

12 September 2022
218786

Department of Planning and Environment (DPE)
4 Parramatta Square
12 Darcy Street
Parramatta NSW 2150

Attention: Jasmine Tranquille

Dear Jasmine,

**Re: SSD-10473 – Marist Catholic College North Shore
270 Miller Street, North Sydney
Response to request for further information**

We refer to the above State Significant Development Application (SSDA) which seeks consent for the proposed expansion and redevelopment of Marist Catholic College North Shore.

This letter has been prepared on behalf of Sydney Catholic Schools (the Applicant) in response to our recent correspondence with yourself requesting additional matters be resolved to finalise the assessment of the SSDA. These matters are outlined below with our responses to each provided accordingly.

The following documents have been prepared to accompany this cover letter:

- **Attachment A** – Revised Operations Statement
- **Attachment B** – Revised Architectural Plans
- **Attachment C** – Response letter to piazza operations

Clarification of staging and revised Operations Statement

DPE recently requested clarification on the proposed staging of the development. In response to this, please see below the background and explanation of the operations statement and preliminary staging plan.

The order and sequencing of the stages has not been 100% confirmed. Despite this:

- Stage 2B will be the next Stage, this includes the stormwater diversion, temporary buildings and the Carlow St Building.
- Stage 4 & 5 is essentially one stage and most likely the next stage and this includes the Miller St Building.
- Stage 3A is currently planned to occur after Stage 4 & 5, however it is independent of Stage 4 and might occur before Stage 4.
- Stage 3B is undecided in the sequencing and can only occur after Stage 2B (due to car parking) and must complete prior to Stage 3C commencing.
- Stage 3C will follow Stage 3B and is the final stage of the project.

The Preliminary Staging Plan as issued at Appendix M in the Second Response to Submissions was developed and shows the stages chronological (I.E. Stage 3A before Stage 4), however the most likely sequencing will be Stage 4 prior to Stage 3A as per the above. As DPE can appreciate, the staging of this project is quite complex, and is evolving in consultation with the project team, the Parish and the school. The Preliminary Staging Plan provided a note on page 2 that effectively allowed for some adjustment to the sequencing. We understand that draft condition A17 covers any adjustment to the Preliminary Staging Plan, by agreement with the Planning Secretary.

It is the school's intention to increase enrolments based upon the capacity of the school. However, increases in enrolments will not occur immediately following the completion of a stage. The enrolments will increase progressively

over a number of years as the intake of students is primarily in year 7 and at the beginning of the school year. So as an example, Stage 2B increases the capacity by 374 students. However, MCCNS will not be increasing the school by 374 students in the first year following Stage 2B completion, the increase will be over several years. The most likely scenario will be as follows:

- 2023 school year, increase in students is about 50 – 60 (using temporary classrooms)
- 2024 school year, another increase in students is about 50 – 60 (using temporary classrooms)
- 2025 school year, another increase in students is about 50 – 60 (1st year of Stage 2B)
- 2026 school year, another increase in students is about 50 – 60 (2nd year of Stage 2B)
- And so on until 374 is achieved.

Stages that increase student capacity:

- Stage 2B increases capacity by 374 Students,
- Stage 4 increases capacity by 280 (made up of 240 school students + 40 additional ELC)
- Stage 3A increases capacity by 78 students.
- Total increase: 732 students.

As requested by DPE, Table 2 of the Operations Statement has been revised to confirm key dates and the scope of works for each stage. The revised table has been reproduced below and the updated version of the Operations Statement is provided in **Attachment A**.

Table 2 Staging and operational changes

Stage	Scope Summary	Approx. Capacity at completion	Parking, PUDO and demountables	Construction Start	Construction Finish	Miller Street Access
Current (includes Stage 2A)	N/A	N/A	101 (Including 6 Disabled). Existing PUDO retained	N/A	N/A	Both still in operation
Stage 2B	<ul style="list-style-type: none"> • Install of temporary classrooms • Demolition of Block B (Cricket nets building) • Construction of Carlow St Building, • Landscaping to Carlow St, Miller St (part) • Relocation of school operations • Refurbishment of existing library to General Learning in Building F 	1,716 (Increase of 374)	71 parking spaces added during this stage (total of 172). Proposed PUDO to be implemented at the end of this stage.	1/2023	1/2025	Both still in operation
Stage 4 & Stage 5	<ul style="list-style-type: none"> • Demolition of existing Block A • Construction of Miller St Building including Auditorium and Early Learning Centre, • Landscaping to Miller St, internal quadrangle and Miller Courtyard. 	1,996 (Increase of 280)	No change to parking spaces (total 172). Proposed PUDO in place. Existing temporary buildings removed.	1/2025	1/2027	Both Miller St driveways removed, however refer to the PCMP for construction requirements.
Stage 3A	<ul style="list-style-type: none"> • Removal of temporary classrooms • Restoration or existing Presbytery (including new lift and <u>stair</u> at rear) • New <u>Fitout</u> of Presbytery for Parish • Relocation of Parish to Presbytery • Refurbishment of Ron Dyer Centre for school use (level 1 & Ground Floor) 	2,074 (Increase of 78)	No change to parking spaces (total 172). Proposed PUDO in place	6/2025	12/2025	Both Miller St driveways removed, however refer to the PCMP for construction requirements.
Stage 3B	<ul style="list-style-type: none"> • New Piazza (East) • St Mary's Garden, • Church doors, vestibules, landing, ramp and stairs (north of Church), 	2,074	40 parking spaces removed (total of 132). Proposed PUDO in place	1/2026	6/2027	Both Miller St driveways removed, however refer to the PCMP for construction requirements.
Stage 3C	<ul style="list-style-type: none"> • Piazza (West), • Precinct Pavilion and Café/Canteen. 	2,074	15 parking spaces removed (total 117).	7/2027	12/2027	Both Miller St driveways removed, however refer to the PCMP for construction requirements.

Rooftop design amendment

As a result of ongoing design development, the Applicant has determined that the size of the plant room on the roof of Carlow Street Building may not be adequate in size, and therefore propose to a second rooftop plant room adjacent to the fire stair. The additional plant room will not cause any major visual impact, as it sits under the line of the solar panels and nestled between landscape planting, the atrium pop-up louvres, and the fire stairs.

In order to reflect this change to the rooftop design, the Applicant requests that the schedule of drawings in Condition A2 be updated to refer to the following:

- DA-000 [E] 18/08/22
- DA-021 [E] 18/08/22
- DA-109 [E] 04/08/22
- DA-111 [B] 04/08/22

A revised set of architectural drawings is provided in **Attachment B**.

Piazza operation details

Provided in **Attachment C** is a letter prepared by the Applicant which provides a response to the queries raised.

DPE recently requested clarification of the “security reasons” where the piazza may need to be occasionally closed off from the public.

Condition B4

As outlined in the email dated 7 September 2022, the Applicant has encountered an issue with draft SSDA condition B4 where the requirement for 500mm above the 1% AEP is inconsistent with the design and will not be achievable.

North Sydney Council does not currently have a Flood Planning Level (FPL) in their DCP, however GRC Hydro has provided a recommendation to North Sydney Council to adopt a FPL, please refer to an extract from North Sydney Council website **below**. This is identifying that the 500mm Freeboard is not appropriate for North Sydney Council LGA.

6.7.1.2 Flood Planning Level

The Flood Planning Level (FPL) is generally used to set minimum building floor levels for new developments, in addition to defining the FPA extent. As discussed in Section 6.7.1.1, whilst an FPL based on the 1% AEP flood level plus 0.5 m freeboard is suitable for mainstream flooding, its application to the North Sydney LGA would be onerous particularly for areas affected solely by overland flow flooding.

While the 1% AEP flood level could be adopted as the baseline for setting the FPL, the freeboard for areas affected by overland flow flooding can be reduced based on the land use type, e.g. lower freeboard for commercial properties could be applied due to lesser flood risk to life when compared to habitable residential properties. The FPL should therefore be defined according to the different land use type within the LGA and incorporated as part of Council's controls including the LEP and DCP. For properties not included as part of the FPA, it may be necessary to enforce a nominal level above surrounding ground for new developments especially those with underground basements. This is done to reduce exposure of the new developments to potential local drainage or stormwater issues which are not the subject of the study herein.

Recommendation: The inclusion of flood related policy in the LEP as well as the adoption of the FPA and FPL are recommended as actions in the draft Floodplain Risk Management Plan.

The requirement for the 500mm freeboard would result in increasing the height of the buildings in the application and therefore have significant other issues.

As such, we request the following change to draft condition B4:

Prior to the issue of any relevant construction certificate, the construction certificate plans must demonstrate to the satisfaction of the Certifier, that all floor levels (excluding basement level but including the basement entrance point) are no lower than the 1% Annual Exceedance Probability ~~flood plus 500mm of freeboard~~.

Further Action

We trust this information is adequate to allow for the assessment of the SSDA to be finalised. Should you have any queries or wish to discuss the details of this cover letter, please do not hesitate to contact the undersigned.



Kirsty Vogel
Principal
kvogel@ethosurban.com
0418506423