

Aditi Coomar
Department of Planning & Environment
320 Pitt Street
Sydney NSW 2000

Your Ref: SSD 7919

Council Ref: DA371/17
(KRR) (CIS)

23 November 2017

Dear Madam,

RE: Redevelopment of Loreto School (Masterplan, Stage 1 and concept Stage 2 and 3)

North Sydney Council appreciates the opportunity to provide further comment on the concept proposal and Stage 1 development for the Loreto School campus.

North Sydney Council has reviewed the application package provided by the Applicant and wish to make the following comments:

1. Development Timeframe

Council questions the applicability of staging the proposal over a potential timespan of 50 years. 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.

With increased height and densities reflected in future Plans and Policies, it is likely the works outlined in this proposal including the concept building envelopes would be abandoned in favour of a new proposal. Council recommends that applicant revise the development schedule to meet the shorter term needs of the school and revisit the concept building envelope components of the development (Stages 2 and 3) of the development when better projection of the specific requirements of the school can be made versus controls applicable controls at the time.

2. Traffic / Pick up and Drop off

The Kirribilli suburb is identified as having one of the highest densities in Sydney. Traffic associated with the existing school and morning drop off and evening collection of students

contributes to the significant shortfall in existing parking and traffic problems in the immediate locality.

The subject proposal will enable the school to take on more enrolments and increase the school's student and staff population. There does not however appear to be consideration given to increasing parking on site or provision of an internalized pick up / drop off point both of which will assist in alleviating traffic and parking issues in the suburb.

Over the proposed 50-year time span, it is anticipated that future population, traffic and parking projections for the Kirribilli area will only further exacerbate the existing problems the local roadway is experiencing. Please also refer to the specific traffic referral comments obtained from Council's Traffic Engineers detailed below.

3. Planning

North Sydney Local Environmental Plan 2013

Building Height

Clause 4.3(3) of NSLEP 2013 states that the maximum permitted building height on the site is 12 meters over the portion of the site which is zoned R4 High Density Residential. The works of most significance in the Stage 1 Western Precinct include the 7 story learning hub and an overall height of 14.5 metres exceeding the height limits for this zoning (12 metres).

Additionally, works to future stages of the overall proposal will lie over the portion of the site subject to the lesser 8.5 metre height control and exhibit breaches to this control of up to 14.7 metres. Residential premises adjoining the site are typically 2-3 storey residential dwellings (R2 Low Density zone to the eastern end of the site) or low rise residential flat buildings (at the Western end of the site) according to zone.

North Sydney Council is of the view that 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 sites are zoned R2 Low Density Residential with a maximum permissible building heights of 8.5 m (**refer to Figures 1 and 2 below**).

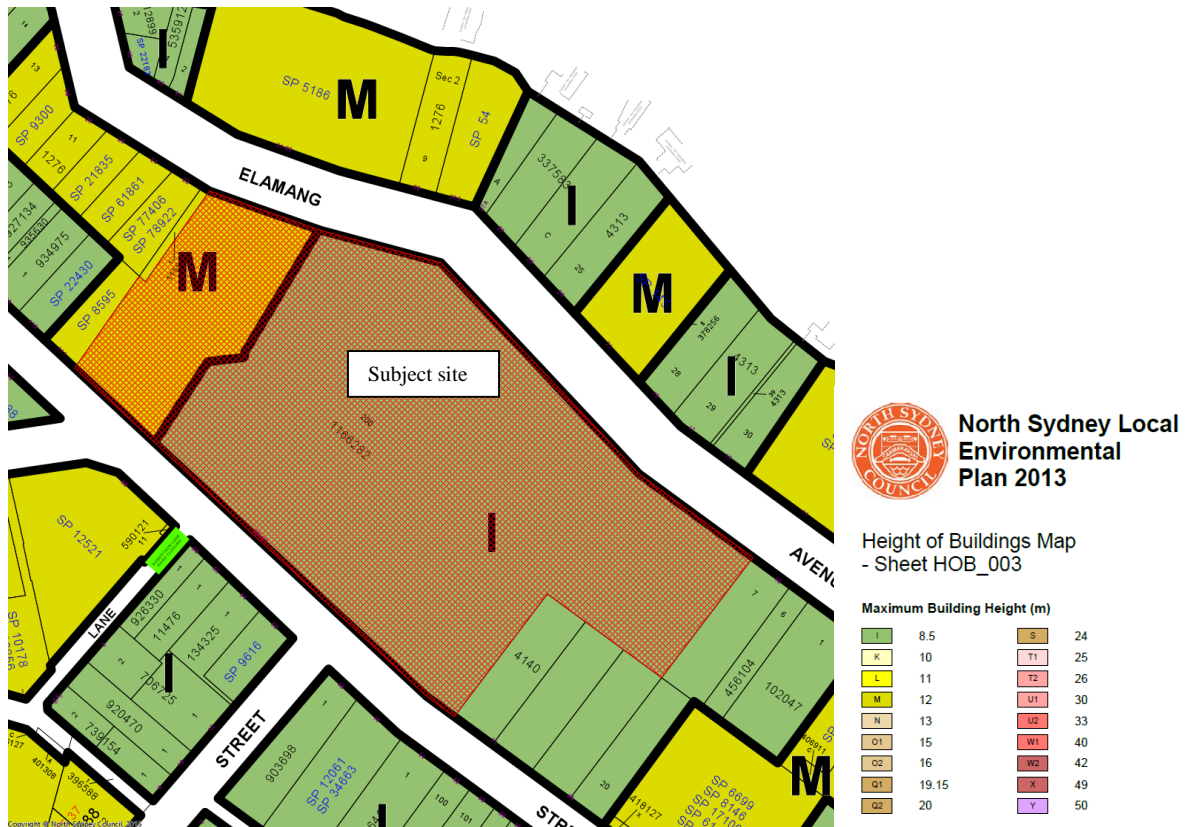


Figure 1 – Extract from Height of Building Map in NSLEP 2013

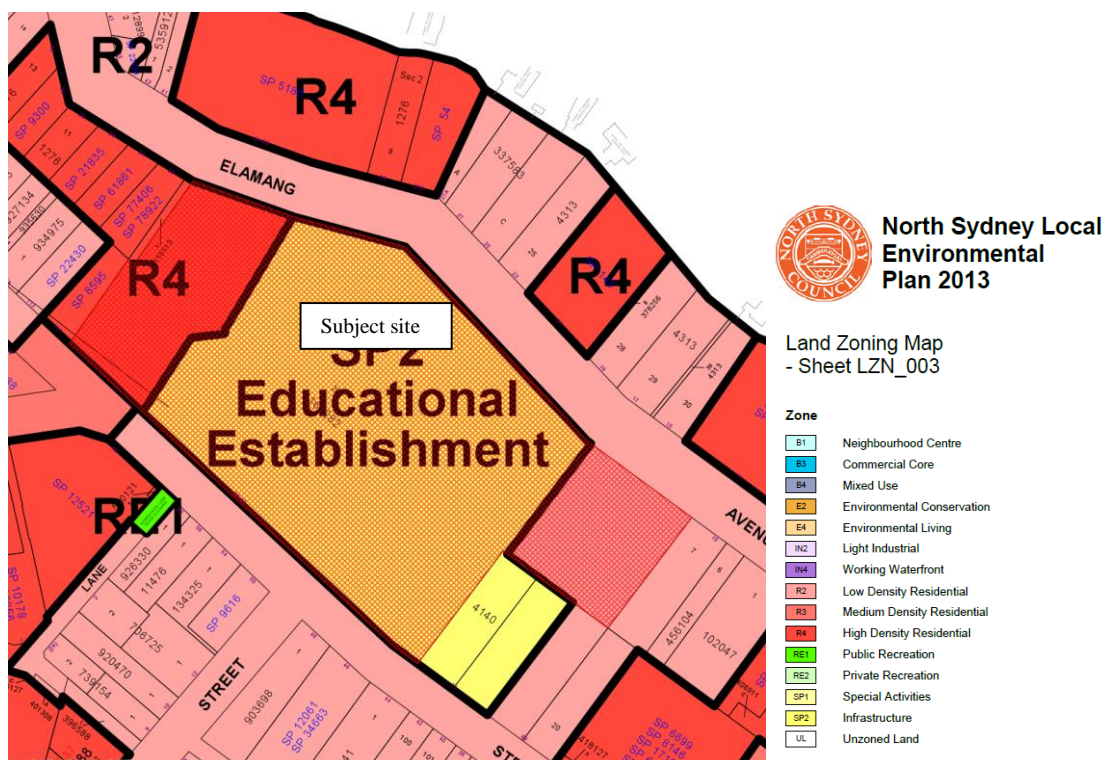


Figure 2 – Extract from Land Zoning Map in NSLEP 2013

The non-compliance with the building height control for this building is contrary to the Aim of Plan 1.2(2)(b)(i) and building height objectives 4.3(1)(c), (e) and (f) of NSLEP 2013 which seek to:

1.2 Aims of Plan

- (b) *in relation to the character of North Sydney's neighbourhoods:*
- (i) *to ensure that new development is compatible with the desired future character of an area in terms of bulk, scale and appearance, and*

4.3 Height of buildings

- (1) *The objectives of this clause are as follows:*
- (c) *to maintain solar access to existing dwellings, public reserves and streets, and to promote solar access for future development,*
- (e) *to ensure compatibility between development, particularly at zone boundaries,*
- (f) *to encourage an appropriate scale and density of development that is in accordance with, and promotes the character of, an area.*

The height and depth of the building is such that the new Learning hub building will significantly impact upon the eastern outlook currently afforded from 111 Carabella Street residential dwellings.

The new works to the new Learning hub in Stage 1 of the proposal propose a new rooftop recreation area can introduce amenity impacts such as overlooking and privacy impacts. The height, depth and proximity of the new Learning hub to the Marian Centre will also significantly reduce solar amenity to the Marian Centre and adjoining residential properties to the west.

Inadequacy of the submitted Clause 4.6 Request for Variation to the Development Standard

The Statement of Environmental Effects which accompanies the application contains a Clause 4.6 Request for variation to building height however it is noted that it only makes minor reference to the height of the proposed building envelopes contained in Stages 2 and 3 of the concept proposal.

Without adequate details and plans of the proposed built form for these significant buildings proposed for Stage 2 and 3, proper assessment of the acceptability of the Clause 4.6 and associated impacts cannot be made. Approval of the development in its entirety, including endorsement of future building envelopes for Stage 2 and 3 will lock in future breaches to the building height standard without proper consideration being made of the associated impacts.

In conjunction with the concerns raised regarding the intended development timeframe, the proposal should be amended to either remove the concept building envelopes until such time

that the designs are sufficiently advanced and can undergo proper assessment.

Alternatively, the information associated with the development can be expanded to include all relevant information to enable proper assessment of the building height breaches and associated impacts (solar access, privacy and view loss).

Should the applicant wish to alter the building height controls without the benefit of lodging all the required information associated with a full development application, the applicant could also consider a Planning Proposal to alter the current NSLEP 2013 clause 4.3 Building Height provisions.

Excavation

Clause 6.10 Earthworks of NSLEP 2013 requires that earthworks associated with any development should not have a detrimental impact on environmental functions and processes, neighboring uses.

A significant amount of demolition and excavation is proposed and occurring around the western end of the site to facility the construction of the new Stage 1 Learning Hub with potential excavation to 3 three storeys below existing ground level in close proximity to the adjoining western boundary.

The applicant is to ensure structure stability of the ground against bulk movements during excavation and construction.

The applicant is to ensure adequate measures are incorporated into the proposal to ensure ground water flows and surface drainage are not directed to adjoining properties.

North Sydney Development Control Plan 2013

The principle Section of the NSDCP 2013 applicable to the development is Section 3 Non Residential Development in Residential Zones. The following matters raised relate to the following heading of the DCP.

Views

Concern is raised that there will be loss of views to high amenity water views currently afforded from the eastern outlook from 111 Carabella Street, Kirribilli. A reduction to the height and depth to the building can ameliorate the potential impact.

Solar Access

The proximity to the boundary of the new Learning Hub building inclusive of the overall height of the building. The depth of the building is such that shadowing to 111 Carabella Street will be expanded and extended to being to cover the north eastern elevation of the building and further reduce available solar access.

Building setbacks

The proposed extended Learning Hub (Stage 1) has between a minimal side setback to the western boundary of the site which is considered insufficient for a building of this scale and does not provide for adequate building separation with the existing townhouse development at No's 22 Elamang Avenue and 111 Carabella Street.

A greater building setback to this western boundary should be provided with additional deep soil landscaping and minimize the visual (bulk and scale) and privacy impact of the new learning hub building to this adjoining property.

Privacy (Visual and Acoustic)

Privacy concerns are raised regarding the lower levels of the new Learning Hub at the western end of the site and the view and noise corridor created as a result of the orientation of and depth below ground level of the lower levels of the hub towards the existing residential flat building at 22 Elamang Avenue, Kirribilli.

Additionally, the new Learning Hub building proposes a new rooftop activity area. Any use of this area should be restricted to ensure there are no adverse noise or visual privacy impacts occurring from this new roof area.

Site Coverage and Landscaped Area

North Sydney Council's Development Control Plan 2013 (NSDCP 2013) specifies maximum site coverage (45%) and minimum landscaped area (40%) controls. The proposal remains significantly non-compliant with the maximum site coverage control in NSDCP 2013. The amended proposal should incorporate greater deep soil landscaping across the site to improve the landscape buffer with adjoining properties and the public domain and to maximize the absorption of the surface drainage water across the site.

4. Heritage and Landscaping (Including Tree Removal)

The Loreto Kirribilli school is listed as an item of local heritage significance in the North Sydney LEP 2013 under the name 'Elamang' (Item I0204) being includes the whole site. Of particular note are 'Elamang', a two-storey Colonial Georgian style mansion c 1851–52, Bell tower, Chapel and Presbytery. No. 71 Carabella St also has association [sic] with the school as the convent. Elamang is an important early house in Kirribilli associated with prominent local family. Built as one of the North Shore mansions on an elevated site commanding extensive harbour view. It is an intact, though modified, Georgian house on substantial grounds. It has been used throughout the twentieth century by a prominent private girls school. It remains a landmark in the area.

Council's Conservation Planner is in the process of reviewing the plans. Comments related to Heritage Issues will be forwarded to the department at Council's earliest convenience.

5. Traffic, Parking and Transport

Council's Traffic and Transport Operation's Manager has reviewed the amended plans and documentation and provided the following comments:

Traffic Generation

The proposed alterations include increasing student number by 100 to 1200 and staff numbers by 2. While SIDRA Intersection Modelling indicates a satisfactory level of service with low average delays and queue lengths, the modelling software has limited capability to reflect traffic conditions in a high turnover and pedestrian dominant environment such as around schools. Inspections by Council staff found that the existing traffic during school pick-up and drop-off times is already at saturation. As the school does not have an onsite pick-up and drop-off facility, vehicles queue significantly along Carabella Street during the afternoon pick-up causing congestion and traffic safety issues. The report states that the additional 100 students would generate additional 73 trips in the morning period and 43 trips in the afternoon period. The additional traffic generation will exacerbate the already problematic traffic situation.

The school pick-up and drop-off operation should be reviewed as part of the proposed development and plans should include a reconfiguration of the drop-off and pick-up facility to ensure that all queuing occurs on site.

Car Parking – Supply

The school currently has 180 staff and proposes to increase additional 2 staff. The report indicates that approximately 90% of staff travel to and from the site by car. This is a high proportion of staff particularly for a site with excellent access to public transport. The development proposes to retain the existing 80 underground parking spaces within the school and 20 off-street parking in the nearby Sailing Club (via agreement) for a total of 100. The existing parking provisions significantly exceed the maximum requirements set out in the North Sydney of 31 spaces. This is 323 % of what is permitted under the DCP.

Council has developed this section of the DCP in accordance with its policies on traffic minimization. Further, Council's adopted Community Strategic Plan aims to minimize the impact of the private motor vehicle. By restricting the supply of parking, employees are encouraged to consider other forms of transportation which in turn reduces congestion which benefits all road users, particularly pedestrians, cyclists and public transport users.

Permitting any development to increase their parking spaces by 3 times the DCP would entirely undermine the intent and purpose of Council's DCP. North Sydney Council has recognized that increased traffic flow, congestion and parking demand can lead to a loss in residential amenity. Further, congestion leads to reduced levels of service for public transport, through longer

journey times and loss of fleet efficiency. For pedestrians and cyclists increased traffic means more difficulty in walking and increased noise levels on roads. This can result in roads that are intimidating environments for pedestrians and cyclists.

It is strongly recommended that the car parking provision be reduced to comply with the limits set out in North Sydney DCP and offset the space for an on-site pick-up and drop-off bay as mentioned above.

Traffic Recommendations

- 1. That the existing parking provisions be reduced to comply with current North Sydney DCP requirements with provision of a Green Travel Plan to place more emphasis on alternatives to driving.*
- 2. That the School be required to review the operation of the existing drop-off and pick-up facility and include a reconfiguration of the drop-off and pick-up facility to ensure that all queuing occurs within the School site and not onto the public road, as part of the proposed development.*
- 3. That a Demolition and Construction Traffic Management Program be prepared and submitted to Council for approval by the North Sydney Traffic Committee prior to the issue of a Construction Certificate. Any use of Council property shall require appropriate separate permits/ approvals.*

6. Additional Submissions

Please be advised that submissions were received at Council regarding the proposal. To ensure they form part of the considerations of the Department, they are attached to this letter for your reference.

7. Draft conditions of consent

North Sydney Council can provide the Department with revised draft conditions of consent if required. However, it is considered that further information and modification to the application is required before consent can be granted.

I trust that North Sydney Council's additional comments will be taken into consideration prior to the determination of this application. Should you have any questions regarding Council's submission, please contact Kim Rothe, Acting Executive Planner, on 9936 8100.

Yours faithfully,

Stephen Beattie
MANAGER, DEVELOPMENT SERVICES