkinson House and landscape changes. Specifically, the modification seeks to amend the approved Wilkinson House building envelope by:

- extend the approved building envelope of Wilkinson House further to the south to accommodate a lift.
- slightly increase the building envelope height by 330mm.
- extend the building envelope over the roof of Joan Freeman building to the west to accommodate plant enclosure.
- providing a minor extension to the southwestern façade.

In summary, this modification seeks to amend the following conditions:

- Condition A4 Terms of Consent: Architectural drawings and Landscape Masterplan drawings
- Condition A5 Terms of Consent: Concept Proposal envelope for the Wilkinson House
- Condition A12 Gross Floor Area: Site Wide maximum GFA and Wilkinson House GFA
- Condition B12 (d) Traffic, Access, Car and Bicycle Parking to replace the requirement of Road Safety Evaluation (**RSE**) to Road Safety Audit (**RSA**).

1.2. SUPPORTING DOCUMENTATION

This Submissions Report is supported by the following technical reports and documentation.

Table 1 Supporting Documentation

Appendix	Report	Prepared By
Appendix A	Submissions Register	Urbis
Appendix B	Updated List of Concept Landscape Plans for Approval	Urbis
Appendix C	Updated Landscape Masterplan	Context
Appendix D	Supporting letter from the Traffic Consultant	Traffix

2. ANALYSIS OF SUBMISSIONS

This section provides a summary of the submissions received including a breakdown of respondent type, nature/ position and number of submissions received.

2.1. BREAKDOWN OF SUBMISSIONS

The SSDA was placed on public exhibition for 28 days which ended on the 4 April 2022. There were five submissions received from public agencies and the local Council, and six submissions received from members of the local community and individuals. In addition, subsequent feedback from Alex Greenwich MP was received after the exhibition period. The feedback from Alex Greenwich MP has been addressed in this report.

All submissions were managed by DPE, which included registering and uploading the submissions onto the 'Major Projects website'.

The DPE as the consent authority has identified the following key issues to be addressed in this RtS:

- Road safety requirements
- Amendments to Conditions wording

The six agency submissions (including City of Sydney Council) did not raise any concerns in relation to the application. Heritage NSW (for European Heritage) noted that the previously recommended Conditions related to historical archaeology are still considered appropriate for inclusion in any Conditions of Approval for works at this site.

Overall, there are no objections from the public agencies and local Council.

Six individuals objected to the project based on the community submissions received.

It is important to note that most of the concerns raised in the community objections relate to construction impacts associated with the detailed SSDA for the adaptive reuse of Wilkinson House (SSD-19989744) under the Concept Approval), which will be addressed separately in the Response to Submission Report prepared for Wilkinson House SSDA. This Response to Submissions Report will address the specific community concerns relating to this Modification Application.

A breakdown of the submissions made by group and issues raised is provided in Table 2.

Table 2 Breakdown of Submissions Received

Submitter	Category of Issues Raised						
	The Project	Procedural Matters	Impacts			Justification and Evaluation of the Project	Issues Beyond the Scope of the Project
			Economic	Environmental	Social		
Public Authorities (State or Commonwealth Agencies and Council)							
Energy and Science Group	No objection and no further comment						
Transport for NSW (TfNSW)	No objection and no further comment						
Heritage NSW (2 separate submissions for Aboriginal cultural and European heritage)		Identification of relevant heritage condition.					
Government Architect of NSW (GANSW)				Potential visual and noise impact of the plant enclosure extension on top of the Joan Freeman roof.			
Local Council City of Sydney Council	No objection and no further comment						
Individuals – (Local <5km) 6 objections				<ul style="list-style-type: none"> ▪ Amenity issue e.g. View and shadow ▪ Heritage concern 			

Submitter	Category of Issues Raised						
	The Project	Procedural Matters	Impacts			Justification and Evaluation of the Project	Issues Beyond the Scope of the Project
			Economic	Environmental	Social		
				<ul style="list-style-type: none"> Traffic Assessment - Concern of replacing the requirement of Road Safety Evaluation to Road Safety Audit 			
TOTAL	6 x submissions from agencies and council 6 x objections from local community* *Most of the community objections relate to construction impact associated with the detailed SSDA for the adaptive reuse of Wilkinson House (SSD-19989744) under the Concept Approval, which will be addressed in the SSDA RtS).						
Feedback received from Alex Greenwich MP after the exhibition end date				Traffic Assessment - Concern of replacing the requirement of Road Safety Evaluation to Road Safety Audit			

2.2. CATEGORISING KEY ISSUES

The issues raised in the submissions (including agency and public submissions) have been categorised as outlined below and a response to each issue is included within the Response to Submissions at **Section 4**.

The key issues raised in the submissions include:

- Road safety requirements – justification for replacing the requirement of Road Safety Evaluation to Road Safety Audit
- Suggested amendments to conditions wording.
- Visual impact of the plant enclosure extension to the Joan Freeman Building
- Amenity issue e.g. View and shadow.
- Heritage concerns.

3. ACTIONS TAKEN SINCE EXHIBITION

In response to the key issues raised within the submissions, minor Landscape Masterplan design refinements and further environmental assessment have been made to the proposed development since public exhibition.

This section summarises the changes that have been made to the project since its public exhibition. It also outlines the additional assessment undertaken to respond to the concerns raised with the public agency, organisation and public submissions outlined in **Section 2**.

3.1. LANDSCAPE MASTERPLAN REFINEMENTS TO THE PROJECT

The following summarises the minor Landscape Masterplan refinements since public exhibition and in response to submissions made to the Wilkinson House Detailed SSDA (which was concurrently exhibited with the Concept SSDA Mod).

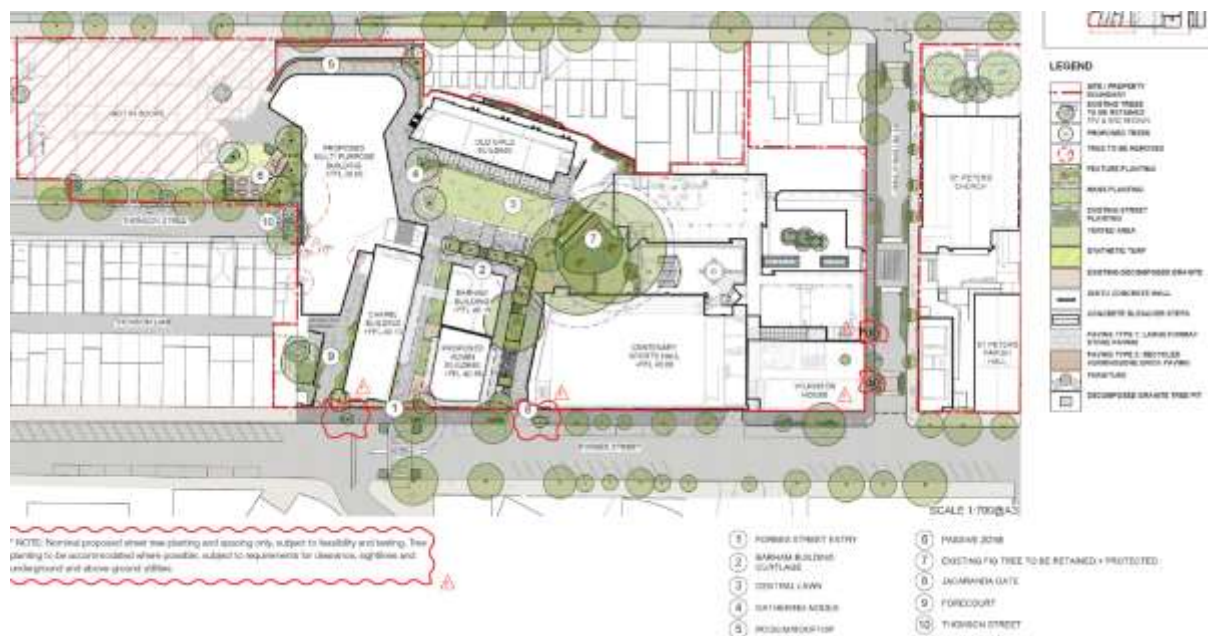
As part of the exhibition for Wilkinson House Detailed SSDA, DPE and Council requested to explore alternative landscaping opportunities within or around Wilkinson House. In response to DPE and Council, the project team proposed additional street trees along Forbes Street and St Peter Street frontages, to enhance greenery in the streetscape.

The detail of the additional trees will be documented in detailed Landscape Plan accompanying the Wilkinson House detailed SSDA RtS. For consistency, the locations of the trees are reflected on the Landscape Masterplan as illustrated below.

The tree species recommended are consistent with City of Sydney Street Tree Master Plan, and is also consistent with the existing street trees along these frontages.

Importantly, these refinements are changes that fit within the limits set by the project description. These refinements are consistent with the detailed design SSD, and do not change what the application is seeking consent for, and therefore an amendment to the proposal is not required.

Figure 1 Updated Landscape Masterplan



Refer to the revised Landscape Masterplan (Appendix C) for further details on the landscape refinements made since public exhibition.

3.2. ADDITIONAL IMPACT ASSESSMENT

Additional assessments have been prepared to respond to the issues raised within the submissions. These include:

- Supporting Letter from the traffic consultant to justify why the Road Safety Audit is adequate for this project.
- Further assessment of the visual impact from the plant enclosure extension on the roof of Joan Freeman Building

The findings and recommendation of the additional assessments are discussed in detail within **Section 4** of this report.

4. RESPONSES TO SUBMISSIONS

This section provides the Applicant's response to the issues raised in submissions.

Detailed responses to DPE and GANSW submissions are provided in section 4.1 and section 4.2.

Responses to other issues raised by the agencies and the community are contained in section 4.3.

4.1. ROAD SAFETY REQUIREMENTS

The modification application proposes to replace the requirement of Road Safety Evaluation (**RSE**) to Road Safety Audit (**RSA**) under condition B12.

A detailed statement has been prepared by Traffix (Appendix C), which:

- Articulate the difference between Road Safety Audit and Road Safety Evaluation
- Justify why Road Safety Audit is appropriate and adequate for future detailed SSDAs approved under the Concept Approval.

It is important to note that:

- The Concept SSDA and future detailed SSDs do not increase student or staff capacity of the school. Therefore as assessed under the traffic and parking assessment of the Concept SSDA, is anticipated that the Concept SSD and subsequent detailed SSDs will only create negligible change in traffic generation.
- The Concept SSDA and future detailed SSDs do not propose change to local road network or propose significant increase to onsite car parking. While we do acknowledge the Concept SSD approved for an additional vehicular access point on Bourke Street immediately south of Stanley Street, to accommodate vehicles within a new drop-off/pick-up zone within the site and there is a net increase of 8 onsite car parking (as part of the future multi-purpose building), these changes are minor and do not warrant the need for a RSE.
- Transport for NSW did not have an objection to the proposed RSA method and did not impose the need for RSE in their original assessment of the Concept SSDA.

The summary of the justification is provided below.

The difference between RSE and RSA

Transport for NSW's document titled *Guidelines for Road Safety Audit Practices – Part 2 Road safety evaluation*, dated July 2011 provides the following definitions relating to Road Safety Evaluations:

Road Safety Evaluation (RSE) A road safety evaluation involves a road safety audit, a crash investigation, and a review of the speed zone.

RSA is therefore a part of the RSE assessment and is typically used as a methodology to identify road safety deficiencies and areas of risk that could lead to road crashes. It is typically used for projects that is not an intensification of the site (from a capacity point of view) or is not changing the local road network.

Therefore the RSA is deemed to be sufficient for future detailed SSDs given the context of the site and the nature of the proposal.

Why is a crash investigation not required?

A review of publicly available crash data from the TfNSW road safety website suggest there has been a limited number of crashes within the areas surrounding the school. Over a 5-year period (2016-2020), there was only a single recorded minor injury crash on Stanley Street. It should also be noted that this event occurred at dusk, and likely outside of the schools operating times.

It is understood that crash data is typically utilised to identify “*crash clusters, common crash characteristics, trends in the road crash statistics*” as per TfNSW’s definition. These patterns are then typically used to establish accident blackspot treatments or mass action treatments.

The minimal number of recorded crashes near the site suggests that undertaking a formal crash investigation is unnecessary in the context of the site, and is not required for future detailed SSDs.

Why is a review of speed zone not required?

Speed zone reviews are typically undertaken by TfNSW, being the authority of all speed limits on public roads. As stated in the TfNSW NSW speed zoning guidelines “*The RTA is the only agency authorised to administer the speed zones on all roads (State, regional and local) in NSW*”.

The School is already surrounded by existing school zone and speed zone for residential area. The review and changes to speed zone would be outside of the scope of the development, given they are typically undertaken by TfNSW.

More importantly, the School has no authority to implement any changes to speed zones, or address any existing deficiencies in Council’s or TfNSW’s road assets, including speed zone signage, line marking, pedestrian crossings, other traffic signage or vegetation.

Therefore, compressive speed zone review is outside the scope of this project and is not required for the purpose of future detailed SSDs.

In summary:

- The concept SSD and future detailed SSDs do not increase to student capacity. The concept SSD and future detailed SSDs are not an intensification of the site.
- It is anticipated that there are expected to be negligible change in traffic generation or traffic impacts resulting from the Concept SSD and future detailed SSDs.
- There has been only one crash incident (Stanley Street) recorded in the surrounding area between 2016 and 2020. Given the concept SSD and future detailed SSDs are not proposing to increase student capacity or result in additional traffic generation, the SSD is unlikely to contribute to more crashes. Therefor a formal crash investigation is not considered necessary.
- The School already has reduced speed zone (school zone signs) on surrounding streets. Speed sign review is typically undertaken by TfNSW and if deficiencies are identified, it would require changes to TfNSW/Council infrastructure asset, which the school has no authority of and is outside the scope of this concept SSDA and future detailed SSDs.

Any future SSDAs would be subject to a Road Safety Audit undertaken by an independent and qualified road safety auditor. For clarity, it is requested that the Condition B12 to be amended to require “Road Safety Audit”. The qualified auditor can determine if they undertake an existing stage RSA (developments with no changes to student/staff numbers, roads, accesses etc.) or a design-based RSA (developments that seek to include new access point or change the road network).

Existing condition	Proposed changes as exhibited	Final proposed changes under this RtS
<p><i>Traffic, Access, Car and Bicycle Parking</i></p> <p><i>B12. All future development applications for new built form must be accompanied by:</i></p> <p>.....</p> <p><i>(d) a Road Safety Evaluation.</i></p>	<p><i>Traffic, Access, Car and Bicycle Parking</i></p> <p><i>B12. All future development applications for new built form must be accompanied by:</i></p> <p>.....</p> <p><i>(d) designed based Road Safety Audit.</i></p>	<p><i>Traffic, Access, Car and Bicycle Parking</i></p> <p><i>B12. All future development applications for new built form must be accompanied by:</i></p> <p>.....</p> <p><i>(d) Road Safety Audit.</i></p>

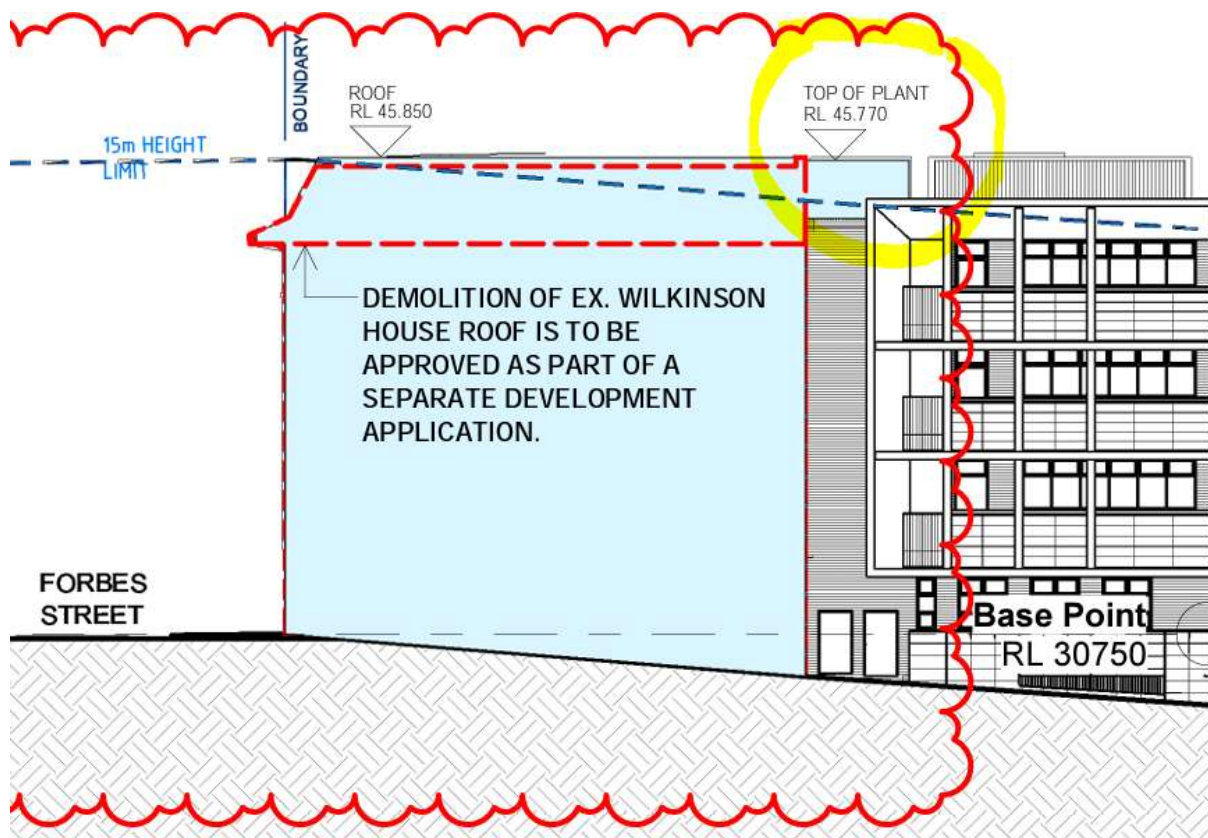
Therefore Road Safety Audit is appropriate and adequate form of road safety assessment for future detailed SSDAs approved under the Concept Approval, and amendment to condition B12 should be supported given the above.

4.2. VISUAL IMPACT OF THE PLANT ENCLOSURE EXTENSION ON THE ROOF OF JOAN FREEMAN BUILDING

The proposal comprised a minor western extension of the building envelope for Wilkinson House to extend above the roof of Joan Freeman building to allow for a plant enclosure for condenser units (as proposed under the concurrent SSDA for Wilkinson House). It is important to clarify that the extension is located on top of the fire staircase portion of the Joan Freeman building (not the main portion of the building), which is further setback from the main façade of the Joan Freeman building.

The building envelope extension has a maximum RL of 45.77, which matches the maximum height of the existing Joan Freeman building (refer to Figure 2). The height of the extension is slightly below the proposed building envelope height of Wilkinson House.

Figure 2 Roof Extension



Sources: Smart Design Studio

The proposed envelope extension will not be readily visible from the street, because:

- A height datum has already been established by the existing carpark exhaust riser of the Joan Freeman Building, so the envelope extension will blend in with existing service structure.
- The location of the envelop extension is setback from the street and the envelope of Wilkinson House and Joan Freeman building. Therefore is not easily perceived from the street.
- The detailed design of the plant enclosure within the envelope extension is shown in the Detailed SSDA for Wilkinson House. The plant enclosure will be screened, using dark brick treatment to ensure its recessive character.

- As a reference for assessment, the CGI produced for the Detailed SSDA of Wilkinson House (refer to
- Figure 3), demonstrates that the final design of the plant enclosure is hardly perceivable from the streetscape and will not create any visual impact.

Figure 3 Wilkinson House Detailed SSDA CGI as viewed from the corner of Forbes Street and St Peter Street (obstructed plant room circled in red)



Sources: Smart Design Studio

The proposed envelope extension will not create any adverse visual impact from the street and is considered to be acceptable.

4.3. RESPONSE TO OTHER ISSUES RAISED

Table 3 Response to other agencies and community submissions

Summary of Issue Raised	Response	Supporting Document
NSW DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT		
DPE suggested Amendments to Condition A4	<p>The application accepts the amended architectural plan reference in this condition.</p> <p>The application would like to replace the concept plan reference to reflect the updated Landscape Masterplan submitted with this RtS:</p> <p style="text-align: center;">18549-D F LANDSCAPE CHARACTER ZONES September 2019 May 2022</p> <p style="text-align: center;">18549 A-F LANDSCAPE MASTERPLAN September 2019 May 2022</p> <p style="text-align: center;">18549 A-F CHARACTER ZONE – WILKINSON HOUSE September 2019 May 2022</p> <p style="text-align: center;">18549-A F CHARACTER ZONE – FORBES STREET ENTRY September 2019 May 2022</p> <p style="text-align: center;">18549 A F MATERIALITY September 2019 May 2022</p>	N/A
DPE suggested Amendments to Condition A5	<p>The applicant would like to propose wording change to this condition, to clarify that building envelope changes proposed under this modification application (SSD-8993-Mod-3) is approved, however any replacement of Wilkinson House as it was refused under SSDA Concept Approval (SSD-8993) is not approved:</p> <p style="text-align: center;">A5. The Concept Proposal envelope for the Wilkinson House part of the Site is amended to approve only the envelope shown by the dashed red line on Drawing AR-MP.3002 that represents the existing</p>	

Summary of Issue Raised	Response	Supporting Document
	<p>envelope of Wilkinson House. Any reference to the Wilkinson House building envelope as it was proposed in the DA, or to the replacement of Wilkinson House building shown on other drawings listed in condition A4, are not approved.</p>	
DPE suggested Amendments to Condition A12	The application accepts the recommend wording of this condition.	
DPE suggested Amendments to Condition B5	<p>The condition is proposed to be modified to include further amendment to the Landscape Masterplan for Wilkinson House as submitted with this RtS:</p> <p><i>Landscaping</i></p> <p><i>B5. All future development applications for new built form must include: (a) landscape plans and details identifying the vegetation to be retained, removed or relocated, the location of replacement trees, and additional landscaping. The plans and details must: (i) be generally in accordance with the Landscape Masterplan Rev D-F prepared by Context and dated September 20192021 May 2022 submitted with the RtS to SSSD-8993-Mod-3;</i></p>	
Amend condition B12 to RSA.	<p>Traffic, Access, Car and Bicycle Parking</p> <p><i>B12. All future development applications for new built form must be accompanied by:</i></p> <p>.....</p> <p><i>(d) Road Safety Audit</i></p>	Refer to section 4.1 and Appendix C
Heritage NSW		

Summary of Issue Raised	Response	Supporting Document
<p>Previously recommended Conditions related to historical archaeology are still considered appropriate for inclusion in any Conditions of Approval for works at this site.</p>	<p>Noted.</p> <p>No changes are proposed to the existing historical archaeology condition, which will be retained in the approval and the condition of consent.</p>	<p>N/A</p>
<p>INDIVIDUAL SUBMITTERS</p> <p>The submissions have been grouped into the following topic areas</p>		
<p>Road safety evaluation requirement</p> <p>DPE should review the appropriateness of replacing Road safety evaluation with a road safety audit.</p> <p>The road safety aspect seems to be excluding any addressing of existing traffic concerns and the accumulative impact, which will only be exacerbated when the development commences.</p>	<p>It is important to note that the Road Safety Audit is an additional requirement to Traffic Impact assessment associated with detailed SSDA. It is not to replace Traffic Impact assessment.</p> <p>Refer to Section 4.1.</p>	<p>Refer to section 4.1 and Appendix C</p>
<p>Overdevelopment</p> <p>The new height proposal for Wilkinson House will block views and cast further shadows than the already extensive development proposal.</p>	<p>It should be noted that no physical works are proposed as part of the modification application and are subject to the detailed SSDA to be lodged concurrently with this modification.</p> <p>The proposed amendments to the Wilkinson House building envelope, including external extension and the height increase, will not create adverse view impact to the Sydney skyline, Sydney harbour glimpses, and local character views from the public domain and private residential dwellings, including the Horizon Apartment and 186 Forbes Street.</p>	<p>Refer to section 5.3 of the Modification report.</p>

Summary of Issue Raised	Response	Supporting Document
	<p>Massing images of the amended Wilkinson House building envelope have been prepared by Virtual Ideas and has been submitted as part of the Wilkinson House Detailed SSD DA. View impact is also assessed and discussed in Section 5.3.1.2 of the Modification Report.</p> <p>Updated and potential overshadowing impacts resulting from the Wilkinson House building envelope amendments have been prepared by Smart Design Studio and is attached at Appendix A of the Modification Application package.</p> <p>Shadow from the existing Wilkinson House falls within the SCEGGS campus, Forbes Street and the front setback of the buildings located directly to the southeast of Wilkinson House. The additional shadow from the proposed building envelope also falls within these areas, and does not result in additional overshadowing to private open space of dwellings on Forbes Street from 9:00am to 3:00pm in mid winter. Accordingly, the proposed changes to the building envelope (and future built from proposed under the concurrent SSDA) is not anticipated to have adverse shadow impacts compared to the existing built form.</p> <p>In summary, the proposed amendments to the Wilkinson House building envelope do not represent an overdevelopment of the site and the additions will not create any additional adverse amenity impact.</p>	
<p>Heritage</p> <p>Concern of distracting from the heritage envelope of Wilkinson House.</p>	<p>A Heritage Impact Statement prepared by Urbis concludes that the proposed modification will have no adverse heritage impacts.</p> <p>The proposed extensions to the buildings envelope, including the minor height increase and the expansion of the envelope to the south of Wilkinson House, are considered to be acceptable and will not result in any negative impacts to Wilkinson House or the SCEGGS Darlinghurst campus.</p>	<p>Refer to the Heritage Impact Statement attached at Appendix C of the Modification</p>

Summary of Issue Raised	Response	Supporting Document
	The proposed amendment to Wilkinson House has been assessed against the Conservation Management Plan (CMP) prepared for Wilkinson House, and is consistent with the recommendation in the CMP.	Application package.

5. UPDATED PROJECT JUSTIFICATION

To address the matters raised during the public exhibition period, the proposal has been subject to minor Landscape Masterplan design refinements and ongoing traffic assessment reviews.

Overall, the responses within this RtS and the supporting documents submitted with the Modification Application is considered appropriate for the site and warrants approval by the minister for planning for the following reasons:

- The site is zoned Zone R1 General Residential under the Sydney LEP. The proposed land use include 'educational establishment' which is permissible with development consent in the R1 zone.
- The development resulting from the proposed modifications are "substantially the same" as the approved development.
- The proposal largely retains the Wilkinson House building envelope. The proposed extensions to the buildings envelope, including the minor height increase and the extension of the envelope to the south of Wilkinson House and above the Joan Freeman building, are considered to be acceptable and will not result in negative impacts to Wilkinson House or the SCEGGS Darlinghurst campus
- The minor building envelope extension to the roof of Joan Freeman Building is recessed from the street and the building envelope line of Wilkinson House and Joan Freeman. Therefore will not create adverse visual impact and is hardly perceivable from the street or from adjacent residential premises.
- Overall, the proposal would result in negligible environmental and amenity impact, including privacy, visual amenity, overshadowing and on the surrounding heritage items.
- No changes are proposed to student capacity, staff number or approved access and parking arrangements.
- The proposed Landscape Masterplan design amendments respond to DPIE and City of Sydney comment (relating to the detailed Wilkinson House SSDA) on the need to provide for additional landscaping. The Landscape Masterplan is therefore updated to reflect changes to landscaping for consistency.
- The justification provided for Road Safety audit respond to DPIE and the community groups feedback, and is an appropriate/sufficient form of road safety assessment because:
 - The concept SSD and future detailed SSDs do not increase to student capacity. The concept SSD and future detailed SSDs are not an intensification of the site.
 - It is anticipated that there are expected to be negligible change in traffic generation or traffic impacts resulting from the Concept SSD and future detailed SSDs.
 - There has been only one crash incident (Stanley Street) recorded in the surrounding area between 2016 and 2020. Given the concept SSD and future detailed SSDs are not proposing to increase student capacity or result in additional traffic generation, the SSD is unlikely to contribute to more crashes. Therefore a formal crash investigation is not considered necessary.
 - The School already has reduced speed zone (school zone signs) on surrounding streets. Speed sign review is typically undertaken by TfNSW and if deficiencies are identified, it would require changes to TfNSW/Council infrastructure asset, which the school has no authority of and is outside the scope of this concept SSDA and future detailed SSDs.
 - Any future SSDAs would be subject to a Road Safety Audit undertaken by an independent and qualified road safety auditor. For clarity, it is requested that the Condition B12 to be amended to require "Road Safety Audit". The qualified auditor can determine if they undertake an existing stage RSA (developments with no changes to student/staff numbers, roads, accesses etc.) or a design-based RSA (developments that seek to include new access point or change the road network).
- The draft conditions provided by DPIE and agencies have been reviewed by the applicant with comments provided in the RtS for any conditions not agreed with.

Overall, the modification application is appropriate to the site and surrounding context, is in the public interest and should be approved by the DPIE subject to conditions of consent.

DISCLAIMER

This report is dated 6 May 2022 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of SCEGGS DARLINGHURST (**Instructing Party**) for the purpose of RtS (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A

SUBMISSIONS REGISTER

Submissions Register

Group	Name ¹	Relevant Section
Public Authorities (State or Commonwealth Agencies and Council)	Transport for NSW	No objection and no further comments
	Energy and Science Group	N/A
	Heritage NSW x 2 (Aboriginal cultural heritage and European heritage)	Refer to Section 4.3 of the report.
Council	City of Sydney Council	No objection and no further comments N/A
Individuals	Anonymous ¹ x 2	Refer to Section 4 of the report and Appendix C
	Timothy Brooker	
	The Horizon	
	Marlyn Robertson	
	JC and RD Ellinson	

¹ Where submitters have requested their name be withheld from publication, their name has been shown as 'Anonymous'.

APPENDIX B

UPDATED LIST OF CONCEPT LANDSCAPE PLANS FOR APPROVAL

Updated List of Landscape Masterplan for Approval

The updated list of plans for approval have been listed in *red italics*, and the outdated plans (as originally submitted) are listed in ~~strike through~~.

Concept landscape drawings prepared by Context			
Drawing No.	Rev	Name of Plan	Date
18549	E-F	LANDSCAPE CHARACTER ZONES	September 2021 May 2022
18549	E-F	LANDSCAPE MASTERPLAN	September 2021 May 2022
18549	E-F	CHARACTER ZONE – WILKINSON HOUSE	September 2021 May 2022
18549	<i>A F</i>	<i>Character ZONE – FORBES STREET ENTRY</i>	September 2019 <i>May 2022</i>
18549	<i>A F</i>	<i>MATERIALITY</i>	September 2019 <i>May 2022</i>

APPENDIX C

UPDATED LANDSCAPE MASTERPLAN

APPENDIX D

SUPPORTING LETTER FROM THE TRAFFIC CONSULTANT