



Request for Secretary's Environmental Assessment Requirements

Proposed State Significant
Development Masterplan and
Built Form Approval for
St Aloysius' College Campuses

29 Burton Street, Kirribilli
1-5 Jeffreys Street, Kirribilli
47 Upper Pitt Street, Kirribilli

Prepared by Willowtree Planning Pty Ltd
on behalf of St Aloysius' College

August 2017

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Document Control Table

Document Reference:	WTJ17-107_St Aloysius' College SSDA		
Date	Version	Author	Checked By
21 April 2017	1	T Ward	C Wilson
3 May 2017	2	T Ward	C Wilson
11 May 2017	3	T Ward	C Wilson
14 June 2017	4	A Smith	C Wilson
4 August	5	A Smith	C Wilson

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PART A PRELIMINARY

1.1 INTRODUCTION

This scoping document has been prepared by Willowtree Planning on behalf of St Aloysius' College and is submitted to the NSW Department of Planning and Environment (DoPE) in support of a formal request for Secretary's Environmental Assessment Requirements (SEARs).

Pursuant to Section 83B of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979), the proposed application will be sought as a staged development. This request for SEARs is made in relation to:

- **Stage 1:** Masterplan and Concept Approval for St Aloysius' College including the three (3) existing campuses which form the Junior School, Middle School and Senior School in Kirribilli; and detailed built form approval for the Middle School and Senior School.
- **Stage 2:** Detailed built form approval for the Junior School will be sought under a future development application submitted to the relevant consent authority.

The subject sites are located within the North Sydney Local Government Area and are subject to the provisions of *North Sydney Local Environmental Plan 2013* (NSLEP 2013).

The proposal satisfies the definition of State Significant Development pursuant to Clause 5 of Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011* as the Capital Investment Value (CIV) exceeds \$30 million.

St Aloysius' College have been working with architects PMDL to develop a masterplan for the future physical development of their campuses, with an initial focus on teaching and learning, and the overriding ambition of supporting and developing the St Aloysius' College Community. The Masterplan provides an overall framework for development over the next few decades, building both on existing opportunities whilst looking to the future and anticipating change. The broad ambitions of the masterplan are consolidated in a concept approach that aims to achieve the following.

St Aloysius' Masterplan defines a clear direction for the next two decades of the College's educational mission. It ensures that the College's facilities are consistent with its identity as a Catholic, Jesuit school seeking to form virtuous young men who hold a faith that does justice. The College's facilities should be of a good standard and educationally-relevant, functional, aesthetically pleasing and generated as a direct response to honouring Jesuit educational traditions and the contemporary needs of school-aged male learners.

In order to maintain a learning community for current and future generations of students, it is essential that St Aloysius' College engages in strategic and staged development and upgrading of its facilities. This process will be cognisant of the College's history and culture while adapting its physical site to changing understandings about the essential enterprise of teaching and learning in an Australian school.

The College's Masterplan will recognise that St Aloysius' as an inner-city school that, because of its location, must be resourceful and hospitable to its physical surrounds and to its neighbours. As a community, we are grateful to be located next to the 'finest harbour in the world' and in the shadow of the Sydney Harbour Bridge.

The proposed Masterplan and Built Form Approval does not envisage any significant growth in student and staff numbers, other than that which would ordinarily be attributed to natural growth for Educational Establishments.

St Aloysius' Junior School (referenced as **Site 1** hereafter) is located at **29 Burton Street, Kirribilli** and legally described as Lot 1 in Deposited Plan 830667. The subject site is zoned SP2

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Infrastructure – Educational Establishment pursuant to NSLEP 2013 and exhibits an area of approximately 4,335m². The proposed development at the Junior School includes the construction of a new sports court facility and associated under croft area. In addition, the proposal includes an extension of the main building and construction of an additional storey to the west of the site.

St Aloysius' Senior School (referenced as **Site 2** hereafter) is located at **1-5 Jeffreys Street, Kirribilli** and legally described as Lot 101 in Deposited Plan 1108496. The subject site is zoned SP2 Infrastructure – Educational Establishment and R2 Low Density Development pursuant to NSLEP 2013. The site exhibits an area of approximately 3,421m². The proposed development at the Senior School includes major refurbishment and extension of the existing learning rooms, lecture theatre, common room and ancillary staff and student facilities in the 'Wyalla' building.

St Aloysius' Middle School (referenced as **Site 3** hereafter) is located at **47 Upper Pitt Street, Kirribilli** and legally described as Lot 10 in Deposited Plan 880841. The subject site is zoned SP2 Infrastructure – Educational Establishment pursuant to NSLEP 2013 and exhibits an area of approximately 4,054m². The proposed development at the Middle School also includes major refurbishment of the lobby, Great Hall and Chapel. The lobby is to be connected from the forum to a new multi-storey building to be constructed in the central courtyard of the site.

This document provides a brief overview of the proposal and the planning framework that applies to enable the issue of the SEARs that will guide the preparation of a formal Environmental Impact Statement for future development of the land.

Environmental considerations relevant to the proposal have been identified to include:

- Noise;
- Heritage;
- Traffic and transport; and
- Visual amenity and site design.

It is considered that the proposal promotes the improvement and upgrade of existing facilities at St Aloysius' College, by providing a cohesive series of defined precincts and within that, 21st Century learning environments for the College that will be developed and operated in an environmentally sustainable manner.

It therefore requested that the Department issue formal SEARs for the preparation of an Environmental Impact Statement (EIS) for the proposal as State Significant Development (SSD), and requirements to assess the proposed Masterplan and Built Form Approval.

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1.2 DEVELOPMENT HISTORY

The sites have been subject to a number of applications as summarised in **Table 1**.

Table 1: Development History			
	Application No.	Date of Approval	Description
Site 1: 29 Burton Street	2017/130	Undetermined	Minor alterations & additions to the junior school library.
	2016/376	05/12/2016	Upgrade of existing boundary fence at 1.8m high.
	2014/293	26/11/2014	Installation of sun shades and new access ramp.
	2007/436	10/11/2008	Modification of DA 436/07 to construct an electricity substation on site.
	2007/436	22/07/2008	Modification to DA 436/07 including relocation of stormwater tanks, change to roof design and various internal and external changes.
	2007/436	29/01/2008	Construction of a new two storey brick classroom extension to the existing school including undercroft playground area and landscaping.
Site 2: 1-5 Jeffreys Street	2007/528	03/01/2008	Installation of reverse cycle split air conditioning unit in an existing classroom.
	2007/469	19/05/2008	Demolition of residential buildings and erection of new building to include pool, sports facilities, classrooms, rooftop parking, seminar rooms and offices.
Site 3: 47 Upper Pitt Street	2014/300	02/12/2014	Alterations to handrail of existing pedestrian bridge.
	2007/597/2	17/09/2012	Modification of DA 597/07 to allow the canteen to remain in its current location and an expanded multi-use open space area.
	2007/597	28/08/2008	Internal alterations to several floor levels of Senior School Main Campus, additions of roof level for lift and stairwell overruns, and changes to windows at top level.
	2008/350	02/10/2007	Infill of existing verandah and awning additions within courtyard of St Aloysius' School.

PART B SITE ANALYSIS

2.1 SITE/STRATEGIC CONTEXT

The local context surrounding St Aloysius' College in Kirribilli is predominantly residential and retail, being dominated by two to four storey residential flat buildings and shop top housing. Kirribilli is characterised by its proximity to Sydney Harbour and high heritage significance within a leafy locality.

The College is located within close proximity to Milsons Point Train Station which is surrounded by local shops, shop top housing and public recreational areas. The locality slopes towards the waterfront which falls to the south and overlooks Sydney Harbour. Jeffreys Street Ferry Wharf provides connectivity to Circular Quay, Luna Park, Lane Cove, Darling Harbour, Manly and Parramatta.

Milsons Point Train Station provides public transport connectivity to areas along the T1 North Shore Line. In addition, the College is sited adjacent to main arterial roads such as the Pacific Highway and M1 which also feature a number of bus routes and contribute to the sites central connectivity throughout Sydney.

The local context is shown in **Figure 1**.

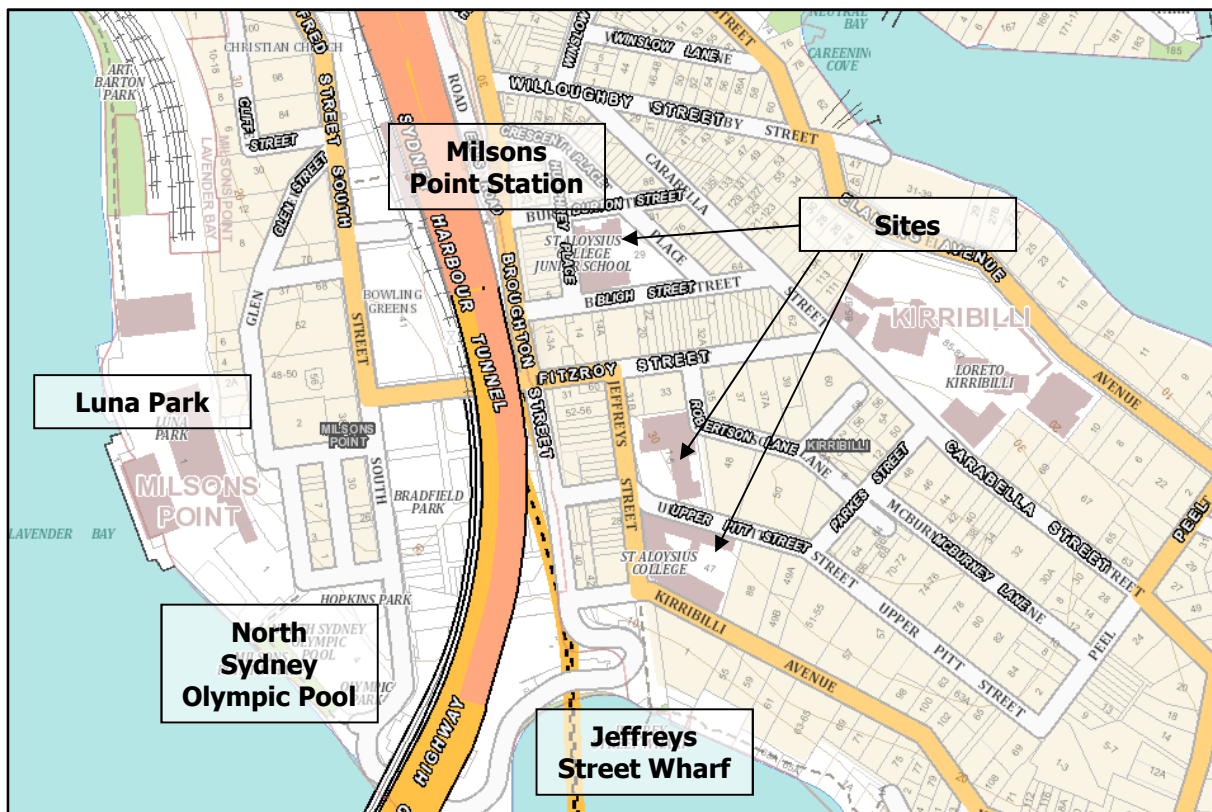


Figure 1: Site Context (SIX Maps, 2017)

The subject site is located in the North Sydney Local Government Area (LGA) and is within 1km drive of the North Sydney Commercial Core and 3km drive of Sydney CBD. Accordingly, the site is within reasonable proximity to a range of commercial premises, key office markets and retail centres. The regional context of the site is shown in **Figure 2**.

As noted in relation to the local context, the subject sites are highly accessible by road and public transport, including train and bus. This accessibility will be further enhanced through the delivery of

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the planned Stage 2 Sydney Metro line extending from Chatswood to Sydenham, which incorporates 7 new stations. An indicative timeframe for the completion of construction and commencement of services has been established for 2024.

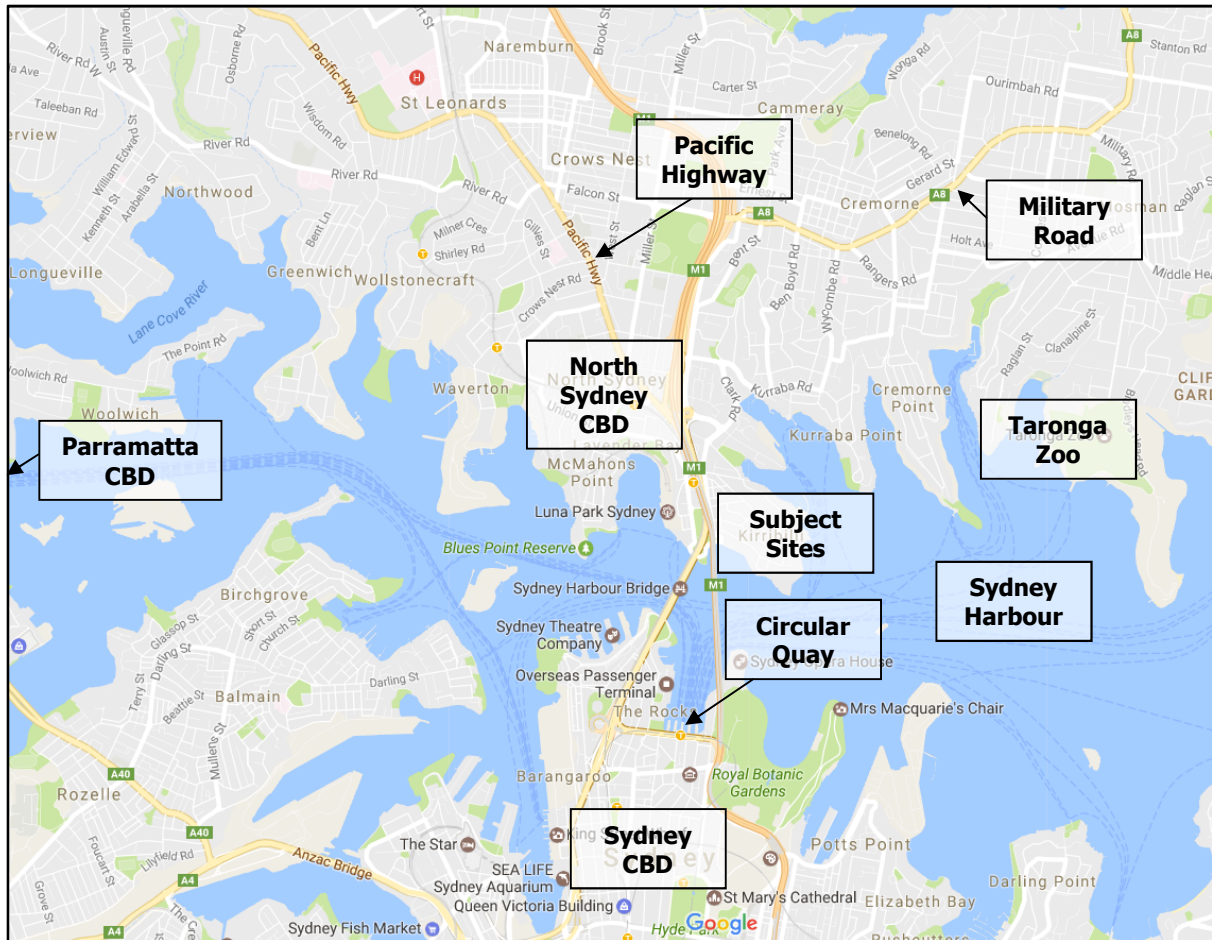


Figure 2: Regional Context Map (Google Maps, 2017)

2.2 SITE LOCATION & EXISTING CHARACTERISTICS

The proposal relates specifically to three (3) existing sites which form St Aloysius' College Junior School, Middle School and Senior School Campuses. The subject sites are located within the North Sydney LGA and subject to the provisions of *North Sydney Local Environmental Plan 2013* (NSLEP 2013).

The subject sites can be seen in **Figure 3** below.

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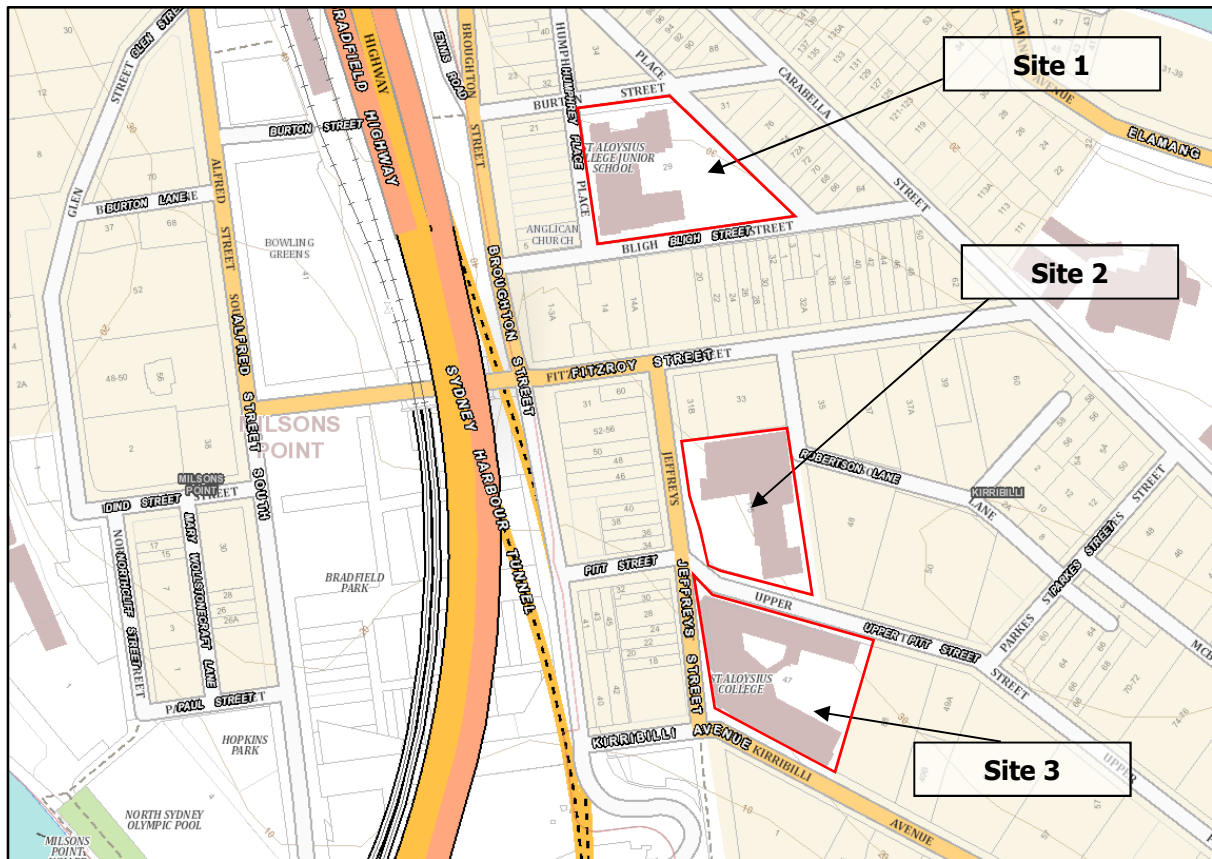


Figure 3: Subject Sites (Google Maps, 2017)

Site 1 - 29 Burton Street, Kirribilli

Site 1 is identified as the St Aloysius' Junior School, **29 Burton Street, Kirribilli** and legally described as Lot 1 in Deposited Plan 830667. The subject site is zoned SP2 Infrastructure – Educational Establishment pursuant to NSLEP 2013 and exhibits an area of approximately 4,335m². The subject site can be seen in **Figures 4-5** below.

Existing attributes of the site are noted as follows:

- The subject site contains the St Aloysius' College Junior School Campus which includes facilities such the library, Chapel, science lab, basketball court, cricket nets, undercover area, technology, music and art rooms. In addition, the Arrupe Room is used for in-house performances and as a rehearsal space for choirs and concert bands as well as Year level meetings;
- The Junior School comprises of two classes in each of Years 3 and 4 and four classes in each of Years 5 and 6;
- Six (6) car parking spaces are located on site;
- The site exhibits an area of approximately 4,335m²;
- The site enjoys 48m street frontage to Burton Street to the north, 60m street frontage to Humphrey Place to the west, 95m street frontage to Bligh Street to the south and 76m street frontage to Crescent Place to the east;
- The site is surrounded by shop top housing, a place of public worship, community facilities, and residential dwellings; and

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- The subject site is identified as an item of local heritage significance which relates specifically to the original schoolhouse building to the north of the site.

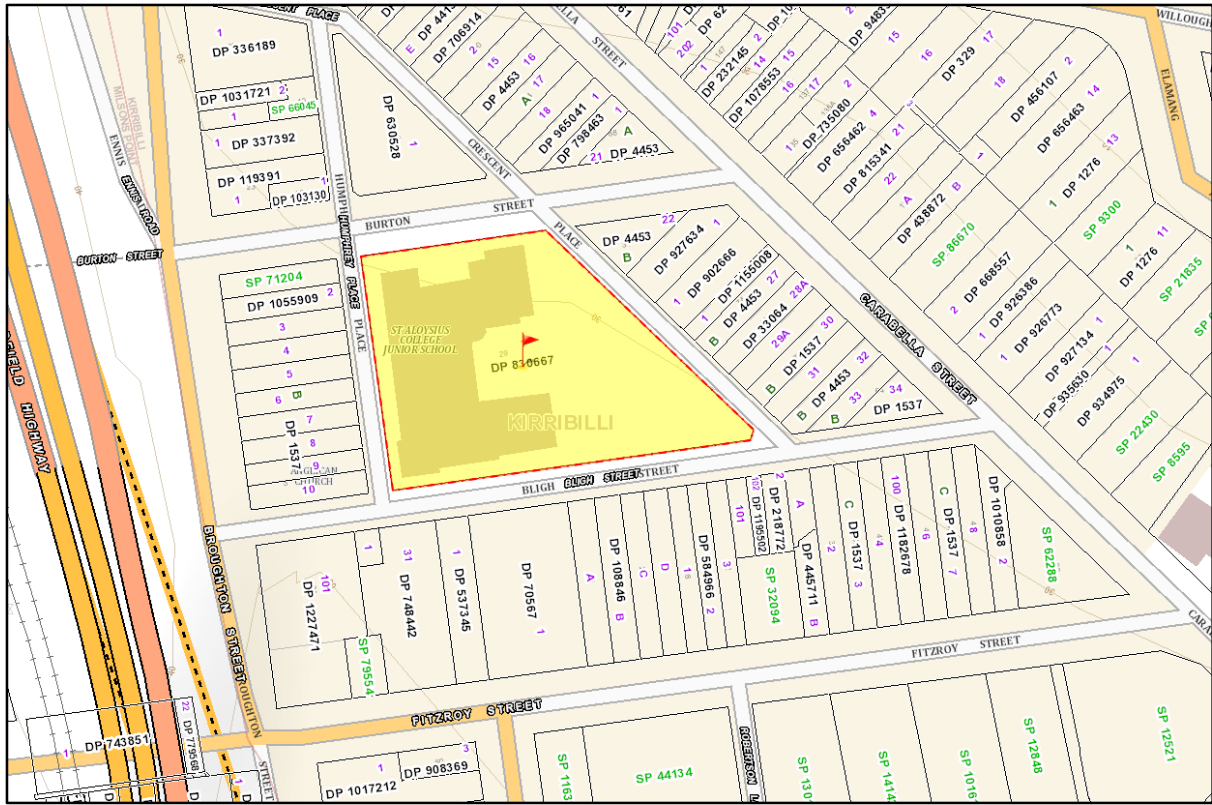


Figure 4: Site 1 Map (SIX Maps, 2017)



Figure 5: Site 1 Cadastre Map (SIX Maps, 2017)

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Site 3 – 47 Upper Pitt Street, Kirribilli

Site 3 is identified as the **47 Upper Pitt Street, Kirribilli** and legally described as Lot 10 in Deposited Plan 880841. The subject site is zoned SP2 Infrastructure – Educational Establishment pursuant to NSLEP 2013. The subject site can be seen in **Figures 9-10** below.

Existing attributes of the site are noted as follows:

- The subject site is the St Aloysius' College Middle School Campus which includes administration offices and facilities for curricula and co-curricula pursuits including the Kircher Library, Chapel, purpose built drama theatre, Miguel Pro Playhouse, Andrea Pozzo Art Centre, Great Hall, Juana Mateo Function Room, Canisius Function Room, music facilities and a debating and public speaking theatre, The Bellarmino;
- The site exhibits a total area of approximately 4,054m² with a perimeter of 262m;
- The campus features nine (9) split levels across the site for Years 7 to 10;
- The subject site does not contain any car parking;
- The site is adjoined by residential flat buildings to the east; and
- The subject site does not contain any items of heritage significant nor is located within a heritage conservation area.

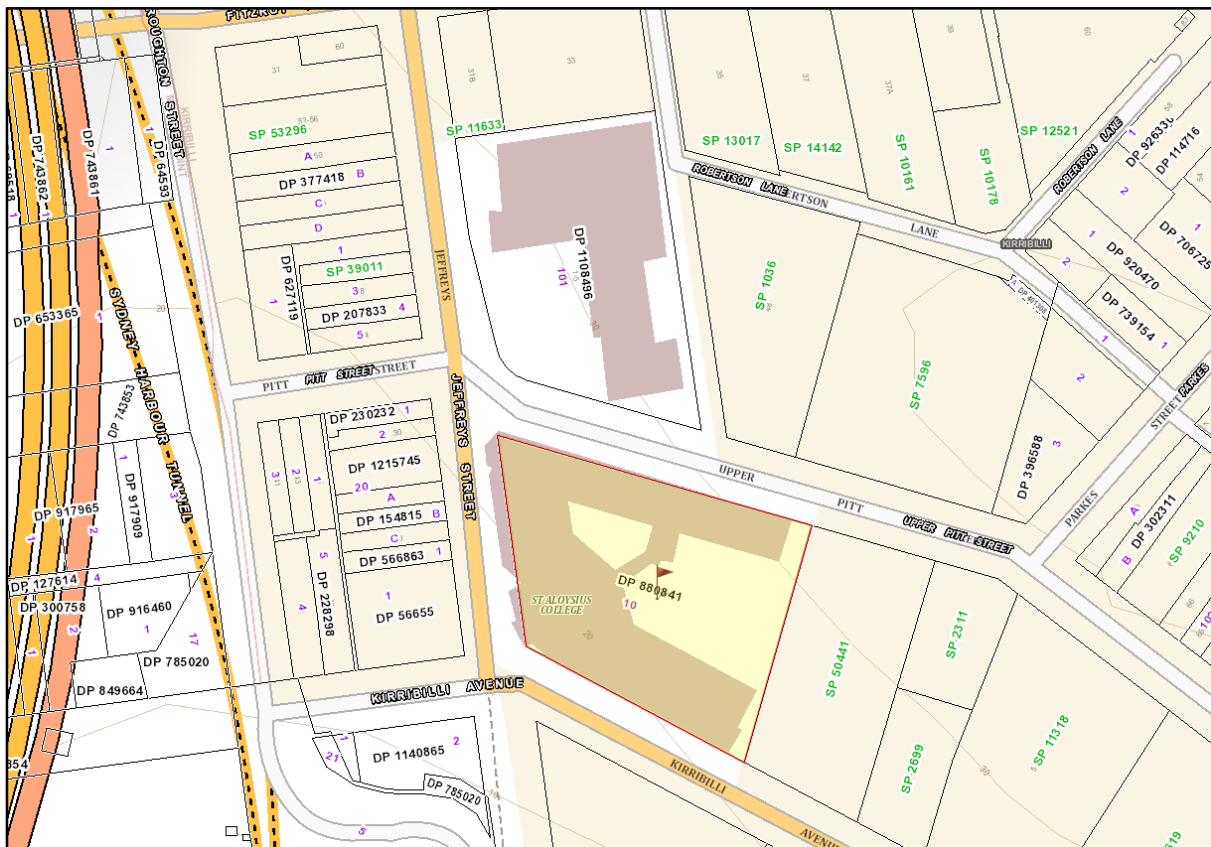


Figure 9: Site 3 Map (SIX Maps, 2017)

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Figure 10: Site 3 Cadastre Map (SIX Maps, 2017)

2.3 SCHOOL HISTORY

St Aloysius' College is a Catholic, Jesuit School for Boys established in 1879 at a site in Woolloomooloo. In 1903, due to a significant increase in student applications, the College relocated to **Site 3** at Upper Pitt Street, Kirribilli. It was considered this location was a more central location that would support the growing population on the Harbour's North Shore.

As the Community increased, a new wing was constructed and in 1916 an attractive property known as 'Wyalla' (**Site 2**), opposite the College in Upper Pitt Street, was purchased. The number of students after the war increased rapidly and after considering various options, the Jesuits re-developed the College. This was begun in 1961 and existing buildings were demolished and rebuilt in four stages.

To celebrate its one hundredth birthday, the College embarked on a fifth stage which was opened in 1981. In 1991, the College purchased the Milsons Point Primary School and constructed the Junior School Campus in Burton Street, Milsons Point. The St Aloysius' College Junior School (**Site 1**) was opened in March 1993 after the closure and subsequent acquisition of Milsons Point Public School in 1990. The original 1887 building was retained and the site was converted to the St Aloysius' Junior School. Although the original 1887 building was retained, various components were demolished including the air raid shelters, ablution shelters, store room, western weather shed, toilet block and eastern weather shed.

In 2011, the College opened a new basketball court, swimming pool and gymnasium at Dalton Hall (**Site 2**).

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2.4 EXISTING USE & POPULATION

The subject site is currently used as an 'Educational Establishment' for boys with an **overall population of 1244 students** across the three (3) subject campuses.

The student population and enrolment of **1244** students is currently broken down into the following:

Junior School (**Site 1**) = 321

Senior School (**Site 2**) = 923

Middle School (**Site 3**) = **N/A**

Note: Middle School student numbers are captured into Junior and Senior School.

The current staff numbers are broken down as follows:

Staff Type	Current Numbers
Teaching (Full time and part time)	122
Support (Full time and part time)	63
Casual	15
Co-curricular (coaches)	102
Tutors (Instrumental)	37
Total Staff (Full time and Part time)	339

2.5 OTHER USES OF THE COLLEGE

Existing school facilities are hired to external users for the following:

Junior School Pedro Arrupe Room and Surrounds

- State and Federal Government Elections - upon request;
- Neighbouring church group - weekly;
- After School Care - Daily.

Juana Mateo Room, Rooftop and Kitchen

- Jesuit/Religious/Other - 1-2 times per term

Senior School Classrooms

- Musical group - weekly;
- External organisations for meetings – once per term.

Dalton Hall Courts and Pool

- Sport Associations – daily.

St Aloysius' College Chapel is utilised outside College operations for the following:

- Baptism: on average 1 per month;
- Weddings: 3-5 per year on average;
- Funerals: St Aloysius' College generally avoid funerals during school hours, however, on average, 1-2 are held on-site. Occasionally memorial services are held on weekends.
- Musical Societies – occasional.

2.6 EXISTING HOURS OF TEACHING

- Standard teaching hours are 8.30am to 3.30 pm Monday to Friday.
- Co-curricular, after school activities occur between 3.30pm to 5.00 pm Monday to Friday.
- Saturday Sport occurs all day Saturday.

PART C PROJECT SUMMARY

3.1 AIMS AND OBJECTIVES OF THE PROPOSAL

The following objectives have been identified as forming the basis of the proposed Masterplan:

- Create a world class secondary education precinct with modern teaching and learning facilities;
- Rationalise existing teaching functions across the three (3) Sydney campuses focusing on specialised activities within each campus;
- Establish additional floor space to increase availability and efficiency of teaching functions for St Aloysius' College;
- Improve site access, car parking and surrounding traffic functions in the precinct;
- Upgrade the public domain to create visually interesting transitions through the campus, and promote the heritage elements of the campus; and
- Strengthen pedestrian linkages through the campus.

The site and proposed design are considered to meet the objectives of the project as it allows for development on land that has been previously used for educational purposes.

3.2 DESCRIPTION OF THE PROPOSAL

The owners, the Trustees of the Jesuit Fathers – St Aloysius' College seek to develop improved facilities for the three (3) school campuses as part of a Masterplan to guide strategic planning and development over the next 10 to 20 years at the College.

The preliminary concept design for the proposed Masterplan and Concept Approval is shown in the attached plans in **Appendix 1**, and the main components of the proposed development are outlined below.

The description of the proposed development is provided to assist the Department in its initial consideration of the development as State Significant Development (SSD) under the *Environmental Planning and Assessment Act 1979* (EPA&A Act). Final details of the proposed development will be provided in the Environmental Impact Statement (EIS) for the development.

The proposed development particulars are outlined as follows:

Site 1

Table 2: Development Particulars – 29 Burton Street, Kirribilli	
Level 2 Addition	650m ²
Semi Subterranean Sports Facility	1,100m ²

Site 2

Table 3: Development Particulars – 1-5 Jeffreys Street, Kirribilli	
Internal Refurbishment & Extension	Ground Floor <ul style="list-style-type: none">▪ Common Room
	Level 1 <ul style="list-style-type: none">▪ Dedicated Learning Rooms▪ Staff/Support Room▪ Breakout/Study Area

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	<ul style="list-style-type: none"> External Extension – 80m²
	<p>Level 2</p> <ul style="list-style-type: none"> Dedicated Learning Rooms Lecture Theatre Staff Support Room Breakout/Study Area
	<p>Level 3</p> <ul style="list-style-type: none"> Dedicated Learning Rooms Breakout/Study Room
	<p>Level 4/Roof</p> <ul style="list-style-type: none"> Dedicated Learning Rooms Breakout/Study Area Staff/Support Room

Site 3

Table 4: Development Particulars – 47 Upper Pitt Street, Kirribilli

Table 4: Development Particulars – 47 Upper Pitt Street, Kirribilli	
Existing Great Hall, Chapel and Administration and Learning Facilities	<ul style="list-style-type: none"> Refurbishment of existing great hall, Chapel Administration and Learning facilities, to be carried out under staged construction. Gross Floor Area <ul style="list-style-type: none"> 6,500m² refurbished
New Infill Building	<ul style="list-style-type: none"> Proposed development of new infill building and associated refurbishments, to be carried out under staged construction Gross Floor Area: <ul style="list-style-type: none"> 3600m² refurbished 2,900m² additional

The proposed Masterplan does not envisage any significant growth in student and staff numbers, other than that which would ordinarily be attributed to natural growth for Educational Establishments.

The proposed Masterplan and Built Form Approval seeks to provide a framework for the future physical development of the Campuses to ensure the best teaching and learning outcomes, and to set the route for the ongoing evolution of the College.

3.3 STAGING OF DEVELOPMENT

Pursuant to Section 83B of the EP&A Act, the proposed application will be sought as a staged development, as outlined below.

- Stage 1:** Masterplan and Concept Approval for St Aloysius' College including the three (3) existing campuses which form the Junior School, Middle School and Senior School in Kirribilli; and detailed built form approval for the Middle School and Senior School.
- Stage 2:** Detailed built form approval for the Junior School will be sought under a future development application submitted to the relevant consent authority.

Appendix 1 details the conceptual layout of the proposal.

3.4 CAPITAL INVESTMENT VALUE

While costs have not yet been finalised, the estimated Capital Investment of this project is expected to be in excess of \$30 Million. The costs will be finalised once the final design is resolved.

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As this exceeds the \$30 Million threshold under Clause 8 and Schedule 1 of SEPP (State & Regional Development) 2011, the proposal is deemed State Significant Development.

3.5 CONSULTATION

The following agencies will be consulted in preparation of the EIS:

- North Sydney Council;
- Office of Environment and Heritage; and
- Surrounding landowners.

Consultation with relevant stakeholders will be undertaken whilst preparing a detailed Environmental Impact Statement in keeping with the Department's Major Project Community Consultation Guidelines.

PART D JUSTIFICATION

The site is considered to be appropriate for the project as it allows for the continued use of the site for educational purposes within an established College environment. The site design and layout of the built form seeks to maintain consistency with, and enhance, the surrounding educational facilities within the locality.

The options considered, and subsequently dismissed, in arriving to the current proposal included:

(a) 'Do Nothing' Scenario

This option was dismissed as the objectives of the project would not be met.

If the proposal was not to proceed, the site would be developed in a piece-meal fashion without an overall vision and strategic objective for St Aloysius' College.

(b) Development on an Alternative Site

Consideration to alternative sites were made, however these were dismissed as the surplus of available land within the locality to expand the existing educational establishment is limited. St Aloysius' College was established in 1903 and as such, the proposed Masterplan is required to redevelop the sites to reflect a modern educational establishment for students and staff. In addition, the redevelopment of the existing sites results in the most beneficial outcomes for the proposal as:

- It will be located within sites zoned for existing educational establishment land uses;
- All potential environmental impacts of the proposal can be suitably mitigated within the sites and the existing built form;
- The proximity to road and public transport network makes the site suitable for the proposed Masterplan;
- The proposal will provide employment opportunities and education facilities to support the growth of Sydney's population;
- The proposal will generate employment opportunities, during both the construction and operational phase; and
- The proposal can be developed with appropriate visual amenity given its surrounding context.

The proposal is justified on the basis it is compatible with the locality in which it is proposed while having no unacceptable economic, environmental or social impact.

PART E LEGISLATIVE AND POLICY FRAMEWORK

The following current and draft State, Regional and Local planning controls and policies have been considered in the preparation of this application:

State Planning Context

- *Environmental Planning and Assessment Act 1979*
- *NSW 2021: A Plan to Make NSW Number One*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No. 55 – Remediation of Land*

Regional Planning Context

- A Plan for Growing Sydney
- Draft North District Plan

Local Planning Context

- *North Sydney Local Environmental Plan 2013*
- North Sydney Development Control Plan 2013

This planning framework is considered in detail in the following sections.

4.1 STATE PLANNING CONTEXT

4.1.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The *Environmental Planning and Assessment Act 1979* (EPA&A Act) is the overarching governing document for all development in NSW.

Section 83B outlines the relevant provisions for Staged Development Applications. Section 83B states:

- (1) For the purposes of this Act, a **staged development application** is a development application that sets out concept proposals for the development of a site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent development applications. This application may set out detailed proposals for the first stage of development.
- (2) A development application is not to be treated as a stage development application unless the applicant requests it to be treated as a staged development application.
- (3) If consent is granted on the determination of a staged development application, the consent does not authorise the carrying out of development on any part of the site concerned unless:
 - a. consent is subsequently granted to carry out development on that part of the site following a further development application in respect of that part of the site, or
 - b. the staged development application also provided the requisite details of the development on that part of the site and consent is granted for that first stage of development without the need for further consent.
- (4) The terms of a consent granted on the determination of a staged development application are to reflect the operation of subsection (3).

Pursuant to Section 83B of the EP&A Act 1979, the proposed application will be sought as a staged development, as identified below:

- **Stage 1:** Masterplan and Concept Approval for St Aloysius' College including the three (3) existing campuses which form the Junior School, Middle School and Senior School in Kirribilli; and detailed built form approval for the Middle School and Senior School.

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- **Stage 2:** Detailed built form approval for the Junior School will be sought under a future development application submitted to the relevant consent authority.

Therefore, the proposed application will be sought as a staged development.

Pursuant to Section 89D (2) provides that:

A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.

The proposed development has been identified as State Significant Development under State Environmental Planning Policy (State and Regional Development) 2011 as outlined below.

4.1.2 NSW 2021: A PLAN TO MAKE NSW NUMBER ONE

NSW 2021 was developed by the NSW State Government to set economic, social and environmental directions for NSW. It sets targets, priorities and actions for delivery of services across the State. The strategies outlined in the Plan include:

- Rebuild the economy
- Return quality services
- Renovate infrastructure
- Strengthen our local environment and communities
- Restore accountability to government

The proposal will address a number of key priorities outlined in the NSW State Plan.

4.1.3 STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

Proposals involving activities that are listed in Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (State and Regional Development SEPP) are identified as being State Significant Development (SSD).

Clause 8 and Schedule 1 of SEPP (State & Regional Development) 2011, identifies classes of development which are SSD which includes:

Educational Establishments

Development for the purpose of Educational Establishments (including associated research facilities) that has a capital investment value of more than \$30m.

The proposed Masterplan exceeds the \$30m threshold of the SEPP, and the proposal is therefore considered to be State Significant.

4.1.4 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure) provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process.

Clause 28 – Development Permitted with Consent

SEPP Infrastructure provides for the development of certain activities for a range of infrastructure types. SEPP Infrastructure indicates whether an activity is permissible with or without consent and on what land the activity is permissible.

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Clause 28 of SEPP Infrastructure permits development for an Educational Establishment on land in a prescribed zone or on land where there is an existing Educational Establishment. The subject sites are existing Educational Establishments and located on land in a prescribed zone. Accordingly, the proposed development is permissible with consent.

Clause 87 – Impact of Rail Noise or Vibration on Non-Rail Development

The subject sites are located in close proximity to Milsons Point Train Station along the T1 North Shore line. As such, the provisions of Clause 87 will be taken into account regarding the impact of rail noise and vibration on non-rail development. Educational Establishments is specified development to which this clause applies and therefore consideration of the relevant guidelines will be included in the proposal.

Clause 104 – Traffic Generating Development

SEPP Infrastructure provides for certain proposals known as Traffic Generating Development, to be referred to NSW Roads and Maritime Services (RMS) for concurrence.

Referral may be required for the erection of new premises, or the enlargement or extension of existing premises where their size or capacity satisfy certain thresholds. Schedule 3 lists the types of development that are defined as Traffic Generating Development.

The development for an Educational Establishment is listed in Schedule 3 as:

- *50 or more students*

The proposed Masterplan does not envisage any significant growth in student and staff numbers, other than that which would ordinarily be attributed to natural growth for Educational Establishments.

In light of the above, the proposed Masterplan does not seek to increase student or staff number and therefore the proposal does not require referral to the RMS.

A Traffic Impact Assessment will be provided in support of the proposed Masterplan.

4.1.5 DRAFT STATE ENVIRONMENTAL PLANNING POLICY (EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES) 2017

The Draft *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (SEPP Education & Child Care) was issued to the public as a consultation draft from 3 February 2017 to 7 April 2017.

The SEPP consolidates all educational facilities into one document and proposes to remove *Division 3 Educational Establishments* from SEPP Infrastructure 2007. The Exempt and Complying Development provisions have been expanded to deliver new facilities and upgrade existing facilities faster.

The new quality design principals prescribed for school in Schedule 4 ensure school facilities are well designed, sustainable and align with the character of the local neighbourhood. In addition, facilities should be welcoming, accessible and fit for purpose.

Major development proposed at existing schools with a project value of \$20million or more will become State Significant Development (SSD) and are to be assessed by the Minister of Planning. The proposed Masterplan and Built Form Approval involves works which equate to a capital investment value of more than \$30million and therefore the development will remain as State Significant Development.

The provisions of SEPP Education & Child Care will be addressed in detail as part of any EIS submitted.

4.1.6 STATE ENVIRONMENTAL PLANNING POLICY NO 55 - REMEDIATION OF LAND

Under the provisions of *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55), where a development application is made concerning land that is contaminated, the consent authority must not grant consent unless:

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Due to the nature of residential development located within close proximity, it is considered the risk of contamination is minimal and unlikely to prevent the proposed Masterplan. In addition, the historic presence of the College indicates no contamination is considered to be present on the sites. Nonetheless, the provisions of SEPP 55 will be addressed in detail as part of any EIS submitted.

4.2 REGIONAL PLANNING CONTEXT

4.2.1 A PLAN FOR GROWING SYDNEY

Plan for Growing Sydney was introduced by the NSW DP&E in December 2014 and replaced the Metropolitan Plan for Sydney 2036. A Plan for Growing Sydney supports and implements the NSW 2021 State Plan, which identifies restoring economic growth as its number one priority.

The plan presents a strategy for accommodating Sydney's future population growth. It balances the need for more housing, but also cultivates the creation of strong and resilient communities within a highly liveable city whilst protecting the natural environment and biodiversity.

New housing will be located close to jobs, public transport, community facilities and services. It acknowledges the need to offer choice in housing location, size and typologies, to better suit our lifestyles and budgets. Most importantly, more intensive housing development across the city will be matched with investment in infrastructure and services, culture and the arts, and open spaces.

A Plan for Growing Sydney will also provide a framework for strengthening the global competitiveness of Sydney, in order to facilitate strong investment and jobs growth. Specifically, the North Sydney LGA is located within the North subregion (**Figure 11**) and earmarked as a strategic centre for Global Sydney. One of the key directions for Goal 1: A Competitive Economy with World-Class Services and Transports involves planning for education and health services to meet Sydney's growing needs (Direction 1.10).

In response to this key direction the proposed development site is considered to be capable of providing an opportunity to deliver facilities to meet Sydney's future school needs and expand existing school facilities in established urban areas. The Government has stipulated the need to work with the private sector to understand and facilitate the delivery of private school facilities. As such, the proposed Masterplan is considered to be integral to maintaining Sydney's competitive edge and standard of teaching facilities by providing quality education for all.

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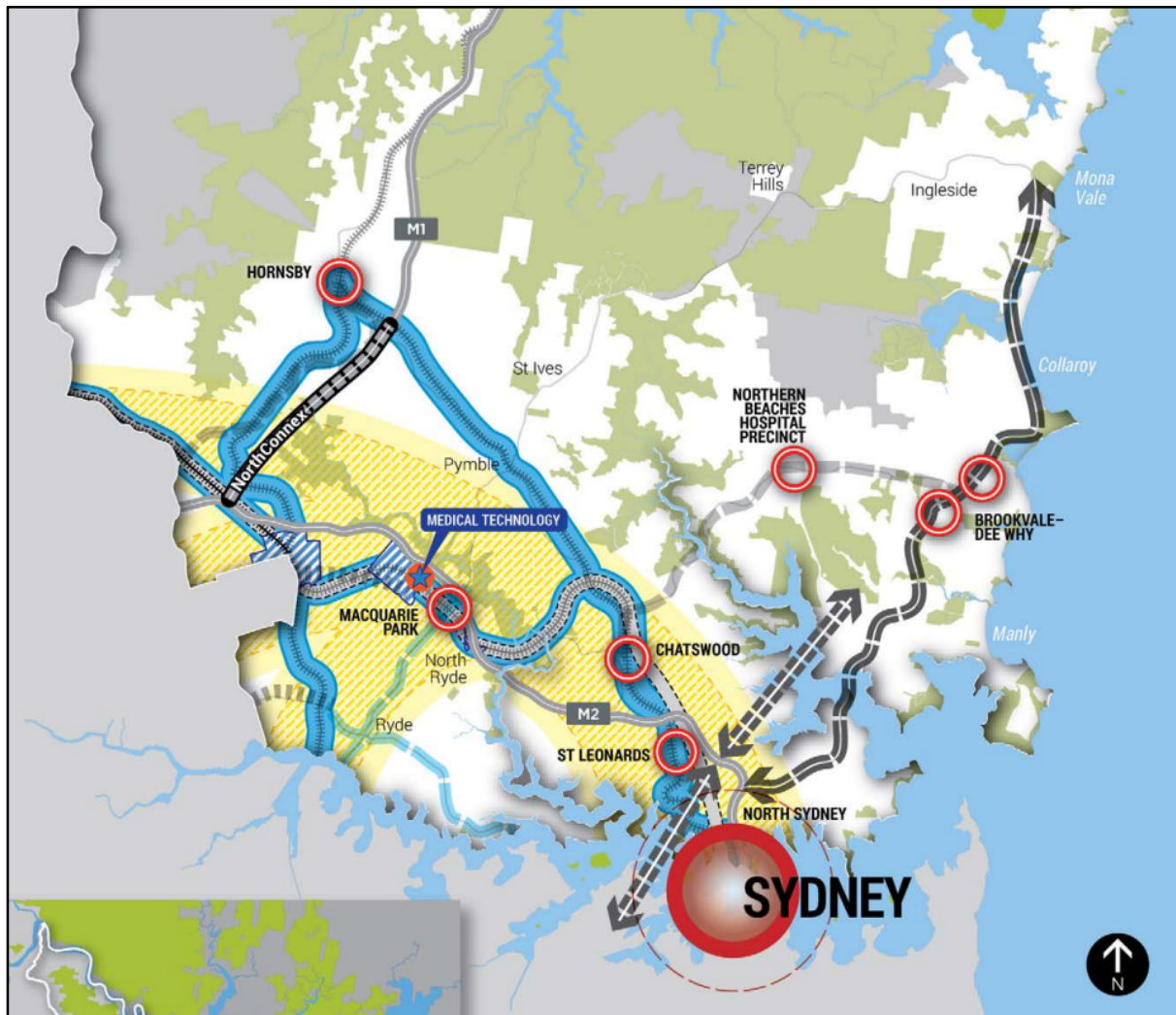


Figure 11. North Subregion (A Plan for Growing Sydney, 2014)

4.2.2 DRAFT NORTH DISTRICT PLAN

The draft North District Plan forms the overarching strategy for future planning in the area in order to deliver *a thriving modern economy co-existing within beautiful natural landscapes* in light of population growth and demographic change.

The Plan establishes a number of priorities and actions to guide growth, development and change, relating to productivity, liveability and sustainability. The priorities and actions relevant to the subject sites, St Leonards centre and wider North District are discussed as follows.

Productivity Priorities

Major centres, supported by improved transport, are identified as foci for jobs growth and diversity, whilst opportunities are also recognised in relation to health, education and knowledge clusters. North Sydney is specifically identified as an established 'commercial centre' with good accessibility. The district's jobs are categorised by a higher proportion of employment in education (21% compared to 19%) which reflects major concentration of education assets and the opportunities to build on these existing strengths as Sydney's economy continues to grow. The commission will work with North Sydney Council and Transport for NSW to strengthen North Sydney's reputation as an education centre to grow jobs and add diversity.

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Liveability Priorities

Planning to meet the demand for school facilities and supporting innovative school planning and delivery is identified as a liveability priority for the North District which responds to people's need for services. Specifically, 196,350 more people are anticipated by 2036 with 75,100 additional people aged 65+.

By providing improved educational infrastructure and school facilities, a wide range of people will be accommodated, as required by the Plan's priorities. By 2036 significant growth in the primary and secondary school aged population is expected to result in an increase in school enrolments of around 29,000 or 21% based on the current enrolments in government and non-government schools.

The proposed Masterplan at the subject sites will contribute to delivery educational infrastructure as land becomes scarcer and school planning is required to meet significant increasing demand in North Sydney. Integrated school investment has been identified as a solution to development sites based on the unique characteristics of the District's communities. The existing school infrastructure at St Aloysius' College requires redevelopment to accommodate new enrolments due to growth and will be achieved through innovative approaches to the use of land, facilities and floor space. These innovative approaches include using travel management plans that identify and reduce car use. The subject sites are located within close proximity to Milsons Point Train Station and therefore facilitate and encourage the use of public transport.

Sustainability Priorities

As well as growing, landscapes, waterways and biodiversity should be protected and enhanced and efficiency and resilience promoted. Sustainability also requires consideration of the extra 20% of 5 to 19 year olds by 2036.

The proposed Masterplan will augment the efficiency with which land is used through the diversification and densification of uses that are highly compatible with surrounding development and coordinated with supportive infrastructure. The redevelopment of land that has been historically developed will promote the creation of a better quality environment built on the principles of sustainability.

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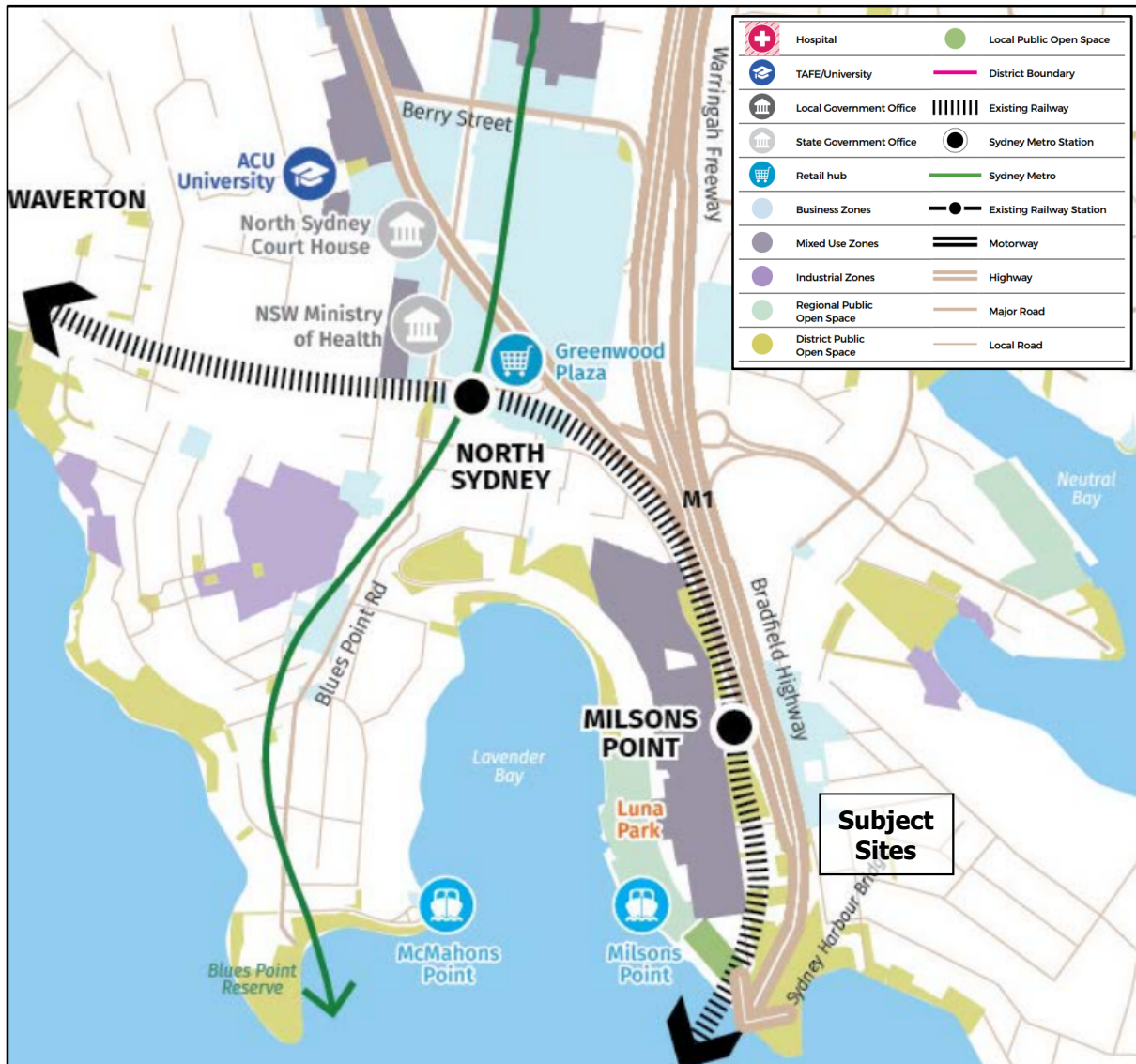


Figure 12: North Sydney Centre (Draft North District Plan, 2016)

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4.3 LOCAL PLANNING CONTEXT

4.3.1 NORTH SYDNEY LOCAL ENVIRONMENTAL PLAN 2013

The future SSD application will address the provisions of *North Sydney Local Environmental Plan 2013* (NSLEP 2013). The relevant provisions of NSLEP 2013 as they relate to the subject sites are considered below.

The Principal Development Standards of NSLEP 2013 as they apply to the subject sites are summarised as follows:

Table 5: North Sydney LEP 2013 - Key Provisions

	Zone	Standard	Threshold/Comment
Site 1	SP2 Zone	Floor Space Ratio	No maximum floor space ratio specified
		Building Height	Maximum building height 8.5m
		Lot Size	No minimum lot size specified
Site 2	SP2 Zone	Floor Space Ratio	No maximum floor space ratio specified
		Building Height	Maximum building height 12m
		Lot Size	No minimum lot size specified
	R2 Zone	Floor Space Ratio	No maximum floor space ratio specified
		Building Height	Maximum building height 8.5m
		Lot Size	No minimum lot size specified
Site 3	SP2 Zone	Floor Space Ratio	No maximum floor space ratio specified
		Building Height	Maximum building height 12m
		Lot Size	No minimum lot size specified

Zoning and Permissibility

Site 1 – 29 Burton Street, Kirribilli

Site 1 is zoned SP2 – Infrastructure pursuant to NSLEP 2013 (**Figure 13**). The objectives of the SP2 zone are:

- *To provide for infrastructure and related uses.*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*

The existing and proposed Educational Establishment is permitted with consent in the SP2 Zone. Educational Establishments are defined within NSLEP 2013 as:

Educational Establishment means a building or place used for education (including teaching), being:

- (a) a school, or*
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.*

Site 2 – 1-5 Jeffreys Street, Kirribilli

Site 2 is zoned SP2 – Infrastructure and R2 Low Density Residential under the provisions of NSLEP 2013 (**Figure 13**). Educational Establishments are permitted with development consent in the SP2 Zone.

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The R2 Low Density Residential zone is a prescribed zone for educational establishments under Clause 27 in SEPP Infrastructure. In accordance with Clause 28, the proposal is also permitted with development consent:

28 Development permitted with consent

- (1) Development for the purpose of **educational establishments may be carried out by any person with consent on land in a prescribed zone.**
 - (1A), (1B) (Repealed)
 - (1C) Development for a purpose specified in clause 31A (1) may be carried out by any person with consent on land on which there is an existing school or TAFE establishment.
- (2) Development for any of the following purposes may be carried out by any person with consent on any of the following land:
 - (a) development for the purpose of educational establishments—on land on which there is an existing educational establishment,
 - (b) **development for the purpose of the expansion of existing educational establishments—on land adjacent to the existing educational establishment.**
- (3) An educational establishment (including any part of its site and any of its facilities) may be used, with consent, for any community purpose, whether or not it is a commercial use of the establishment.

Site 3 – 49 Upper Pitt Street, Kirribilli

Site 3 is zoned SP2 – Infrastructure under the provisions of NSLEP 2013 (Figure 13) and therefore the proposal is permitted with development consent.

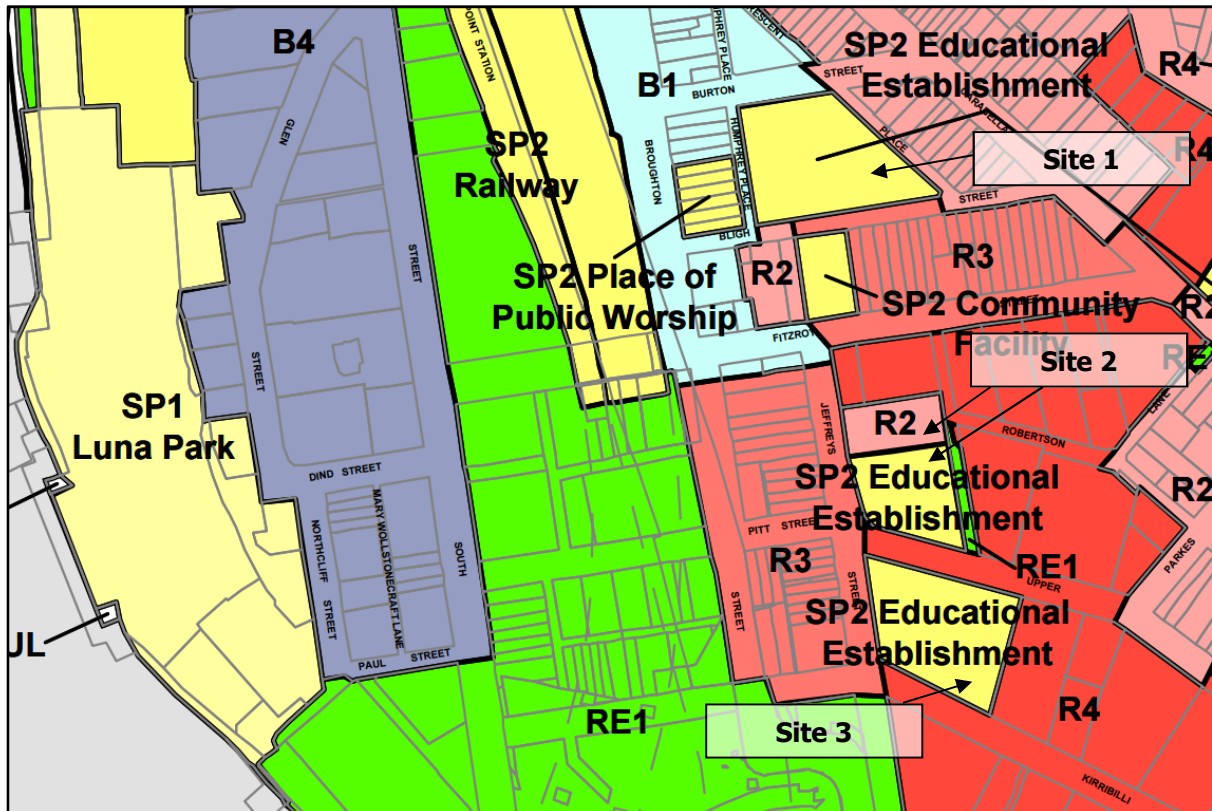


Figure 13: Site Zoning Map (NSLEP 2013)

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Minimum Subdivision Lot Size

No subdivision is proposed.

Floor Space Ratio

The sites are not subject to a maximum or minimum floor space ratio pursuant to Clause 4.4 and 4.4A of NSLEP 2013.

Height of Buildings

Pursuant to Clause 4.3 of NSLEP 2013 the subject sites are subject to a maximum building height as shown in **Table 6** and **Figure 14**.

Table 6: North Sydney LEP 2013 – Maximum Building Height		
	Zone	Building Height
Site 1	SP2 Zone	8.5m
Site 2	SP2 Zone	12m
	R2 Zone	8.5m
Site 3	SP2 Zone	12m

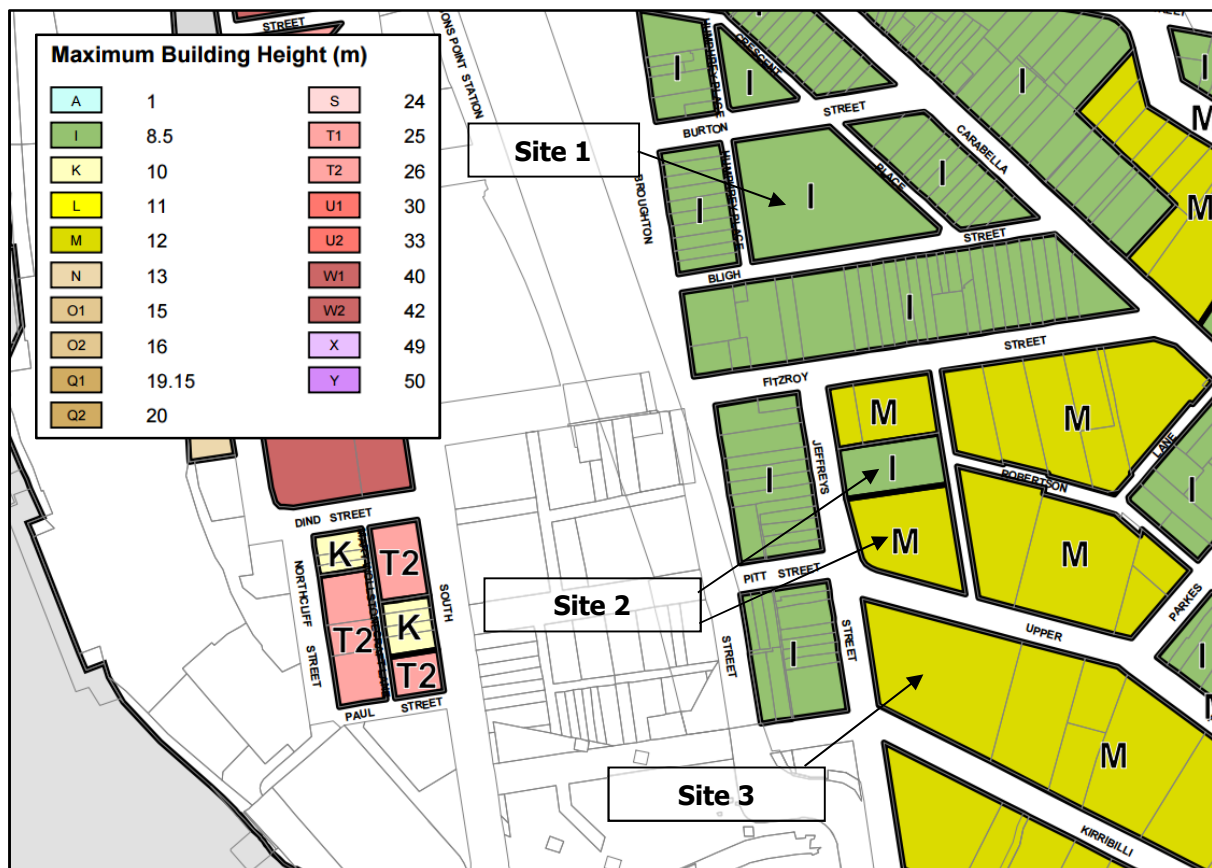


Figure 14: Height of Buildings Map (NSLEP 2013)

Heritage Conservation

Development that affects places of heritage significance must be carefully designed to minimise negative impacts on heritage significance. As such, a Heritage Impact Statement will be prepared to demonstrate the future development does not adversely impact upon surrounding items of local

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heritage significance, heritage conservation areas and buildings which have been identified as 'Contributory Items' within heritage conservation areas.

Site 1 – 29 Burton Street, Kirribilli

The subject site is identified as an item of local heritage significance in Schedule 5 of NSLEP 2013 (**Figure 15**) and can be described as the following:

- Item No. I0188 – St Aloysius' College (Part of Junior School)

The site is also adjacent to the Careening Cove Local Heritage Conservation Area including several items of Local Heritage Significance.

Site 2 – 1-5 Jeffreys Street, Kirribilli

The subject site is identified as an item of local heritage significance in Schedule 5 of NSLEP 2013 (**Figure 15**) and can be described as the following:

- Item No. I0242 (No. 26) – 'Wylla'

The site is also adjacent to the Jeffreys Street Local Heritage Conservation Area including several items of Local Heritage Significance.

Site 3 – 49 Upper Pitt Street, Kirribilli

The subject site does not contain any items of local heritage significance nor is located within a Heritage Conservation Area (**Figure 15**). However, the site is adjacent to a number of Local Heritage Items including the Jeffreys Street Local Heritage Conservation Area.

PART F ENVIRONMENTAL ASSESSMENT

A screening analysis of the environmental issues applicable to the proposal is presented in the table below. This risk-based analysis has been used to identify the key environmental issues for further assessment, and assist the preparation of the SEARs for the proposed development.

The analysis is based on preliminary environmental assessment of the three (3) sites only. The Environmental Impact Statement (EIS) for the proposal will fully address these items and other environmental issues relevant to the proposal and each subject site.

Table 7: Environmental Assessment Table

Issue	Analysis
Soil and water	<ul style="list-style-type: none">▪ Preliminary investigations indicate that the site is not contaminated owing to its long standing use as an Educational Establishment.▪ It is proposed to prepare a detailed stormwater management strategy for the College.▪ Detailed stormwater plans will be provided along quantity and quality outcomes within the EIS.▪ To manage erosion and sediment control risks during construction a Soil Erosion and Water Management plan will be submitted.▪ A geotechnical assessment of ground conditions will be submitted with a future EIS.▪ The site is not subject to local flooding.
Noise	<ul style="list-style-type: none">▪ The sites are within proximity and adjacent to residential land uses which require careful acoustic design and consideration for the sensitive receivers.▪ Any future SSD Application shall consider traffic volumes generated, operational plant and machinery, special events held within the school, and construction noise.
Air Quality	<ul style="list-style-type: none">▪ Given the nature of the proposed development, it is not anticipated that there will be unacceptable air quality impacts.▪ During construction, air quality will be managed through appropriate dust mitigation measures.
Ecologically Sustainable Design Principles	<ul style="list-style-type: none">▪ The proposal will incorporate ESD principles where possible.
Waste	<ul style="list-style-type: none">▪ Operational waste will be managed in accordance with the existing waste management processes within the College.▪ Waste generated throughout the construction phase shall be disposed of in accordance with a Waste Management Plan, which makes provision for recyclables and suitable off-site disposal.
Flora and Fauna	<ul style="list-style-type: none">▪ Tree removal to facilitate any potential building works will be minimal. Inspection of the site indicates that there is no flora or fauna that would restrict the proposed development from proceeding.▪ Suitable landscaping will be proposed to provide a sufficient level of amenity. Future upgrades will also occur to landscape as part of the delivery of the proposed Masterplan.

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Historical Heritage	<ul style="list-style-type: none">▪ The development of facilities within the College will give consideration to potential impacts on items of heritage. Subsequently a Heritage Impact Statement will be prepared with the future EIS to address any potential impacts of the proposed development.
Traffic & Transport	<ul style="list-style-type: none">▪ The proposal is supportable based on the existing leasing arrangements for car parking and the abundance of public transport opportunities and proximity serving the subject sites.▪ A Traffic Management Plan and Green Travel Plan for the School will be submitted with the future EIS to demonstrate monitoring and mitigation measures in relation to traffic impacts in addition to policies and procedures which encourage public transport use.
Other Infrastructure & Services	<ul style="list-style-type: none">▪ A servicing strategy will be formulated as part of any EIS prepared for the proposal▪ All necessary measures will be incorporated to the design to ensure the protection of the existing infrastructure on site.
Visual Amenity	<ul style="list-style-type: none">▪ The built form will be designed to incorporate architectural elements that articulate the facades and provide a sufficient level of visual amenity from the public domain.
Hazards	<ul style="list-style-type: none">▪ No dangerous goods are anticipated to be stored on site.
Site Layout and Design	<ul style="list-style-type: none">▪ The future layout and design of the proposal at each site will respond to the individual site constraints, thus providing a highly functional development which enhances the visual amenity of the locality.▪ Suitable provision is made for service vehicles, cars and pedestrians within the site.▪ A detailed landscape concept for the site will also be provided.
Views	<ul style="list-style-type: none">▪ Consideration of the introduction of built form to each of the campuses to ensure view sharing is achieved and maintained.
Use Intensification	<ul style="list-style-type: none">▪ Although the proposal represents an intensification of existing use at the site, the proposed Masterplan and Built Form Approval does not envisage any significant growth in student and staff numbers, other than that which would ordinarily be attributed to natural growth for Educational Establishments.

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PART E CONCLUSION

The proposal will involve works which equate to a capital investment value of more than \$30 Million, thus the development is defined as State Significant Development under *State Environmental Planning Policy (State and Regional Development) 2011*.

The subject sites have been historically used for the purpose of an Educational Establishment and the proposed future use of the sites for this purpose is permissible with consent.

It requested that the Department issue formal SEARs for the preparation of an Environmental Impact Statement for the proposal as State Significant Development, and requirements to assess the proposed Built Form Approval.

APPENDIX 1 PRELIMINARY CONCEPT MASTERPLAN