

Date: 29/11/2019

Our Ref: R/2017/28/B
File No: 2019/602990

Prity Cleary
Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

By email: prity.cleary@planning.nsw.gov.au

Dear Prity

Response to Submissions – State Significant Development SSD 8993 – SCEGGS Darlinghurst concept approval of the 2040 Masterplan and Stage 1 works

Thank you for inviting the City to respond to the applicant's Response to Submissions. City staff have reviewed the additional information and amended plans provided by the applicant and maintain our objection. For consistency, I refer to the headings of our previous objection letter dated 28 March 2019 that remain unresolved:

Competitive Design Process

The City acknowledges Clause 8(2)(i) of the *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (Education SEPP), to the effect that a site specific development control plan is not required for the proposed development. However, the circumstances of the proposal and the ordinary application of Clauses 6.21 and 7.20 of the *Sydney Local Environmental Plan 2012* (SLEP 2012) demonstrate that requiring a competitive design process for each stage of the development is both reasonable and necessary.

Firstly, the applicant has elected to pursue a concept application, which is an accepted alternative to a site specific development control plan pursuant to Clause 4.23 of the *Environmental Planning and Assessment Act 1979 No 203*. This approach reflects the large and complex physical and temporal scales of development, in relation to the prominence and sensitivity of the site and surrounding area.

Secondly, Clause 8(2)(i) of the Education SEPP only negates the requirement for a site specific development control plan (which the applicant has nevertheless elected to undertake by way of its aforementioned alternative), but should not be taken to undermine the objectives of Clause 6.21 of the SLEP 2012 in requiring a competitive design process in such circumstances.

Thirdly, the application proposes the demolition of heritage items and significant alterations and additions within a heritage conservation area and constrained site area. In the event that these elements, to which the City, neighbouring residents and other relevant public agencies strongly object, are approved, it is only reasonable that

competitive design processes are undertaken to ensure the highest quality architectural designs are achieved.

Finally, the benefits of undertaking a competitive design process in a challenging environment are universally acknowledged to produce optimum outcomes. This will ensure not only that the buildings achieve the stated aspirations of the school but also meet the expectations of the surrounding community. We therefore reaffirm our objections to dismissing the requirement for design competitions to form part of any approval.

Section 7.11 Contributions

Notwithstanding the applicant's rationale and commitment to maintaining current student numbers, the City maintains its objection to the development where contributions towards services and infrastructure are not provided for the reasons previously stated. The City remains unconvinced that the school could in future increase staff and/or student numbers in future without seeking development consent.

Demolition of Wilkinson House and the old gym building

The City maintains its objections to the demolition of Wilkinson House and the old gym building as previously stated. As such, stage 1 should not proceed.

Heritage Impact of new Administration Building

The City maintains its objections to the demolition of Wilkinson House and the old gym building as previously stated.

Bulk, Scale and Height

The City acknowledges and is generally supportive of the reductions to the building envelope fronting Bourke Street. However, the envelope should be amended such that the street wall height matches the adjacent terraces, and the level above is setback with no protrusions beyond the ridgeline of the terraces.

Interface with Bourke Street terraces

The recess shown in the detailed drawings (eg AR.MP.6003) between the heritage terraces and the proposed two storey street wall is not reflected in the proposed building envelope. The envelope should reflect the plans with the depth of the recess to be at least 1 metre from the face of the proposed new building to Bourke Street. The height of this indented recess is to also be amended in the envelope to reflect the detailed architectural drawings.

Landscaping

The City acknowledges the revised plans submitted however maintains its previous objections.

Car Parking

The City does not accept the argument regarding the redistribution of car parking and maintains its previous objections.

Bicycle Parking and End of Trip Facilities

The City's previous encouragement of additional bike parking and EOTF is maintained in light of the applicant's commitment to shift to active and sustainable transport nodes.

Construction Noise

It is understood that demolition works are not approved as part of this Stage 1 development and a site specific CNVMP will be submitted at stage 2 development consent and prior to the release of a construction certificate/any demolition works commencing at Wilkinson House. It is noted that noise management criteria is exceeded significantly on Forbes Street and St Peters Street. Following the main contractor selection and detailed design stage specific noise mitigation recommendations must be made to reduce the noise to a low a level as possible. Following mechanical plant selection, noise modelling should be conducted to ensure compliance with the NPfl criteria and recommendations for any noise mitigation measures required to achieve this criteria.

If the noise management criteria cannot be met during demolition respite periods for intrusive appliances used in Scenarios a & b must be implemented following community consultation with noise sensitive receivers and form part of the Stage 2 consent.

Contamination

The DESI gives two remediation options to deal with the identified contamination. The report should clarify which remediation measure is to be implemented prior to approval, as a long term environmental management plan will be a lot more onerous on the sites future occupiers than the alternative dig and dump proposal that will effectively remove the contamination from the site. They will also require different conditions to be applied to the development. The DESI does not specifically state that the site can be made suitable for the proposed use.

A Hazardous Building Materials Survey will be required due to the age of the building, as asbestos and lead is a concern. This should be conditioned as part of future approvals.

Child Care

Prior to approval the Childcare centre will need to be assessed to the Child Care Centres Development Control Plan 2005 for odour, noise, contamination, Electromagnetic field etc. to determine its suitability at stage 2. Without this assessment Health cannot definitively state if the proposed childcare centre is appropriate.

Renewable Energy Systems, Water Efficiency and Water Recycling

The City reaffirms its request for commitments to renewable energy systems, water efficiency and water recycling design and technology to be conditioned at concept stage.

Trees

The City has reviewed the amended arboricultural report and is satisfied with the proposal. The recommendations in Section 6 of the Arborist Report should be incorporated into any conditions of consent.

Should you wish to speak with a Council officer about the above, please contact David Zabell, Senior Planner, on 9265 9333 or at dzabell1@cityofsydney.nsw.gov.au.

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'AR' or similar, enclosed within a circular flourish.

Andrew Rees
Area Planning Manager