

ETHOS URBAN

Loreto Kirribilli State Significant Development Application

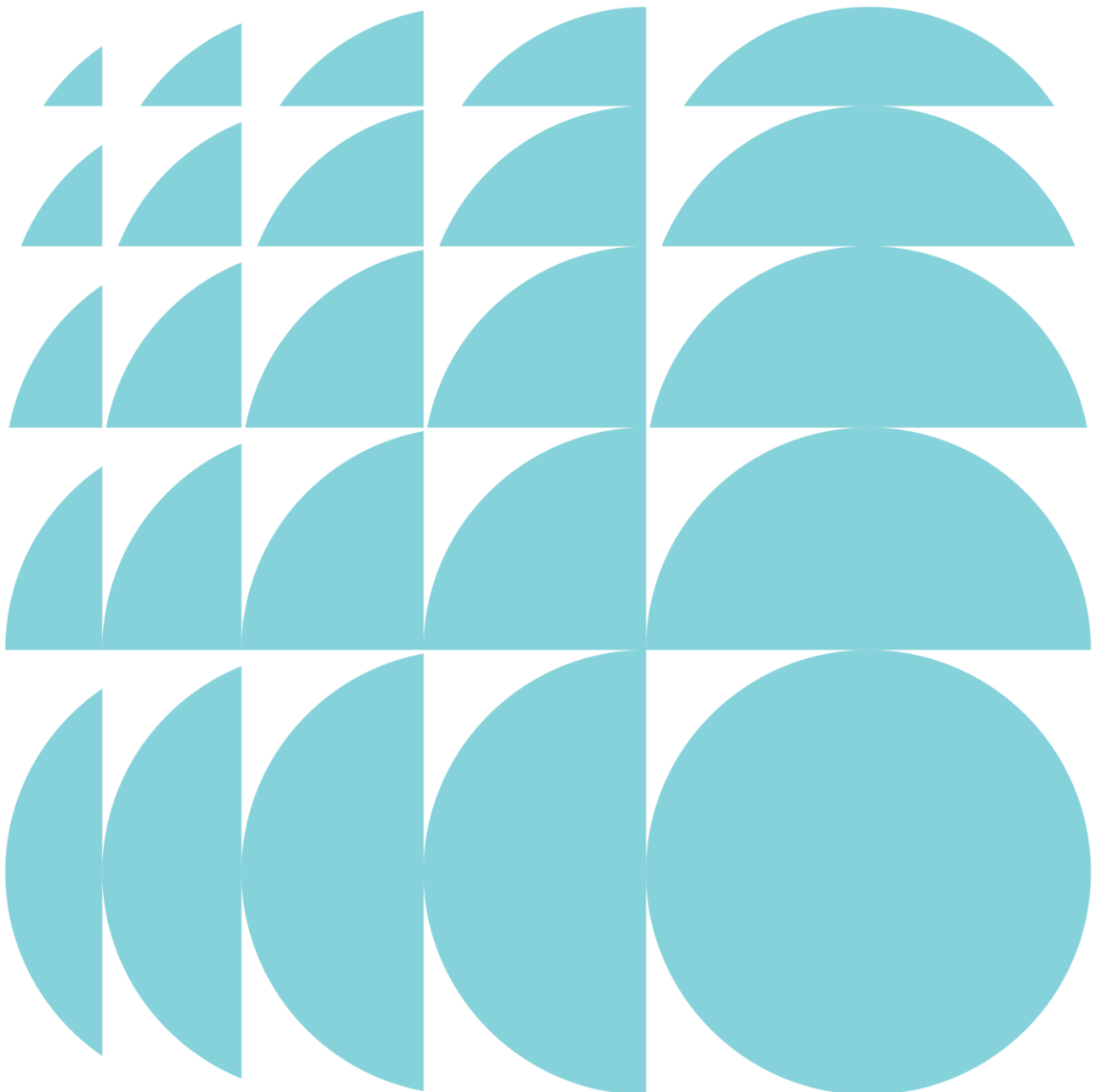
Response to Submissions

85 Carabella Street, Kirribilli
Concept Proposal and Stage 1 Development
Application

Submitted to Department of Planning and
Environment

On behalf of Loreto Kirribilli

February 2018 | 16205



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1.0 Introduction

An Environmental Impact Statement (EIS) for a State Significant Development Application (SSDA) for the staged redevelopment of Loreto Kirribilli (Concept Proposal and Stage 1) was publicly exhibited for a period of 30 days between 19 October 2017 and 17 November 2017 (SSD 16_7919).

In total, 24 submissions were received in response to the public exhibition of the EIS. The submissions were from government agencies and the general public, as outlined below:

- NSW Environment Protection Authority;
- Transport for NSW;
- Office of Environment and Heritage;
- Roads and Maritime Services;
- North Sydney Council (two separate submissions received);
- Sydney Water;
- Heritage Division, Office of Environment and Heritage; and
- General public, owner's corporation and community groups (16 submissions).

Of the 24 submissions made, 13 objected to the proposal, two supported the proposal and 9 provided comment.

The Department of Planning and Environment (the Department) and the Government Architect NSW (GA NSW) have also prepared letters outlining additional information or clarifications required prior to the final assessment and determination of the application.

The applicant, Loreto Kirribilli, and its specialist consultant team have reviewed and considered all issues raised in the submissions. This report provides a detailed response to the key issues and outlines the proposed amendments to the exhibited EIS. Where individual issues are not discussed in this report, a detailed response can be found in the table at **Appendix A**. In response to some of the issues raised, the Architectural Drawings have been amended and are provided at **Appendix B**. The amendments made are discussed in detail at Section 3 of this report.

2.0 Key Issues and Applicant's Response

This Section of the report provides a detailed response to the key issues raised by the Department, government agencies and authorities, independent bodies, and the general public during the public exhibition of the SSDA. These include:

- Consistency with *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*
- Built form and amenity impacts;
- Use of the rooftop terrace;
- Traffic, parking, pick-up and drop-off;
- Construction scheduling;
- Materiality;
- Development timeframe;
- Heritage; and
- Landscaping.

A response to each of the individual issues raised by the Department, GA NSW and other submitters is provided in the table at **Appendix A**.

An overview of the parties who made submissions, and their key issues / matters for consideration, is provided below.

Government Authorities and Agencies

As highlighted earlier in this report eight (8) submissions were received from government agencies and authorities in response to the exhibition of the EIS, including two from North Sydney Council. Specifically, responses were received from:

- NSW Environment Protection Authority;
- Transport for NSW;
- Office of Environment and Heritage;
- Roads and Maritime Services;
- North Sydney Council (two separate submissions received);
- Sydney Water; and
- Heritage Division, Office of Environment and Heritage.

A number of these submissions comprised the agencies or authorities confirming that they had no comment on the application or providing guidance on recommended conditions. These included the submissions from Office of Environment and Heritage, NSW EPA, RMS and Sydney Water.

The Department provided an overarching letter (as the assessment authority) summarising the key matters to be addressed and additional information to be provided.

The remaining agencies and authorities made a variety of comments, and sought further clarification and information on a number of matters including LEP compliance, view loss, traffic and parking. Responses to these issues are detailed throughout this Section and further at **Appendix A**.

2.1 Consistency with State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

2.1.1 Issues

Both the Department and the GA NSW have requested additional information regarding the proposal's consistency with Schedule 4 Design Principles of *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (Education SEPP).

The Department and GA NSW have also requested that the applicant address Clause 35(6) of the Education SEPP by indicating how the school's facilities are shared with the community and the likely impacts of such sharing.

2.1.2 Applicant's Response

Consistency with Schedule 4 Design Principles

FJMT has provided an assessment against Schedule 4 of the Education SEPP as part of their response at **Appendix C**. The principles at Schedule 4 relate to context, built form and landscape, sustainability, accessibility and inclusivity, health and safety, amenity, flexibility and adaptability and aesthetics. The proposal has been designed to achieve these principles. In summary:

- The campus Masterplan has been developed with a consideration to the site's urban context. The new development sites have considered views from the surrounding context, street alignments and materiality. Due to the steeply sloping site, the site has been developed into three major zones which are consistent with the current development on the site.
- In consideration of the sloping site and the views from neighbouring properties, the school has elected to excavate deep into the site rather than increase the overall height of the new development envelopes at the boundary condition.
- Landscape is very important to Loreto and this is one of the design principles for the campus and also a form driver. To align with the pedagogical requirements, Loreto has a new emphasis on outdoor learning which is to be incorporated into the landscape wherever possible.
- One of the main drivers for the Masterplan is improving the amenity of the current campus with a focus on accessibility. The provision of the new connectors will provide, at the completion of the Masterplan, access to all levels of all buildings.
- A key principle of the Masterplan is the Future Focussed Learning approach. A key focus of this approach is to provide buildings which are adaptable and flexible, acknowledging that the changes in pedagogy will continue over time. The focus on improving access and circulation provides a solid framework for new buildings to be developed, or existing buildings to be refurbished.

Consistency with Clause 35(6)

In accordance with Clause 35(6)(b) of the Education SEPP, the following community uses and activities take place on the school campus:

- External orchestral group rehearsals;
- External sports training;
- Weddings;
- Annual Orff Music conference;
- Occasional photographic shoots (for backdrops / facilities);
- Italian language program for adults;
- Parking is provided for Yacht Squadron members and patrons on weekends;
- Professional in-services / meetings out of school hours;
- Code camp for local primary students during the holidays; and
- Provision of meeting facilities for another school.

All of these uses occur outside of school hours and outside of school pick-up and drop-off times. As such, there would be no adverse impact on traffic associated with the ongoing use of the site by the community.

2.2 Built Form and Amenity Impacts

2.2.1 Issues

Several submissions have raised concerns regarding the proposed built form, and associated view loss and amenity impacts. Concerns primarily relate to the Learning Hub in the Western Precinct, however issues were also raised around the new envelope in the Eastern Precinct. Issues raised include:

- The proposed seven storey Learning Hub, which exceeds the permissible height limit and has adverse impacts on views currently enjoyed by the residents of the east facing units at 111 Carabella Street. The height exceedance is primarily due to the lift overrun and the fire stair well which provide access to the rooftop terrace. Insufficient information has been provided regarding the need for the terrace or the details of its usage.
- Given this, it is considered that the rooftop terrace should be deleted and the height of the fire stairs / lift overrun reduced to avoid height non-compliances wherever possible. Further design changes should also be undertaken to improve the views and solar access to the affected units.
- The impact on views and amenity to the neighbouring apartments where the view loss is a result of proposed heights over the LEP / DCP maximum heights should be removed.
- The applicant should seek to reduce the impact on views and amenity where the proposed buildings are within the limitations of the LEP / DCP height maximums.
- The scale of the new buildings, particularly the new additions to the western building (Learning Hub), located close to the adjoining boundary site are incompatible with the sites adjoining and opposite along Carabella Street and Elamang Avenue.

- Existing buildings at the eastern end of the site are zoned R2 Low Density Residential with a maximum permissible building heights of 8.5 m. The 6 storey building proposed in the East Precinct is too bulky, and would impact on views from properties to the south.

The Department also requested that greater consideration be given to the visual impact of the connector within the Southern Precinct on the views from 46 Carabella Street.

2.2.2 Applicant's Response

Learning Hub (Western Precinct)

Extent of Height Exceedance

The new Learning Hub has a maximum height of RL 37.50 (14.5m). Whilst the majority of the building is within the 12m height limit, due to the topography of the site, encroachments above the 12m LEP height standard are proposed to accommodate the plant, lift overrun and stair (refer to **Figure 1**). This represents a variation of 2.5m above the 12m height limit which applies to this part of the campus.

The Department has suggested that the accessible roof terrace be removed to enable the lift overrun and stair to be reduced to sit within the LEP height limit. The importance of the rooftop terrace and connections between the Learning Hub and Marian Centre to the operation of the new development are discussed further at Section 2.3.

With respect to compliance with the DCP, Clause 11 of *State Environmental Planning Policy (State and Regional Development) 2011* expressly states that DCPs do not apply to SSD applications. Notwithstanding this, a minimum setback of 3m is provided to 111 Carabella Street in accordance with Part 3.3.6, Provision P5 of North Sydney DCP. Whilst the proposal seeks to vary the height plane control under North Sydney DCP, this non-compliance does not contribute to the loss of views or solar access from the east facing apartments, as discussed below. It is not possible to set back the building any further from the western boundary due to the need to connect with the existing Marian Centre, and the presence of existing buildings on the campus.

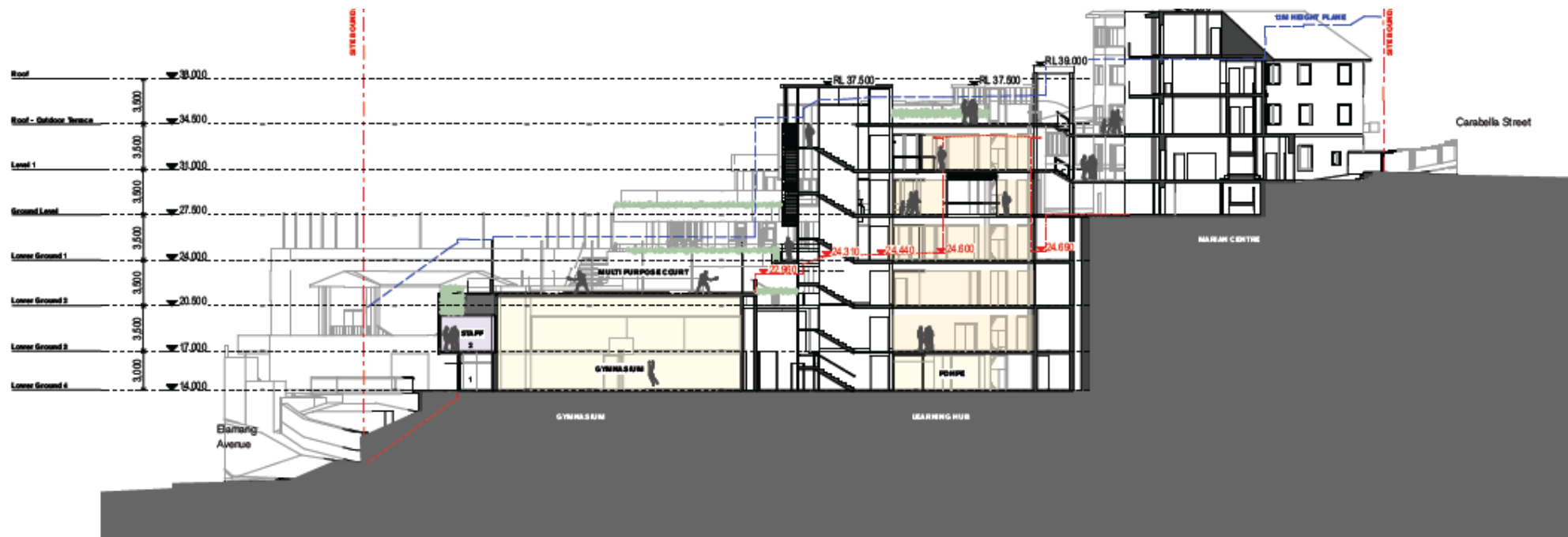


Figure 1 Section showing the 12m LEP height limit in blue and the extent of the proposed encroachment

Despite the proposed non-compliances, the Learning Hub remains consistent with the scale of development on the campus, as well as adjoining development. The Learning Hub is entirely consistent with the surrounding built form for the following reasons:

- It is only two storeys above street level (Carabella Street) and is lower than the existing Marian Centre when viewed from Carabella Street.
- The Learning Hub is well within the height of the School Chapel, which sits at approximately 24.7m.
- The land immediately to the west of the campus (at the interface with the Learning Hub) is zoned R4 High Density Residential. The proposed Learning Hub is consistent with the scale of the apartment building immediately to the west at 111 Carabella Street, as shown in the Section at **Figure 2**.

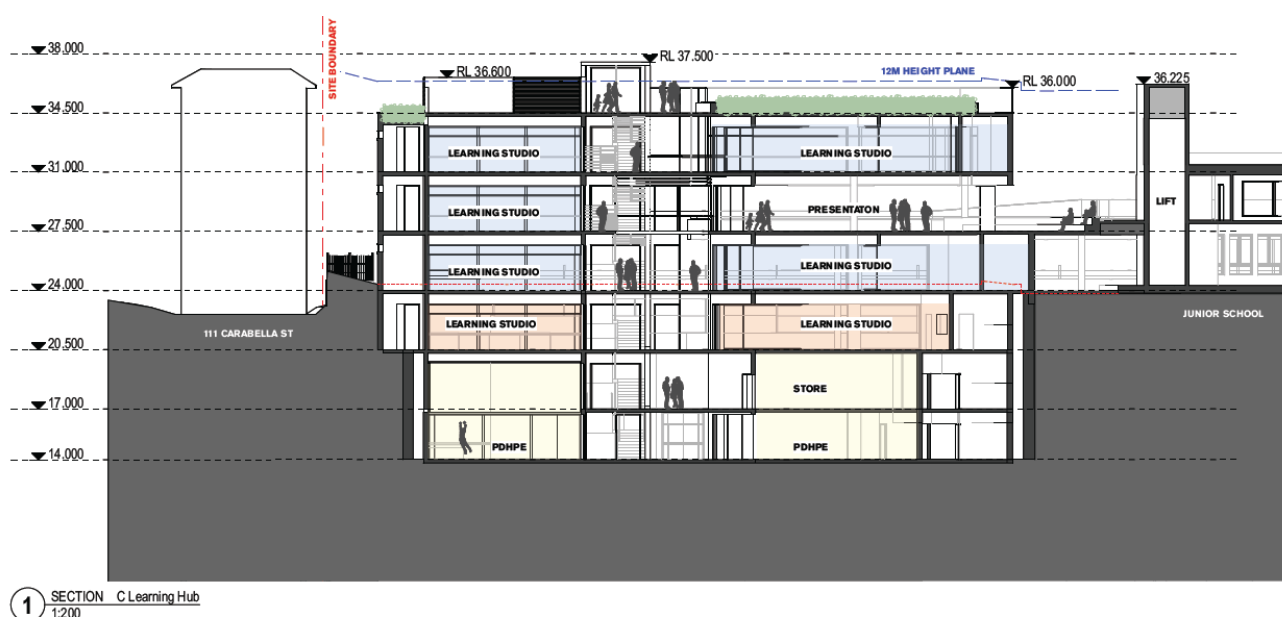


Figure 2 Relationship between 111 Carabella Street (left) and the proposed Learning Hub

View Impacts on East Facing Apartments

A detailed assessment of the proposed development against the principles of view sharing established by Senior Commissioner Roseth in the judgement of *Tenacity Consulting v Warringah [2004] NSWLEC 140* is provided at Section 7.6 of the submitted EIS. The response below should be read in conjunction with that assessment, and FJMT's response at **Appendix C**.

The only apartment impacted by the LEP height exceedance is unit 9/111 Carabella Street. However, the lift overrun, stair and plant (which are the only elements of the proposed building which exceed the height limit) do not contribute to the loss of harbour views from this apartment. The non-compliances only have a very small impact on the loss of sky views (refer to **Figure 3**). If the harbour view was to be retained to unit 9/111 Carabella Street, the building would need to be reduced to match the height of the existing B-Block, which is approximately 3m below the 12m allowed under the LEP.

Reducing the height of the building to 9m would significantly compromise the viability of the proposed development and the educational outcome provided. Given the pressure on existing school

facilities in Sydney, the growing demand for student enrolments and the benefit that the proposal will provide to numerous students over many decades, it would be unreasonable to limit the proposed development for the benefit of one single apartment, which currently has views over the side boundary.

Further, the proposed variations to the DCP's building height plane do not result in any additional view loss from 9/111 Carabella Street. As shown at **Figure 3**, the complying building envelope would continue to obstruct views behind the DCP height plane. The DCP variation only results in additional view loss from the front (north facing) apartments, which is discussed further below.

Finally, and as detailed below, numerous changes have been made to the design of the Learning Hub to reduce the impacts on 111 Carabella Street.

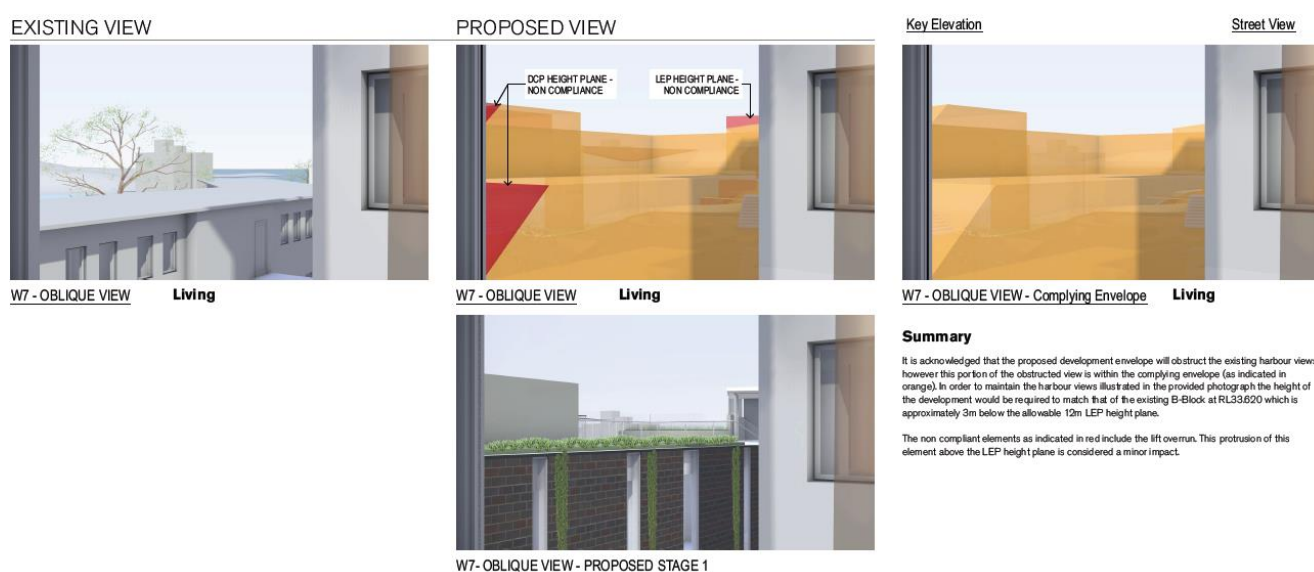


Figure 3 View analysis from unit 9 / 111 Carabella Street

View Impacts on North Facing Apartments

A detailed assessment of the proposed development against the principles of view sharing established by Senior Commissioner Roseth in the judgement of *Tenacity Consulting v Warringah [2004] NSWLEC 140* is provided at Section 7.6 of the submitted EIS. The response below should be read in conjunction with that assessment, and FJMT's response at **Appendix C**.

View impacts from the north facing apartments were tested from a number of angles to assess the overall view loss. Refer to the **Figures 4 – 6** and attached drawing sheets SKMP-60.1/SKMP-60.2 at **Appendix C** for further details.

Figure 4 shows view W21, taken from a worst case view point looking obliquely across the school site. However, when looking directly out of the window (the total view) there is no impact to the existing views. The same applies to W22 and W23 (**Figures 5 and 6**) which show that the proposal will have no, or minimal, impact on total views.

As illustrated below, the loss of views as a result of the non-compliance (shown in red) is considered to be relatively minor when considering both the total view and the oblique view - W21 shows a small

portion of harbour view loss and W22 shows a small portion of sky loss from the non-compliant envelope. From W23, the non-compliant envelope does not result in any additional view loss. It is important to note that these non-compliances relate to the DCP, rather than the LEP. As detailed above, SSD applications are not required to comply with the provisions of a DCP.

Overall, it is considered that the view loss from these apartments (when the total views are considered) are minor and acceptable, and are generally associated with a complying built form. Direct views from these dwellings to the north across the front boundary will remain largely unaffected by the proposed development.

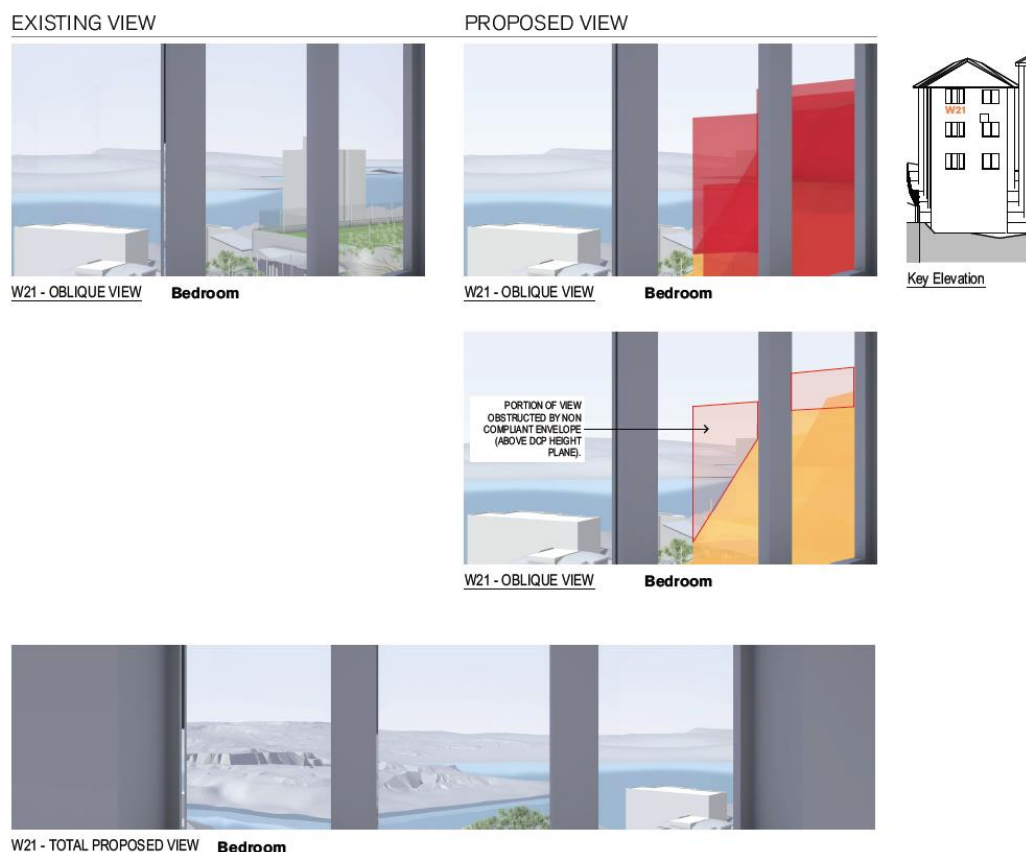


Figure 4 Oblique (worst case) and total views from W21

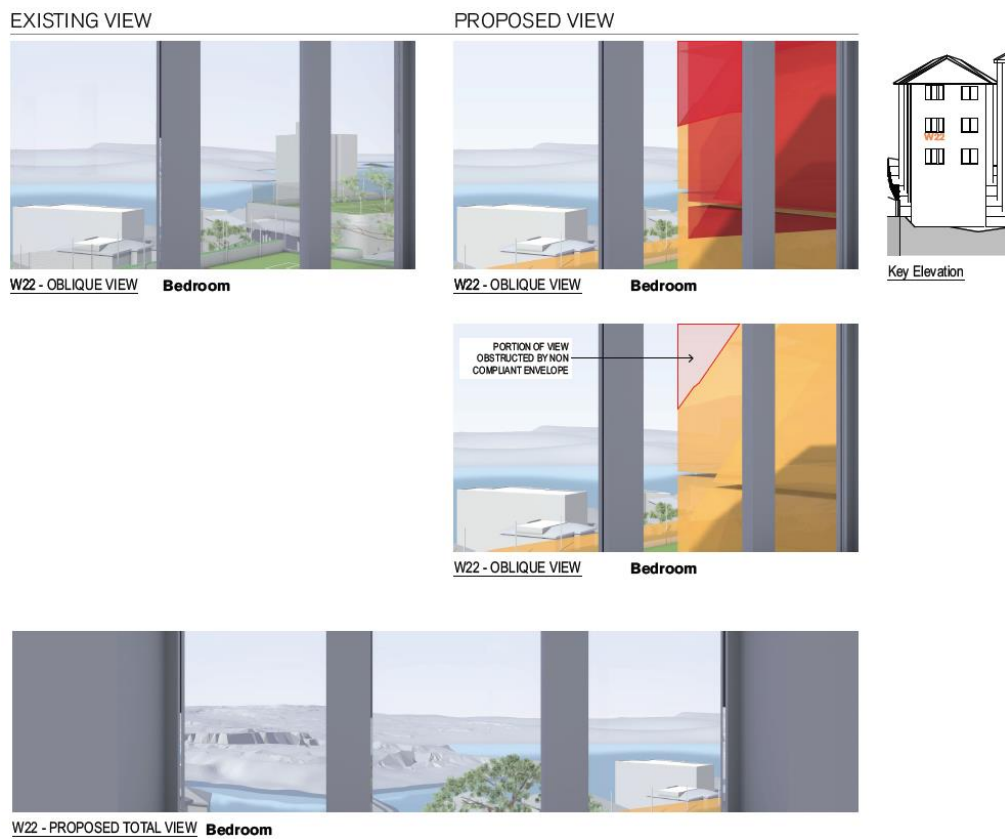


Figure 5 Oblique (worst case) and total views from W22

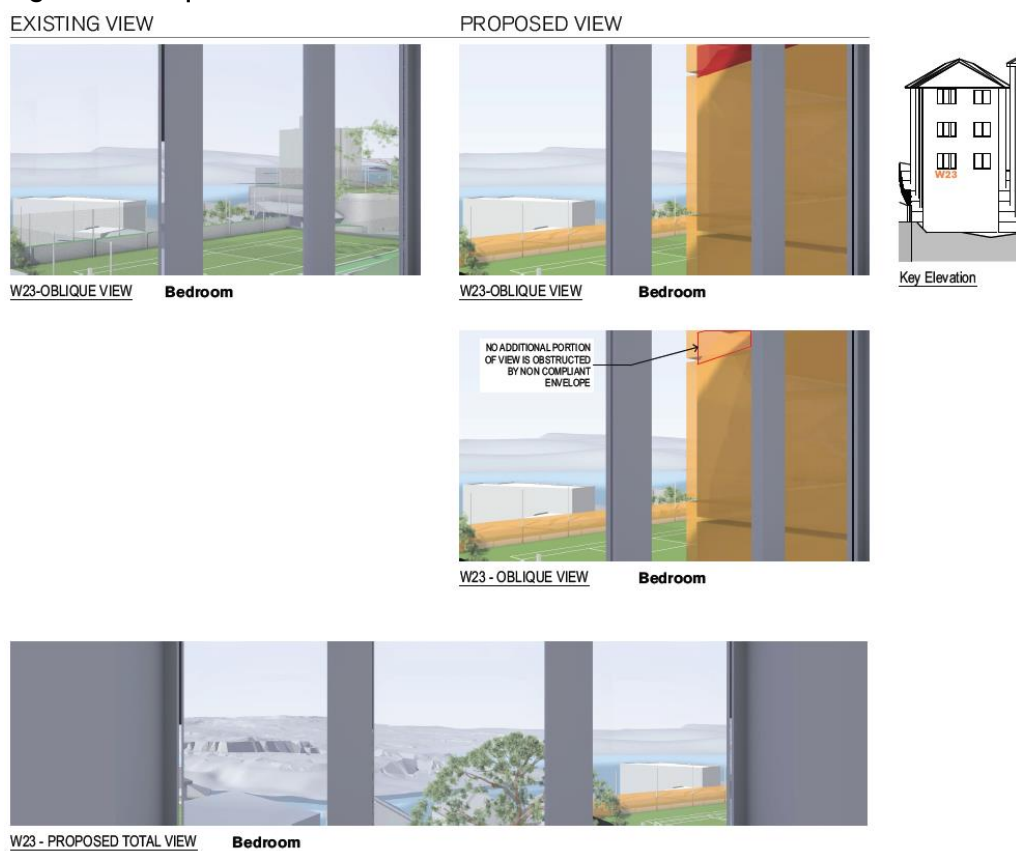


Figure 6 Oblique (worst case) and total views from W23

Summary of View Impacts

The analysis of view impacts shows that the proposed development would cause some view loss to some apartments at 111 Carabella Street.

The assessment demonstrates that the views from 9/111 Carabella Street, the most significantly affected apartment, are more appropriately defined as an outlook rather than a view. The views that would be lost are not scenic, iconic or culturally significant. Further, whilst water views are available, no whole views or iconic items are lost. Considering that the most affected views are across the side boundary, the existing harbour views are lost by a complying built form and the non-complying elements only result in a minor loss of sky views, it is considered that the proposal is reasonable in regards to view impacts.

Views from the north of 111 Carabella Street are considered a scenic view in *Tenacity* terms, with water and land-water interface. However, the extent of view loss is limited to partial, oblique views from bedrooms. When the total view is considered, view impacts from the north facing apartments are considered minor and reasonable.

In response to the concerns raised during the community consultation process, numerous changes were made to the design of the Learning Hub to minimise the visual impact of the building from 9/111 Carabella Street. These changes demonstrate the efforts that the applicant has made to reduce the impact on views and amenity. The changes are shown at **Figures 7** and **8** and include:

- Mechanical plant has been redistributed from the roof, enabling the roof plant enclosure to be reduced in size. The roof plant enclosure has been relocated to enable an improved outlook from the eastern side of 111 Carabella Street;
- A landscaped planter has been integrated into roof, reducing the height of the building at the western boundary and creating a green buffer between the Learning Hub and 111 Carabella Street;
- The rooftop garden has been maximised to improve outlook to 111 Carabella Street;
- Solar panels have been removed to reduce the extent of the mechanical plant enclosure;
- The louvred roof structure has been removed to improve sky view loss and visibility across the terrace;
- The lift shaft materiality has been changed to glazing in order to improve transparency and make it less obtrusive;
- High level and slot windows have been introduced to provide greater articulation to the brick boundary wall whilst still ensuring privacy between 111 Carabella and Loreto Kirribilli; and
- An improved façade treatment has been adopted for aesthetic purposes.

It would be unreasonable to require the Learning Hub to be lowered to 9m (3m below the LEP height standard) to retain harbour views to 9/111 Carabella Street given that:

- The most affected view is over a side boundary;
- The most affected view is not iconic and is a distant view;
- The most affected view would be lost even if a complying envelope was proposed; and

- If the scale of the Learning Hub was reduced, there would be a significant impact to the space proposed within the building and the quality and quantity of teaching space that is provided. The benefit of providing the new education space for the benefit of many generations of students to come is considered to outweigh the benefit of retaining a partial view across a side boundary.

Overshadowing Impacts on East Facing Apartments

The shadow diagrams prepared by FJMT (refer to **Appendix C**) demonstrate that the development, including the proposed non-compliances, will not result in any additional overshadowing of the east facing apartments in 111 Carabella Street when compared to a complying built form.

As a result, the proposed overshadowing impacts are considered acceptable, and will not result in any adverse amenity impacts when compared to a complying built form.

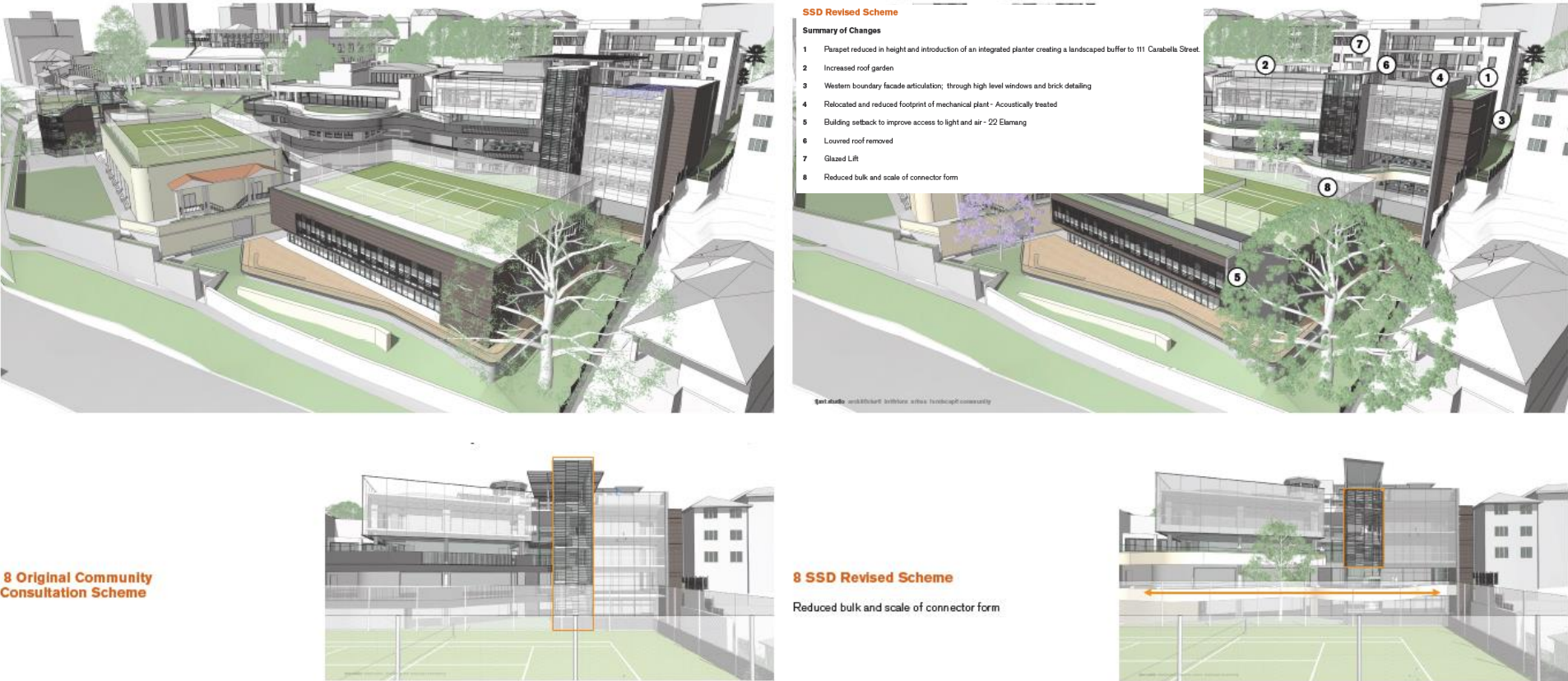


Figure 7 Original proposal (left) and amended proposal (right) showing the changes made to the Learning Hub as a result of the community consultation process

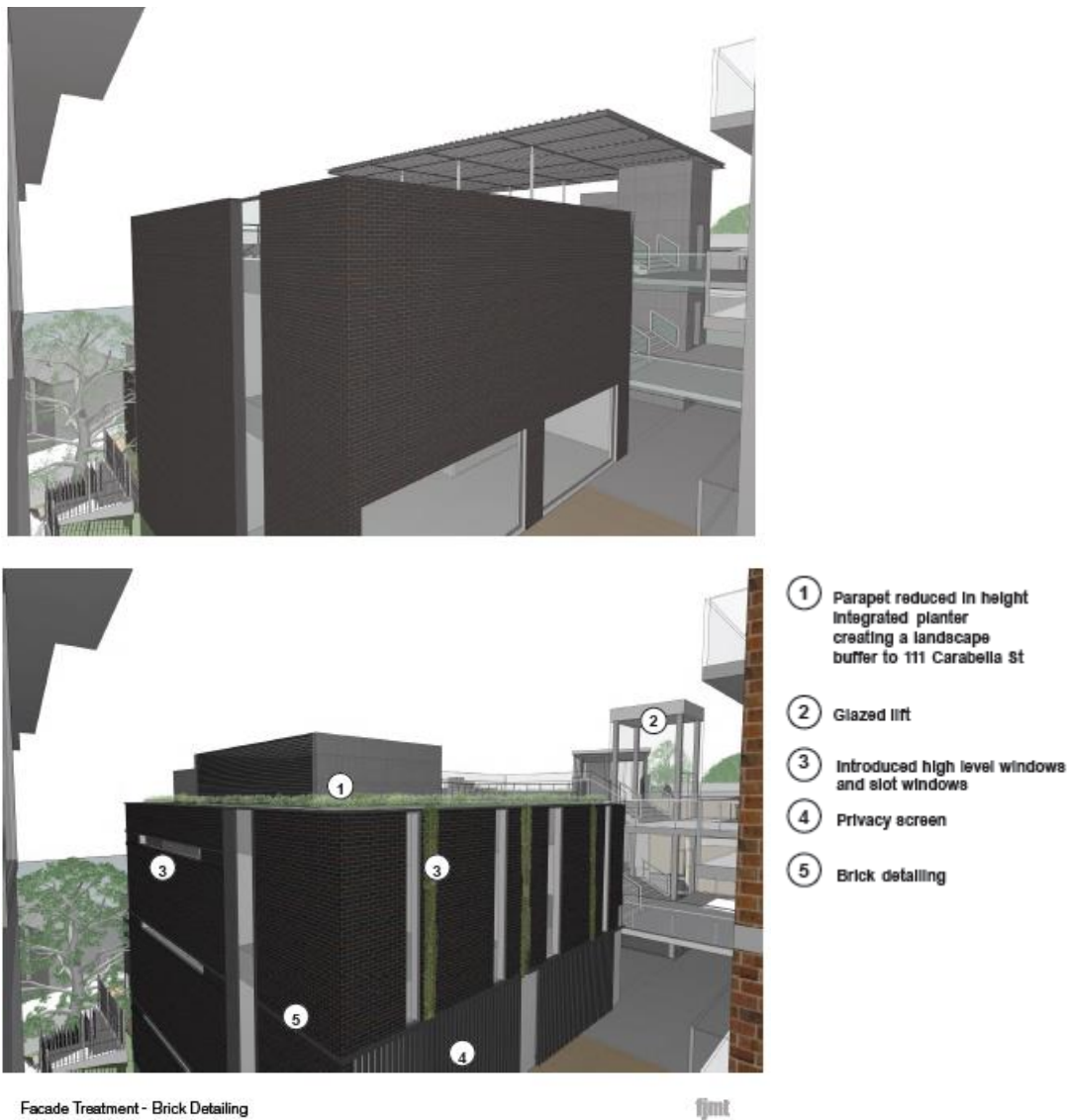


Figure 8 Original proposal (above) and amended proposal (below) showing the changes made to the Learning Hub as a result of the community consultation process

Eastern Precinct Envelope

In response to the issues raised, the height of the envelope in the Eastern Precinct has been reduced to align with the existing Mary Ward Building at RL 29,940.

Southern Precinct Connector

The View Impact Analysis has been updated to address the visual impact of the Southern Precinct connector on 46 Carabella Street. The additional view analysis at **Appendix C** and **Figure 9** demonstrates that the connector will sit below the ridgeline of the Chapel, and will not result in any view impacts.

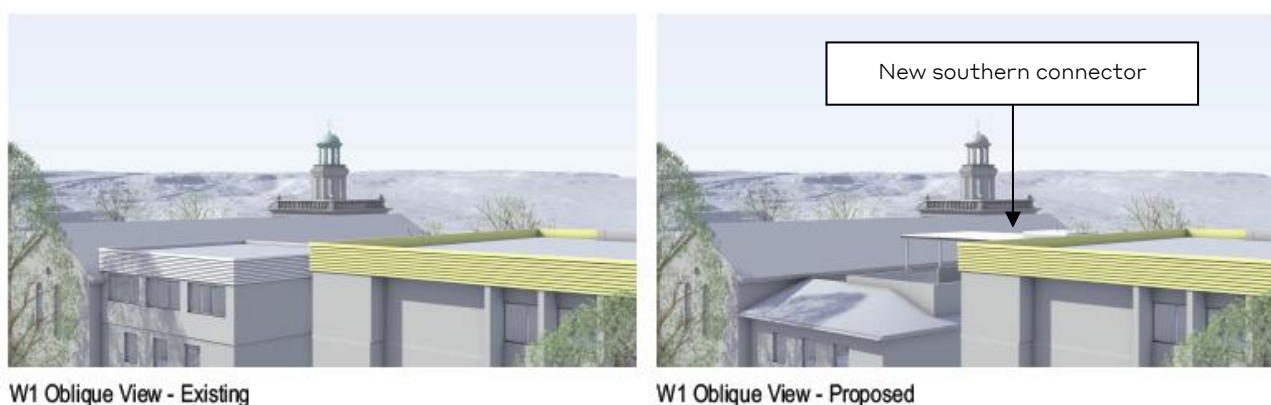


Figure 9 Additional view impact analysis from 46 Carabella Street

2.3 Use of the Rooftop Terrace

2.3.1 Issues

Several submissions have questioned the use of the Learning Hub's rooftop terrace, and potential impacts on visual and acoustic privacy.

The Department has questioned whether the rooftop terrace is necessary, and whether or not it can be deleted to reduce the height of the building and minimise any potential visual and acoustic impacts.

2.3.2 Applicant's Response

The rooftop terrace and the connection between the Marian Centre and proposed Learning Hub is a key component of the proposed development, and is critical to the function of the school.

The original intent of the rooftop terrace was to provide a landscaped outdoor learning area and horizontal connection between the Learning Hub and adjacent Marian Centre Building. This was in alignment with the project specific design principles and Principle 1 of Schedule 4 of the Education SEPP.

However, in response to the issues raised during the community consultation process, the outdoor learning area was removed and replaced by an extended roof garden. The intended use of the rooftop terrace has been limited to reduce the potential acoustic impact. The rooftop terrace will now be used to enable connectivity between the Learning Hub and the Marian Centre and to allow

intermittent staff and student access to the rooftop garden for maintenance. The rooftop may be used occasionally as a supervised recreation space.

In addition to the above changes, the plant equipment was reduced in size and redistributed to alternative locations, maximising the area of the roof garden. The remaining plant equipment was relocated to the least visible location when viewed from 111 Carabella Street. Further, the circulation path providing the connection between the two buildings has been set back as far as possible from the boundary (15.5m) and a planter has been integrated into the western facade to provide a landscaped buffer between the adjoining properties.

Improving accessibility and way finding, and the integration of the landscape, are key components of the design principles identified by the Masterplan. The above amendments to the use and design of the rooftop terrace have enabled the achievement of these principles, whilst minimising the acoustic impacts and improving the outlook for the adjacent residents.

2.4 Traffic, Parking, Pick-up and Drop-off

2.4.1 Issues

A number of submissions have raised concerns regarding the proposed traffic and parking impacts. Whilst Council noted that parking should be reduced to be consistent with the requirements of North Sydney DCP, several public submissions requested that additional parking be provided on the campus to reduce the impacts on on-street parking. Questions were also raised as to whether pick-up and drop-off could be brought onto the school campus.

Whilst the Department did not specifically raise any concerns regarding traffic and parking, it was requested that a Workplace Travel Plan be prepared to encourage a mode shift away from private motor vehicles to more sustainable travel modes. The Department has also requested details around the provision of bicycle parking as part of the Stage 1 works.

2.4.2 Applicant's Response

Traffic and Parking

The SIDRA modelling undertaken to support the proposal indicates that the surrounding road network will continue to operate satisfactorily at the completion of the Concept Proposal, including the increase in students and staff.

As detailed in the submitted EIS, the existing staff parking provided on the campus is in excess of the DCP requirements. Council has suggested that the existing on-site parking should be reduced to comply with the limits set out in the DCP.

It is considered unreasonable for the existing parking provision to be reduced, particularly given the concerns raised by the community with respect to the demand for on-street parking. However, given the concerns raised by Council, it is considered unlikely that additional on-site parking would be supported. Further, the site's heritage and topographical constraints would make it unfeasible to accommodate additional parking on the campus.

Whilst the submitted Traffic and Parking Impact Assessment has found that there is capacity to accommodate the surplus parking on-street, a Workplace Travel Plan (WTP) has been prepared by McLaren Traffic to encourage more staff to use non-car travel modes as an alternative to private cars (refer to **Appendix D**). The WTP includes a number of provisions which could potentially be implemented to improve non-car travel modes, including:

- Preparing a Transport Access Guide (TAG) for the site;
- Implementing incentive schemes to encourage employees to walk to work;
- Taking part in 'National Walk to Work Day';
- Providing sufficient bicycle parking to meet peak needs; and
- Setting up a carpooling database.

The WTP also includes details of the process for monitoring and reviewing the effectiveness of the WTP

Based on the findings of the Traffic and Parking Impact Assessment submitted with the EIS and the implementation of a WTP to encourage non-car modes of travel, the proposed development is considered acceptable in terms of traffic and parking impacts.

Pick-up and Drop-off

Due to the existing site constraints, including existing buildings, heritage items, landscape features, topography and the need to retain existing on-site parking, it is unfeasible to accommodate pick-up and drop-off on the campus.

However, the School is committed to ensuring that student pick-up and drop-off is well managed. The school will continue to work with local residents to try and alleviate their concerns.

Bicycle Parking

End of trip facilities are provided at Lower Ground Level 4 of the new Learning Hub (refer to **Figure 10**).

Bicycle parking spaces are able to be provided in the existing sports storage area on the Lower Ground Level of Centenary Hall, with the end of trip facilities within the adjacent Learning Hub. Access is able to be provided directly off Elamang Avenue via a stair ramp on the existing stairs.

Each truck would be onsite for approximately 8 – 10 minutes and would have a designated marshalling area. The trucks would be called to site as required to prevent any trucks blocking local roads. Work zones on Carabella Street would be required for this marshalling process. A zone of approximately 20 metres to the west of the site entry and a zone of 10 metres on the eastern side of the site entry would be required. These matters can be managed as part of the preparation of a detailed Construction Management Plan, post determination.

2.6 Materiality

2.6.1 Issues

The GA NSW, as well as several public submissions, have raised concerns regarding the materiality of the proposed Learning Hub. The submissions have suggested that the dark bricks and finishes be replaced with lighter coloured material in response to issues of heat gain and sustainability, increase the possibility of light reflection to overshadowed or below ground areas and to respond sensitively to the heritage buildings on site which appear to be sandstone and light coloured render.

2.6.2 Applicant's Response

FJMT has undertaken additional analysis of the proposed materials and finishes. The materiality is considered appropriate in the context of the site and surrounding built form. The suitability of the proposed finish is confirmed by Council's comments, as follows:

The use of dark toned brickwork is supported to be consistent with the palette of materials used in the nearby conservation area and to allow the lighter rendered Chapel and Elamang buildings to be more visually dominant.

The design intent is to use a selection of materials which respond very sympathetically to the surrounding heritage context of Kirribilli. The intention is to incorporate elements of sandstone into the landscaping, ideally from the site, however this will need to be ascertained as to the quality of the stone during excavation. The new building is a combination of lighter rendered low walls with light painted soffits (to the large external circulation and recreation areas), white and light grey off form concrete, face brickwork and veil-like metallic screens. The colour selected for the face brickwork is intended to align with the surrounding single dwellings and apartment buildings – these range from a lighter red / brown brick to a darker brown brick. The face brick walls to the east and west are intended to be recessive so that the focus is on the curved circulation pathways and the open learning studios and their associated verandahs.

2.7 Development Timeframe

2.7.1 Issues

Concerns were raised regarding the timeframe for delivery of the Masterplan, and the level of detail provided for the future stages of the development.

Council has questioned the applicability of staging the proposal over a potential timespan of 50 years. Council has noted that during a 50-year timespan, Council and State level controls will inevitably be reviewed and amended to suit the ever changing needs of greater Sydney, North Sydney and Educational Establishments. With continual increases to the population densities in the

Kirribilli area, revised development standards and controls will need to be considered and will likely involve increased building heights and densities.

2.7.2 Applicant's Response

The intent of the Concept Proposal is to provide the school and the community with certainty around the future built form outcome for the site.

However, it is appreciated that built form controls (including increased building heights and densities) may change over the life of the Masterplan. If required, there are mechanisms in place to enable the Concept Proposal to be modified over time.

Further, it is appreciated that educational needs are likely to evolve over the next 50 years, which is why envelopes are proposed which provide flexibility for the future built form, layout etc. The level of detail provided is consistent with what would typically be submitted for a Concept Proposal / Stage 1 DA. The submitted EIS includes an assessment of view and solar access impacts associated with the Stage 2 and 3 building envelopes, noting that the future building would be more refined and would therefore have a lesser impact.

Based on the above, the applicant will continue to pursue the full Concept Proposal.

2.8 Heritage

2.8.1 Issues

Whilst the Department didn't raise any concerns regarding heritage, Council has provided detailed comments in relation to heritage and landscaping. In particular, concerns were raised regarding the proposed demolition of the Mary Ward Building and the inadequacy of the current heritage assessment in supporting the proposed demolition.

2.8.2 Applicant's Response

GML Heritage has prepared a statement in response to Council's comments regarding the demolition of the Mary Ward Building (refer to **Appendix H**).

In GML's Heritage Impact Statement for the project, dated July 2017 (HIS), the Mary Ward Building was assessed as being of moderate significance in its contribution to the heritage significance of Loreto Kirribilli. This assessment was made with reference to the NSW Heritage Office document Assessing Heritage Significance, 2001 (refer to **Figure 11**).

Significance Grading	Justification
Exceptional significance	Rare or outstanding element directly contributing to an item's local and state significance.
High significance	High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance.
Moderate significance	Altered or modified elements. Elements with little heritage value, but which contribute to the overall significance of the item.
Little significance	Alterations detract from significance. Difficult to interpret.
Intrusive elements	Damaging to the item's heritage significance.

Figure 11 - Assessing Heritage Significance, NSW Office of Heritage

The following was noted in the HIS regarding this assessment of the Mary Ward Building.

Built in the 1980s, it is one of many school buildings across NSW designed by architect Kevin Curtin. Although the building has some interesting architectural features, the external architectural qualities of the building's main elevation have been compromised by the addition of the Music and Performing Arts building. The building's main interior space, the theatre, is however largely intact. The building is largely blocked from view from both Carabella Street and Elamang Avenue.

There is no question that the main elevation of the building has been significantly compromised by the addition of the Music and Performing Arts Building. The following, however, is an expanded assessment of the interior of the building, with particular consideration given to the theatre as the most significant space within the building.

Additional research has shown that few of the building's original interior qualities remain intact in the current theatre - the original design qualities of the space have been substantially compromised by later alterations.

An assessment of the small western entrance lobby has also been undertaken as the form of the space and original finishes remain substantially intact. Original fabric includes the timber boarded ceiling, terrazzo floor and timber handrails. Original aluminium framed windows remain intact. However, the space does not have particular architectural or design merit. Whereas it provides evidence of the original interior finishes, it is not of significance as an interior space. The finishes are typical for their time, and are without notable design qualities. A plaque within the space commemorating the construction of the building is the only item considered to be of heritage significance.

Other spaces within the building, including the building's undercroft, were repurposed as music practice rooms in conjunction with the construction of the Music and Performing Arts Building, with interiors completely renewed. The building's upper floor contains classrooms. Finishes in these rooms have been updated over time as needed.

In consideration of the revised assessment of the interiors of the building, the heritage significance of the building has been reassessed. It is now considered that the building is of little significance to

the overall heritage significance of Loreto Kirribilli, due to the substantially compromised exterior and interior of the building. As such, it is considered that demolition of the Mary Ward Building will have little impact on the heritage significance of the school.

Council's more detailed comments are addressed at **Appendix A**.

2.9 Landscaping

2.9.1 Issues

Council has made a number of detailed comments with respect to the landscape design. Council has suggested that the landscape solution between the U-Block and Chapel be given further consideration, and that additional tree planting be added to site's Elamang Avenue frontage. Council has also suggested that the landscape design be amended to incorporate greater deep soil landscaping across the site.

Further, several public submissions raised concerns regarding tree removal, and the need to retain the leafy character of the site.

2.9.2 Applicant's Response

In response to Council's suggestions, the Landscape Plans have been updated to include additional tree planting to the courtyard between the U-Block and Chapel, as well as incorporating a revised paving pattern to visually break up the space. Additional tree planting has also been incorporated to Elamang Avenue. The revised Landscape Plans are provided at **Appendix G**.

With respect to deep soil planting - the site is heavily constrained, and there is limited opportunity for additional deep soil planting without significantly compromising the educational facilities accommodated on the site. Whilst it is not feasible to provide additional deep soil planting, the landscaping proposal has been designed to accommodate approximately 27 replacement trees of varying species and sizes. The replacement planting includes 10 trees which are capable of growing to a height of 8m, which will ensure that the leafy character of the site is retained. It is noted that the Concept Proposal only requires the removal of 11 of the existing 57 trees on the campus. Given the scale of the Masterplan development, the extent of tree removal proposed is considered quite limited. The proposed replacement planting will adequately compensate for the proposed tree removal.

3.0 Proposed Amended Development

Since public exhibition of the proposal, generally minor amendments have been made to the proposed development in response to the issues and comments raised by the Department, Council and other agencies.

The proposed changes are illustrated on the revised Architectural Drawings prepared by FJMT (**Appendix B**) and the Landscape Drawings prepared by Site Image (**Appendix G**).

The following section presents a brief updated description (where relevant) of the modified development for which approval is sought. The changes overall are considered to be minor and aim to deliver an improved outcome. Accordingly, and as detailed in Section 4, the changes are not considered to give rise to any material alteration to the environmental assessment of the potential impacts considered as part of the original development application.

3.1 Overview of Proposal (as amended)

The description of the proposed development remains the same, with the exception of the description of the Concept Proposal for the Eastern Precinct. For clarity, words to be deleted are show in ~~**bold strikethrough**~~ and words to be added are show in ***bold italics***.

3.1.1 Concept Proposal

Eastern Precinct

- Partial demolition of external stairs, landings, walkways and planters in between the existing Science building, Elamang, Performing Arts and Mary Ward buildings;
- Demolition of the existing Performing Arts and Mary Ward buildings;
- Construction of a new six storey learning facility (~~height generally to be~~ ***height generally to be*** consistent with the existing building) including an integrated connector pod; and
- Removal of 1 tree.

Southern Precinct

- Demolition of existing buildings, site excavation and construction of a new six storey learning facility (two storeys above existing ground - Carabella Street).

3.1.2 Stage 1 Proposal – New Learning Hub in the Western Precinct and Campus Connectors in the Northern, Southern and Eastern Precincts

The following works are proposed within Stage 1:

Western Precinct

- Demolition of the existing B-Block, the northern facade of the Gymnasium and partial demolition of external stairs, landings, walkways and planters between the Gymnasium, Centenary Hall and the Junior School;
- Site excavation to the existing Gymnasium level;

- Construction of a seven storey Learning Hub (two storeys above ground - Carabella Street) including external roof terrace, and a vertical connector providing accessible access between the Marian Centre, Junior School, Gymnasium and the Centenary Hall;
- Construction of a two storey extension to the north of the existing Gymnasium;
- New landscaping and external play areas over the existing tennis court;
- Construction of external covered landscape walkways for improved accessible connectivity, and an extension to the Junior School play terrace;
- Removal of 10 trees; and
- Category 1 remediation works.

Northern Precinct

- Partial demolition of external stairs, landings, walkways and planters in between the Science building and Centenary Hall;
- Construction of a new five-storey (including basement) vertical connector pod consisting of a lift, stair and lockers;
- Construction of new external walkways providing an accessible path of travel between the driveway, the Science building, Centenary Hall, basement carpark and Elamang Avenue; and
- Category 1 remediation works.

Eastern Precinct

- Partial demolition of external stairs, landings, walkways and planters in between the Science and Performing Arts buildings;
- Construction of an interim connector pod in the Eastern Precinct consisting of accessible ramps, providing an accessible path of travel between the Science and Performing Arts buildings; and
- Category 1 remediation works.

Southern Precinct

- Partial demolition of the eastern Chapel wing;
- Demolition of external stairs and landings within the courtyard;
- Construction of a four storey vertical connector pod involving the restoration of the east Chapel wing to its original profile on Carabella Street. The connector pod will consist of a lift, learning studios and an external learning terrace;
- Internal refurbishment to the ground floor level of the Chapel building;
- Construction of an accessible path of travel between the driveway, Chapel, St Joseph's Block and the courtyard; and
- Category 1 remediation works.

It is noted that the Campus Core remains largely unchanged, with the exception of the interface with the new circulation paths from the adjacent precincts and some minor landscaping works. The driveway will maintain its existing function as a formal (or ceremonial) visitor drop off and a temporary parking area for the campus mini bus.

3.2 Eastern Precinct Envelope

In response to the issues raised, the development envelope in the Eastern Precinct has been reduced to be consistent with existing height of the Mary Ward at RL 29.940. Revised Architectural Drawings for which approval is now sought are provided at **Appendix B**.

The description of the proposed development has been amended to reflect the proposed change.

3.3 Landscaping

As outlined previously, several changes are proposed to the landscape design in response to the issues raised by Council.

Changes include additional tree planting to the site's Elamang Avenue frontage, as well as additional tree planting to the courtyard between the Chapel and J-Block. Revised Landscape Drawings for which approval is now sought are provided at **Appendix G**.

4.0 Additional Information and Assessment

The exhibited EIS assessed the potential impacts of the overall development against a range of matters relevant to the development. Except where addressed in this report, the conclusions of the original assessment remain unchanged. The following matters were assessed in the exhibited EIS:

- Consistency with Relevant EPIs, Policies and Guidelines
- Urban Design and Built Form
- Parking, Traffic and Servicing
- Heritage
- Solar Access and Overshadowing
- View Impacts
- Operational Noise Impacts
- Tree Removal and Ecological Impacts
- Stormwater Management
- Construction Impacts – Stage 1 Works
- Construction Impacts – Concept Proposal
- BCA, Access and Fire Safety
- Structural Adequacy
- Soils, Geotechnical and Groundwater
- Ecologically Sustainable Development
- Crime Prevention Through Environmental Design
- Development Contributions
- Site Suitability
- Public Interest

In response to the issues raised, the following consultants' reports and supporting information has been updated in support of the EIS:

- Supplementary Architectural Plans prepared by FJMT;
- Supplementary Landscape Plans prepared by Site Image;
- Updated Preliminary Construction Management Plan prepared by APG;
- Supplementary Heritage Statement prepared by GML Heritage; and
- Workplace Travel Plan prepared by McLaren Traffic Engineering.

The matters requiring further assessment are addressed below.

4.1 View and Amenity Impacts

The assessment of visual and amenity impacts on 111 Carabella Street remains consistent with the original EIS. As detailed above, the visual impacts on 111 Carabella Street are considered acceptable when assessed against the principles established by Senior Commissioner Roseth in the judgement of *Tenacity Consulting v Warringah [2004] NSWLEC 140*. This is on the basis that a LEP-compliant built form would result in the loss of harbour views from 9/111 Carabella Street, the existing views from 9/111 Carabella Street are experienced across a side boundary, and the non-compliances do not result in any loss of solar access when compared to a complying built form. Further, in response to comments provided during the community consultation session, the design has been amended to improve the interface between the two buildings and reduce visual and view impacts.

To address the concerns raised regarding the envelope in the Eastern Precinct, the envelope has been reduced in height to align with the existing Mary Ward at RL 29.940. This will ensure that there is no additional view loss from dwellings to the south and east of the site.

4.2 Landscaping

The revised landscape design seeks to incorporate Council's suggested changes, whilst being consistent with heritage advice received from the project's heritage consultant, GML Heritage. The revised design incorporates additional tree planting in the courtyard between the Chapel and J – Block, as well as additional tree planting to the site's Elamang Avenue frontage.

No additional tree removal is proposed as part of the revised landscape design. As detailed above, significant replacement planting is proposed to off-set the removal of trees.

4.3 Traffic and Operational Construction Traffic Management

A Workplace Travel Plan (WTP) has been prepared by McLaren Traffic to encourage more staff to use non-car travel modes as an alternative to private cars (refer to **Appendix D**). The WTP includes a number of provisions which could potentially be implemented to improve non-car travel modes. The WTP also includes details of the process for monitoring and reviewing the effectiveness of the WTP.

Based on the findings of the Traffic and Parking Impact Assessment submitted with the EIS and the implementation of a WTP to encourage non-car modes of travel, the proposed development will not result in any adverse traffic or parking impacts.

With respect to construction traffic management, the construction vehicle staging has been reviewed in order to avoid conflicts with school pick-up and drop-off times, and in order to minimise impacts on the surrounding road network. This is reflected in the revised Preliminary Construction Management Plan at **Appendix F**.

Any traffic control measures required to accommodate construction vehicle movements will be managed as part of the preparation of a detailed Construction Management Plan prior to the issue of a Construction Certificate, in consultation with Council's Traffic Committee.

4.4 Heritage

In response to the issues raised by Council, a supplementary Heritage Statement has been prepared by GML Heritage to support the demolition of the Mary Ward Building. GML Heritage has reassessed the building and has determined that it is of little significance to the overall heritage significance of the school. As such, it is considered that demolition of the Mary Ward Building will have little impact on the heritage significance of the school.

5.0 Final Mitigation Measures

The collective measures required to mitigate the impacts associated with the proposed works are detailed in **Table 1** below. These measures replace those outlined in the original EIS.

Table 1 – Mitigation Measures

Mitigation Measures
Traffic and Access During Construction Construction traffic will be managed in accordance with the Construction Traffic Management Plan prepared by McLaren Traffic Engineering dated July 2017.
Construction Impacts A detailed Construction Management Plan (CMP) will be prepared by the appointed contractor prior to the commencement of works. The CMP will establish site management principles generally in accordance with the preliminary Construction Management Plan prepared by APG dated December 2017.
Contamination The recommendations of the Preliminary Stage 2 Environmental Assessment and Remediation Action Plan Environmental Investigation Services and dated September 2017 will be implemented prior to, and during construction.
Geotechnical Conditions The recommendations of the Geotechnical Assessment undertaken by JK Geotechnics and dated July 2017 will be implemented prior to, and during construction.
Environmentally Sustainable Development The development will target an equivalent 5 star Green Star Education V1 rating, in accordance with the Sustainability Master Plan prepared by Norman Disney and Young dated July 2017, however the sustainability framework to be used for the project is yet to be confirmed.
Noise and Vibration Measures to mitigate operation and construction noise and vibration will be implemented in accordance with the recommendations of Construction Noise and Vibration Assessment prepared by Renzo Tonin and Associates and dated July 2017.
Tree Removal Trees to be retained will be protected in accordance with the recommendations of the Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees and dated November 2016.
Aboriginal and European Heritage Works will be undertaken in accordance with the recommendations outlined in the Heritage Impact Assessment Statement and Aboriginal Heritage Due Diligence Report prepared by GML Heritage dated July 2017, as well as the Supplementary Heritage Impact Statement prepared by GML Heritage and dated December 2017.

6.0 Conclusion

The applicant, Loreto Kirribilli and its expert consultant team have considered all submissions made in relation to the public exhibition of the proposal. A considered and detailed response to all submissions made has been provided within this report and the accompanying documentation.

In responding and addressing the range of matters raised by the government agencies and authorities, Loreto Kirribilli has sought to refine the project design.

As outlined within this report, the analysis of the amendments to the proposed development confirms that all key elements of the proposed development, as originally proposed and exhibited, have remained unchanged. To the benefit of the overall project, the environmental impacts of the amended development remain consistent with, or represent an improvement on, the original application. The proposal continues to have significant planning merits as it:

- Will provide disabled access to all parts of the school site for the first time;
- Will create additional jobs during construction and operation, and represents an investment in the local economy;
- Has been designed to limit visual impacts when viewed from Carabella Street, and will improve the presentation of the Chapel to Carabella Street;
- Will modernise outdated educational facilities for future generations;
- Is of a high architectural standard, and the built form is compatible with the site's surrounding buildings; and
- Retains and respects the site's heritage significance whilst developing new facilities which are in-keeping with the heritage built form.

Given the planning merits described above, and the public benefits associated with the proposed development, it is recommended that this application be approved.