



SCEGGS Darlinghurst

*State Significant
Development
Assessment
(SSD 8993)*



March 2020

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Cover photo: Perspective view looking south-west to the corner of Forbes and St Peters Streets and the building replacing Wilkinson House (Source: Applicant's Response to Submissions)

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Glossary

Abbreviation	Definition
AA	Archaeological Assessment
ADS	Architectural Design Statement
AEP	Annual Exceedance Probability
AHD	Australian Height Datum
AIA	Arboricultural Impact Assessment
Applicant	Urbis Pty Ltd, on behalf of SCEGGS Darlinghurst Ltd
BC Act	<i>Biodiversity Conservation Act 2006</i>
BCA	Building Code of Australia
BDAR	Biodiversity Development Assessment Report
CBD	Central Business District
CCDCP	Childcare Centres Development Control Plan 2005
CDP	Competitive Design Excellence Process
CIV	Capital Investment Value
Commission	Independent Planning Commission
Consent	Development Consent
Contributions Plan	Sydney Development Contributions Plan 2015
Council	City of Sydney Council
CNVMP	Construction Noise, Vibration Management Plan
CONR	Construction and Operational Noise Report
CPG	Child Care Planning Guide 2017
CPTMP	Construction Pedestrian Traffic Management Plan
DA	Development application
DCP	Development Control Plan
Department	Department of Planning, Industry and Environment
DGDP	Design Guidelines and Development Parameters
Draft Environmental SEPP	Draft State Environmental Planning Policy (Environment)
Draft Remediation SEPP	Draft State Environmental Planning Policy (Remediation of Land)
DoE	NSW Department of Education
DSCI	Detailed Site Contamination Investigation
Education SEPP	State Environmental Planning Policy (Education Establishments and Child Care Facilities 2017)
EESG	Environment, Energy and Science Group of the Department of Planning, Industry and Environment (former Office of Environment and Heritage)
EIS	Environmental Impact Statement
EPA	Environment Protection Authority

EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
ESNA	East Sydney Neighbourhood Association Inc.
FtCH	Floor to ceiling height
FTE	Full time equivalent
GFA	Gross floor area
GTP	Green Travel Plan
Heritage NSW	Heritage Division of the Department of Premier and Cabinet (former Heritage Division of the Office of Environment and Heritage)
HIS	Heritage Impact Statement
ICNG	Interim Construction Noise Guideline
ISEP	State Environmental Planning Policy (Infrastructure) 2007
LEP	Local Environmental Plan
LGA	Local Government Area
LoS	Level of Service
Minister	Minister for Planning and Public Spaces
NCC	National Construction Code
NML	Noise Management Level
Noise Report	Construction and Operational Noise Report
NPI	National Policy for Industry 2017
PAH	Polycyclic aromatic hydrocarbons
Planning Secretary	Planning Secretary of the Department of Planning, Industry and Environment
POEO Act	<i>Protection of the Environment Operations Act 1997</i>
PSIR	Preliminary Site Investigation Report
PV	Photovoltaic panels
QS	Quantity surveyor
RATL	Residents Adjacent to Thomson Lane
RBL	Rating Background Level
RRFI	Response to Request for Further Information
RMS	Transport for NSW (Roads and Maritime Services) (formerly Roads and Maritime Services)
RtS	Response to Submissions
SAC	Site Assessment Criteria
SCEGGS	Sydney Church of England Girls Grammar School, Darlinghurst
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SEPP 55	State Environmental Planning Policy No.55 – Remediation of Land
SHR	State Heritage Register
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SDCP	Sydney Development Control Plan 2012

SLEP	Sydney Local Environmental Plan 2012
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
TfNSW	Transport for NSW
TIA	Traffic Impact Assessment
TPMP	Traffic and Pedestrian Management Plan
VIS	Visual Impact Study
vph	Vehicles per hour



Executive Summary

This report provides an assessment of a State significant development (SSD) application for a staged redevelopment of the Sydney Church of England Girls Grammar School (SCEGGS) campus at 215 Forbes Street, Darlinghurst (SSD 8993). The application has been lodged by Urbis Pty Ltd on behalf of SCEGGS Darlinghurst Ltd (the Applicant) and the proposal is located within the City of Sydney local government area.

Introduction

SCEGGS is a private girls school located within Darlinghurst. The campus covers an area of approximately 13,676 square metres (m²) comprised of a number of lots spread over two parcels of land. The SCEGGS site is bounded by St Peters Lane to the north, Bourke Street to the west, Forbes Street to the east and residential properties to the south.

The application seeks approval for a Concept Proposal and detailed Stage 1 works including:

- Concept Proposal: redevelopment of the existing school including three building envelopes (new Multi-Purpose building, new Wilkinson House and new administration Building), conservation works, new childcare centre, vehicular and pedestrian entrances and circulation, car parking, landscaping and associated works.
- Stage 1 works: demolition of Wilkinson House and detailed design and construction of a replacement building.

The Concept Proposal has a capital investment value (CIV) of \$49,565,022 and is predicted to generate between 480-690 construction jobs. The Stage 1 works would have a CIV of \$9,734,100 and is predicted to generate 170-240 construction jobs. The proposal is SSD under clause 15(2) of the State Environmental Planning Policy (State and Regional Development) 2011, as it is development for the purpose of an educational establishment comprising alterations or additions to an existing school, with a CIV of more than \$20 million.

Community engagement

The SSD application and Environmental Impact Statement (EIS) were publicly exhibited between 7 March 2019 and 3 April 2019 (28 days). The Department of Planning, Industry and Environment (the Department) received a total of 117 submissions, including 102 from the public, eight from special interest groups, one from Council and six from public authorities. Of these 117 submissions, 99 public submissions, the eight special interest group submissions and the Council submission raised objections to the proposal. Representatives of the Department attended a meeting with concerned residents on 28 March 2019 and members of the Horizon Building Committee on 1 April 2019. The Department representatives visited the site to facilitate an informed assessment of the development.

The key issues raised in the submissions included heritage and built form impacts, accuracy of CIV calculation and the impact of the proposal on neighbouring properties and the surrounding area through increased student numbers, increased traffic congestion and car parking, view and privacy loss, overshadowing, construction noise/nuisance.

On 8 November 2019, the Applicant submitted its Response to Submissions (RtS), which was updated by supplementary information on 24 January 2020. The RtS and supplementary information provided responses to the key issues raised in the submissions and by the Department. The RtS also included modifications to the heights and setbacks of the proposed building envelopes, changes to the design of the building replacing Wilkinson House, reduction of childcare centre capacity and updated specialist reports.

Five public submissions, five submissions from public authorities and one submission from Council were received in response to the Applicant's RtS.

The application is being referred to the Independent Planning Commission as more than 50 objections have been received in relation to the application and an objection was received from the City of Sydney Council.

Assessment summary and conclusion

The Department identified demolition, built form and heritage, parking and traffic, residential amenity, and noise and vibration as the key issues for assessment.

The Department has considered the merits of the proposal in accordance with the relevant matters under Section 4.15(1) and the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the principles of ecological sustainable development (ESD), and issues raised in all submissions as well as the Applicant's response to these.

The Department's assessment of the proposal concludes that:

- the options analysis submitted in support of the application has demonstrated that the demolition of Wilkinson House is warranted to provide an educational facility with learning spaces for the continued delivery of contemporary education, and to ensure the current and future education demands of the local community are met. The heritage impact of the demolition of Wilkinson House and the Old Gym Building is acceptable given the circumstances of this case and the overall benefits to the community.
- the proposal would have acceptable impacts with regards to operational noise, views, overshadowing and privacy.
- the development would have acceptable parking and traffic impacts associated with the provision of a 45 place childcare centre and recognising that the proposal does not involve an increase in school population numbers.
- appropriate mitigation measures have been proposed to minimise construction impacts on surrounding residential properties.

- conditions have been recommended to ensure that matters are considered in future development application(s) for the redevelopment works.
- the proposal is consistent with the EP&A Act including ESD, the Greater Sydney Regional Plan and the Greater Sydney Commission's Eastern City District Plan.
- the site is suitable for the proposed development and would provide significantly improved school facilities and contemporary teaching and learning facilities onsite that would improve educational outcomes.

The Department is satisfied that the key issues have been appropriately addressed by the Applicant or have been taken into account through recommended conditions of consent. The Department therefore concludes that the proposal is in the public interest and is approvable subject to conditions.



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1. Introduction

This report provides an assessment of a State significant development (SSD) application (SSD 8993) for the staged redevelopment of the Sydney Church of England Girls Grammar School (SCEGGS) campus (the Proposal) at 215 Forbes Street, Darlinghurst.

The application seeks staged approval for a Concept Proposal and Stage 1 works, comprising:

- redevelopment of parts of the school, including three building envelopes, conservation works, uses, vehicular and pedestrian entrances and circulation, car parking, landscaping and associated works (the Concept Proposal).
- demolition of Wilkinson House, excavation of basement and construction of a four storey building for educational use (the Stage 1 works).

The application has been lodged by Urbis Pty Ltd on behalf of SCEGGS Darlinghurst Ltd (the Applicant) under section 4.22 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the site is located within the Sydney local government area (LGA).

1.1 SCEGGS Darlinghurst

SCEGGS is a private girls school located within Darlinghurst, approximately 1 kilometre (km) east of the Sydney Central Business District (CBD). The campus covers an area of approximately 13,676 square metres (m²) comprised of a number of lots spread over two parcels of land (the SCEGGS Main Campus and the St Peters Precinct) (**Figure 1**).



Figure 1 | Location of SCEGGS (Base source: Nearnmap 2019)

The SCEGGS site is bounded by St Peters Lane to the north, Bourke Street to the west, Forbes Street to the east and residential properties to the south

SCEGGS was established in 1895 and, after outgrowing its original premises in 1900, it purchased a stately home in Darlinghurst (known as ‘Barham’, designed by renowned colonial architect John Verge) on a sizeable block of land, on which the school could continue to grow and expand.

Since its founding at the site, the school has expanded to include a school gymnasium (now used as classrooms), primary school, classroom blocks, Assembly Hall, science and library block, auditorium, Centenary Sports Hall, Gwydir Flats / Wilkinson House (originally used for a boarding house – now used as classrooms) and the St Peter’s Church and Playhouse (**Figure 2**).

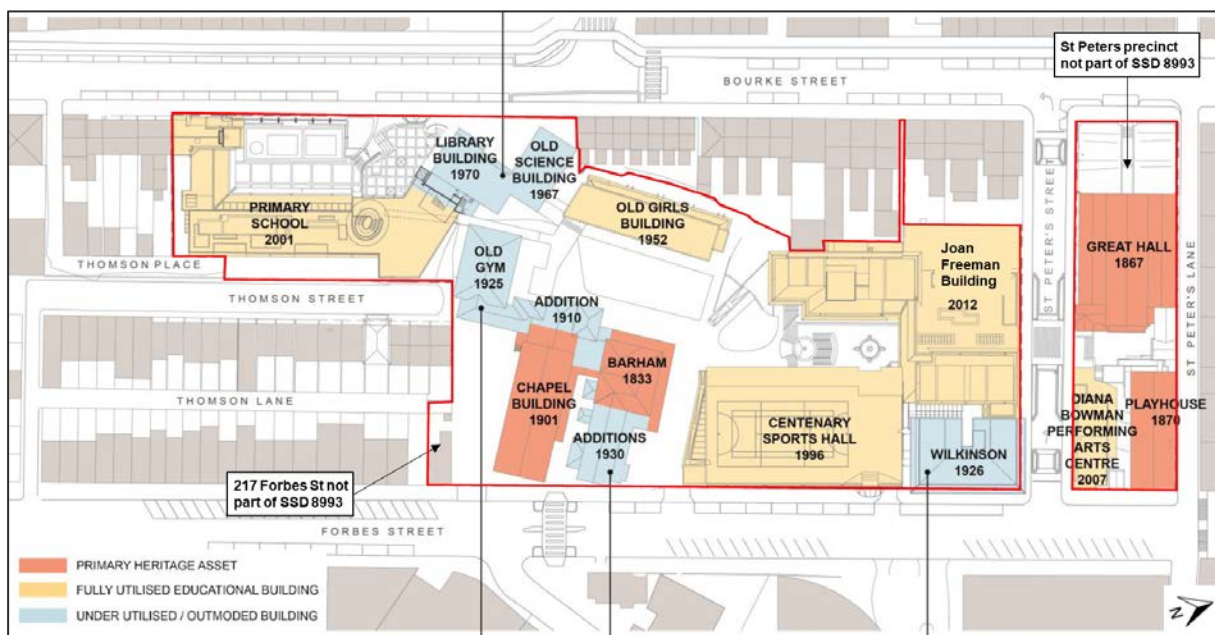


Figure 2 | The name, location, year of construction, heritage and fit-for-purpose status of existing school buildings
(Base source: Applicant’s EIS, February 2019)

In the 1990s the former South Sydney Council endorsed the SCEGGS 2020 Masterplan for the progressive redevelopment of the site and by the completion of the Joan Freeman Building in 2012, the 2020 Masterplan was largely realised. In 2012 SCEGGS commenced development of a new masterplan, referred to as the 2040 Masterplan, to provide a new long-term vision for the site in order to meet the evolving and future needs of the school.

The 2040 Masterplan forms the basis of the Concept Proposal (including the Stage 1 works), which is the subject of this application. The Concept Proposal does not encapsulate the entire SCEGGS campus as it excludes the site to the north known as the St Peters Precinct (containing the Great Hall, Performing Arts Centre and Playhouse) and a terrace house at 217 Forbes Street at the south-east corner of the site (**Figure 3**). The Applicant refers to the Concept Proposal site as the ‘Main Campus site’, however, for ease of reference it shall hereafter be referred to as ‘the site’.

1.2 Site description

1.2.1 The site

The site is irregular in shape and has an area of 11,519m² (excluding St Peters Precinct and 217 Forbes Street) and is bounded by St Peters Street to the north, Forbes and Bourke Streets to the east and west, and terrace houses fronting Forbes, Thompson and Bourke Streets to the south (**Figure 3**).



Figure 3 | Aerial view of the SCEGGS campus site and confirmation of the two parts of the SCEGGS campus site that do not form part of this application (Base source: Nearmap 2019)

1.2.2 Existing development

The existing buildings on the site have a gross floor area (GFA) of 13,949m² and include the primary / junior school and Old Science and Library, Old Gym, Chapel, Barham, Old Girls Buildings, Centenary Sports Hall, Joan Freeman Building and Wilkinson House.

Not all existing school buildings within the main campus are the subject of this application. Details of buildings relevant to the Concept Proposal and Stage 1 works are shown at **Figure 4** and summarised at **Table 1**.



Figure 4 | Photographs of existing buildings relevant to the Proposal (source: Applicant's EIS, February 2019 and Response to Request for Further Information, January 2020)

Table 1 | Description of existing buildings relevant to the Proposal

Building	Description
Barham	<ul style="list-style-type: none"> Constructed 1833. Overall GFA of 908.9m² for administration and staff facilities. Three storey building, with a maximum height of RL 49.8m. Includes various extensions/additions since its original construction.

Wilkinson House	<ul style="list-style-type: none"> Constructed 1926 originally for the purpose of apartments. Overall GFA of 1,161.9m² used for general learning spaces, staff rooms, study and student rooms. Four storey building, with a maximum height of RL 48.23.
Chapel	<ul style="list-style-type: none"> Constructed 1901. Overall GFA of 1,419.8m² for general learning areas, a hall and administration. Part three to part four storeys comprising a maximum height of RL 56.21m.
Old Science and Library	<ul style="list-style-type: none"> Constructed 1967 and 1970. Overall GFA of 2,514.2m² for specialised education purposes and classrooms. Both buildings are six storeys comprising maximum heights of RL 49.2m (Old Science Building) and RL 46.38m (Old Library Building).
Old Gym	<ul style="list-style-type: none"> Constructed 1925 and physically connected to the Chapel by building additions. Overall GFA of 630m² for general learning spaces. Three storey building with two usable floors.

1.2.3 Site heritage

The SCEGGS site (main campus), in its entirety, is listed as a locally listed item within the Sydney Local Environmental Plan 2012 (SLEP) and is included within the East Sydney Special Character and Conservation Area (C13) (**Figure 6**). The heritage significance of the site is summarised below (extracts from the school listing):

“...All phases of the School’s development are of contributory historic significance to the School. There are two culturally significant phases of the site... [the] residential estate of Barham and... establishment of a major girls’ school...”

Barham is the most significant building on the School site for its historic, aesthetic and social value... Barham is historically significant as it’s associated with the prominent architect John Verge and is one of his few surviving buildings... Barham is aesthetically significant for its quality of architectural detail and design. It is representative of early colonial domestic architecture in NSW.

The Chapel Building is historically significant as the first purpose built building on the School site... It has local significance to the Darlinghurst area and is representative of a purpose-built school building.

Wilkinson House is significant at a local level primary for its historic, aesthetic and social values... Wilkinson House is representative of the construction of apartment buildings during the 1920s and of the use of an eclectic collection of architectural styles...”

1.2.4 Existing school operation

SCEGGS currently accommodates a maximum of 942 students (286 junior and 656 senior school students) and employs 158 full time equivalent staff (FTE) (being 130 full time and 58 part-time staff).

Official school hours are between 8:20am and 3:10pm, although some children remain on the site for after-school care until 6pm each school day and parts of the school are used for extracurricular activities during weekdays until 9pm.

SCEGGS also currently offers the use of its facilities to the local community, where such uses do not disrupt or conflict with the day to day operation of the school. A summary of existing community use of the school is provided at **Table 2**.

Table 2 | Existing community use of school facilities (source: Applicant's RtS)

Community Use	Hours / Frequency / Number of People	Building / location
Strata meetings	<ul style="list-style-type: none"> 1 evening per month Approx. 10-50 people 	<ul style="list-style-type: none"> Within existing buildings not affected by this application.
External sporting competitions and holiday kids club	<ul style="list-style-type: none"> On demand and school holidays 	<ul style="list-style-type: none"> Sports and existing buildings not affected by this application.
Pero Gymnastic and Intrinsic sports	<ul style="list-style-type: none"> Two to three nights per week and Saturdays Approx. 40-100 people 	<ul style="list-style-type: none"> Sports building not affected by this application.
Book launches, weddings, funerals, symphonies, charity events etc	<ul style="list-style-type: none"> Sporadically Approx. 80-300 people 	<ul style="list-style-type: none"> Great Hall and existing buildings not affected by this application.
Local / State / National elections	<ul style="list-style-type: none"> As necessary 	<ul style="list-style-type: none"> Within existing buildings not affected by this application.

1.2.5 Access and parking

There are two primary pedestrian access points to the site via secure gates on Bourke Street (junior school) and Forbes Street (senior school). In addition, other secondary secure access points are located on the Bourke, Forbes and St Peters Streets frontages. Access to the site is security controlled.

Forbes and Bourke Streets to the east and west are local roads (single lane in each direction) running in a north-south direction. Both streets include on-street car parking (1 to 2 hour restrictions) and pick-up/drop-off zones for the junior and senior schools. Bourke Street also includes a dedicated two-way cycleway on the western side of the street.

St Peters Street to the north is a one-way (shared zone) local road. The street is closed to public vehicular traffic except between 6:30am – 9am and 2:30pm and 7:30pm weekdays to accommodate school traffic during the peak school hours.

SCEGGS has access to the following on and off-site vehicle parking arrangements / facilities for school staff, parents and visitors (**Figure 5**):

- 112 on-site car parking spaces, comprising:
 - 22 spaces within the junior school building basement off Bourke Street.
 - 83 spaces within the Joan Freeman Building basement off St Peters Street.
 - seven surface car parking spaces off Forbes Street.
- 18 off-site car parking spaces leased from the neighbouring private car park at 184 Forbes Street.
- 18 on-street pick-up/drop-off spaces, including nine on Bourke Street and nine on Forbes Street.
- an on-street loading bay on Bourke Street and bus bay on Forbes Street.
- 19 bicycle parking spaces comprising:
 - one lockable student bicycle store capable of holding 12 bicycles located on top of the Old Gym Building.
 - one car bay in the Forbes Street surface car park dedicated for seven staff bicycle parking spaces.

The site has excellent access to public transport services being located 400m away from Kings Cross Railway station and close to six bus routes.

Road restrictions, access and parking arrangements are shown at **Figure 5**.

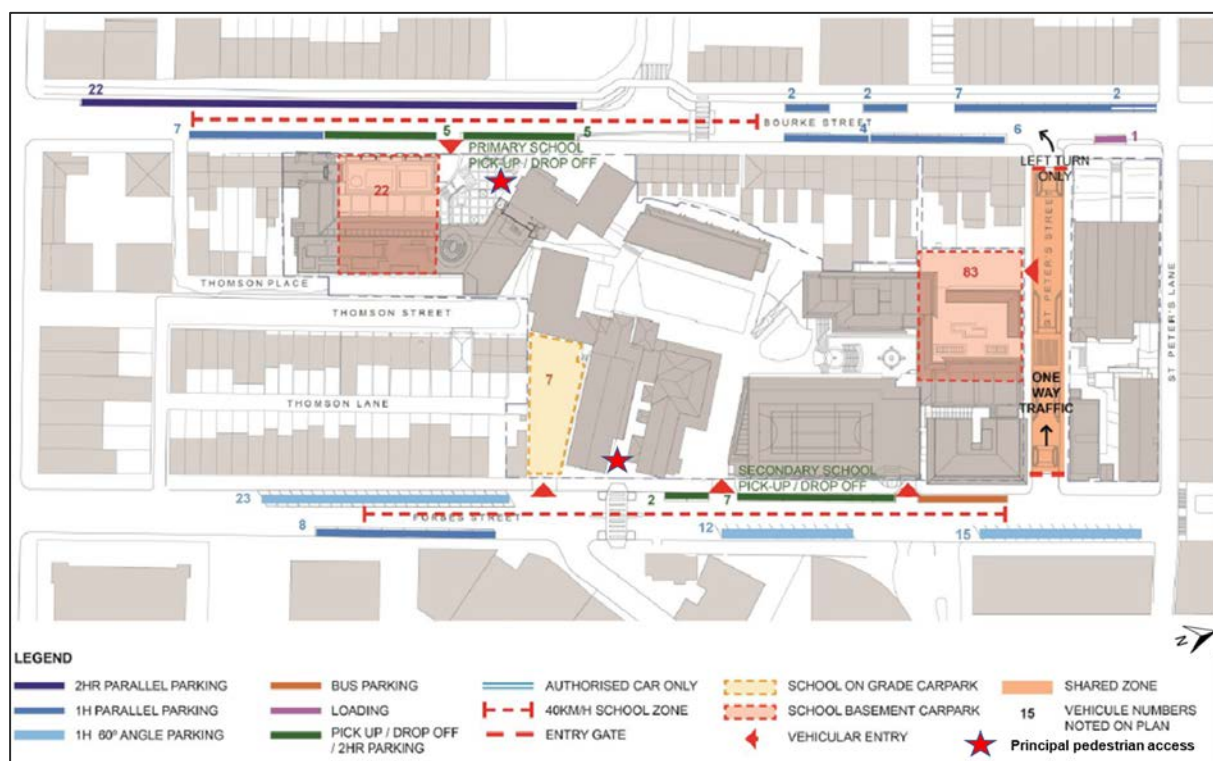


Figure 5 | Existing road restrictions, access and parking arrangements (Base source: Applicant's EIS, February 2019)

1.2.6 Site topography, open space and landscaping

The site is subject to significant level changes, with a fall of approximately 11.3m (RL 40.19m to RL 28.7m) from the southern end of Forbes Street to the northern end of St Peters Street. The site is also

bisected by a cliff-face (edge of former sandstone quarry) that runs north along the line of Thompson Street, then to the rear of properties on Bourke Street before turning east back to Forbes Street.

Given the constraints of the site, the school has had to create open space where it can. As a result, much of the school's current recreational space located on roof terraces. Ground level open space is principally provided with the central courtyard.

The site has only limited area for landscaping, which is generally confined to the central courtyard, the planting beds around the Barham Building, planting along boundaries and between buildings. There are a number of trees on and around the site, which includes two significant Moreton Bay fig trees and a Kauri Pine located within the central courtyard.

1.3 Surrounding context

The site is located within a dense inner-city location close to the eastern edge of the Sydney CBD. The surrounding area is characterised by a variety of buildings, uses, architectural styles and designs, with a predominance of two to three storey terrace houses.

The surrounding context includes:

- to the east is three to four storey apartment buildings and the 43 storey Horizon building. The Horizon Building comprises 243 apartments (approximately 400 residents) and is accessed via Forbes Street opposite the existing SCEGGS Sports Hall and Wilkinson House.
- to the south and west are two to three storey terrace houses constructed in the early 1900s and fronting Bourke, Thompson and Forbes Streets. Thompson Street is a no-through road that terminates at the southern wall of the Old Gym. Residences within Thompson Street face onto the back of SCEGGS junior school.
- to the north is St Peters Street, the St Peters Precinct (part of the SCEGGS campus), and various three to six storey mixed use buildings fronting Williams Street providing for shops and shop-top housing.
- immediate views of the site are possible along all adjoining streets. Long views to the site are possible along Stanley Street (to the west) looking east towards the Old Science and Library Buildings.

1.3.1 Surrounding heritage

The site is adjacent to and nearby numerous buildings and spaces of State and local heritage significance.

The St Peter's Precinct, which is part of the SCEGGS campus but not part of this application, is listed as a heritage item on the State Heritage Register (SHR).

All other heritage items within the immediate vicinity of the site are locally listed items under the SLEP, which include almost all terrace houses to the south of the site and a number of terrace houses to the west. The location of State and local heritage items is shown at **Figure 6**.



Figure 6 | Location of heritage items adjacent to and nearby the site (Base source: Applicant's EIS, February 2019)



2. Project

2.1 Key components and features

2.1.1 Description of development

This SSD application seeks approval for the staged redevelopment of SCEGGS, including:

- Concept Proposal providing for three building envelopes, conservation works, uses, vehicular and pedestrian entrances and circulation, car parking, landscaping and associated works.
- Stage 1 works including demolition of Wilkinson House and excavation of basement and construction of a four storey building for educational use.

The key components and features of the proposal (as amended by the Response to Submissions (RtS) and Response to Request for Further Information (RRFI) are summarised at **Table 3. Appendix A** contains a link to the Applicant's SSD application, RtS and RRFI.

Table 3 | Main components of the Concept Proposal and Stage 1 works

CONCEPT PROPOSAL	
Component	Description
Site area	11,519m ²
Demolition	Concept demolition of the following buildings: <ul style="list-style-type: none">• Wilkinson House on the corner of Forbes and St Peters Streets.• Old Library and Science Buildings fronting Bourke Street.• The Old Gym Building at the northern end of Thompson Street.• Part of additions to the Barham Building fronting Forbes Street.
Building envelopes	Building envelopes including: <ul style="list-style-type: none">• maximum six storey (RL 50.50m) Multi-Purpose Building fronting Bourke Street.• maximum four storey (RL 48.23m) replacement Wilkinson House building on the corner of Forbes and St Peters Streets.• maximum three storey (RL 53.45m) administration building fronting Forbes Street.
Conservation works	Conservation works to the Barham Building and removal of non-original building fabric.
GFA	Maximum GFA of 7,838.2m ² comprising: <ul style="list-style-type: none">• 5,692m² Multi-Purpose Building GFA for general school purposes, childcare, drop-off and car parking facilities.• 1,325m² replacement Wilkinson House building GFA for general school purposes.

- 821.2m² administration building GFA for general school purposes.

Uses	<p>Concept approval is sought for 'educational establishment', early education' and 'centre-based childcare facility' as defined by the SLEP. The indicative uses of the new and altered buildings on the site include:</p> <ul style="list-style-type: none"> • new Multi-Purpose Building – general learning areas, information technology and research centre, basement parking and new childcare facility and (possibly) new indoor swimming pool. • replacement Wilkinson House building – general learning areas to support the senior school. • new Administration Building – main school entrance, administrative functions, meeting rooms and staff facilities. • altered Barham Building – school executive, meeting rooms and staff facilities.
School student numbers and childcare centre capacity	<ul style="list-style-type: none"> • No increase in student numbers (942 students as existing (Section 1.2.4)) • 45 new childcare centre places.
Access	<ul style="list-style-type: none"> • Provision of an additional vehicle entry/exit on Bourke Street to the Multi-Purpose Building. • Improving pedestrian legibility at primary pedestrian entries.
Parking and drop-off	<ul style="list-style-type: none"> • A total of 22 car parking spaces (15 new and seven relocated) provided within the basement of the Multi-Purpose Building including: <ul style="list-style-type: none"> ○ 10 spaces for school purposes comprising: <ul style="list-style-type: none"> - seven school staff spaces (relocated from Forbes Street car park). - three new school service vehicle spaces. ○ 12 new spaces for the childcare facility comprising: <ul style="list-style-type: none"> - six childcare pick-up/drop-off spaces. - five childcare staff spaces. - one childcare (long term) space. • A total of 54 additional bicycle parking spaces, including: <ul style="list-style-type: none"> ○ 50 for the school in the basement of the Multi-Purpose Building. ○ 4 for the childcare facility in the basement of the Multi-Purpose Building.
Landscaping and tree removal	<ul style="list-style-type: none"> • Concept landscape proposal including: <ul style="list-style-type: none"> ○ landscape upgrade works at the Forbes Street entry. ○ conservation and heritage enhancement works around the Barham Building. ○ enhancements to the central lawn. ○ tree retention, buffer planting, hard and soft landscaping and furniture. • The Applicant has stated in its EIS that concept approval is not sought for tree removal. Notwithstanding this, the application indicatively shows the removal of nine trees (on the site) to facilitate the development.

Hours of construction	<ul style="list-style-type: none"> Monday to Friday - 7:30 am to 5:30 pm. Saturday - 7:30 am to 3:30 pm. Sunday and public holidays - No work.
Capital Investment Value (CIV)	<ul style="list-style-type: none"> \$49,565,022.
Jobs	<ul style="list-style-type: none"> 480-690 full time / full time equivalent (FTE) construction jobs. No increase in operational staff

STAGE 1 WORKS

Component	Description
Demolition and temporary structures	<ul style="list-style-type: none"> Complete demolition of Wilkinson House. Construction of 10 temporary demountable classrooms for use during Stage 1 works.
Built form	<ul style="list-style-type: none"> Excavation of a basement level. Construction of a four storey building with a maximum height of 16.3m (RL 48.23m). Rooftop plant enclosure and photovoltaic panels.
GFA	<ul style="list-style-type: none"> 1,325m² replacement Wilkinson House building GFA for general school purposes.
Use	<ul style="list-style-type: none"> Sports and multi-purpose fitness areas and general learning areas.
Access	<ul style="list-style-type: none"> Basement level access to sports and multi-purpose fitness areas via a foyer connected to the existing Centenary Sports Hall. Access to the ground to third floor general learning spaces is via a ground level foyer connected to the Joan Freeman Building. A fire exit is provided to the ground floor Forbes Street elevation and internally at all floors between the building and the Joan Freeman Building.
CIV	<ul style="list-style-type: none"> \$9,734,100.
Jobs	<ul style="list-style-type: none"> 170-240 FTE construction jobs. No increase in operational staff.

The proposed development is shown at **Figure 7** to **Figure 13**.

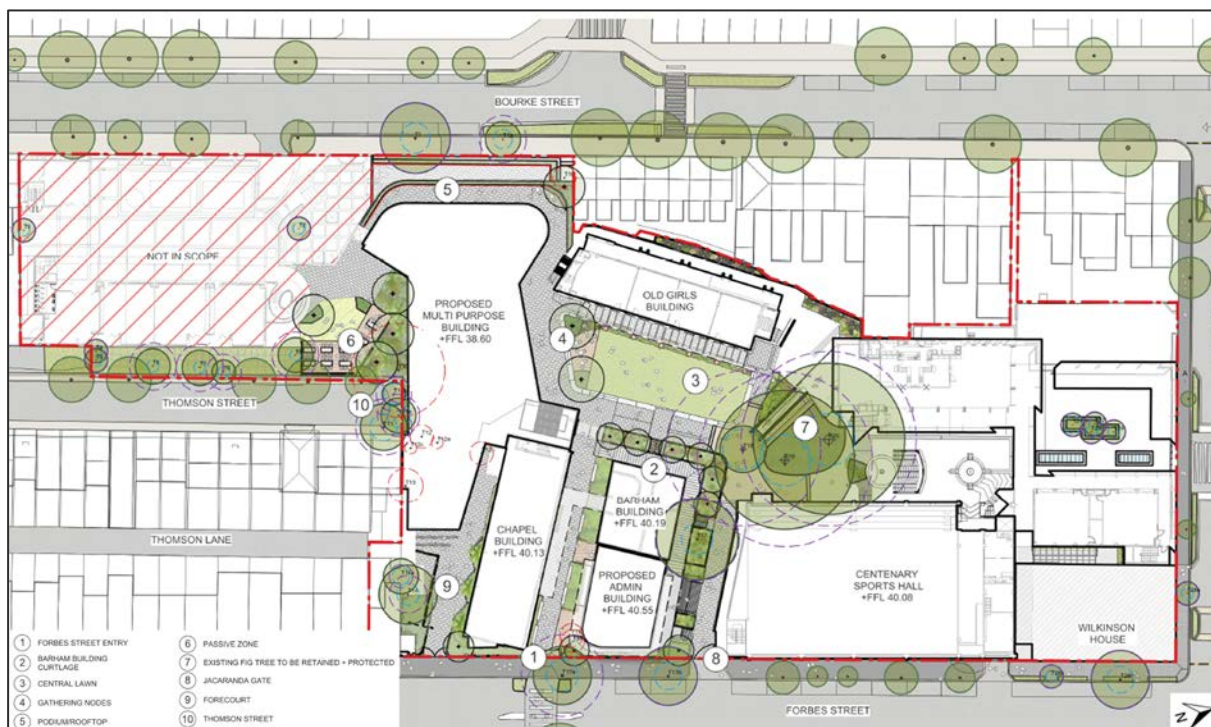
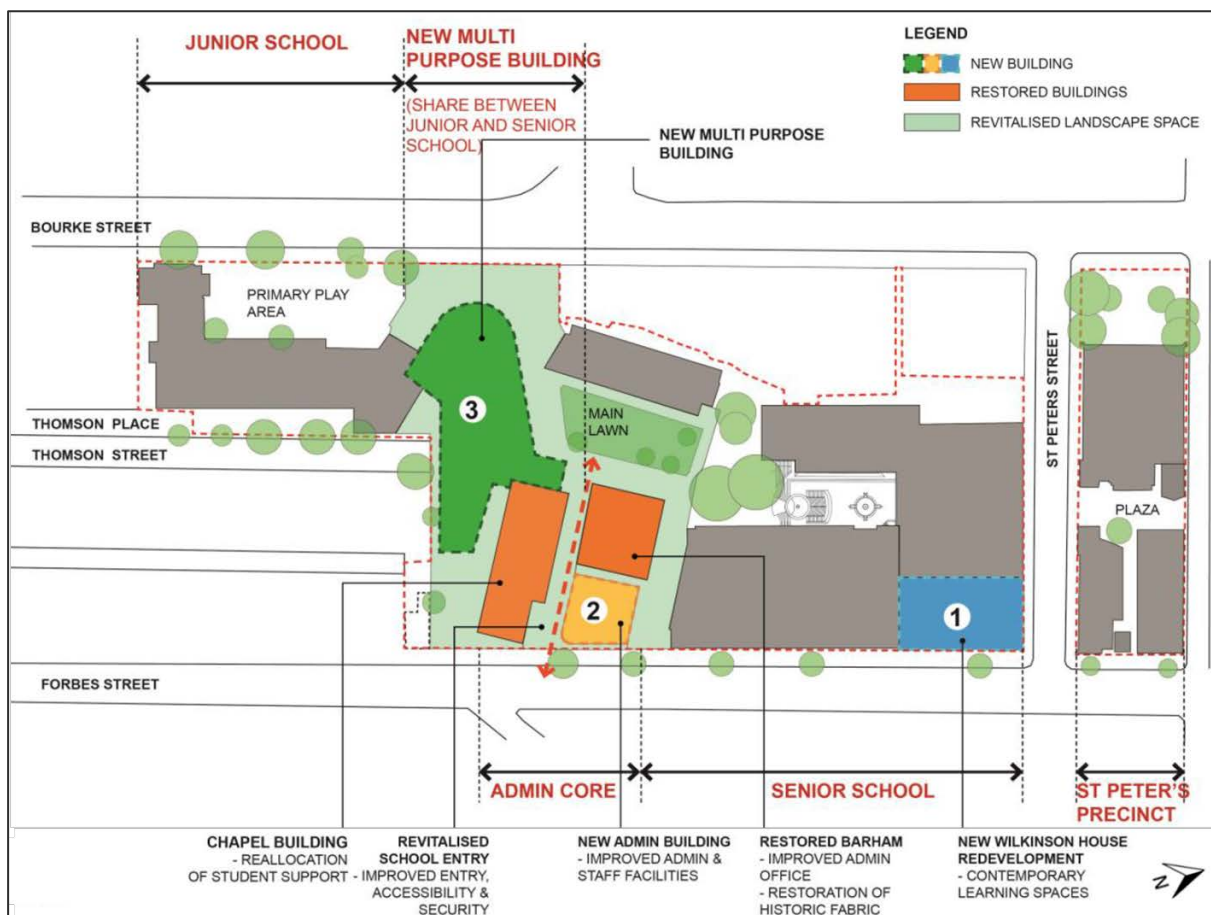




Figure 9 | Perspective south-east across the central lawn to an indicative design of the conserved/restored Barham Building (source: Applicant's RtS, November 2019)

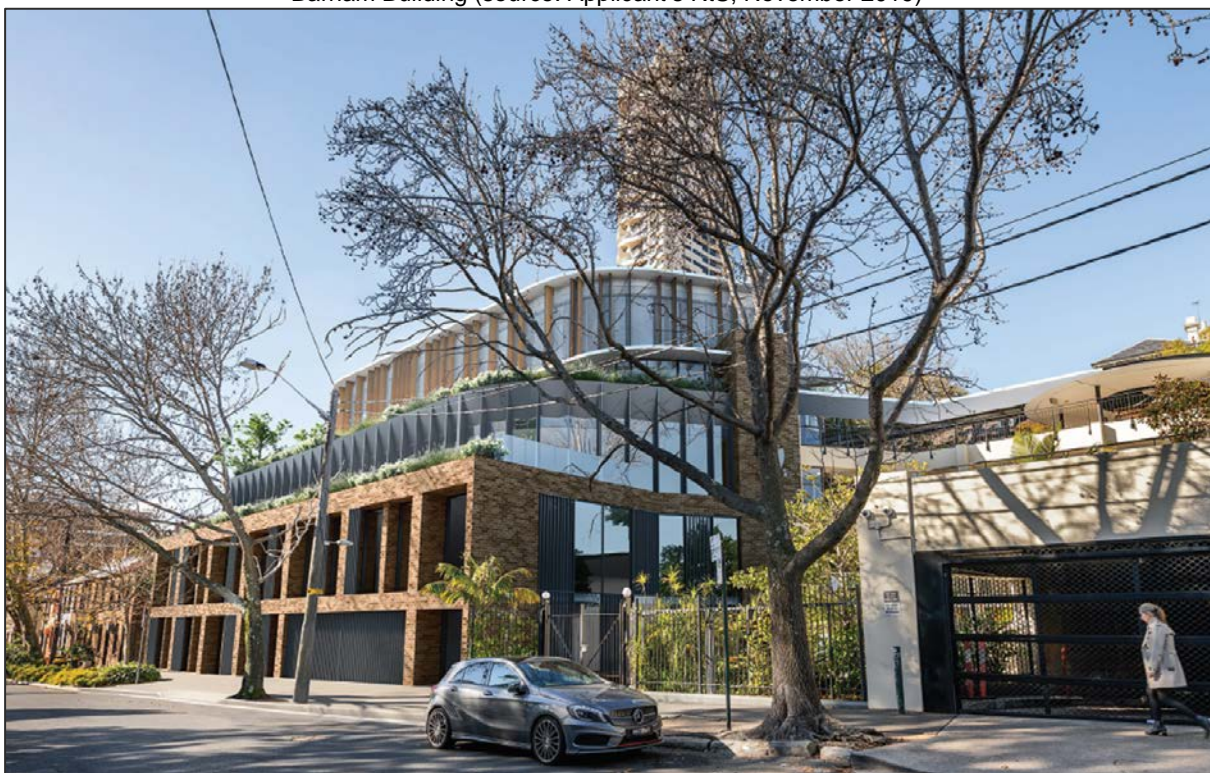


Figure 10 | Perspective north along Bourke Street towards an indicative design of the Multi-Purpose Building (source: Applicant's RtS, November 2019)



Figure 11 | Perspective east from Forbes Street towards an indicative design for the administration building (source: Applicant's RtS, November 2019)



Figure 12 | Perspective south-west to the St Peters and Forbes Streets elevations of the replacement Wilkinson House building (source: Applicant's RtS, November 2019)



Figure 13 | Perspective north to the Forbes Street elevation of the replacement Wilkinson House building (source: Applicant's RtS, November 2019)

2.1.2 Capital investment value

The EIS was accompanied by a quantity surveyor report (QS Report), which initially estimated the Concept Proposal has a CIV of \$49,374,200.

Concerns were raised in public submissions and by Council that the CIV calculations may underestimate the cost of the development. In addition, the State Environmental Planning Policy (Education Establishments and Childcare Facilities) 2017 (Education SEPP) states that a development equal to, or more than, \$50 million (being an additional \$625,800) would trigger the SLEP requirement for the Applicant to undertake a competitive design excellence process. Council recommended that the CIV should be reviewed for accuracy.

In response to these concerns the Department engaged an independent quantity surveyor (Independent QS) to independently review the QS Report CIV. The Independent QS estimated the CIV could be calculated to as \$62,110,065 million (being \$12,735,865 more than the QS Report).

The Applicant considered the Independent QS' findings and stated the key variance between the CIV estimates is explained by different typical construction rates per m² being used and the amount of fit-out and detailed design specifications assumed by each report. The Applicant maintains that the QS Report's methodology for calculating the CIV is accurate. Following review, the Applicant provided a minor update to CIV, increasing it by \$190,822 (to a total of \$49,565,022).

The Department has carefully considered the QS Report, Independent QS findings and the Applicant's response to those findings. The Department accepts the Applicant's justification for the variances between the QS Report and Independent QS CIV calculations and concludes that the EIS QS Report CIV estimate (\$49,565,022) is reasonable.

The Department also notes that the Concept Proposal is capable of achieving, and the Stage 1 works achieve, a high standard of design as discussed at **Section 6.2**. Furthermore, notwithstanding any dispute around the final CIV, the proposal would not trigger the SLEP requirement for the Applicant to undertake a competitive design excellence process, as discussed at **Section 4.3.2**.

2.1.3 Hours of operation

The Applicant has confirmed that it intends to maintain the existing official school hours and after care and extracurricular activities hours of operation, which are summarised at **Section 1.2.4**. In addition, the Applicant has also stated that the hours of operation for the new facilities, including childcare and (possible) swimming pool do not form part of this application and would be subject to consideration as part of the assessment of future development application(s) (DA).

2.1.4 Development staging

The Applicant proposes to construct the development in three stages, including:

- Stage 1 – Construction of 10 temporary demountable classrooms for use during Stage 1 works (**Figure 14**). Demolition of Wilkinson House and construction of new four storey replacement building (refer to Stage 1 works). Construction April 2020 to August 2021 (18 months).
- Stage 2 – administrative building, Barham Building and school entry. Predicted commencement 2025-2030 (subject to approval of future Stage 2 detailed DA(s)).
- Stage 3 – Multi-Purpose Building. Predicted commencement 2030-2040 (subject to approval of future Stage 3 detailed DA(s)).

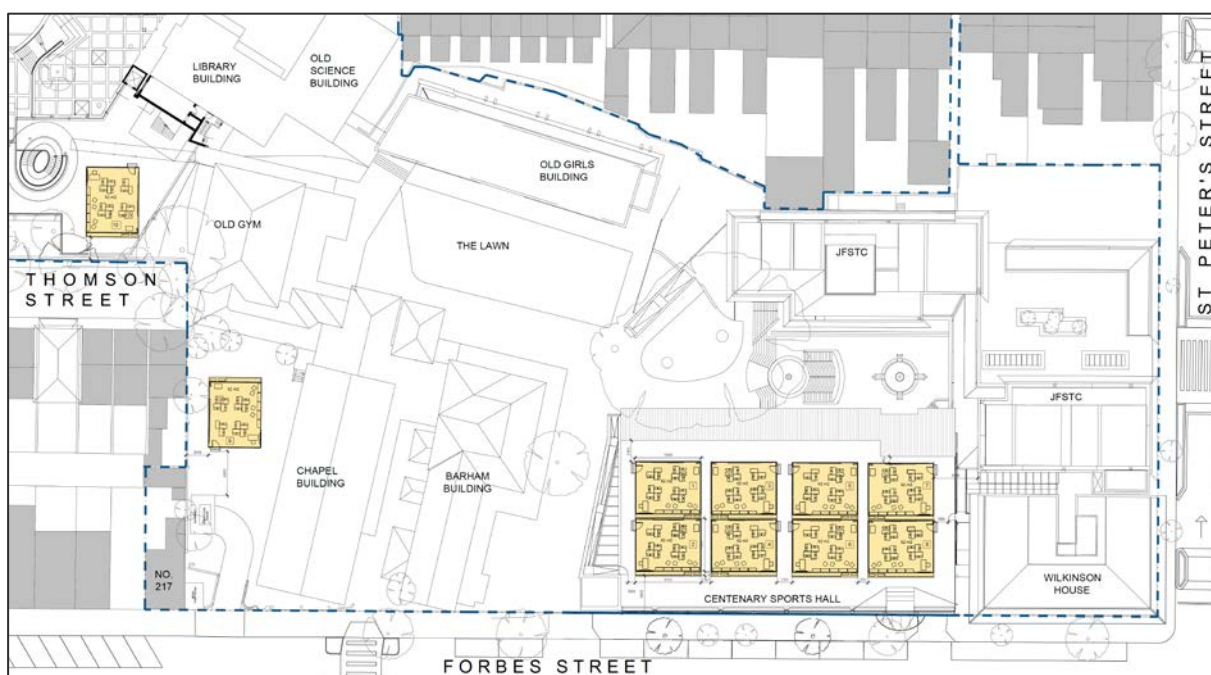


Figure 14 | Location of 10 temporary demountable classrooms for use during the Stage 1 works demolition and construction phase (source: Applicant's RtS, November 2019)

2.1.5 Key built form and childcare capacity amendments

The proposal has been amended by the RtS and RRFI as discussed in detail at **Section 5.5**. A summary and comparison of the key built form and childcare capacity components of the amendments of the proposal are provided at **Table 4** and shown at **Figure 15**.

Table 4 | Summary and comparison of key amendments to the proposed built form and childcare centre

Component	EIS	RtS	Difference (+/-)
Administration Building			
Parapet height	12.7m (RL 52.75m)	11.7m (51.75m)	- 1.0m
Total height	12.7m (RL 52.75m)	13.4m (RL 53.45m)	+ 0.7m
Multi-Purpose Building			
GFA	5,669.4m ²	5,692m ²	+ 22.6m ²
Maximum height	seven storeys / 25.19m	five to six storeys / 18.49m	- one to two storeys / 6.7m
Setback Bourke Street:			
4 th Floor	9.15m (4 th Floor)	8m (4 th Floor)	+ 1.15m
6 th / 7 th Floor	13.5m (7 th Floor)	28m (6 th Floor)	+ 14.5m
Setbacks Thomson Street / Thompson Lane	2.52m	1.0m generally & no setback abutting Thompson Street	- 1.52m & - 2.52m
Childcare Centre			
Capacity	90 children	45 children	- 45 children

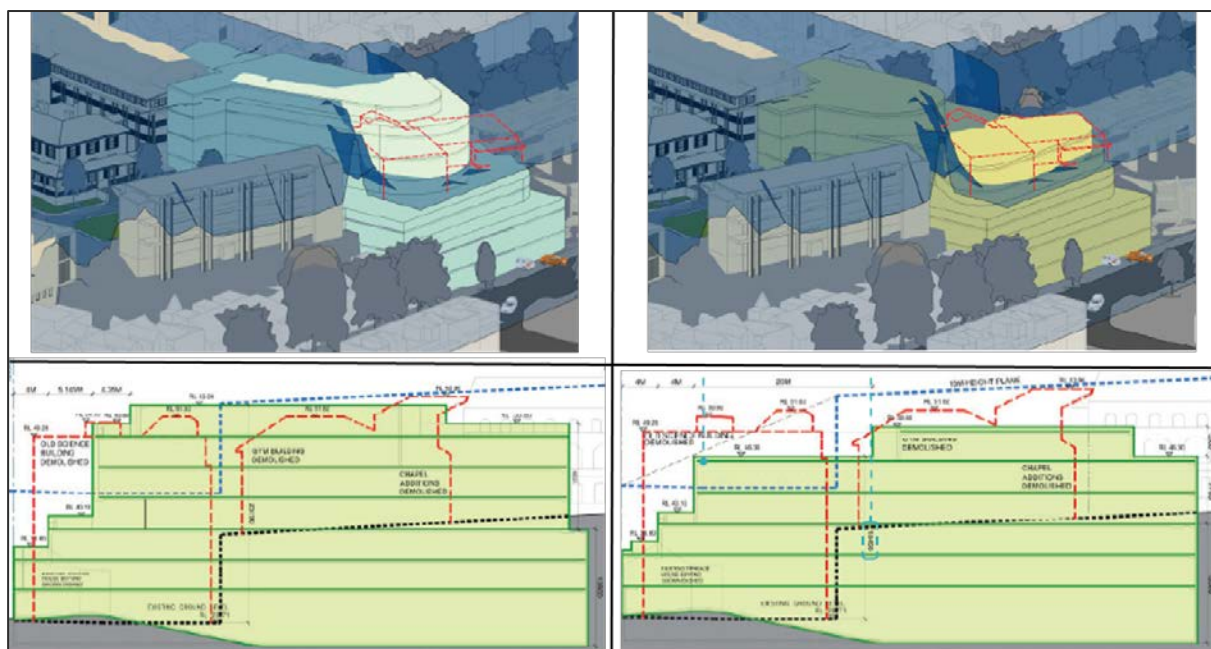


Figure 15 | Comparison of the Multi-Purpose Building envelope (Bourke Street frontage) (top left) and section (bottom left) as submitted in the EIS and as amended by the RtS (top and bottom right). Existing school building outlines dashed in red (source: Applicant's RtS, November 2019)



3. Strategic Context

3.1 Project need and justification

The Applicant has identified the need for a staged redevelopment and upgrade of the school to enable it to meet contemporary and evolving learning and educational standards now and into the future and the expectations of the school community.

The Applicant states that the proposed redevelopment is required to replace buildings that are reaching the end of their practical lifespan and that will soon be incompatible with the SCEGGS school facility needs. The redevelopment is intended to provide a high-quality educational environment for staff and students that:

- provides flexible working environments that can accommodate full classroom sizes.
- enables an excellent academic program and supports a fulfilling and diverse extra-curricular experience.
- provides an inclusive, supportive and secure pastoral environment for both primary and secondary school students.
- provides efficient and environmentally sustainable facilities.

3.2 Strategic context

The Department considers that the proposal is appropriate for the site as:

- it is consistent with The Greater Sydney Plan: A Metropolis of Three Cities, as it proposes improved school facilities within a central mixed-use walkable location.
- it is consistent with the State Infrastructure Strategy 2018 – 2038: Building the Momentum, as it proposes investment in the non-government school sector to provide modern learning environments for students and to continue to accommodate infrastructure and facilities sharing with communities.
- it is consistent with the NSW Future Transport Strategy 2056, as it supports the ongoing provision of a modern education facility in a highly accessible location.
- it is consistent with the vision outlined in the Greater Sydney Commission's Eastern City District Plan, as it would support the provision of services and social infrastructure to meet people's changing needs.
- it is consistent with Sydney's Cycling Future 2013, as it would promote bicycle use through the provision of end-of-trip facilities.
- the Concept Proposal has a CIV of approximately \$49 million and is predicted to generate approximately 480-690 FTE construction jobs for the duration of all stages.



4. Statutory Context

4.1 State Significant Development

The proposal is SSD under section 4.36 (development declared SSD) of the EP&A Act, as defined under clause 15(2) of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP), as it is development for the purpose of an educational establishment comprising alterations or additions to an existing school, with a CIV of more than \$20 million.

4.2 Consent Authority

In accordance with Clause 8A of the SRD SEPP as amended by State Environmental Planning Policy (State and Regional Development) Amendment (State Significant Development) 2020 and section 4.5 of the EP&A Act, the Independent Planning Commission (Commission) is the consent authority as City of Sydney Council (Council) has made an objection to the proposal and more than 50 public objections were received.

The Application is therefore referred to the Commission for determination.

4.3 Permissibility

The site is identified as being located within the R1 General Residential zone. An educational establishment and a childcare centre facility are permissible with consent within the R1 General Residential zone and by virtue of clause 35(1) of the Education SEPP, which states:

'Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone'

The Commission may determine the carrying out of the development.

Concern was raised by Council and in public submissions that the proposal exceeds the SLEP height of buildings development standard and that clause 6.21 of the SLEP requires the Applicant to undertake a competitive design excellence process (CDP). The Department has considered these matters below and at **Section 6**. Consideration of the proposal against the other requirements of the SLEP is provided at **Appendix B**.

4.3.1 SLEP Height of Building development standard

Clause 4.3 of the SLEP applies a height of building development standard to the site of 15m and the proposal exceeds the height development standard as summarised at **Table 5**.

Table 5 | SLEP height of building development standard and proposed building heights

Development Standard	SLEP control	Proposed Maximum height (measured from ground level)	Difference (+/-)	Complies
Clause 4.3 Height of Buildings	Maximum height 15m	<u>Multi-Purpose Building</u>		No
		• 17.49m	• +2.49m	
		<u>Wilkinson House building</u>		
		• 16.3m	• +1.3m	

The Department notes that clause 4.6 of the SLEP provides flexibility in the application of development standards if it can be demonstrated that compliance is unreasonable and unnecessary and there is sufficient environmental planning justification for contravention of the development standard. The Department also notes that clause 42 of the Education SEPP provides that:

'Development consent may be granted for development for the purpose of a school that is State significant development even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted'

Consequently, despite the non-compliance noted in **Table 5**, and in accordance with clause 42 of the Education SEPP, development consent may be granted for the proposal.

Notwithstanding clause 42 of the Education SEPP, the Department required the Applicant to provide a clause 4.6 variation request. The Department's consideration of building height and the variation request is provided at **Section 6.2.1**. In summary the Department concludes that the proposed building heights and the variation request are acceptable.

4.3.2 Competitive design excellence process requirements

SLEP requirements

Clause 6.21 Design Excellence of the SLEP applies to development involving the erection of a new building or extension of an existing building. The SLEP requires that development consent must not be granted unless the:

- proposal exhibits design excellence (clause 6.21(3)).
- Applicant undertakes a CDP for development that meets the thresholds at **Table 6** (clause 6.21(5)).

As discussed at **Section 6.2.1** the Department concludes the Concept Proposal is capable of achieving, and the Stage 1 works (Wilkinson House) achieves, a high standard of design. The proposal is therefore consistent with the design excellence provisions of the SLEP (clause 6.21(3)).

The Department is satisfied that the CDP provisions of the SLEP (clause 6.21(5)) do not apply to the proposal as none of the development thresholds have been met, as shown at **Table 6**.

Table 6 | Consideration of clause 6.21(5) CDP development thresholds and the proposal

Clause 6.21(5)	Department's consideration
<p><i>(a) development in respect of a building that has, or will have, a height above ground level (existing) greater than:</i></p> <p><i>(i) 55 metres on land in Central Sydney, or</i></p> <p><i>(ii) 25 metres on any other land,</i></p>	<p>The proposed concept building envelopes and the Wilkinson House replacement building are less than 25m.</p>
<p><i>(b) development having a CIV of more than \$100,000,000,</i></p>	<p>The CIV of the proposal is less than \$100,000,000.</p>
<p><i>(c) development in respect of which a development control plan is required to be prepared under clause 7.20,</i></p>	<p>Clause 8(1) of the Education SEPP states that (subject to clause 8(2)) if there is an inconsistency between the Education SEPP and another EPI, the Education SEPP prevails to the extent of the inconsistency. Clause 8(2)(i) of the Education SEPP states that the provisions of clause 7.20 of the SLEP do not apply to development carried out under the Education SEPP.</p> <p>Therefore, clause 7.20 of the SLEP does not apply to the proposal.</p>
<p><i>(d) development for which the applicant has chosen such a process</i></p>	<p>The Applicant has not chosen to undertake a CDP.</p>

Given the above circumstances, the Department concludes it would not be reasonable to require the Applicant to undertake a CDP.

Education SEPP requirements

Clause 35 of the Education SEPP sets out specific development controls for schools that require development consent, and clause 35(8) of the Education SEPP states that:

'A provision in another environmental planning instrument that requires a competitive design process to be held as a prerequisite to the granting of development consent does not apply to development to which subclause (6)(a) applies that has a capital investment value of less than \$50 million.'

Clause 35(6) of the Education SEPP states that:

'Before determining a development application for development of a kind referred to in subclause (1), (3) or (5), the consent authority must take into consideration:

(a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4...

The Department considers that clause 35(8) is applicable to the proposal as:

- clause 6.21(5) of the SLEP is an EPI that requires a CDP and therefore falls within the subject matter of clause 35(8)

- clause 35(6)(a) of the Education SEPP applies to the development as the site is within the R1 General Residential zone. The application is therefore of a kind referred to in subclause (1) as summarised at **Section 4.3** above
- the CIV of the proposal is \$49,565,022, as summarised at **Section 2.1.2**.

The Department concludes, despite clause 35(8) being applicable to the proposal in accordance with clause 35(a), the requirements for a CDP under clause 6.21(5) of the SLEP would not be triggered as the CIV is less than \$50 million and by virtue of clause 8(2)(i), which prevails in terms of the inconsistency as previously confirmed.

Consideration has been given to all other requirements of the Education SEPP, including the Schedule 4 design quality principles at **Appendix B**. In summary, the Department is satisfied the proposal is consistent with the provisions of the Education SEPP.

4.4 Secretary's Environmental Assessment Requirements

On 12 January 2018, the Department notified the Applicant of the Planning Secretary's Environmental Assessment Requirements (SEARs). The Department is satisfied that the EIS and RtS adequately address the requirements of the SEARs to enable the assessment and determination of the application.

4.5 Biodiversity Conservation Act 2016

The proposed works are not likely to have significant impact on biodiversity values as no threatened flora or fauna species are present on site. The proposed development would not have any serious and irreversible impact that would require offsets.

On 20 September 2018, the Environment, Energy and Science Group of the Department of Planning, Industry and Environment (formerly NSW Office of Environment and Heritage) (EESG) determined that the proposal would not be likely to have any significant impact on biodiversity values and that a biodiversity development assessment report (BDAR) is not required. The Department supported EESG's decision and on 20 September 2018 it was determined that the application is not required to be accompanied by a BDAR under section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act).

4.6 Mandatory Matters for Consideration

The following are the relevant mandatory matters for consideration:

- the matters in section 4.15(1) of the EP&A Act.
- relevant EPIs.
- objects of the EP&A Act.
- Ecological Sustainable Development (ESD).
- *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation).

4.6.1 Section 4.15(1) matters for consideration

The matters for consideration under section 4.15(1) that apply to SSD in accordance with section 4.40 of the EP&A Act have been addressed in **Table 7**.

Table 7 | Section 4.15(1) Matters for Consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of the relevant EPIs is provided below and in Appendix B of this report.
(a)(ii) any proposed instrument	Not applicable.
(a)(iii) any development control plan	Under clause 11 of the SRD SEPP, development control plans (DCPs) do not apply to SSD. Notwithstanding, consideration has been given to the relevant controls under the Sydney Development Control Plan 2012 (SDCP) at Section 6
(a)(iia) any planning agreement	No existing planning agreements apply to the site.
(a)(iv) the regulations Refer Division 8 of the EP&A Regulation	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6), public participation procedures for SSD and Schedule 2 relating to EIS.
(a)(v) any coastal zone management plan	No coastal zone management plan applies to the site.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The likely impacts of the development have been appropriately mitigated or conditioned - refer to Section 6 of this report.
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Sections 6 of this report.
(d) any submissions	Consideration has been given to the submissions received during the exhibition of the proposal. Refer to Sections 3 and 6 of this report.
(e) the public interest	The proposal is in the public interest. Refer to Section 6 of this report.

4.6.2 Environmental Planning Instruments

Under section 4.15 of the EP&A Act, the consent authority is required to take into consideration any EPI relevant to the development that is the subject of a development application. Therefore, the assessment report must include a copy of, or reference to, the provisions of any EPI(s) that substantially govern the project and that have been taken into account in the assessment of the project.

The Department has undertaken a detailed assessment of these EPIs in **Appendix B** and is satisfied the application is consistent with the requirements of the EPIs.

4.6.3 Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects as set out in section 1.3 of that Act. The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent / approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects. Therefore, in making an assessment, the objects should be considered to the extent they are relevant.

The Department has considered the proposal to be satisfactory with regard to the objects of the EP&A Act as detailed in **Table 8**.

Table 8 | Consideration of the proposal against the objects of section 1.3 the EP&A Act

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	<p>The proposal involves the upgrade and improvements of an existing school in a central well-connected location.</p> <p>The site is well-established and its redevelopment would not negatively impact the economic welfare of the community or the natural environment.</p>
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	<p>The proposal includes measures to deliver ESD (Section 4.6.4).</p>
(c) to promote the orderly and economic use and development of land,	<p>The proposal would be an orderly and economic use and development of land as it provides for the improvement of an existing educational facility on a site owned by the Applicant. The merits of the proposal are considered in Section 6.</p>
(d) to promote the delivery and maintenance of affordable housing,	<p>The proposal, being an educational establishment, does not include any affordable housing, and is not required to do so.</p>
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	<p>The site is currently fully developed as a school and its redevelopment would not impact on the natural environment or the conservation of threatened species or habitats.</p>
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	<p>The proposal involves the demolition of Wilkinson House (a building of local heritage significance) and the establishment of new building envelopes including the construction of a Multi-Purpose Building. The Department has considered the heritage impacts of the proposal in detail at Sections 6.1 and 6.2, and concludes the proposal is acceptable.</p>

(g) to promote good design and amenity of the built environment,	The proposed building envelopes, subject to conditions, would have acceptable impacts as discussed at Section 6 . The proposed replacement of Wilkinson House building is considered to achieve a high standard of design as discussed at Section 6.2.3 . The Department has recommended built form conditions, which ensure future developments within the building envelopes would achieve a high standard of design.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The Stage 1 works promote proper construction and maintenance of buildings subject to recommended conditions of consent. Future detailed DA(s) for the remaining Stages would be required to include detailed report(s) confirming the development is capable of meeting relevant construction standards.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the proposed development as outlined in Section 5 , which included consultation with Council and other public authorities and consideration of their responses.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the application and also met with residents and the local community, as outlined in Section 5 .

4.6.4 Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle.
- inter-generational equity.
- conservation of biological diversity and ecological integrity.
- improved valuation, pricing and incentive mechanisms.

The development proposes ESD initiatives and sustainability measures, including:

- high performance building fabric using passive design principles (i.e. insulation, glazing, shading).
- energy modelling techniques.
- photovoltaic panels and solar hot water.
- metering and monitoring strategies.
- water efficient fixtures and fittings.
- health-conscience construction materials such as low volatile organic compound paints or low formaldehyde wood products.

- high quality indoor environment such as thermal comfort and acoustic comfort.
- furniture and fixtures with consideration of its life cycle impacts.

The Applicant is targeting measures to achieve equivalency of a 4-Star Green Star rating for the Concept Proposal, with the potential to achieve a 5-Star Green Star rating for the Wilkinson House building. A schedule and information setting out the proposed measures to achieve the credits required to achieve the Green Star ratings is included in Appendix O of the EIS and at Appendices N and O of the RtS.

The Department has considered the project in relation to the ESD principles. The Precautionary and Inter-generational Equity Principles have been applied in the decision making process by a thorough assessment of the environmental impacts of the development.

Council raised concern about how the development might achieve ESD, particularly relating to energy and water measures.

To ensure the ESD measures are achieved, it is recommended that conditions be included, which require:

Concept Proposal

- future detailed DA(s) demonstrate how ESD principles have been incorporated into the proposal.

Stage 1 works

- the appointment of a suitably qualified Green Star accredited professional to monitor the detailed design to ensure the ESD measures indicated above are incorporated.
- evidence to be provided from the Green Star accredited professional that the ESD measures indicated above have been:
 - incorporated into the design prior to the commencement of the construction.
 - implemented in the works prior to the issue of an occupation certificate.

Subject to these conditions, the proposed development would be consistent with ESD principles and the Department is satisfied the future detailed development is capable of encouraging ESD, in accordance with the objects of the EP&A Act.

4.6.5 Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

4.6.6 Other approvals

The Department has recommended conditions for the Concept Proposal in accordance with the following requirements:

- section 4.22 of the EP&A Act, all physical works and subsequent stages of the Concept Proposal are to be subject to future detailed DA(s).
- section 4.24 of the EP&A Act, the determination of future detailed DA(s) cannot be inconsistent with the terms of the concept approval.



5. Engagement

5.1 Department's Engagement

In accordance with Schedule 1 of the EP&A Act and Part 6, Division 6 of the EP&A Regulation, the Department publicly exhibited the application from 7 March 2019 until 3 April 2019 (28 days). The application was made publicly available on the Department's website, at the NSW Service Centre and at Council's office.

The Department placed a public exhibition notice in the Southern Courier, Central Sydney and Wentworth Courier on 6 March 2019 and notified landholders, Council and relevant public authorities in writing. Representatives of the Department also attended meetings with concerned residents on 28 March 2019 and members of the Horizon Building committee members on 1 April 2019. The Department representatives visited the site to facilitate an informed assessment of the development.

In response to the submissions received by the Department following the exhibition of the application, the Applicant submitted a RtS. The Department notified the RtS to Council, the relevant public authorities and all members of the public who made a submission during the public exhibition of the application. Notices were also published in the Southern Courier and Wentworth Courier on 20 November 2019 and a copy of the RtS was placed on the Department's website.

The Department has considered the comments raised in Council, public authority and public submissions during the assessment of the application (**Section 6**). The submissions are summarised in the following sections of this report.

5.2 Summary of Submissions

The Department received a total of 117 submissions, comprising six submissions from public authorities, one from Council, 102 from the public and eight from special interest groups. Of these submissions 99 public submissions and eight special interest group submissions raised objections to the proposal. Council objected to the proposal and provided comments.

A summary of the submissions is provided at **Table 9** and a summary of the issues raised in the submissions is provided at **Section 5.3**. Copies of the submissions may be viewed at **Appendix A**.

Table 9 | Summary of public authority, Council, community and special interest group submissions

Submitters	Number	Position
Public Authority	6	
• Transport for New South Wales (TfNSW)	√	Comment
• Transport for New South Wales (former Roads and Maritime Services) TfNSW (RMS)	√	

• Heritage NSW, Department of Premier and Cabinet (Heritage NSW) (former Heritage Division of the Office of Environment and Heritage)	✓	
• Environment, Energy and Science Group of the Department of Planning, Industry and Environment (EESG)	✓	
• Environment Protection Authority (EPA)	✓	
• Sydney Water	✓	
City of Sydney Council (Council)	1	Object
Community	102	
	90	Object
• < 5 km	3	Comment
• 5 – 10 km	3	Object
• > 10 km	6	Object
Special Interest Group(s)	8	
• Alex Greenwich MP, Local Member of Parliament	✓	
• The National Trust	✓	
• The Planning Hub / the Horizon SP 58068	✓	
• East Sydney Neighbourhood Association Inc. (ESNA)	✓	Object
• Residents Adjacent to Thomson Lane (RATL)	✓	
• CJBSMP Pty Ltd	✓	
• Xenophon Family Super Fund Pty Ltd	✓	
• Hendo Pty Ltd	✓	
TOTAL Submissions	117	

5.3 Submissions

5.3.1 Public authority submissions

A summary of the issues raised in public authority submissions is provided at **Table 10**

Table 10 | Summary of government authority submissions to the exhibition of the proposal

TfNSW
TfNSW recommended a condition requiring the preparation of a Green Travel Plan (GTP).
TfNSW (RMS)
TfNSW (RMS) provided the following comments:
<ul style="list-style-type: none"> the layout of car parking areas should be in accordance with relevant Australian Standards for heavy vehicle use. parking for building maintenance and service deliveries is required together with appropriate sightlines at driveways. a vehicle swept-path analysis is required demonstrating manoeuvrability of the longest vehicle using the site.

- a Construction Pedestrian Traffic Management Plan is required.

Heritage NSW

Heritage NSW noted that the proposal is located outside the curtilage of the SHR listed item St Peter's Church and Precinct.

Heritage NSW also supports the Applicant's proposed archaeological conditions and recommended additional standard archaeological conditions to appropriately manage the archaeological resources on-site.

EPA

The EPA provided the following comments:

- there is a low risk of widespread gross contamination of the site. However, contaminants may be present in fill used on the site.
- confirmed the proposal does not constitute a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) and does not require an Environmental Protection Licence under the POEO Act.

Sydney Water

Sydney Water provided the following comments:

- water and sewerage demand estimates and connection points are required for each building.
- no building or structure is to be constructed over, or within, 1m of the existing 300mm stormwater pipe that crosses the site near the northern end of Thomson Street.
- a dilapidation survey report is required if the proposal is within 5m of the 300mm stormwater pipe.

Sydney Water also provided advice on water and sewerage servicing requirements and efficiency, and requested the Applicant make a Section 73 Application.

EESG

EESG confirmed that it approved a BDAR waiver on 20 September 2018.

5.3.2 Council submission

Council objected to the proposal. Its comments are summarised at **Table 11**.

Table 11 | Summary of Council's submission to the exhibition of the proposal

Council

Council objected to the proposal as the application does not make provision for the payment of development contributions in accordance with the SDCP.

Council also raised concerns with the proposal and provided the following comments:

CIV

- the accuracy of the CIV should be reviewed. If it is found that the CIV exceeds \$50 million, a competitive design process for the design of the development should be required in accordance with the Education SEPP.

Built form and heritage

- demolition of Wilkinson House and the old gym are not supported. As a minimum, Wilkinson House should be retained and adaptively reused.
- the Administration Building envelope obscures public views to Barham Building from Forbes Street and would also dominate the Chapel building.
- the height and scale of the building envelopes are inappropriate and exceed the SLEP height controls.

- the Multi-Purpose Building envelope provides a poor built form transition to neighbouring Bourke Street terraces.
- the Multi-Purpose Building envelope results in unacceptable overshadowing of numbers 4 and 6 Thomson Street.
- further consideration is required of the relationship and scale of the building envelope to Thomson Street.
- the Bourke Street basement car park (22 spaces) is not supported and should be deleted.
- a total of 69 student/staff bicycle parking spaces should be provided.

Excavation and contamination

- additional information about the excavation impacts on the Chapel building and neighbouring terraces is required.
- the reuse of sandstone excavated from the site should be considered.
- a detailed contaminated site investigation should be undertaken.

Hydrology and ESD

- stormwater modelling should be updated and a revised flood assessment is required.
- clarification of ESD measures including renewable energy generation and water re-use.

Construction and waste

- an acoustic report considering construction noise impacts is required and construction hours should comply with Council's standard construction hours for sites outside the CBD.
- appropriate waste and recycling storage is required.

Landscaping and public domain

- greater detail of site landscaping is required, including consideration of deep soil, sunlight and canopy cover.
- the Arboricultural Impact Assessment should be updated to assess all trees, consider the impact of basements, consistency with the landscape drawings and retention of Tree 1 on Bourke Street.
- consent should not be granted for indicative works associated with future Stages 2 and 3 proposals or public domain works on land outside the site boundary.

Council recommended conditions address construction impacts on the public domain, preparation of a Construction Noise and Vibration Management Plan and implementation of the GTP.

5.3.3 Community submissions

A total of 110 public submissions (including special interest groups) were received in response to the public exhibition of the proposal. Submissions comprised 107 objections and three comments. The majority of public submissions (93 submissions) were received from people living within 5 km / the immediate vicinity of the site. The key issues raised by the community are summarised in **Table 12**.

Table 12 | Cumulative summary of the public submissions as a proportion of the total submissions made

Issue	Proportion of total (110) submissions
• Heritage impacts, demolition of Wilkinson House, public view of Barham Building blocked	86%
• Traffic, car parking and pick-up/drop-off impacts	66%
• Height and scale	40%
• Childcare facility, its capacity and impact	39%
• Loss of private views	34%
• Overshadowing of residential properties	32%
• Construction and staging impacts	30%

• Adverse amenity impacts due to increased school size/capacity and potential student numbers	27%
• The CIV has been underestimated to avoid triggering the need for a Design Competition	21%
• Inadequate / insufficient public consultation	20%
• Inappropriate building designs and inadequate building setbacks	18%
• Operational noise impact	11%
• Loss of privacy	10%
• Existing daytime restriction on public vehicular access to St Peters Street should be removed	10%
• Negative impact on property value	6%

Other issues raised in public submissions (5% or less) included:

- roof design should include green roof, non-reflective materials and internalised plant.
- the school should pay development contributions.
- the proposal is not ESD.
- operational light spill.

5.4 Response to Submissions

Following the exhibition of the proposal, the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions and matters raised following the Department's preliminary review of the EIS.

On 8 November 2019, the Applicant submitted its RtS (**Appendix A**). The RtS provides additional information and clarification in response to the issues raised in submissions. The RtS also includes the following amendments to the proposal:

Wilkinson House building

- additional detailed justification for the demolition of the existing building.
- amendments to the design of the elevations and proposed materials.

Multi-Purpose Building

- increase of 22.6m² GFA (from 5,669.4m² to 5,692m²).
- reduction of 6.7m (being part one to two storeys) to the height of the building (from 25.19m to 18.49m).
- adjustments to the envelope so that it generally fits within the envelope of the existing building.
- increased setbacks and improved built form relationship to Bourke Street and Thompson Street, including:
 - revision of building alignment so that it is parallel to Bourke Street.
 - deletion of blade wall design feature to the boundary with Bourke Street terraces.
 - increase of 1.15m to the 4th floor Bourke Street setback (from 8m to 9.15m).
 - deletion of the top level fronting Bourke Street and provision of a 28m 6th floor setback.
 - provision of a two storey scale to Thompson Street.
 - updated overshadowing analysis demonstrating a reduction in overshadowing of Thompson and Bourke Street terraces.
- redistribution of tenure of basement car parking (total remains at 22 spaces).
- reduction of 1.52m and 2.52m to the setbacks to Thompson Lane and Street (from 2.52m to 1m generally and no setback abutting Thompson Street).

Administration building

- reduction of 1m to the Forbes Street parapet height (from 12.7m to 11.7m) so that the parapet aligns with the eaves level of the neighbouring Chapel Building.
- increase of the Forbes Street rooftop plant setback by 6.7m (from no setback to 6.7m) and increase of 0.7m to the height of the rooftop plant envelope (from 12.7m to 13.4m).

Other changes

- reduction of 0.04:1 FSR (from 1.54:1 to 1.5:1).
- reduction of the capacity of the childcare facility by 45 spaces (from 90 to 45 spaces).
- clarification of the proposed hours of construction.
- clarification of existing and proposed hours of operation and the purpose of the proposed new buildings.

5.4.1 Submissions in response to the RtS

The RtS was notified to Council, the relevant public authorities and all members of the public who made a submission during the public exhibition of the EIS. Notices were also published in the Southern Courier and Wentworth Courier on 20 November 2019 and a copy of the RtS was placed on the Department's website. An additional 11 submissions were received comprising a submission from Council, five from public authorities and five objections from the public.

A summary of the issues raised by Council and in submissions from public authorities are provided at **Table 13**.

Table 13 | Summary of Council and public authority submissions to the notification of the RtS

Council

Council reviewed the RtS and maintains its objection to the proposal and clarified its objection is on the following grounds (previously raised as objections or concerns in its EIS submission):

- the Applicant has not agreed to the payment of development contributions.
- a competitive design process should be undertaken.
- demolition of Wilkinson House and the Old Gym Building.
- inadequate provision and detail of landscaping.
- the proposal exceeds the SLEP car parking and the Bourke Street car park should be deleted.

Council reiterated its concerns about bicycle parking and renewable energy, water efficiency and water recycling and also raised the following new concerns:

- Council generally supports the reductions to the Multi-Purpose Building envelope fronting Bourke Street. However, the envelope should be further amended as follows:
 - reduce the Bourke Street street-wall height to match the height of the adjacent terraces.
 - provide additional setback to the level above the street-wall so it does not protrude beyond the ridgeline of the adjacent terraces.
 - amend the street-wall component of the envelope to include a recess adjacent to the neighbouring terraces.
- specific noise mitigation measures must be included in future detailed DA(s) to address construction noise.
- the contaminated land report does not state that the site can be made suitable for the proposed use.

Council provided the following additional new comments:

- a hazards and building materials survey will be required for the demolition of Wilkinson House.
- the childcare centre will need to comply with SDCP requirements as part of future detailed DA(s).
- the revised arboricultural report has addressed Council's concerns. The recommendations at section 6 of the report should form concept conditions of approval.

TfNSW (RMS)

TfNSW (RMS) reviewed the RtS and confirmed that the design of the new driveway and basement and compliance with Australian Standards are matters for consideration as part of future detailed DA(s).

TfNSW (RMS) reiterated that a draft Construction Pedestrian Traffic Management Plan is required.

TfNSW (RMS) recommended conditions requiring future detailed DA(s) to include traffic impact assessments and that a Construction Pedestrian Traffic Management Plan be provided prior to the issue of construction certificates.

Heritage NSW

Heritage NSW reviewed the RtS and noted that the RtS has acknowledged Heritage NSW's comments provided in response to the EIS and indicated appropriate measures to manage historical archaeology.

Heritage NSW reiterated its previously recommended archaeological conditions.

TfNSW

TfNSW reviewed the RtS and confirmed it has no further comments to make and reiterated its recommended conditions.

EPA

The EPA reviewed the RtS and reiterated its comments provided in response to the EIS exhibition.

Sydney Water

The Sydney Water reviewed the RtS and reiterated its comments provided in response to the EIS exhibition.

Three of the five public submissions received in response to the RtS did not raise any new matters not already summarised at **Table 12**. However, one submission included its own traffic survey of impacts on Forbes Street that indicates the proposal would have an adverse traffic impact. The other submission, on behalf of the Horizon Building, raised concerns that the Applicant's further justification and response to the demolition of Wilkinson House, traffic management, construction and staging and for not providing a green roof is inadequate.

On 24 January 2020, the Applicant submitted a RRFI, which supplemented the RtS (**Appendix A**). The RRFI provides additional information and clarification in response to the issues raised in submissions and the Department's request for additional information concerning built form, construction hours, parking, traffic and administrative matters. The RRFI also amended the proposal by including a 1m wide indented recess in the Bourke Street elevation of the Multi-Purpose Building envelope adjacent to the neighbouring Bourke Street terrace house.



6. Assessment

The Department has considered the Applicant's EIS, RtS and RRFI and the issues raised in submissions in its assessment of the proposal. The Department considers the key assessment issues associated with the proposal are:

- demolition.
- built form and heritage.
- parking and traffic.
- residential amenity.
- noise and vibration.

Each of these issues is discussed in the following sections of this report. Other issues were taken into consideration during the assessment of the application and are discussed at **Section 6.6**.

6.1 Demolition

The Concept Proposal includes the demolition of the Old Gym Building, which is located adjacent to the end of Thompson Street (**Figure 2**). The demolition of this building, together with the Old Science and Library Building and the additions to the Chapel / Barham Buildings allow for the provision of an up to six storey Multi-Purpose Building envelope fronting Bourke Street (**Figure 7**).

As part of the Stage 1 works, the Applicant proposes the complete demolition of Wilkinson House at the corner of Forbes and St Peters Streets to facilitate the construction of a new four storey school building, and basement, for sports and general learning purposes.

The Applicant's EIS, as amended by its RtS, is supported by a Heritage Impact Statement (HIS), which was updated by a Supplementary HIS (hereafter the HIS). The HIS has considered the historic significance of the site, the buildings within it and the impact of the proposed development, including demolition of the Old Science and Library Building, the additions to the Chapel / Barham, Wilkinson House and the Old Gym Building.

The Department notes the HIS concludes the demolition of the Old Science and Library Building and the additions to the Chapel / Barham would have positive heritage and visual impacts and are acceptable. The Department agrees with the conclusions of the HIS and has considered the demolition of Wilkinson House and the Old Gym Building in the following sections.

6.1.1 Wilkinson House

Wilkinson House was constructed in the 1926 and originally used as an apartment building and is now currently used for classrooms. As summarised at **Section 1.2.3**, Wilkinson House is a locally listed heritage item under the SLEP (**Figure 4**). The listing for Wilkinson House states it is significant as it is

representative of the construction of apartment buildings in the 1920s and for its use of materials and architectural style.

The HIS has considered the heritage significance of Wilkinson House and concludes it is of a moderate significance for its historic, aesthetic and social value to the school and as it is one of the last remaining earliest buildings in Sydney of prominent architect Emil Sodersten. The HIS also stated that although not constructed to the proposed original level of detail, the building is representative of 1920s apartment buildings. In addition, although the building retains some original internal spaces and details the building's original spatial arrangement has been modified due to its use as a boarding house and later as senior studies centre.

Council objected during the exhibition of the proposal and reiterated its objection following its review of the Applicant's RtS, that the loss of Wilkinson House would be significant and unacceptable. In particular:

- the proposed demolition of Wilkinson House has not been adequately addressed.
- Wilkinson House's original external building fabric is of high heritage significance.
- Wilkinson House is a contributory building to the East Sydney Heritage Conservation Area and the SDCP states that '*contributory buildings are to be retained unless the consent authority determines the replacement is justified in exceptional circumstances*'.

In addition to Council's comments, objection was raised in 86% of public submissions, including by the National Trust, about the loss of Wilkinson House and the potential adverse heritage impact of the demolition.

Heritage NSW did not comment on the demolition of Wilkinson House, a local heritage item, and noted that the proposal is located outside the curtilage of the SHR listed St Peter's Church Precinct.

The Applicant has stated that the school has owned Wilkinson House for over 50 years and since closing boarding facilities in 2001, it has made every effort to adaptively reuse the building for staff facilities and classroom use (past 18 years). In addition:

- the ongoing use of these spaces for learning and teaching facilities has reached the end of its practical lifespan, with spaces within Wilkinson House being the least desirable in the school for learning, and not meeting the school's ongoing requirements (**Figure 16**).
- of the School's 30 learning spaces provided for secondary students, only 12 learning spaces are over 60m² and able to adequately accommodate a full classroom size. The NSW Department of Education (DoE) standards recommend schools provide a minimum of 20 General Learning Spaces of 60sqm. Presently, Wilkinson House accommodates five learning spaces varying in size from 41m² to 57m².

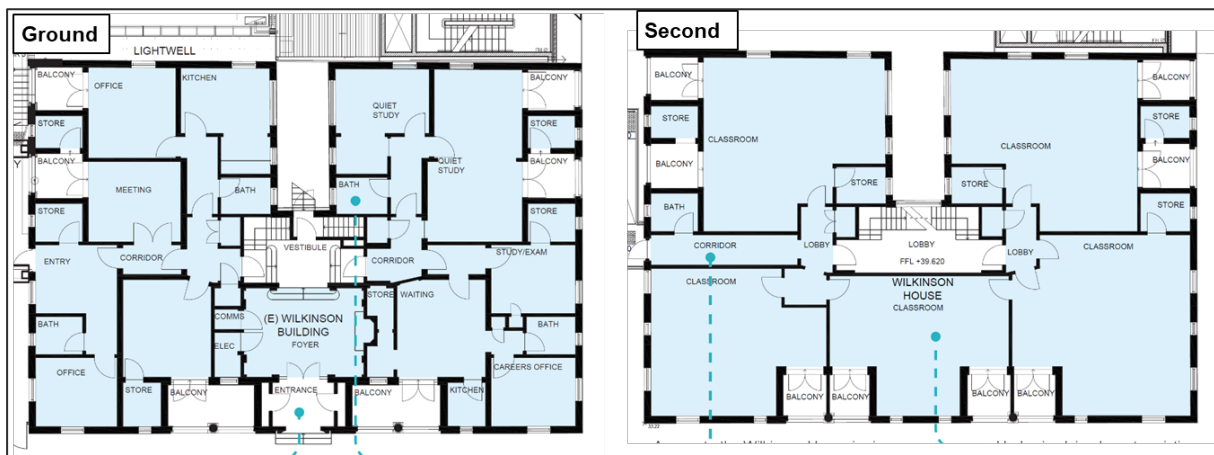


Figure 16 | Existing ground and second floor layout of Wilkinson House (Base source: Applicant's RtS, November 2019)

In addition to the HIS, and in response to the concerns raised, the Applicant has submitted structural analysis and design options analysis, which provides an assessment of the site's redevelopment in the context of the loss of Wilkinson House. This included an options analysis that considered:

- Option A – refurbishment of the building.
- Option B – redevelopment of the building with the retention of the Forbes and St Peters St facades.
- Option C – complete demolition and replacement with a new purpose-built facility.

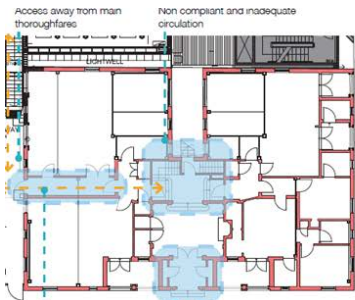
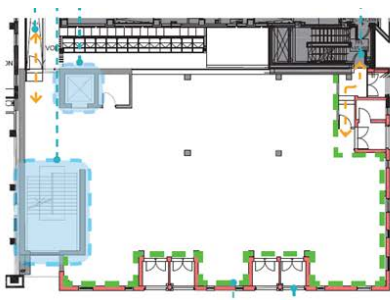
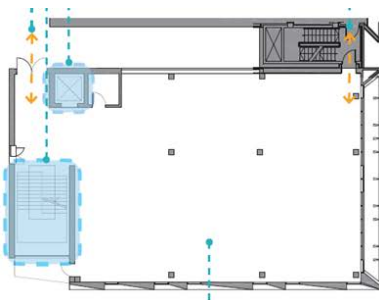
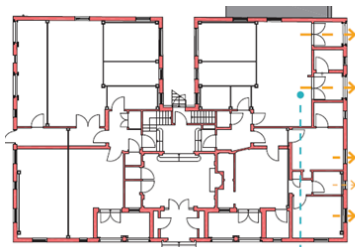
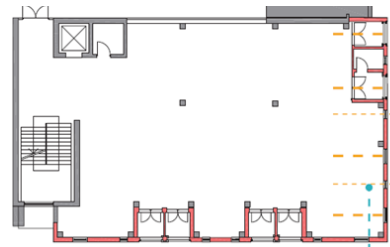
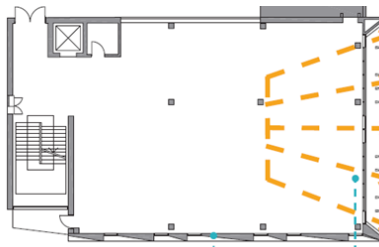
The Applicant confirmed that due to the failings of the existing building, summarised above, not adapting the existing facilities (i.e. the 'do nothing' scenario) is not an option for the school.



Figure 17 | Wilkinson House Options A, B and C (source: Applicant's RtS, November 2019)

The Applicant's analysis also includes a comparative consideration of each of the three Options against the key considerations summarised at **Table 14**.

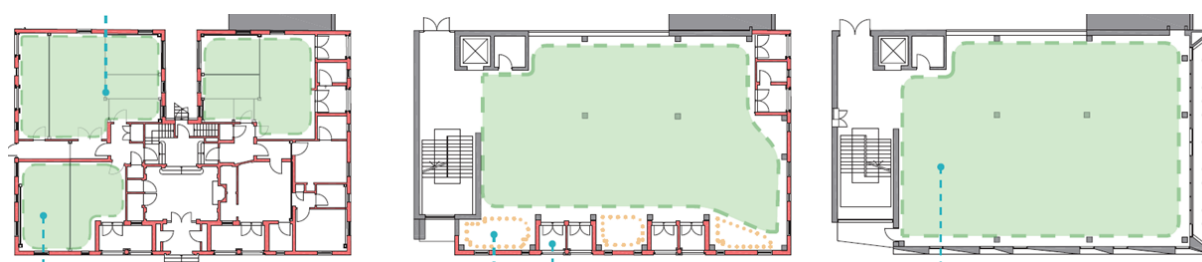
Table 14 | Options analysis considering retention, facade retention and demolition of Wilkinson House

Option A - Retention	Option B – Facade Retention	Option C - Demolition
Building Code of Australia (BCA) and Access		
		
<ul style="list-style-type: none"> - BCA non-compliances relating to egress, balustrades, windows, circulation, access, ventilation and door openings. - main access does not cater for student volumes resulting in congested passageways. - no lifts or accessible amenities. 	<ul style="list-style-type: none"> - BCA non-compliances relating to balustrades, windows, ventilation. - main access does not cater for student volumes resulting in congested passageways. - retained façade requires additional insulation resulting in loss of floor area. - a lift and accessible amenities are provided. 	<ul style="list-style-type: none"> - Meets BCA requirements. - fully accessible.
Thermal Qualities		
<ul style="list-style-type: none"> - masonry, roof, ground slab, construction have low thermal performance. - glazing to balconies and windows are low performance. - lack of window shading results in higher heat gain. - overall inefficient construction results in high electricity use. 	<ul style="list-style-type: none"> - masonry construction has low thermal performance. - glazing to balconies and windows is low performance. - lack of window shading results in higher heat gain. 	<ul style="list-style-type: none"> - fully compliant solution with good thermal performance. - exceedance of BCA requirements and meet Green Star Level 4.
Amenity – Daylight, Views, Privacy and Acoustics		
		
<ul style="list-style-type: none"> - windows are domestic proportions and provide low-level light. - limited views due to window size and internal layout. - timber floor provides poor acoustics and noise transfers to spaces below. 	<ul style="list-style-type: none"> - windows are domestic proportions and provide low-level light. - removal of internal walls increases views. Windows continue to restrict views. 	<ul style="list-style-type: none"> - light is maximised and high performance glazing used. - views are maximised. - concrete floors provide excellent acoustics. - reduced windows to eastern façade increase privacy to

Ventilation and Floor to Ceiling Heights (FtCH)

- | | | |
|---|---|---|
| <ul style="list-style-type: none"> - existing windows provide non-compliant, low level ventilation. - internal corridors/stairs have no ventilation. - spaces rely on inefficient and inadequate forms of mechanical ventilation. - low FtCH limits installation of services. - 2.4m FtCH is less than DoE requirement (2.7m). | <ul style="list-style-type: none"> - existing windows provide non-compliant, low level ventilation. - reconfiguration of internal space improves internal ventilation. - low FtCH limits installation of services. - 2.4m FtCH is less than DoE requirement (2.7m). | <ul style="list-style-type: none"> - new windows allow for compliant ventilation. - exposed soffits allow for night-time air purging. - adequate FtCH height for services and allows for taller windows. - energy efficient mixed mode air conditioning can be integrated into building design. |
|---|---|---|

Education and Functionality



- | | | |
|--|--|---|
| <ul style="list-style-type: none"> - most classrooms are less than DoE requirement (60m²). - spaces are not flexible, inefficient and poorly shaped. - layout and recessed balconies cause child supervision issues. - new internal structural columns impact spaces. - narrow corridors and floors do not align with Joan Freeman Building. - centralised stair and balconies limit nook-free teaching spaces. | <ul style="list-style-type: none"> - smallest space is 59m². Most spaces exceed DoE requirement. - poorly shaped learning spaces, balconies restrict flexibility. - recessed balconies cause child supervision issues and limit nook-free teaching spaces. - narrow corridors and floors do not align with Joan Freeman Building. | <ul style="list-style-type: none"> - smallest space is 64m². All spaces exceed DoE requirement. - large flexible, collaborative learning spaces that meet contemporary standards. - floors align with Joan Freeman Building allowing future connections. - revised entry optimises connectivity to the school. |
|--|--|---|

The structural analysis considered construction methodology for Option B (retention of Wilkinson House facades). The analysis confirmed that Wilkinson House is a load bearing masonry building with internal timber floors supported by the internal walls. These internal walls provide structural stability to the external facade.

To support the existing facades during construction Option B requires the construction of a temporary structural support system. The structural analysis indicates that this poses significant structural complexities, results in worker safety concerns, increases costs and likely amenity impacts to neighbouring properties. In addition:

- it is extremely difficult to support the façade within a small and congested site and the removal of the laterally supporting internal floors/walls would undermine the stability of the facade.

- access to the site is limited to the Forbes and St Peters Streets facades which have relatively small openings and demolition of a portion of the façade would be necessary to allow site access.
- before construction of foundations to support temporary façade retention steelwork can be undertaken, demolition of the load bearing structure at ground and basement levels is required, which poses a significant structural and safety risk.
- vibrations from shoring, piling and drilling machinery pose a significant structural risk to the façade.
- likely need for road closures, risk to in-ground services and pedestrian safety.

The Department has considered the findings at **Table 14** and reviewed the Options against the seven design quality principles of the Education SEPP and considers retaining Wilkinson House in full or in part would:

- not provide for a resilient and adaptable building with high environmental performance that can evolve over time to meet future requirements.
- not achieve appropriate BCA standards and therefore would fail to optimise health and safety within the site and would restrict the ability to deliver accessible and inclusive spaces.
- result in compromised learning spaces that would not be engaging and fully accessible for a wide range of educational and informal uses.
- provide inappropriate and inefficient indoor learning spaces, with reduced access to sunlight, natural ventilation and outlook.
- would potentially result in adverse amenity impacts on adjoining neighbours by forcing new buildings elsewhere on the site to be larger/higher.

The Options and structural analyses clearly indicate that Option C provides the most beneficial outcomes for the site and addresses the Education SEPP design quality principles and provides for acceptable educational facilities.

The HIS recommends the following measures be undertaken to minimise the negative heritage impact of the demolition of heritage fabric:

- undertake a photographic archival recording of the building externally and internally prior to the building's demolition.
- heritage interpretation of the demolished building, which could include display of historic and present photographs, salvage and display of significant elements, interpretation panels/plaques and physical or online narrative/model/interactive display.

The Department notes the views presented by Council and public submissions and has considered the likely heritage impacts associated with the proposal. The Department considers the Applicant has satisfactorily demonstrated that the demolition of Wilkinson House provides the most suitable outcome for the site in terms of its continued delivery of contemporary education, and to ensure the current and future education demands of the local community are met.

The Department accepts that the proposed demolition of Wilkinson House is necessary in view of the above requirements. The demolition of Wilkinson House is included in the Stage 1 works and the Department has recommended conditions to manage the heritage impacts including the requirement for the Applicant to undertake Photographic Archival Recording of Wilkinson House and for a heritage interpretation plan to be prepared and incorporated into the site / landscape design for the site. The Department considers that the implementation of these conditions ensures that the historical development of the site is identifiable in addition to preserving the existing character of the heritage buildings on the SCEGGS site.

6.1.2 The Old Gym

The Old Gym Building was constructed in 1925 and although originally used as a multi-purpose gym space, it is currently used for two classrooms and housing IT equipment/infrastructure (**Figure 4**). As summarised at **Section 1.2.3**, the entire SCEGGS site is a locally listed heritage item under the SLEP. The SCEGGS listing does not specifically identify the Old Gym Building as being significant in any way.

The HIA has considered the heritage significance of the Old Gym Building and concludes it is of moderate significance for its historic, aesthetic and social value to the school. Notwithstanding this, the HIA's assessment states that overall the physical integrity of the exterior fabric and many of the internal classroom and staff spaces is generally low. The HIA concludes the demolition of the Old Gym Building would have only a minor heritage impact for the loss of original/early fabric and the building's associations with the development of the School.

Council objected to the demolition of the Old Gym Building stating that it would erode the heritage significance of the site. Council stated, should approval be granted for the demolition of the Old Gym Building, this would increase the importance of the retention and adaptive reuse of Wilkinson House.

The Applicant has stated that whilst the demolition of the Old Gym Building would result in a loss of a historic building on the site, it is justified by the greater amenity and benefits provided to students and staff of the school through the provision of new facilities and spaces which better serve the current and future needs of the school community.

The Department notes that the Old Gym Building is not highly visible from surrounding public areas and roads, has been significantly altered, has a low building integrity and is not mentioned in the SCEGGS listing as being of any particular significance. The Department therefore accepts the HIS' conclusions that the demolition of the Old Gym Building would have only a minor heritage impact.

The Department concludes that the demolition of the Old Gym Building is acceptable and notes this would allow for the provision of a new Multi-Purpose Building that would provide for flexible, adaptable school accommodation for the benefit all students and staff.

6.2 Built form and heritage

The Concept Proposal includes the conservation and restoration of the Barham Building and the provision of three building envelopes, comprising maximum:

- six storey (17.49m) Multi-Purpose Building fronting Bourke Street.
- three storey (13.4m) Administration Building fronting Forbes Street.
- four storey (16.3m) replacement Wilkinson House on the corner of Forbes and St Peters Streets.

Objections have been raised in public submissions and by Council about the height, scale and heritage impact of the proposal.

The Department considers the key assessment issues to be building height, heritage and building design and materials. These matters are considered in the following sections.

6.2.1 Building height

The subject site has a maximum building height control of 15m (above ground) under the SLEP (**Figure 18**).

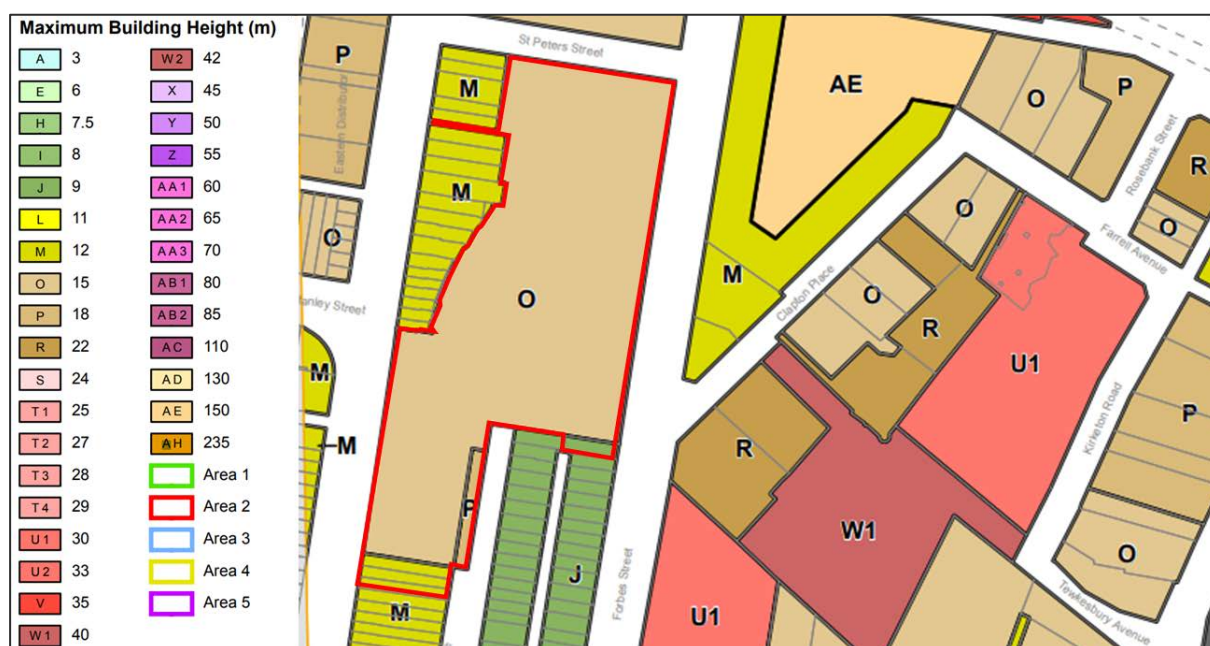


Figure 18 | Extract from the SLEP Height of Buildings Map (Source: SLEP)

Concept Proposal

As summarised at **Section 4.3.1**, the Multi-Purpose and new Wilkinson House building envelopes exceed the SLEP 15m building height control for the site as follows:

- Multi-Purpose Building – maximum height 17.49m (2.49m exceedance) (**Figure 19**).
- Wilkinson House building – maximum height 16.3m (1.3m exceedance) (**Figure 20**).

The Administration Building envelope is a maximum of 13.4m and would not exceed the SLEP maximum height control.

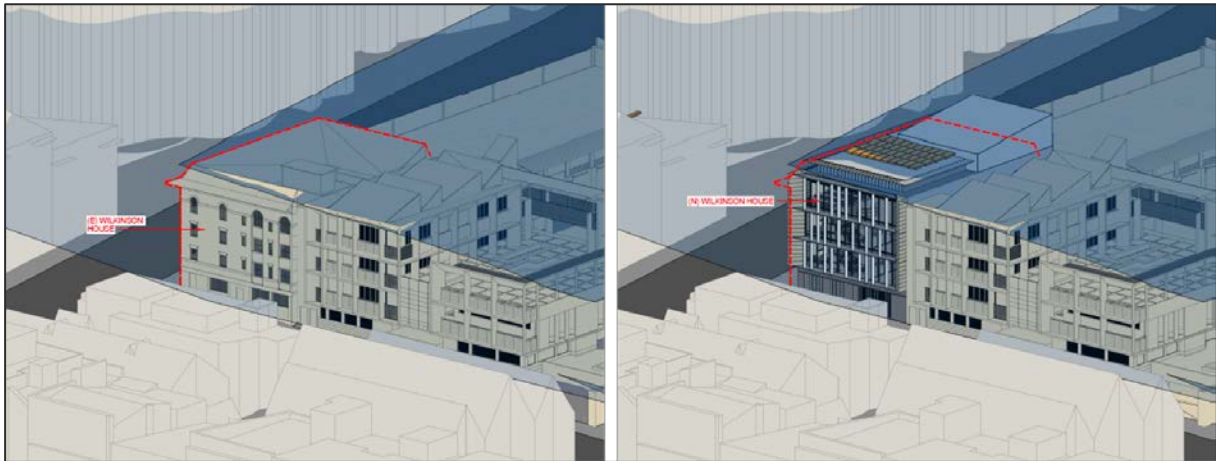


Figure 19 | Locations where the existing (left) and proposed (right) Wilkinson House exceed the 15m height limit (blue) (source: Applicant's RtS, November 2019)

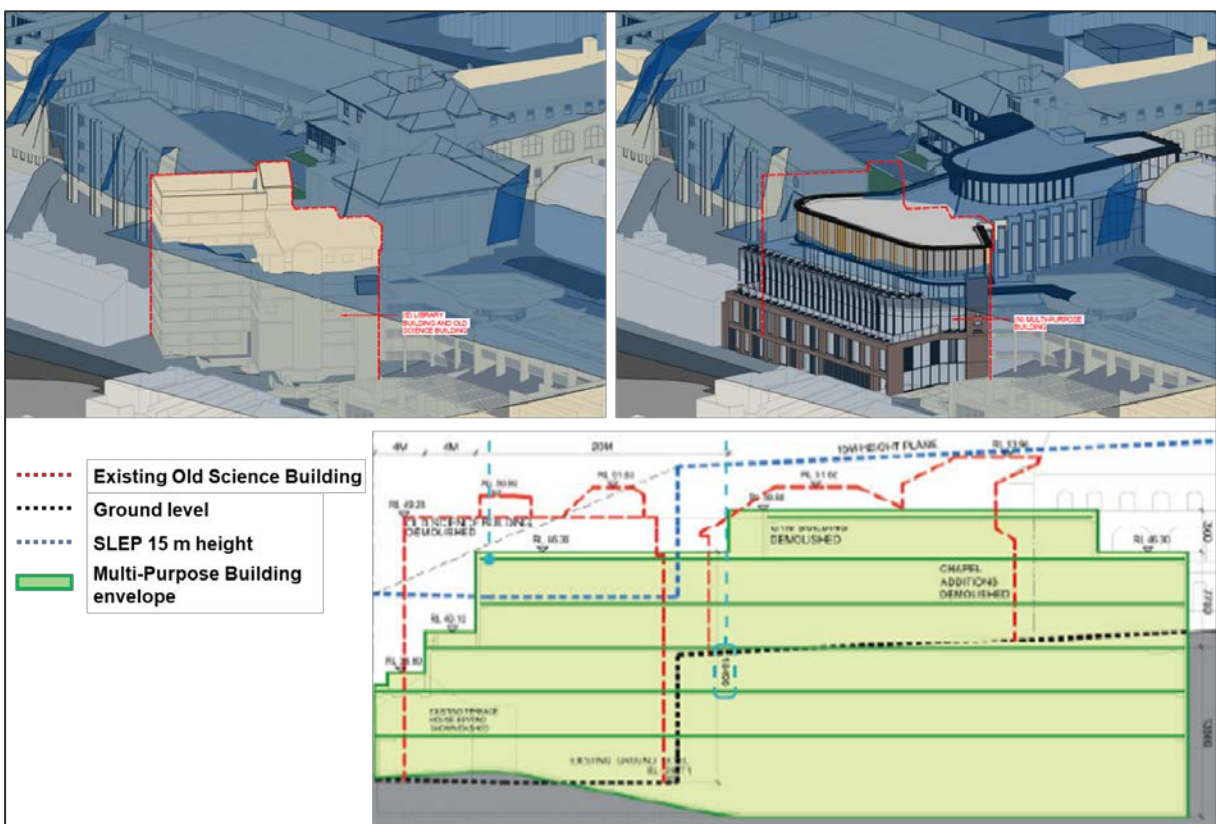


Figure 20 | Locations where the existing Old Science Building (top left) and proposed Multi-Purpose Building (top right) exceed the 15m height limit (blue). Comparative section of the Multi-Purpose Building (bottom) showing the existing and proposed buildings, ground level and the 15m height limit (source: Applicant's RtS, November 2019)

As summarised at **Section 4.3.1**, clause 4.6 of the SLEP allows for flexibility in the application of development standards and clause 42 of the Education SEPP stipulates that development standards do not apply to schools that are SSD. Notwithstanding the provisions of the Education SEPP, the Department has considered the provisions of clause 4.6 as a guide in its assessment of the proposed building height. It has considered the general merits of the proposal and the impacts of the height variation on the surrounding area in assessing whether the built form is appropriate for the site. Therefore, the Department requested the Applicant to provide a clause 4.6 variation request, which considers the variation of the SLEP height of building development standard.

Concerns were raised in public submissions about building heights and impacts on neighbourhood character, solar access, privacy and views. Council confirmed it was supportive of the reductions to the overall height of the Multi-Purpose Building envelope.

The Applicant has advised that compliance with the development standard is unreasonable and unnecessary in the circumstances of the application as the:

- Multi-Purpose Building envelope maximum height is less than the Old Science Building it replaces.
- Wilkinson House height exceedance is minor and allows the St Peters Street parapet height to appropriately align with the height of the neighbouring Joan Freeman Building.
- proposed building heights are appropriate within their setting and urban context and acceptable levels of amenity would be maintained.
- building heights respond to the varied topography of the site and flood planning constraints.
- space is limited on the site and the proposal is required to make efficient use of the land to achieve the objectives of the school.

In response to the initial concerns raised about building height, the Applicant reduced the height and scale of the Multi-Purpose Building envelope, as summarised at **Section 5.4** and **Table 4**.

The Department has considered the concerns raised in public submissions and the information provided by the Applicant. The Department considers that the height and scale of the built form is acceptable and the variation to the SLEP height development standard is reasonable and justified as the:

- Multi-Purpose Building envelope would be a storey lower than the Old Science Building and would have a lesser visual impact.
- Multi-Purpose Building envelope has been significantly reduced in height and scale where it fronts Bourke Street. The Department considers the proposal provides an appropriate built-form transition to neighbouring properties and is appropriate within its context.
- new Wilkinson House building would be of a similar height to the existing building and the minor height exceedance is unlikely to be noticeable.
- area around SCEGGS is characterised by medium to high density development with varying building heights, some of which significantly exceed the heights of the proposed buildings.
- proposal has addressed potential heritage impacts as discussed at **Sections 6.1** and **6.2**.
- overall increase of 7,838.2m² GFA, and corresponding development FSR of 1.5:1 has strategic merit and is an appropriate density for the site, as discussed at **Section 3**.
- development would not have adverse amenity or traffic impacts, as discussed at **Sections 6.3** and **6.4**.

Overall the Department concludes that compliance with the standard is unnecessary and unreasonable in this circumstance, and there are enough environmental planning grounds to justify contravening the development standard. The proposed height and scale of the building envelopes is appropriate having regard to the surrounding development and site constraints. The Department notes the benefits associated with the proposed upgrade to the school facilities and considers the proposed

height exceedances have been justified in terms of the objectives of the development standard and can be supported.

Stage 1 works

The Department considered height of the Wilkinson House building under the Concept Proposal (preceding section) and concluded that the proposed height was acceptable given the height of the existing building to be demolished and in the context of the site.

6.2.2 Heritage

Concept Proposal

Concern was raised in public submissions about the heritage impact of the Concept Proposal and that the Administration Building envelope would obscure views towards the Barham Building.

Council stated the bulk of the proposed Administration Building envelope is larger than the neighbouring Barham Building and the existing buildings it replaces. Council raised concern that the building envelope has the potential to obscure the historic Barham Building from Forbes Street and may dominate the Chapel Building. Council also recommended the Multi-Purpose Building envelope be amended to improve its relationship to the adjoining Bourke Street heritage terraces including:

- reduce the Bourke Street street-wall height to match the height of the adjacent terraces.
- further set back the envelope so it does not protrude beyond the ridgeline of the adjacent terraces.
- amend the street-wall component of the envelope to include a recess adjacent to the terraces.



Figure 21 | Location of existing buildings to be demolished (left) and the proposed building envelopes (right)
(Base source: Applicant's RtS, November 2019)

The Applicant has stated that the new Administration Building envelope represents a sympathetic addition to the Barham Building. The proposal allows for the removal of visually detracting ad-hoc additions, restoration of Barham and Chapel Buildings and the creation of a wider, revitalised main entry to the school. In response to Council's concerns, the Applicant amended the:

- Administration Building envelope by reducing the height of the Forbes Street parapet to the approximate gutter level of the adjacent Chapel Building.
- Multi-Purpose Building envelope to provide for a two storey street-wall height similar to the adjacent terraces and has incorporated Council's recommended setback and recess amendments.

The HIS has considered the relationship of the Administration and Multi-Purpose Building envelopes to neighbouring buildings and concludes the building envelopes are appropriate and would not adversely impact neighbouring heritage items or the conservation area. Overall the HIS states all replacement building envelopes have been designed to respect and enhance the appreciation and significance of the heritage items within the School and contribute to the streetscape and heritage conservation area.

The Department has considered the concerns raised in public submissions and by Council and concludes the bulk and scale of the Administration and Multi-Purpose Building envelopes are appropriate and would not have unacceptable heritage impacts as:

- removal of later intrusive additions to the Barham Building (in the location of the Administration Building) would have positive heritage impacts.
- the Administration Building envelope includes appropriate setbacks from Barham and Chapel Buildings. In addition, its height relates appropriately to the eaves of the Chapel Building and reinforces the dominance of the Chapel Building when viewed from Forbes Street (**Figure 22**).
- view analysis demonstrates that there would be no appreciable reduction of views to the Barham Building from Forbes Street (**Figure 23**).
- Multi-Purpose Building envelope appropriately aligns with neighbouring Bourke Street terraces and the amended setbacks at upper levels minimise the bulk and scale to the Bourke Street streetscape (**Figure 24**).

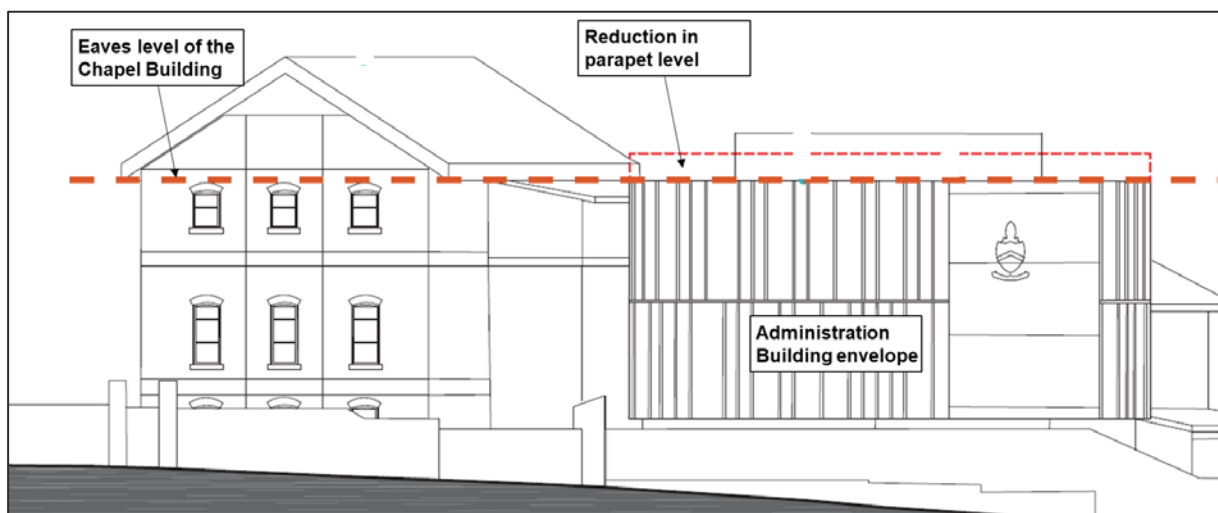


Figure 22 | Height of the Administration Building envelope and the Chapel Building (Base source: Applicant's RtS, November 2019)



Figure 23 | View from Forbes Street towards Barham Building and its existing additions (top) and the indicative Administration Building (bottom) (Base source: Applicant's RtS, November 2019)

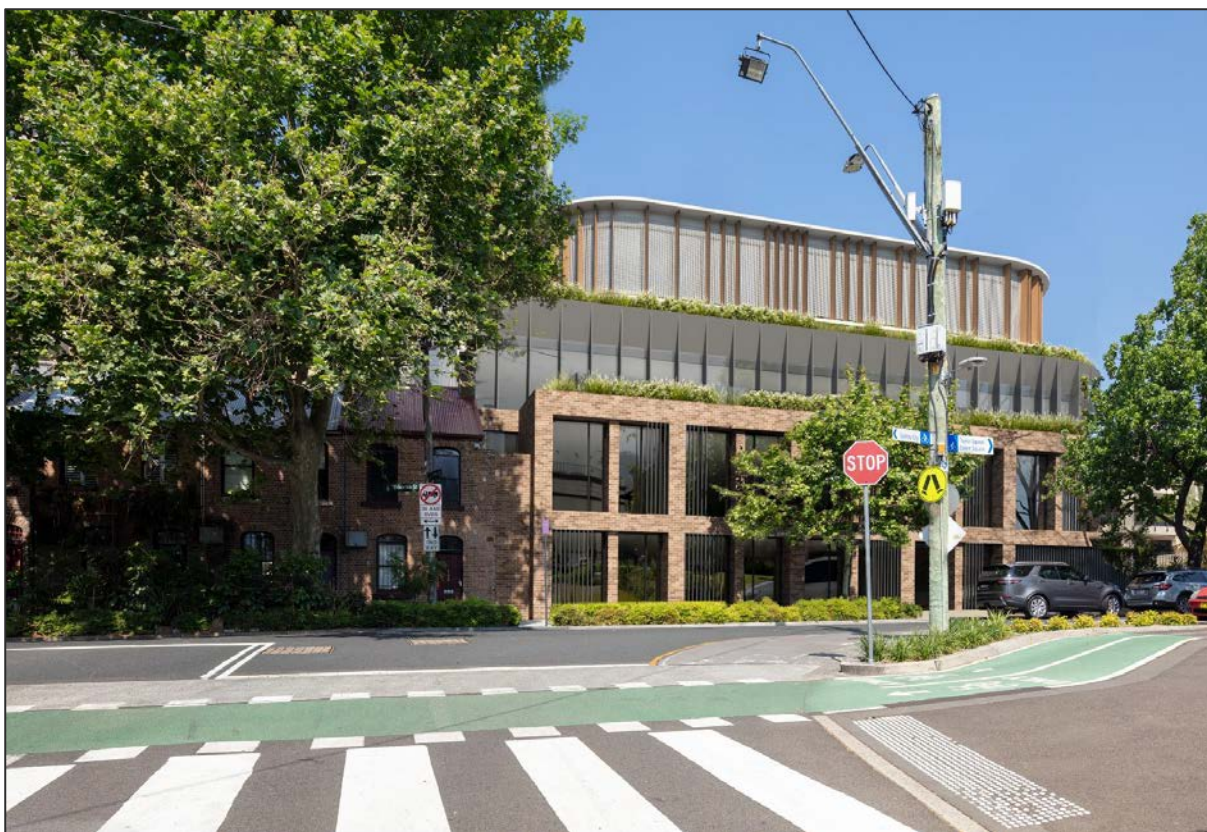


Figure 24 | Perspective looking east to the Bourke Street elevation showing the relationship between the indicative development and the Bourke Street terraces (Base source: Applicant's RRFI, January 2019)

The Department considers the restoration of Barham Building would have significant positive heritage impacts and is a public benefit. The key benefits include:

- the original verandah would be opened up and restored.
- the original timber frieze, cast iron balustrades, timber windows, French doors, shutters and slate roof would be reinstated or replicas installed.
- a historic paint colour scheme would be developed from documentary/ physical evidence.
- the sandstone pavements and garden edging would be reinstated and appropriate planting would be provided to enhance the setting of Barham.

The Department concludes that the proposed building form would not be detrimental to the heritage values of the site and surrounding area and is appropriate having regard to the existing built form within the site and the surrounding urban context.

The Department recommends a condition requiring future detailed DA(s) for the detailed design of each stage include a detailed Heritage Impact Assessment that considers the historic significance of the site, the buildings within it and the impact of the proposed development.

Stage 1 works

The detailed design of the replacement Wilkinson House Building forms part of the Stage 1 works and the Department has given consideration to the heritage impact of Wilkinson House in **Section 6.2.3** having regard to the design and materials of the replacement building.

6.2.3 Building design and materials

Concept Proposal

The application does not include detailed designs of buildings, except for the new replacement Wilkinson House building that forms part of the Stage 1 works, with all other buildings and works forming part of future detailed DA(s).

The Applicant has confirmed, despite CDP design excellence provisions of the SLEP not applying to the proposal, it is committed to a rigorous design process and to delivering the highest standard of design. The Applicant has considered the SLEP design excellence criteria and has developed Design Guidelines and Development Parameters (DGDP) to guide the evolution of future detailed DA(s).

The DGDP provide whole-of-site and building specific guidance relating generally to bulk, scale, setbacks, views/overlooking, streetscape and façade presentation and materials.

No comments were provided by Council or in the public submissions about the DGDP.

The Department notes, although the DGDP are general in nature, they would provide an appropriate starting point for the design of future buildings. The Department therefore recommends conditions that require detailed elevations and design statement(s) be included in future detailed DA(s) and that future developments give consideration to the DGDP.

The detailed design and elevations of the new Wilkinson House building are considered in the following section.

Stage 1 works

The Applicant's EIS included an architectural design statement (ADS) (updated in the RtS and RRFI) that considered the detailed design of the new Wilkinson House building. The ADS provides the following explanation of the proposed design:

- the façade composition responds to the surrounding development and urban context while establishing its own identity reflecting the contemporary nature of the learning spaces it contains.
- face brickwork provides a durable finish at street level and sandstone cladding at upper levels, the materials selection references existing materiality of the adjacent St Peters Precinct. The use of vertical blades relate to the fenestration of Joan Freeman Building.
- horizontal shades protect from solar gain and vertical slot windows on the eastern façade increase privacy to neighbours while maintaining natural light.
- the Forbes Street stair core includes a projecting glazed box design together with high quality zinc cladding finishes at roof level. The glazed box would be transparent and well-lit at ground level to prevent anti-social behaviour.



Figure 25 | Proposed Wilkinson House building Forbes Street (left) and St Peters Street (right) elevations (Base source: Applicant's RtS, November 2019)

The proposal includes the construction of 10 temporary demountable classrooms for use during the demolition and construction phase of the Stage 1 works, comprising:

- eight demountable classrooms located on the roof of the Centenary Sports Hall.
- one located within the Forbes Street car parking area.
- one located on the roof terrace of the Old Gym Building.

Objections were raised in public submissions to the design of the new Wilkinson House building, some noting that it is not of the same high quality as the existing building proposed to be demolished.

Council did not provide any comments on the design of the new Wilkinson House building.

The Applicant has stated that the proposed new Wilkinson House building has been designed to make a positive contribution to the heritage conservation area in which the site is located. The building has been intentionally designed to reflect a contemporary and flexible learning space rather than the former residential apartment building it replaces. The materials and finishes proposed are durable and complement the character of the existing school and its surroundings.

The Department notes the Applicant has considered the design of the new Wilkinson House building against the Education SEPP design quality principles and concludes the:

- use of natural materials reflects the positive qualities of the local heritage conservation area.
- building has been designed to respond to its orientation and context, specifically with greater glazing along the northern frontage and a more solid façade to the western elevation. The building is physically connected to existing school buildings on the site.
- building achieves a high internal amenity and whole of life flexibility and adaptability.
- building is well proportioned and aligns closely with the adjacent building and the former Wilkinson House building.

The Department has considered the concerns raised in public submission and the information provided by the Applicant. The Department concludes that the proposed design of the new Wilkinson

House achieves a high standard of design and appearance, the proposed design and materiality of the building is appropriate and would not have an adverse impact on the character of the locality as:

- the modern design approach and use of materials is consistent with the Joan Freeman Building and other buildings within the vicinity of the site. The proposal provides a coherent overall architectural composition and makes a positive contribution to the evolving character of the surrounding area.
- the grouping of slot windows and use vertical blades on the Forbes and St Peters Streets facades appropriately breaks down the bulk of the building and reduces its visual impact.
- the façade treatment and selection of materials establishes an architectural rhythm which emphasises the vertical proportions of the building.
- the building is of a similar scale and massing as the existing building to be demolished and would also relate to the parapet height of the adjoining Joan Freeman Building.

The Department concludes the proposed development achieves a high standard of design and results in a building which has been designed and articulated to appropriately fit within its urban context without having an adverse impact on the character of the locality.

The Department recommends conditions requiring the building to comply with BCA and National Construction Code (NCC) requirements.

The Department considers the temporary demountable classrooms are acceptable as they are single storey, temporary in nature, ensure school capacity is not compromised during construction and would be removed once the construction of the Stage 1 works is complete. The Department recommends a condition requiring the demountable classrooms facilitated by this determination to be dismantled and removed from the site within three months of the first occupation of the replacement Wilkinson House building.

6.3 Parking and traffic

Car parking provision and traffic impacts are key considerations of the Department's assessment of the proposal. The Department acknowledges on-site car parking supply has a direct link to the amount of traffic generated by the development and its impact on surrounding roads.

The proposal is supported by a Traffic Impact Assessment (TIA), which considers the potential car parking and traffic impacts on the surrounding area.

The Department considers the key assessment issues to be:

- car parking.
- traffic generation and management.
- bicycle parking.

6.3.1 Car parking

Concept Proposal

The site currently provides for a total of 112 on-site car parking spaces and SCEGGS has access to 18 off-site spaces at 184 Forbes Street and 18 on-street pick-up/drop-off spaces on Bourke and Forbes Streets (as summarised at **Section 1.2.5**).

The Concept Proposal includes an increase of 15 on-site parking spaces (from 112 to 127 spaces), comprising the:

- removal of seven existing on-site school staff car parking spaces located within a surface car park accessed off Forbes Street.
- provision of 22 spaces located at basement level within the Multi-Purpose Building envelope and including:
 - seven school staff spaces (relocated from the Forbes Street car park).
 - six childcare pick-up/drop-off spaces.
 - five childcare staff spaces.
 - three school service vehicle spaces.
 - one childcare visitor space.

Objections were raised in public submissions about the provision of car parking and pick-up/drop-off spaces. Although Council supported the deletion of the seven spaces within the Forbes Street car park, it objected to the provision of 22 spaces and the basement car park within the Multi-Purpose Building envelope, stating that:

- the proposal further exceeds the SLEP maximum car parking provision for the site (86 spaces).
- the spaces are not needed as there is no proposed increase in staff / student numbers.
- it is inappropriate to agree precise car parking numbers as part of a conceptual masterplan, particularly as the proposed basement car park is not due to commence until 2030.
- the basement car park adversely impacts on street trees, public domain and those changes would require separate approval from the Council.

TfNSW and TfNSW (RMS) raised no objection to the car parking provision. TfNSW (RMS) stated that the design and operation of the new basement is a matter for detailed consideration as part of future detailed DA(s) and recommended future detailed DA(s) include a TIA.

The Applicant clarified in its RtS that the proposed additional 15 spaces relate specifically to the childcare centre (12 spaces) and vehicle servicing for the entire site (three spaces). In addition, the three servicing bays are required to house the school's two existing maintenance vehicles and provide a space for couriers and trades persons.

The Applicant stated that the proposal does not include an increase in school car parking spaces above the existing 112 school spaces. In addition, once relocated, the seven car parking spaces within the Forbes Street surface car park would be removed.

In response to Council's concern about the physical impacts of the basement car park the Applicant amended the driveway location to ensure no street trees are affected and stated the future driveway and entrance design would:

- minimise the width of the driveway to a maximum two vehicular lane widths only.
- locate the proposed driveway to minimise impacts to street landscaping and street trees.
- ensure fine grain building articulation is presented to Bourke Street.

The Department considers the relocation of the seven existing school car parking spaces is minor in nature and acceptable subject to the deletion of the redundant spaces from the surface car park.

The Department considers the additional 15 car parking spaces are acceptable as the:

- proposed childcare centre is a separate land use to the school and therefore proposed additional car parking spaces would not result in an increase in the total number of school car parking spaces (112 spaces). The Department has recommended a condition capping the maximum school population and childcare centre capacity (**Sections 6.3**).
- 12 additional car parking spaces relating to the childcare centre comprise staff, pick-up/drop-off and visitor spaces. The proposed number of spaces comply with the maximum SLEP car parking and SDCP pick-up/drop-off parking rates for childcare centres.
- SLEP and SDCP do not stipulate minimum or maximum service vehicle parking rates specifically for educational establishments and/or childcare centres. Notwithstanding, providing off-street and centralised servicing bays is appropriate, would accommodate the school's existing maintenance vehicles and provide for an additional on-site bay for incidental servicing requirements.
- traffic generation associated with the additional spaces would not have an adverse impact on the surrounding local road network, as discussed at **Section 6.3.2**.

The Department has recommended conditions that:

- limit the number of additional car parking spaces provided by this application to 15 spaces (being 12 childcare and three service vehicle spaces).
- require future DAs to be accompanied by a TIA considering the design, layout, operation and safety/management of the basement car park.
- require the design of the Bourke Street driveway and entrance to be in accordance with the Applicant's design commitments above.
- require future detailed DA(s) to confirm the use and treatment of the Forbes Street surface car park following the relocation of the seven car parking spaces.

Stage 1 works

The replacement Wilkinson House building does not include any additional car parking. The Department considers this to be acceptable as the proposal would not result in an increase in student or staff numbers and therefore is not required to provide additional car parking. The Department has recommended conditions to encourage sustainable transport.

6.3.2 Traffic generation and management

Concept Proposal

The TIA includes an assessment of the traffic impact of the proposal and confirms that as the proposal does not include an increase in the number of school staff, student or car parking spaces, there is no predicted increase in the number of vehicle trips generated by school operations.

The traffic generated by the proposal relates to the operation of the childcare centre and service vehicles (including 15 additional car parking spaces). The TIA provided a comparison between the existing and predicted traffic generation during peak periods 7am to 9am (AM) and 4pm to 6pm (PM) (summarised at **Table 15**) and the performance of nearby intersections including the level of service (LoS) and vehicle delay (summarised at **Table 16** and shown at **Figure 26**).

The TIA concludes that the increase in traffic generation during the peak periods is minor and that both key intersections would not see a reduction in the LoS below the existing situation.

Table 15 | Comparison between the existing and proposed peak traffic generation

Peak Period	Existing School Trips (vph)	Existing School and Proposed Childcare Trips (vph)	Difference (vph)
AM	66	102	+ 36
PM	17	49	+ 32

Table 16 | Comparison between the existing and proposed intersection LoS and performance

Intersection	Control Type	Peak Period	Existing		Proposed	
			LoS	Delay	LoS	Delay
Bourke and Liverpool Streets	Signalised	AM	B	11.8 sec	B	12 sec
		PM	B	10.9 sec	B	11.1 sec
Forbes and Liverpool Streets	Roundabout	AM	A	8 sec	A	8 sec
		PM	A	9 sec	A	9 sec



Figure 26 | Aerial view of both key intersections (Source: Applicant's RtS, November 2019)

Concerns were raised in public submissions about the potential traffic impacts of the development. In particular, that the physical expansion of the school would result in increased student numbers. One resident provided alternative traffic survey results of existing vehicle movements. Residents of the Horizon building raised concern that parents dropping off students often use the Horizon porte-cochere to turn around. TfNSW and TfNSW (RMS) did not raise concerns about traffic generation.

Council raised concerns that student numbers may be increased by 10% without the need for planning permission and this could result in additional traffic impacts. Council and TfNSW recommended that a GTP be prepared and implemented.

The Applicant has stated that the reduction in the capacity of the childcare centre (from 90 to 45 children) has reduced the traffic impacts of the proposal and the TIA has confirmed the amended proposal would not result in a significant increase in traffic generation or reduce intersection performance.

In response to concerns raised about the traffic impacts associated with the existing school operations the Applicant has committed to prepare and implement the following plans:

- a GTP to encourage staff, parents and visitors to use available public transport and other forms of transport than private cars.
- a Traffic and Pedestrian Management Plan (TPMP) to better manage existing traffic and complement the existing traffic mitigation measures undertaken by SCEGGS.

The Department has considered the concerns raised in the public submissions, comments by Council and information provided by the Applicant. The Department recognises the public concern with regard to the potential for the proposed redevelopment to allow for an increase in student enrolments. Given the strong reliance of the TIA on there being no increase in student and staff numbers and that the childcare centre has a maximum capacity of 45 places, the Department considers it appropriate to cap the maximum number of students and staff and childcare places. Imposition of such limits would ensure that the assumptions of the TIA (and the application as a whole) are realised and impacts are not increased beyond what has been assessed. The Department recommends a condition limiting the school student and staff numbers to not exceed existing levels, being:

- 942 students (with allowance for 20 additional students to accommodate unanticipated fluctuations on a temporary basis) and 158 FTE staff.
- 45 childcare places and five staff.

The Department considers that the proposal would have minimal impact on the surrounding road network and the performance of nearby intersections as:

- there is no increase in school staff, student or car parking numbers, therefore the additional traffic generation relates only to the operation of the proposed childcare centre and service vehicles.
- the proposed increase in vehicle movements during peak periods (**Table 15**) is minor in the context of the existing vehicle movements and is unlikely to result in a noticeable difference when compared to the existing situation.

- the proposal would result in only very minor additional delays at the key intersections and would not impact on the LoS of nearby intersections.
- appropriate sustainable travel measures can be encouraged through the preparation and implementation of a GTP that is intended to encourage a shift away from a reliance on private vehicle use.
- the TPMP includes pick-up/drop-off instructions, including clarification that the porte-cochere of the Horizon building is not to be used for u-turns and cars should not be parked across driveways.

The Department concludes the traffic impacts of the proposal are acceptable and can be appropriately managed and mitigated. In addition to the school population cap condition, the Department recommends conditions requiring:

- future detailed DA(s) include a detailed TIA, which considers the traffic generation and operational traffic impacts resulting from the detailed design of the development.
- future detailed DA(s) include a GTP.
- the preparation and implement of a GTP prior to the occupation of the new Wilkinson House building.

Stage 1 works

The Stage 1 works would not result in an increase in student or staff numbers and therefore would not generate any additional traffic movements. The Department has recommended conditions to encourage sustainable transport.

6.3.3 Bicycle parking

Concept Proposal

The school currently provides a total of 19 secure bicycle parking spaces for students located in the Old Gym Building and the Forbes Street surface car park.

The proposal includes the provision of an additional 50 bicycle parking spaces to be located at basement level within the Multi-Purpose Building envelope.

Council confirmed that the SDCP does not include bicycle parking rates for schools. To encourage a modal shift towards sustainable options, Council recommended that the bicycle parking rates for tertiary education establishments should apply and the proposal should therefore provide:

- 69 spaces for staff and students (all Class 2 / AS 2890.3:2015 Class B bicycle parking spaces)
- 25 lockers and two shower change areas for use as end-of-trip facilities.

TfNSW and TfNSW (RMS) did not raise any concern with the proposed bicycle parking.

The Applicant stated that as the proposal does not increase school student and staff numbers no additional bicycle parking is required. Notwithstanding, the Applicant has agreed to provide for 50 bicycle spaces for the benefit of the school and childcare centre staff, students and visitors.

The Department supports the proposed provision of 50 bicycle parking spaces, noting:

- SCEGGS already provides for 19 on-site bicycle parking spaces.
- the SDCP and Education SEPP do not include a minimum or maximum bicycle parking rate for schools.
- the 50 spaces offered by the Applicant directly benefit staff, students and visitors to the site.
- given the absence of a specific requirement and the benefit of the Applicant's offer, it would be unreasonable to penalise the Applicant by applying the SDCP bicycle parking rates for tertiary educational facilities.

Notwithstanding the above additional bicycle parking spaces, the Department notes that due to the redevelopment of the site (i.e. demolition of the Old Gym Building and redevelopment of the Forbes Street car park area) the proposal would result in the removal of the existing 19 bicycle spaces. In addition, the Applicant has not demonstrated where, or if, these existing spaces would be re-provided.

The Department recommends conditions requiring future detailed DA(s):

- relating to the Multi-Purpose Building and the Forbes Street car park relocate the existing 19 bicycle parking spaces that would be displaced due to the redevelopment of those sites.
- include a minimum of 50 additional bicycle parking spaces and associated end-of-trip facilities.

As the bicycle parking is proposed as part of the Concept Proposal, the Department considers that matters of detailed design, location and operation are more appropriately addressed as part of the assessment of future detailed DA(s).

Stage 1 works

The Stage 1 works would not result in an increase in student or staff numbers and therefore would not require the provision of additional bicycle parking spaces. The Department has recommended conditions to encourage sustainable transport.

6.4 Residential amenity

The Concept Proposal includes the creation of the Multi-Purpose Building envelope adjacent to existing residential properties fronting Bourke and Thompson Streets and Thompson Lane. The Stage 1 works include the replacement of Wilkinson House, which is located approximately 20m west of the Horizon building and approximately 40m south of shop-top apartments on St Peters Lane.

Concerns were raised in the public submissions that the proposal would have an adverse impact on neighbouring residential amenity.

The Department considers the key assessment issues to be:

- loss of views.
- privacy.
- overshadowing.

6.4.1 Loss of views

Several existing residential properties surrounding the site enjoy a range of city skyline and district views over the site. The impact of the proposal on these views is a key issue in the Department's assessment.

Concern was raised in the public submissions that the proposal would have an adverse impact on existing views.

In response to concerns raised, the Applicant amended the proposal in the RtS by reducing the height and scale of the Multi-Purpose Building envelope (**Table 4**). The Applicant stated that this amendment has significantly reduced the view impacts experienced by surrounding properties.

The Applicant provided a Visual Impact Study (VIS) in the EIS and RtS, which provides a comprehensive analysis of the view impacts of the proposed development, characterising the view loss at the affected premises. It takes into account the height, orientation and location of the affected buildings and the available view corridors and other foreground developments.

The VIS provided analysis of the impact on views relating to the properties shown and listed at **Figure 27**.

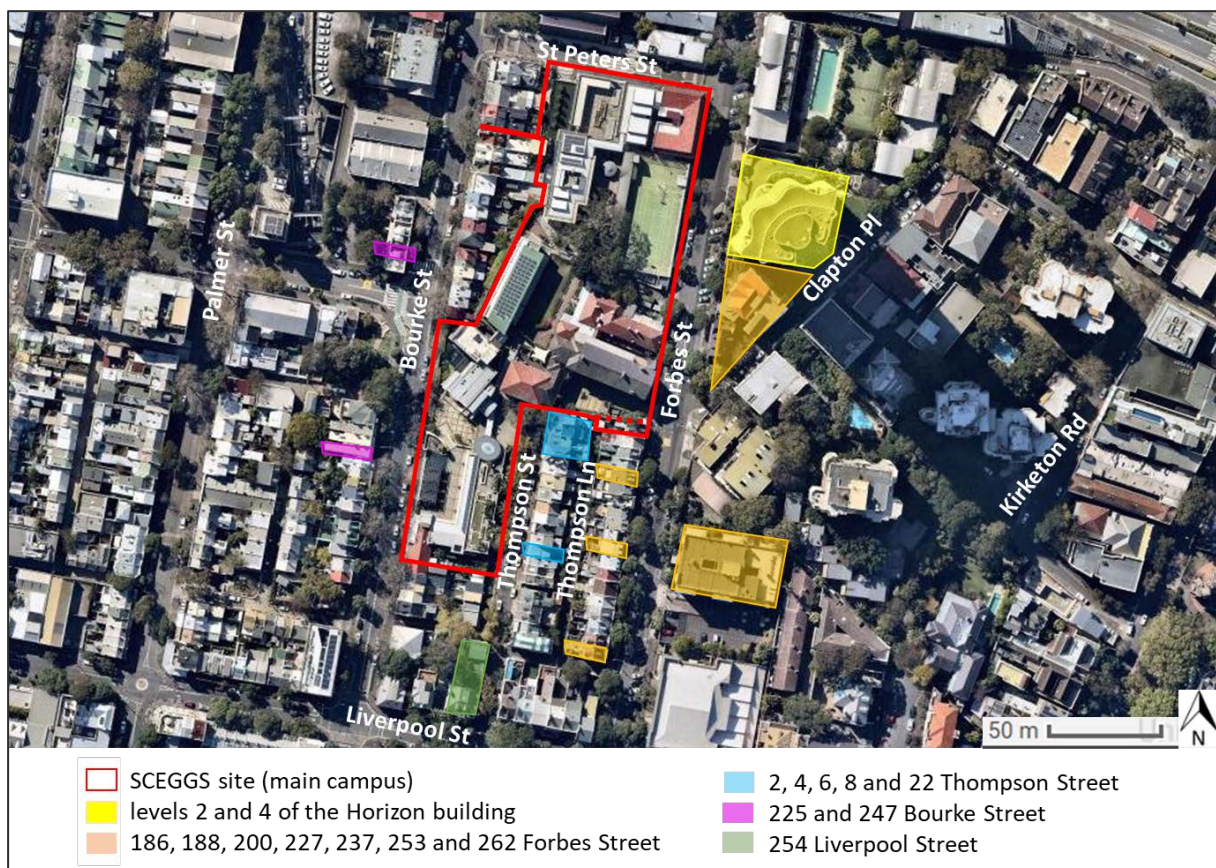


Figure 27 | Location of properties on Forbes, Thomson, Bourke and Liverpool Streets that were considered in the VIS analysis (Base source: Nearmap 2019)

The VIS and Applicant's RtS concluded that the potential view impacts of the proposal (as amended) range from beneficial (i.e. a reduction of view impacts) to low-moderate. In addition, the proposal has

been designed to protect neighbouring views towards the city skyline and iconic elements and generally complies with the maximum SLEP height of buildings development standard.

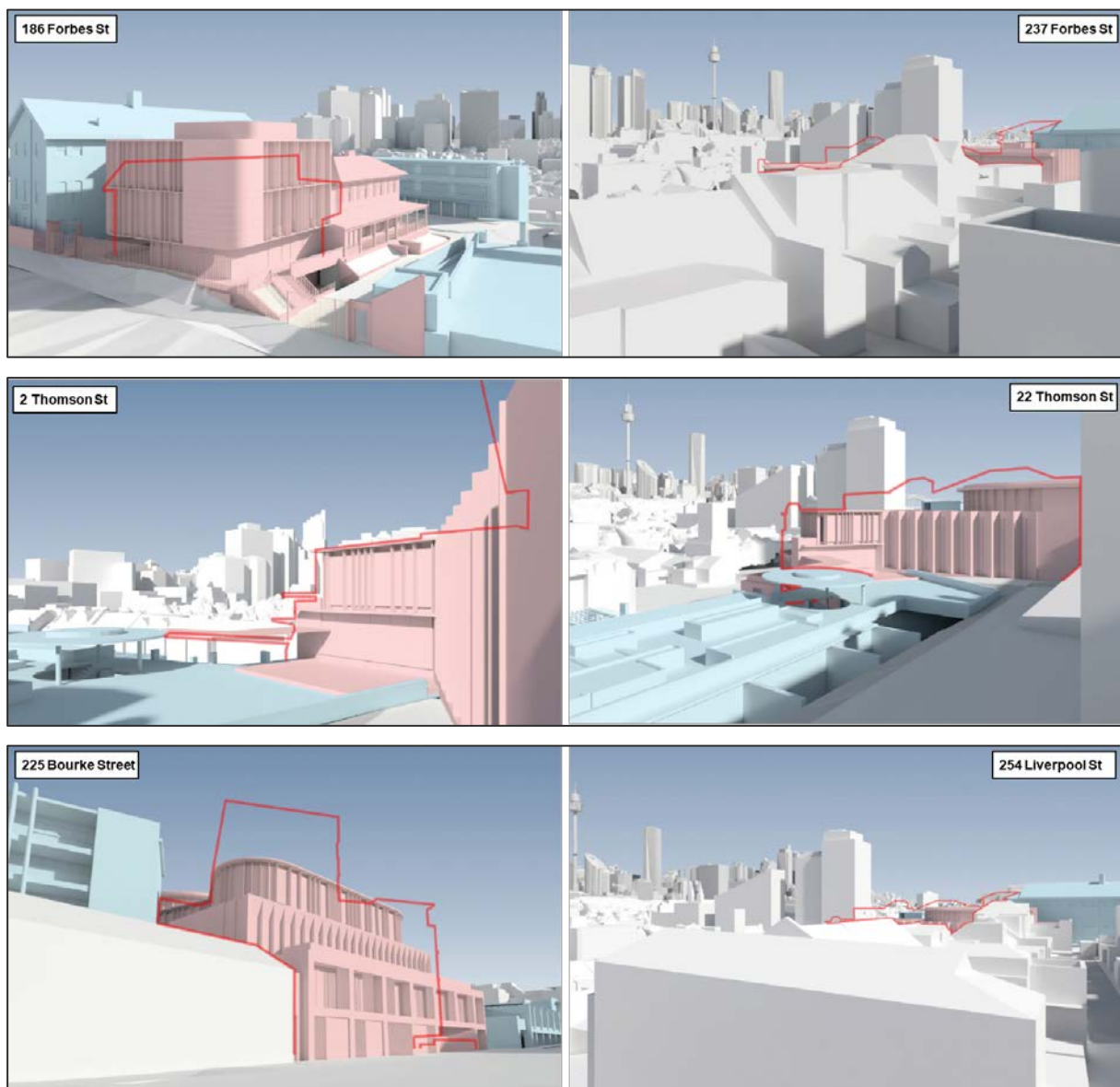


Figure 28 | A selection of representative view impacts to properties on Forbes, Thomson, Bourke and Liverpool Streets (Base source: Applicant's RtS, November 2019)

The Department has considered the views currently enjoyed by nearby neighbouring properties and the Applicant's analysis in relation to view loss impacts. The Department concludes the location, height and scale of the proposed building envelopes (including the replacement Wilkinson House building) are such that impacts on all neighbouring views are beneficial, nil or negligible (as demonstrated at **Figure 28**) – with the exception of Level 2 Horizon Building (**Figure 29**). The Department does not consider it necessary to undertake a further assessment of the view impacts on those properties and has considered the impact on views from Level 2 of the Horizon building below.

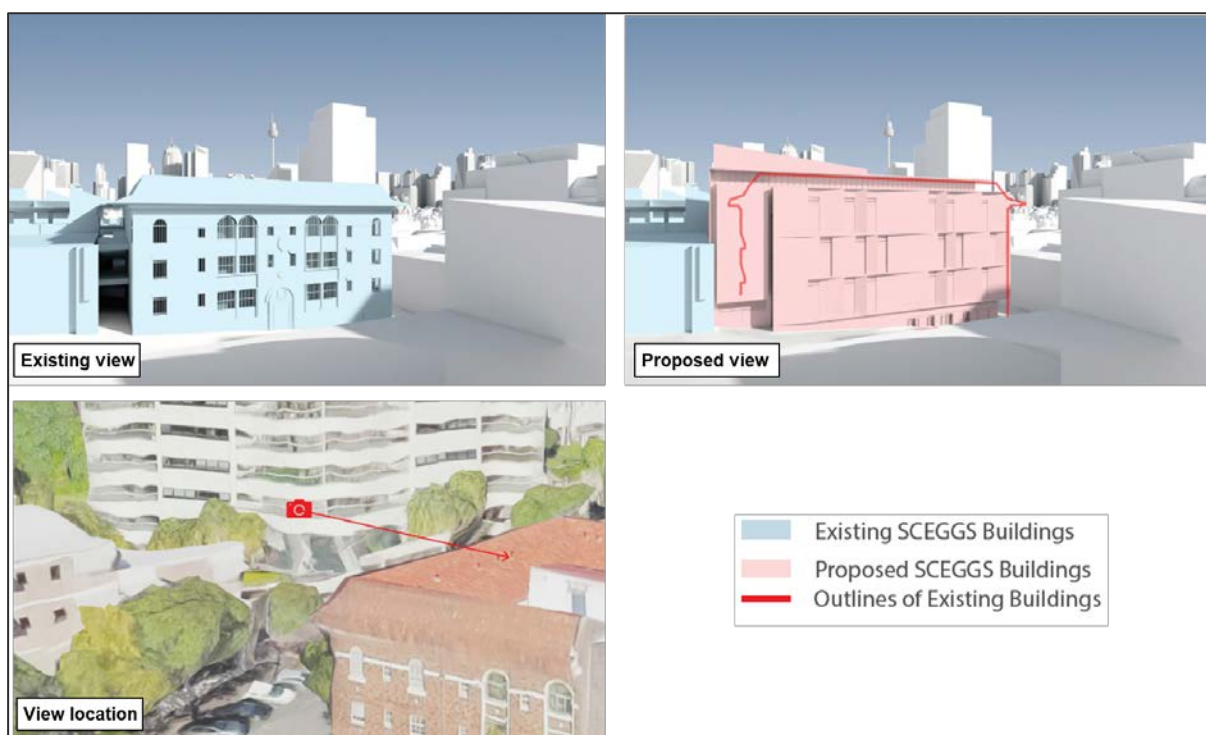


Figure 29 | View impact from Level 2 of the Horizon building (Base source: Applicant's RtS, November 2019)

In order to ascertain whether or not the proposed view sharing impacts on Level 2 of Horizon building are reasonable the Department has followed a four-step assessment in accordance with the principles established by Tenacity Consulting Vs Warringah [2004] NSWLEC 140. The steps/principles adopted in the decision are:

1. Assess what views are affected and the qualitative value of those views.
2. Consider from what part of the property the views are obtained.
3. Assess the extent of the impact (Tenacity principles establish an impact spectrum including 'negligible', 'minor', 'moderate', 'severe' and 'devastating').
4. Assess the reasonableness of the proposal that is causing the impact.

The Department's assessment of potential view impacts in accordance with the established Tenacity planning principles is provided at **Table 17**.

Table 17 | Department's consideration of view impact to Level 2 the Horizon building

Property	View Affected	View Location	Department Consideration
Level 2 of the Horizon building	Views over Wilkinson House and Centenary Sports Hall towards the Sydney city skyline	Obtained from balcony / living room window	<p>Obstruction of part of the city skyline comprised of distant commercial towers.</p> <p>The proposal affects only a small proportion of the city skyline and does not obstruct any iconic elements, such as Centre Point Tower. The remainder of the panoramic view is unaffected.</p> <p>Overall impact is considered to be minor.</p>

The fourth Tenacity step in considering the view impacts relates to the reasonableness of the impact with consideration of compliance with development controls.

The Department notes that the Concept Proposal was amended to reduce the overall height and scale of the Multi-Purpose Building envelope. The Department considers that this change has significantly improved the development's relationship to neighbouring properties and has struck an appropriate balance between view sharing and the appropriate development of the site.

With regard to outlook, as opposed to views, the Department considers that the distance between existing residential buildings and the proposed development (approximately 20m) would ensure that a suitable level of outlook is maintained to Level 2 of the Horizon building.

Overall the Department considers that the proposal has been sympathetically designed and would not have significant impacts on existing views from neighbouring residential properties. In this context the Department does not consider it reasonable to require additional amendments to further limit the impacts on existing views.

On the basis of the above comments and the Tenacity assessment (**Table 17**), the Department concludes that the view loss analysis undertaken is satisfactory and it has been adequately demonstrated that view loss impacts would be acceptable.

Stage 1 works

The Department has considered the potential view impacts of Stage 1 works in the preceding section as part of the overall masterplan being delivered under the Concept Proposal.

6.4.2 Privacy

Concept Proposal

Concerns were raised in the public submissions that the Multi-Purpose Building roof-top outdoor terraces would overlook the neighbouring residential windows and gardens of houses on Thompson and Bourke Streets.

The Applicant suggested future detailed DA(s) for the Multi-Purpose Building could employ the following potential mitigation measures to prevent overlooking of neighbouring properties from roof terraces as part of the detailed design:

- location of outdoor areas away from neighbouring residential areas.
- use of planters and balustrades to create setbacks from the building edge.
- installation of privacy screens.

Consideration of privacy impacts associated with the Multi-Purpose Building would occur as part of the assessment of future detailed DA(s) for those works and the Department has recommended a condition that requires future detailed DA(s) include a detailed assessment of privacy impacts. Notwithstanding this, the Department considers the future Multi-Purpose Building is capable of being designed so that it would not have unacceptable overlooking impacts on neighbouring residential properties on Bourke and Thompson Streets and Thompson Lane as:

- the concept landscape plans indicate that the Multi-Purpose Building includes a roof terrace at fourth floor level fronting Bourke Street and therefore would not overlook properties on Thompson Street or Lane.
- the Department supports the Applicant's proposed mitigation measures to address overlooking of Bourke Street properties, which would be considered as part of the assessment of future detailed DA(s).
- overlooking impacts from windows and outdoor roof terraces could be mitigated through the use of architectural features, treatments and methods.

Stage 1 works

Concerns were also raised that the replacement Wilkinson House building would overlook an apartment on the 5th floor of the Horizon building and a shop-top apartment on St Peters Lane.

The Department considers the proposed replacement Wilkinson House building would not have an adverse overlooking impact on properties in the Horizon building or on St Peters Lane as:

- the existing Wilkinson House building currently has windows facing towards the Horizon building and properties on St Peters Lane and the proposal would not alter this situation.
- those properties are located between 20m and 40m from the site and are separated from the site by roads and in the case of St Peters Lane also by intervening developments.

6.4.3 Overshadowing

Concept Proposal

Concern was raised in the public submissions and by Council about the potential overshadowing from the Multi-Purpose Building on neighbouring residential properties at Thompson Street to the south of the site.

The Applicant has submitted drawings that show the predicted overshadowing impacts on the Thompson Street properties during mid-winter (Overshadowing Analysis). The Overshadowing Analysis indicates that the Multi-Purpose Building envelope results in the following overshadowing impacts (**Figure 30**):

- additional overshadowing to the south-eastern corner of the rear garden of 4 Thompson Street for 30 minutes, between 1pm and 1:30pm.
- an overall reduction in the overshadowing of front elevations of 2 – 6 Thompson Street.



Figure 30 | The location of nos. 2, 4, 6 and 8 Thomson Street highlighted pink (top) and Overshadowing Analysis indicating the existing (red), additional (yellow) and reduced (blue) overshadowing impacts on 2-6 Thompson Street by the Multi-Purpose Building (bottom) (Base source: Applicant's RtS, November 2019)

Stage 1 works

The Applicant stated that the reduction in the height and scale of the Multi-Purpose Building envelope (summarised at **Table 4**) has significantly reduced the overshadowing impacts on neighbouring Thompson Street properties.

The Department notes that as the future development would be located within the building envelope, the Overshadowing Analysis represents the maximum overshadowing impact and the future development may result in less overshadowing than what is shown at **Figure 30**.

The Department has considered the information provided by the Applicant and the concerns raised in public submissions. The Department considers that the proposal would have minimal additional overshadowing impacts and would result in an overall reduction in overshadowing on the front elevations of 2-6 Thompson Street.

The Department has recommended a condition requiring future detailed DA(s) include overshadowing analysis and demonstrate that the overshadowing impact on neighbouring residential properties have been minimised.

The Applicant provided shadow diagrams of the existing and proposed Wilkinson House building as part of the Stage 1 works.

As the replacement building is generally the same height as the existing Wilkinson House, the Department is satisfied that it would not result in any adverse overshadowing impacts to neighbouring residential properties.

6.5 Noise and vibration

6.5.1 Demolition and construction noise

The demolition and construction works associated with the proposal would generate noise, which has the potential to impact on the amenity of adjoining properties.

The proposal is supported by a Construction and Operational Noise Report (the Noise Report), which assessed the potential demolition, construction, operational noise and vibration impacts on the nearest sensitive receivers.

Attended and unattended noise monitoring was undertaken to quantify the existing acoustic environment at the site and nearby sensitive receivers. The Noise Report identifies the nearest sensitive receivers as apartments within the Horizon building (located opposite Wilkinson House) and residential properties on Thompson Lane and Thompson, Bourke and Forbes Streets adjoining and opposite the site (**Figure 31**).

The existing noise environment is characterised by the existing SCEGGS school and existing surrounding residential and commercial developments and road traffic noise, including from Williams Street.

Concern was raised in public submissions about impacts during construction.

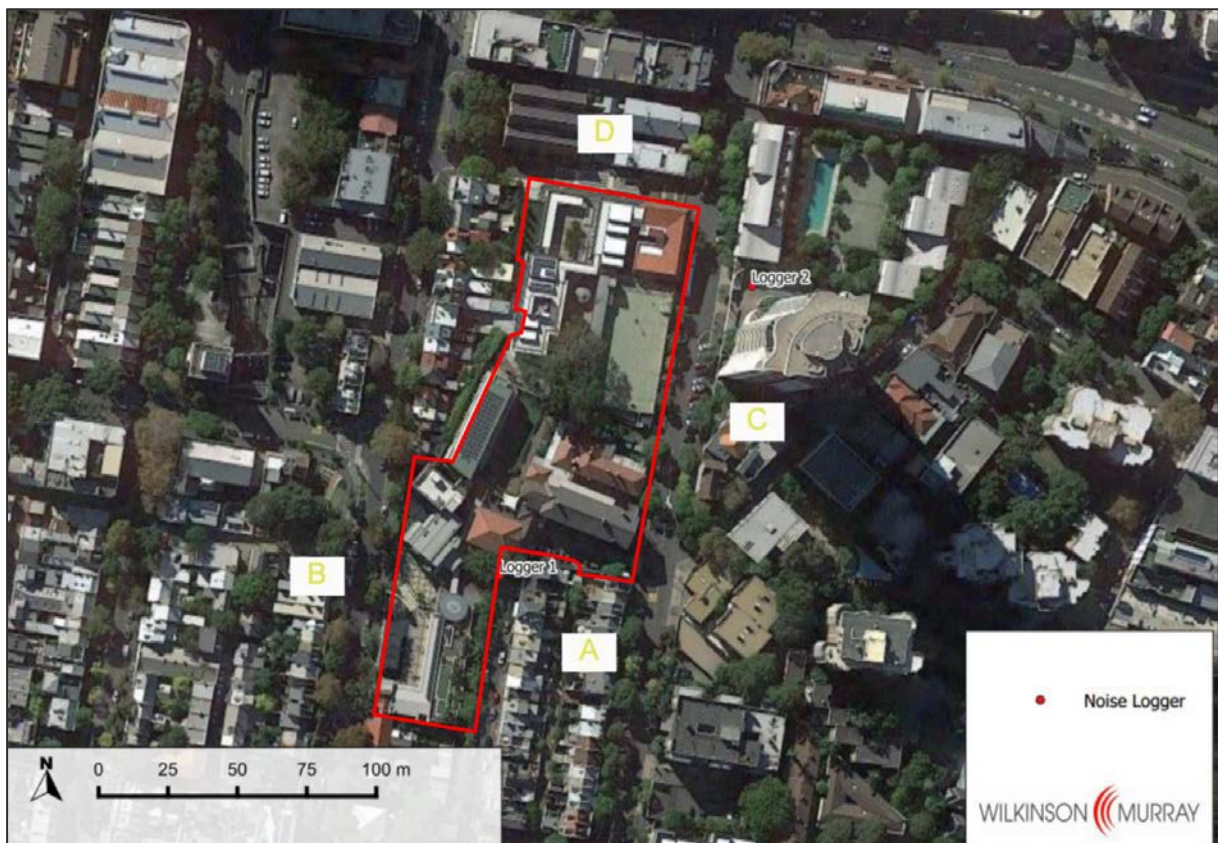


Figure 31 | Nearest sensitive receivers identified in the Noise Report (Base source: Applicant's RtS, November 2019)

Demolition and construction noise - Concept Proposal

The Department notes that the Concept Proposal seeks to establish a planning framework for the assessment of future detailed DA(s) and does not include detail of the design and construction of buildings. In addition, future detailed DA(s) would be required to include an assessment of construction impacts and propose mitigation measures where necessary.

TfNSW (RMS) recommended future detailed DA(s) be required to include a construction pedestrian and traffic management plan (CPTMP). Council recommended that future detailed DA(s) include a construction noise and vibration management plan (CNVMP). The Applicant has agreed to prepare a CPTMP and CNVMP for the future detailed DA(s).

The Department considers that the impacts of future construction works can be appropriately managed and mitigated subject to detailed noise assessment. The Department has recommended conditions that require future detailed DA(s) to include detailed noise assessment, CPTMP and CNVMP.

Demolition and construction noise - Stage 1 works

The Interim Construction Noise Guideline 2009 (ICNG) includes noise management level (NML) guidelines and standard hours of work which apply to NSW. The ICNG confirms that as local Councils are the regulatory authority for noise from construction in their area, they are able to establish their own noise policy. In this instance, Council has its own recommended hours of construction for sites

outside the Sydney CBD.

The ICNG specifies the NML above existing rating background level (RBL) at sensitive receivers during construction as:

- RBL +10 dB(A) between 7am to 6pm Monday to Friday and 8am to 1pm Saturday.
- RBL + 5 dB(A) outside recommended hours.

The Noise Report confirms that monitoring was undertaken to determine the existing relevant RBLs.

The RBLs and NMLs for surrounding sensitive receivers are summarised at **Table 18**.

The ICNG also confirms impacts above 75 dB(A) represents a point where sensitive receivers are likely to be 'highly noise affected'.

As confirmed in the RRFI, the proposal seeks approval for hours of work (demolition and construction) in accordance with Council's recommended hour of construction for sites outside the Sydney CBD, being:

- Monday to Friday 7:30am to 5:30pm
- Saturday 7:30am to 3:30pm

Sunday and Public Holiday No work.

Table 18 | Predicted construction noise levels (Wilkinson House) at sensitive receivers (Source: Noise Report)

Residential Receiver	NML (dBA)	Predicted Noise Level (dBA)	Exceedance (dBA)
Demolition			
A – Thompson St & La	57	42	0
B – Bourke St	57	51	0
C – Forbes St	60	72	12
D – St Peters St	60	71	11
Building Construction			
A – Thompson St & La	57	33	0
B – Bourke St	57	51	0
C – Forbes St	60	65	5
D – St Peters St	60	68	8
Façade / Fitout			
A – Thompson St & La	57	27	0
B – Bourke St	57	34	0
C – Forbes St	60	60	0
D – St Peters St	60	60	0

As shown at **Table 18** the Noise Report predicts the Stage 1 works have the potential to exceed the NMLs at Forbes and Peters Streets by up to 12 dB(A) during demolition and up to 8 dB(A) during construction. To address these noise impacts and the relevant NMLs, the Noise Report proposes the following mitigation measures:

- preparation and implementation of a CNVMP.
- installation of a 2.4m hoarding around the construction site together with other treatments such as barriers, shrouds and the like around fixed plant such as pumps, generators, and concrete pumps.
- selection of quietest feasible construction equipment and use of jaw crushers in preference to rock-breakers where feasible.
- provision of respite periods.

Concerns were raised in the public submissions about construction noise impacts. Council recommends its standard hours of construction be complied with, construction noise mitigation measures be implemented to address impacts and where noise criteria cannot be met the works should incorporate scheduled respite periods. The EPA did not provide any comments on the noise impact.

The Department has considered the comments made in public submissions and information provided by the Applicant including the Noise Report. The Department acknowledges that the development is located within an established urban environment and would likely result in construction noise impacts. As such, the Department considers that all reasonable measures should be implemented to minimise these impacts.

The Department has considered the proposed noise impacts and considers that the impacts are acceptable as:

- the Applicant's proposed construction noise mitigation measures are considered suitable, and their implementation would assist in providing relief for surrounding receivers during periods of high noise emissions.
- the predicted noise exceedances are below the ICNG's 75 dB(A) 'highly noise affected' threshold.
- the Applicant is capable of managing noise impacts on the operation of SCEGGS.
- given the scale of the demolition and construction works, closeness of sensitive receivers and density of the surrounding built form, some noise impact during demolition and construction is unavoidable.

The Department considers that the Applicant's recommendations for the preparation of a CVNMP to set out proposed mitigation measures and for works only to be undertaken within the Council's standard hours of construction would assist in mitigating the impacts of the proposed works. To further mitigate impacts, the Department recommends the following additional measures to minimise and manage impacts:

- a requirement to comply with the ICNG NMLs where feasible and reasonable.

- implementation of respite periods for demolition and construction works where works generate particularly annoying or intrusive noise.
- all construction vehicles only to arrive to the work site within the permitted hours of construction.
- all construction activities comply with best practice vibration management criteria to ensure no adverse impact to existing buildings or structures.
- any noise generated during construction should not be 'offensive noise' within the meaning of the Protection of the Environment Operations Act 1997.

The Department acknowledges the proposed demolition works may have additional impacts in terms of traffic, waste, sediment, erosion, and air and water quality. To address these potential impacts, the Department has recommended the preparation of a Construction Environmental Management Plan, together with other environmental management and mitigation measures to ensure the demolition works do not have an adverse impact on the surrounding area or the environment.

6.5.2 Operational noise

The National Policy for Industry 2017 (NPI) provides a framework and criteria for assessment and control of noise from industry and other major development proposals. The Noise Report considers operational noise from the proposed facilities would be associated with activity within the new buildings and mechanical plant located at roof levels.

The Noise Report determined the applicable operational project noise trigger levels to assess the potential impacts to sensitive receivers. The project trigger levels are detailed at **Table 19**.

Table 19 | Project noise trigger levels (Source: Noise Report)

Receiver	Period	Intrusiveness Noise Level (dBA)	Project Amenity Noise Level (dBA)
A – Thompson St & La	Day	52	58
	Evening	50	48
	Night	49	43
B – Bourke St	Day	52	58
	Evening	50	48
	Night	49	43
C – Forbes St	Day	55	58
	Evening	54	48
	Night	52	43
D – St Peters St	Day	55	58
	Evening	54	48
	Night	52	43

The Noise Report confirms that mechanical noise sources associated within the development would be exhaust fans and plant located at roof level of the new buildings and these units may require noise mitigation to achieve the noise criteria at surrounding receivers. To mitigate noise from mechanical

plant, the Noise Report indicates that measures such as silencers, acoustic louvres, noise barriers and variable speed controls may be required.

Concerns were raised in public submissions about the potential operational noise impact resulting from the use of the Multi-Purpose Building outdoor spaces and general school and childcare centre operations. Council and the EPA did not provide any comments on operational noise impacts.

Operational noise – Concept Proposal

The Applicant has stated that future buildings associated with the Concept Proposal building envelopes would be subject to assessment under future detailed DA(s) and as such the exact nature of mitigation measures cannot be specified at this early stage. Notwithstanding this, the Applicant has stated that future detailed DA(s) would address the noise criteria noted at **Table 19**.

The Noise Report has stated that:

- due to the proposed uses within the Multi-Purpose Building envelope, the future development may need to be designed to address potential noise outbreak.
- operational noise associated with the new Administration Building and restoration of the Barham Building would be acoustically insignificant and would be contained within the facades of the buildings.
- although design of any new school announcement bell(s) has not yet been determined, noise from bells and announcements would be managed by system design and adjustment techniques.

The Department considers that the Applicant has demonstrated that the operational noise impacts can be appropriately managed subject to detailed assessment. The Department has recommended a condition requiring a noise impact assessment be submitted with future detailed DA(s) to enable potential impacts to be considered at that stage.

Operational noise – Stage 1 works

The Noise Report states that as the use of Wilkinson House is for classrooms, noise generated within the building is expected to be adequately contained by the façade of the building. In addition, mechanical plant would be selected/designed to meet the operational criteria set out in **Table 19** and where necessary noise emissions would be mitigated.

The Department considers that operational noise impacts associated with Wilkinson House can be appropriately managed and mitigated and recommends a condition requiring operational noise not to exceed the noise criteria noted at **Table 19**.

6.6 Other Issues

The Department's consideration of other issues is provided at **Table 20**.

Table 20 | Department's assessment of other issues

Issue	Consideration	Recommended Condition																
Childcare centre facility	<ul style="list-style-type: none">The Education SEPP consolidates Commonwealth and State childcare standards and controls into one state based policy, being the Child Care Planning Guideline 2017 (CPG). The Education SEPP confirms that the CPG takes precedence over a Council DCP.The Concept Proposal includes the provision of a 45 place capacity childcare centre located at level 5 of the Multi-Purpose Building envelope.The proposal includes indicative design details of the childcare centre, which are compared with the key requirements of the CPG below. <table><tr><th>Control</th><th>CPG</th><th>Indicative Proposal</th><th>Complies</th></tr><tr><td>Internal GFA</td><td>146.3m²</td><td>615m²</td><td>Yes</td></tr><tr><td>Outdoor space</td><td>315m²</td><td>315m²</td><td>Yes</td></tr><tr><td>Hours</td><td>7am-7pm weekdays</td><td>7am-7pm weekdays</td><td>Yes</td></tr></table> <ul style="list-style-type: none">Objections were raised in the public submissions to the inclusion of a childcare facility use within the site and its potential amenity impact. Council recommended that future detailed DA(s) be subject to the design and operation standards its Childcare Centres Development Control Plan 2005 (CCDCP).In response to the concerns raised, the Applicant reduced the capacity of the childcare centre from 90 to 45 places. The Applicant has stated that the detailed design and potential impacts of the childcare centre would be subject to future detailed DA(s). In addition, the centre is capable of meeting/exceeding the minimum CPG space requirements and would be designed in accordance with all other CPG detailed design requirements.The Department notes that an educational establishment, which incorporates childcare centre use, is permissible with consent on this site (Section 4.3).The Department considers that the childcare centre is capable of being designed to prevent adverse amenity impacts noting that:<ul style="list-style-type: none">the proposal can be designed to prevent overlooking (Section 6.4.2).the TIA and Noise Report have demonstrated that the childcare centre would not have adverse traffic, parking or noise impacts (Sections 6.3 and 6.5.2).the detained design and operation would be subject to assessment as part of future detailed DA(s).the Department has recommended a condition capping the maximum capacity of the childcare centre to 45 places (Sections 6.3).The Department notes the indicative size of the childcare centre meets/exceeds the key CPG requirements. In addition, the CCDCP does not apply to the site in accordance with the Education SEPP.	Control	CPG	Indicative Proposal	Complies	Internal GFA	146.3m ²	615m ²	Yes	Outdoor space	315m ²	315m ²	Yes	Hours	7am-7pm weekdays	7am-7pm weekdays	Yes	The Department has recommended a condition requiring the future detailed DA(s) ensure that the childcare centre facility complies with the CPG design and operational requirements.
Control	CPG	Indicative Proposal	Complies															
Internal GFA	146.3m ²	615m ²	Yes															
Outdoor space	315m ²	315m ²	Yes															
Hours	7am-7pm weekdays	7am-7pm weekdays	Yes															

- The Department concludes that the inclusion of a childcare centre use within the site is acceptable subject to the previous comments and recommended conditions set out in this report (amenity, traffic, noise and maximum capacity) and compliance with the design and operational requirements of the CPG.

Contributions

- The Concept Proposal provides for 7,838.20m² additional overall GFA. The Stage 1 works include 1,325m² GFA, representing a 163.10m² increase over the existing building to be demolished (1,161.9m²).
- Concerns were raised in a public submission that the school should pay development contributions. Council has objected to the proposal as the Applicant has not committed to pay development contributions in accordance with the Sydney Development Contributions Plan 2015 (Contributions Plan).

The Department has recommended a condition requiring development contributions be levied in relation to the Stage 1 works.

Concept Proposal

- The Applicant has stated that contributions for the Multi-Purpose Building and new Administration Building should be determined as part of future detailed DA(s).
- The Department agrees that it is appropriate that development contributions for the future buildings relating to the Concept Proposal should be determined as part of the assessment of future detailed DA(s).

Stage 1 works

- The Applicant has stated that as the redevelopment of Wilkinson House does not result in an increase in staff or student numbers the Contributions Plan should not be applied.
- The Department notes, although the Application does not propose an increase in staff and student numbers it does include a 163.10m² increase in GFA. Consequently, the proposal does not meet the Contribution Plan's exemption criteria to waive contributions requirements.
- The Department therefore agrees with Council that development contributions in accordance with the Contributions Plan should be levied on the additional GFA created by the Stage 1 works.
- Based on the CIV of the Stage 1 works, a development contribution is required and has been recommended.

Trees

- The application is supported by an Arboricultural Impact Assessment (AIA), which considers the impact on trees retained on the site and those in adjoining properties and on-street. The AIA includes an assessment of 45 trees and confirms that the Concept Proposal would require the removal of nine trees, which are classified as being of low or moderate quality. Street-trees adjacent to Wilkinson House (Stage 1) would be retained and protected during construction.
- Concern was raised in the public submissions that existing trees and vegetation at the end of Thompson Street should be retained and protected (**Figure 32**).
- Council initially raised concern about the potential removal of its street-trees on Bourke Street and other inconsistencies in the AIA. However, following consideration of the RtS, Council confirmed that its concerns had been addressed, subject to the implementation of the AIA recommendations.
- The Applicant amended the Multi-Purpose Building envelope and confirms that none of Council's street-trees would be affected by the proposal. The Applicant has stated that it is not possible to retain the trees at the end of Thompson Street as they would be adversely affected by future construction works. Future detailed DA(s) would include replacement trees and a green wall in this location to offset

The Department has recommended a condition requiring future detailed DA(s) include an AIA.

The Department has recommended a condition requiring the protection of Council's street-trees during the construction phase of the Stage 1 works.

the removal and improve amenity.

- The Department considers the proposal has demonstrated that the Concept Proposal would result in minimal tree removals. The Department recommends that future detailed DA(s) include an AIA assessing the removal and retention of trees, and mitigation and management measures. The Department recommends a condition requiring the protection of Council's street-trees during the construction phase of the Stage 1 works.

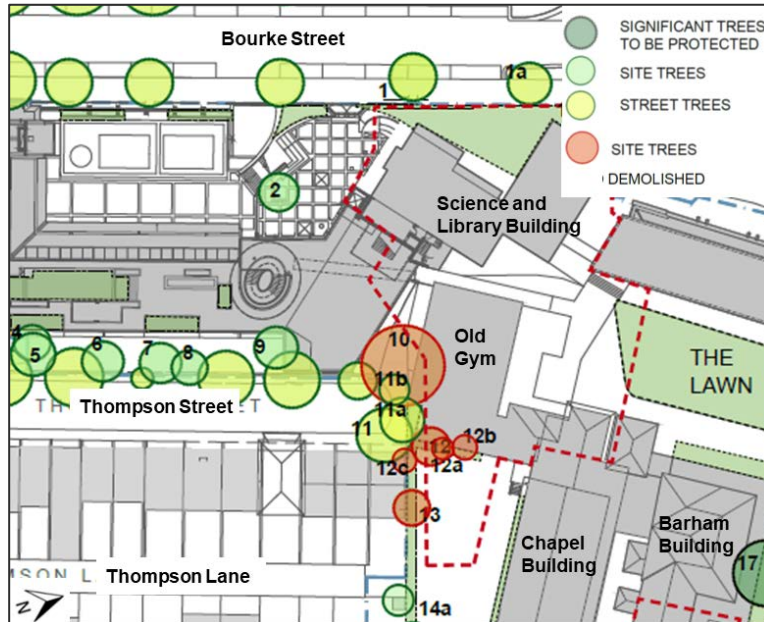


Figure 32 | Tree retention and removal plan (Base source: Applicant's RRFI, January 2019)

Landscaping	<ul style="list-style-type: none"> • Council raised concern that insufficient information has been provided about proposed landscaping. In particular, in relation to deep soil, sunlight and canopy cover. • In response to Council's comments, the Applicant provided an updated concept landscape masterplan, which includes site analysis, design principles, consideration of individual landscape character zones and indicative hard and soft landscaping and materials. • The Department considers the proposed concept landscaping is acceptable noting that it proposes an indicative landscape design that maximises the efficient and appropriate use of spaces and includes the planting of various native trees and plants in accordance with the City of Sydney Landscape Code. • The Department is satisfied that future detailed DA(s) would be capable of demonstrating a high standard of landscape design, the provision of acceptable hard and soft planting and replacement trees and vegetation. • No landscaping is proposed as part of the Stage 1 works. 	<p>The Department has recommended a condition requiring future detailed DA(s) include a Landscaping Plan.</p>
Roof design	<ul style="list-style-type: none"> • Concern was raised in the public submissions that roofs should make provision for green roofs, non-reflective materials and internalise mechanical plant. • In response to the concerns raised the Applicant stated that: <ul style="list-style-type: none"> ◦ the roof of Wilkinson House has a Colorbond roof matching the neighbouring Joan Freeman Building ◦ there is an opportunity to include green roofs as part of future detailed DA(s). ◦ there is not sufficient space to include a green roof due to Wilkinson House's small roof area and as it would include plant 	<p>The Department has recommended conditions requiring future detailed DA(s) consider design, ESD and green roofs.</p> <p>No additional conditions or amendments are</p>

enclosure and rooftop photovoltaic panels (PVs).

necessary in relation to the Stage 1 works.

Concept Proposal

- The Department notes the proposal (excluding Wilkinson House) relates to a Concept Proposal only and future detailed DA(s) would be submitted to the Department for the detailed design of the development within the building envelopes.
- The Department considers the assessment of green roofs, materials and any rooftop plant are matters that are best addressed as part of the future assessment of detailed DA(s) and recommends conditions accordingly.

Stage 1 works

- The Department has considered the roof design of Wilkinson House and concludes:
 - the proposed materials are unlikely to be unduly reflective.
 - the inclusion of PVs and plant means there is little opportunity for a functionally sized green roof on Wilkinson House.

Contamination	<ul style="list-style-type: none">• The application has considered contamination and includes a:<ul style="list-style-type: none">◦ Preliminary Site Investigation Report (PSIR), relating to the Concept Proposal site.◦ Detailed Site Contamination Investigation (DSCI), relating to the Stage 1 works.• Council raised concern that the DSCI proposed two final remediation options for the Stage 1 works and was therefore unclear. In addition, the DSCI did not confirm the Stage 1 works site can be made suitable for the proposed development.• The EPA confirmed the proposal does not constitute a Scheduled Activity under Schedule 1 of the POEO Act and does not require an Environmental Protection Licence under the POEO Act.	<p>The Department has recommended a condition requiring future detailed DA(s) include consideration of potential site contamination.</p>
	<h4><u>Concept Proposal</u></h4> <ul style="list-style-type: none">• PSIR stated in relation to the Concept Proposal that historic imported fill to the site may contain limited contaminants including lead, zinc and polycyclic aromatic hydrocarbons (PAH). Overall, the PSIR confirmed that the site has a generally low risk of widespread gross contamination and that it can be made suitable for the proposed development following additional testing completed after the demolition of existing buildings.• The Department has reviewed the PSIR and is satisfied that the Applicant has adequately demonstrated that the site is suitable, subject to remediation, for the continued use as a school as required by State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55).• The Department recommends that future detailed DA(s) should give detailed consideration to potential site contamination and any necessary mitigation measures.	<p>The Department has recommended conditions requiring the DSCI's recommended mitigation measures and that a Site Audit Report be issued prior to occupation of the Stage 1 works to verify the suitability of the site.</p>

Stage 1 works

- The DSCI notes the site has undergone significant change from mixed-use residential housing and commercial/ industrial uses to the school during the 1900s. Wilkinson House specifically has remained relatively unchanged since the 1920-40s.
- The DSCI included a review of historical data, aerial photography and previous site investigations, undertook a site walkover and investigations on soils and bedrock. The DSCI included a review of available background information, field investigation of soil samples and geotechnical boreholes along with laboratory testing and data analysis and reporting. Five site sampling locations were used.

- The DSCI confirmed the majority of the potential contaminants found were below the site assessment criteria (SAC) and laboratory reporting limit. Asbestos was not detected by the analytical laboratory.
- Two samples contained lead and three samples contained PAH that exceeded the SAC and these contaminants occurred in the fill samples and not within bedrock. The DSCI confirmed the primary associated risk is for direct contact rather than via vapour or water contamination.
- The DSCI concluded the site can be made suitable for its use subject to the following mitigation measures:
 - remove all previous fill from the development footprint.
 - undertake a hazardous building materials survey and a waste classification in accordance with POEO Act.
 - prepare and implement unexpected finds protocol.
- The Department accepts the Applicant's recommended mitigation measures and recommends conditions accordingly. The Department also recommends a condition requiring a Site Audit Report be issued prior to occupation to verify the suitability of the site.

Vibration	<ul style="list-style-type: none"> • The Noise Report considered the potential vibration causing activities to occur as part of the demolition and construction works and safe working distances required to avoid cosmetic damage to buildings or exceeding human comfort levels. • The Noise Report found that careful selection of equipment and construction methodology would ensure that safe working distances are not breached. 	<p>The Department has recommended a condition requiring future detailed DA(s) consider vibration impacts.</p>
	<p><u>Concept Proposal</u></p> <ul style="list-style-type: none"> • The Department has considered the Applicant's information and is satisfied that the application has demonstrated that appropriate mitigation measures could be implemented to minimise impacts. The Department recommends future detailed DA(s) give further consideration to vibration impacts. <p><u>Stage 1 works</u></p> <ul style="list-style-type: none"> • The Department is satisfied that the Stage 1 works would not result in unreasonable impact on surrounding residential developments subject to dilapidation surveys being undertaken before and after the construction works and the preparation and implementation of a CNVMP. 	<p>The Department has recommended conditions relating to dilapidation and requiring a CNVMP for the Stage 1 works.</p>
Indigenous and non-indigenous Archaeology	<ul style="list-style-type: none"> • An Archaeological Assessment (AA) was provided in support of the EIS. The AA stated that: <ul style="list-style-type: none"> ○ as the site has been extensively built on and landscaped, this limits the potential for surviving indigenous archaeological remains. Notwithstanding this, stone artefacts may be present. ○ the site has the potential to contain locally significant non-indigenous archaeological remains relating to former buildings on the site (Barham Hall, former Bourke Street terraces, stables outbuildings) and other features such as quarried rockfaces. ○ appropriate measures (testing, timetabling, recording) should be included in future detailed DA(s) and undertaken during the construction of the Stage 1 works to manage archaeological resources on the site. • Heritage NSW supported the AA's recommended measures relating to non-indigenous archaeological resources and recommended additional detailed conditions relating to Concept Proposal. EESG did not provide any comments on indigenous archaeological resources. 	<p>The Department has recommended a condition requiring future detailed DA(s) include an Archaeological Impact Assessment that considers both indigenous and non-indigenous archaeology.</p> <p>A condition is recommended requiring the preparation and implementation of an unexpected finds</p>

Concept Proposal

protocol for the Stage 1 works.

- The Department has reviewed the AA and the comments provided by Heritage NSW. The Department is satisfied that the proposal's impact on archaeological resources can be managed subject to future detailed DA(s) including an Archaeological Impact Assessment that considers both indigenous and non-indigenous archaeology.
- The Department notes that Heritage NSW recommended detailed conditions relating to detailed archaeological methodologies and works. However, as this part of the proposal is for concept approval only, the Department considers detailed consideration of archaeological management and mitigation measures is best addressed as part of future detailed DA(s).

Stage 1 works

- Although the AA indicates the potential for non-indigenous archaeological finds is limited, the Department considers it appropriate that appropriate procedures are put in place to manage any unexpected finds of historic indigenous artefacts.

Operational waste and recycling	<ul style="list-style-type: none">• Council recommended that the school should be provided with a dedicated and enclosed waste and recycling storage area.• The Applicant has confirmed that the school has an existing waste and recycling storage area adjacent to the main entrance. As there is no proposed increase in student numbers it is not necessary to provide new/additional waste or recycling facilities.• The Department notes that the recommended student cap condition (Sections 6.3) ensures that there would be no increase in student and/or staff numbers. Therefore, the Department agrees that additional waste and recycling storage facilities are not required beyond the existing facilities.• To ensure that future buildings are appropriately integrated into the schools existing processes, the Department recommends future detailed DA(s) include details of the operational waste management.	<p>The Department has recommended a condition requiring future detailed DA(s) include an Operational Waste Management Plan.</p> <p>No additional conditions or amendments are necessary in relation to the Stage 1 works.</p>
Light spill	<ul style="list-style-type: none">• Concern was raised in the public submission that the proposal should not result in unacceptable light spill to neighbouring properties.• Council recommended standard public domain conditions be included, which included addressing public domain lighting.	<p>The Department has recommended a condition requiring future detailed DA(s) include a Lighting Assessment.</p>
<h3><u>Concept Proposal</u></h3>		
	<ul style="list-style-type: none">• The Department notes the proposal (excluding Wilkinson House) relates to a Concept Proposal only and future detailed DA(s) would be submitted to the Department for the detailed design of the development within the building envelopes.• The Department considers that the Applicant has demonstrated that the light spill impacts can be appropriately managed subject to detail assessment. The Department has recommended a condition requiring a lighting assessment be submitted with future detailed DA(s) to enable potential impacts to be considered at that stage.	<p>The Department has recommended a condition requiring the Stage 1 works comply with the relevant Australian Standards for lighting.</p>
<h3><u>Stage 1 works</u></h3>		
	<ul style="list-style-type: none">• The Applicant has confirmed that Wilkinson House would be used during normal school hours and any use in the evening would be limited to internal lighting and would have minimal impacts.• The Department is satisfied, subject to compliance with the relevant Australian Standards for lighting, the proposed use of Wilkinson House would not result in any material lighting impacts beyond what would normally be expected from the operation of a school.	

Flooding and Drainage	<ul style="list-style-type: none"> The proposal is supported by a Stormwater Management and Civil Design Report, which was updated by an additional Flood Statement (Flooding/Drainage Reports). The Flooding/Drainage Reports considered the flooding potential of the site and drainage requirements for the proposed development. 	<p>The Department has recommended a condition requiring future detailed DA(s) include flooding and drainage reports.</p>
	<p><u>Concept Proposal</u></p>	
	<ul style="list-style-type: none"> Council recommended the Concept Proposal should include further commitments to water efficiency and recycling. The Flooding/Drainage Reports confirm the 1% annual exceedance probability (AEP) flood planning levels across the site and mitigation measures that could be incorporated into future detailed DA(s) to address drainage, flooding and overland flow paths. Future detailed DA(s) would include on-site detention systems to reduce water discharge rates. The Department is satisfied that flood risk has been appropriately considered at a concept level and can be managed and/or mitigated through the detailed design of the future buildings and spaces on the site. The Department recommends future detailed DA(s) include flooding and stormwater reports 	<p>The Department has recommended conditions requiring the Stage 1 works provide for appropriate stormwater and flooding management.</p>
	<p><u>Stage 1 works</u></p>	
	<ul style="list-style-type: none"> Council recommended standard conditions relating to the management of stormwater and drainage for the Stage 1 works. The Flooding/Drainage Reports stated that the 1% AEP flood level at the Wilkinson House is 33.50m at its highest point and the new Wilkinson building floor and entrances/openings would exceed this level. In addition, all materials below the 1% AEP would be flood compatible and the structures would be designed to withstand the forces of floodwater. Wilkinson House would be connected to the existing OSD located beneath the Joan Freeman Building. The Department considers the Stage 1 works have been designed to appropriately respond to the site's flood and drainage constraints and is acceptable. 	
Community use	<ul style="list-style-type: none"> The school currently accommodates a range of community uses during and out of school hours as summarised at Section 1.2.4. The Application does not propose any change to these arrangements. The application includes the provision of a childcare centre facility with 45 places, which would be open to the public. The detailed design and operation of the centre is subject to future detailed DA(s). Although not proposed as part of this application, the Applicant has stated that Multi-Purpose Building might include a pool. Any shared / community use of a pool would be subject to consideration as part of future detailed DA(s). 	<p>The Department has recommended a condition requiring future detailed DA(s) confirm any changes to existing community use arrangements.</p>
St Peters Street	<ul style="list-style-type: none"> St Peters Street is a Council owned road that is closed to public vehicular access and is open to school traffic during school peak hours, as summarised at Section 1.2.5. Objection was raised in public submissions that Council had previously closed St Peters Street and a number of submissions recommended that this street should be reopened for public use. <p>Council, TfNSW (RMS) and TfNSW made no comment on the use or operation of St Peters Street.</p> <ul style="list-style-type: none"> In response to the concerns raised, the Applicant confirmed that St Peters Street was closed to public access to ensure the safety of students during the day and general amenity during the night. The Department also notes the application does not seek to reopen St Peters Street or amend its use and operation. In addition, St Peters Street separates the site from the St Peters Precinct (also 	<p>No additional conditions or amendments are necessary.</p>

part of the SCEGGS campus) and students and staff have to cross this road when moving around campus.

- The Department does not consider it necessary for the proposal to pursue reopening St Peters Street as:
 - the closure of St Peters Street was a matter previously assessed and determined appropriate by Council.
 - the application has demonstrated that it would not have an unacceptable traffic impact and therefore reopening St Peters Street is not necessary to alleviate development impacts.
 - the reopening of the street would have safety implications for students and staff moving around the campus.

Public consultation	<ul style="list-style-type: none"> • Concern was raised in the public submissions about the extent of community consultation undertaken. • The Applicant has confirmed it consulted with key stakeholders and community groups prior and following lodgement of the application, including: <ul style="list-style-type: none"> ○ pre-lodgement consultations (in 2017, 2018 and 2019) with key stakeholders including ESNA, the Horizon Building Strata Committee and Thomson Street residents. ○ the Applicant has undertaken the following key consultation activities at EIS and RtS stages of the application: <ul style="list-style-type: none"> - held meetings, briefings and presentations with various government agencies and key stakeholders. - held community information sessions. - distributed community updates to 2,383 properties. - provided e-mail and phone contact for community feedback. - March 2019 – provided updates to community members who had provided contact details. - April 2019 –met with Thomson Street residents to run through the design and impacts of the proposal. • The Department notes it has appropriately exhibited the EIS and notified the RtS in accordance with the requirements of the EP&A Act and held a public meeting with key community groups and stakeholders, as stated in Section 5. • The Department is satisfied that sufficient consultation has been undertaken to allow for the assessment and determination of the application. 	No additional conditions or amendments are necessary.
Property value	<ul style="list-style-type: none"> • Concern was raised in the public submissions that the proposal would have an adverse impact on property values. • The Department notes that matters relating to the private contracts of sale and/or value of properties are not planning matters for consideration and therefore objections based on loss of property value are not able to inform the assessment of the application. • The Department has assessed the merits of the application in detail at Section 6 of this report and concludes, subject to conditions, the application has acceptable impacts. 	No additional conditions or amendments are necessary.

6.7 Public interest

On balance, the Department is satisfied that the proposal would be in the public interest. The proposal would benefit the community as it would provide significantly improved school facilities including contemporary teaching and learning facilities with adaptable and collaborative learning spaces that

would improve educational outcomes. In addition, the proposal includes a new 45 place childcare centre. The Concept Proposal would result in direct investment in the area of \$49,565,022 and generate between 480-690 FTE construction jobs, while the Stage 1 works would result in direct investment in the area of \$9,734,100 and generate between 170-240 FTE construction jobs.

Overall, it is considered that the proposal would have acceptable environmental impacts subject to the recommended conditions of consent.



7. *Evaluation*

The Department has reviewed the EIS, RtS, RRFI and assessed the merits of the proposal, taking into consideration advice from the public authorities and comments made by Council. Issues raised in public submissions have been considered and all environmental issues associated with the proposal have been thoroughly assessed.

The Department considers the key issues to be demolition, built form and heritage, traffic and parking, residential amenity, and noise and vibration.

The Options analysis submitted in support of the application has demonstrated that the demolition of Wilkinson House is the most appropriate/beneficial outcome for the site in terms of addressing the Education SEPP design quality principles and providing for acceptable educational facilities. The Department has considered the heritage impact of the demolition of Wilkinson House and the Old Gym and concludes that the demolitions are acceptable given the circumstances of this case and the overall benefits to the community.

The Department has concluded that the proposed built form and scale of the development is acceptable in the context of the existing site, the surrounding development and the site constraints. The proposal would also have acceptable impacts with regard to construction and operational noise, subject to appropriate management and mitigation measures.

The proposal would have minimal amenity impact in term of loss of views, overshadowing, or overlooking. The development would have acceptable parking and traffic impacts associated with the provision of a 45 place childcare centre and recognising that proposal does not involve an increase in school population numbers.

The Department considers that appropriate management and mitigation measures would ensure that the proposal minimises the demolition and construction impact on surrounding residential properties. The Department has recommended conditions to ensure that relevant matters are considered in future detailed DA(s).

The Department considers that the proposal is in the public interest as it would provide benefit for the community by delivering contemporary teaching and learning facilities with adaptable and collaborative learning spaces to improve education outcomes. In addition, the Concept Proposal is predicted to generate between 480-690 construction jobs and the Stage 1 works is predicted to generate between 170-240 construction jobs.

Overall, the Department concludes the impacts of the development are acceptable and can be appropriately managed or mitigated through the implementation of the recommended conditions of consent.

The application is referred to the Commission as Council has objected to the proposal and as more than 50 public objections have been received in response to the exhibition of the application. The Department considers the proposal is approvable, subject to the conditions of consent outlined within this report. This assessment report is hereby presented to the Commission for determination.

Recommended by:



Jason Maslen

Team Leader

School Infrastructure Assessments

Recommended by:



Karren Harragon

Director

Social and Infrastructure Assessments

Recommended by:



David Gainsford

Executive Director

Infrastructure Assessments



Appendices

Appendix A – Relevant Supporting Information

Appendix B – Consideration of Environmental Planning Instruments

Appendix C – Summary of the Consideration of Issues Raised in Submissions

Appendix D – Recommended Conditions of Consent

Appendix A – Relevant Supporting Information

The following supporting documents and supporting information to this assessment report can be found on the Department's website as follows.

1. Environmental Impact Statement

<https://www.planningportal.nsw.gov.au/major-projects/project/12756>

2. Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/12756>

3. Response to Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/12756>

4. Response to Request for Further Information

<https://www.planningportal.nsw.gov.au/major-projects/project/12756>

Appendix B – Consideration of Environmental Planning Instruments

To satisfy the requirements of section 4.15(a)(i) of the EP&A Act, this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the Department's environmental assessment.

Controls considered as part of the assessment of the proposal are:

- State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- Draft Remediation of Land State Environmental Planning Policy (Remediation SEPP)
- Sydney Local Environmental Plan 2012 (SLEP).

State Environmental Planning Policy (State and Regional Development) 2011

The aims of the SRD SEPP are to identify SSD, State significant infrastructure (SSI), critical SSI and to confer functions on regional planning panels to determine development applications.

The proposal is SSD as summarised at **Table 21**.

Table 21 | SRD SEPP compliance table

Relevant Sections	Department's consideration	Compliance
3 Aims of Policy		
The aims of this Policy are as follows: (a) to identify development that is State significant development,	The proposed development is identified as SSD.	Yes
8 Declaration of State significant development: section 4.36		
(1) Development is declared to be State significant development for the purposes of the Act if: (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2.	The proposal is SSD in accordance with section 4.36 of the EP&A Act as it is development for the purpose of an educational establishment with a CIV in excess of \$20 million, under clause 15(2), of schedule 1 of the SRD SEPP.	Yes

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

The Education SEPP aims to simplify and standardise the approval process for schools, TAFEs, universities and childcare centres, while minimising impacts on surrounding areas and improving the quality of facilities. The Education SEPP includes planning rules for where these developments can be

built, which development standards can apply and construction requirements. The application has been assessed against the relevant provisions of the Education SEPP.

Clause 42 of the Education SEPP states that development consent may be granted for development for the purpose of a school that is SSD, even though the development would contravene a development standard imposed by this or another EPI under which consent is granted. The proposed school buildings would exceed the permissible height limit of 15m allowed under the SLEP. The Department notes that the height exceedance is permitted under clause 42 and that the Applicant has provided justification for contravening the development standard. The Department’s consideration of the variation to the development standard is provided at **Section 6.2.1** of this report and in the consideration of the SLEP below.

Clause 35(6)(a) requires that the design quality of the development should be evaluated in accordance with the design quality principles set out in Schedule 4 of the Education SEPP. An assessment of the development against the design principles is provided at **Table 22**.

Table 22 | Consideration of the Education SEPP Design Quality Principles (clause 35(6)(a))

Design Principles	Department's consideration
Principle 1 – context, built form and landscape	
Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate.	<p>The proposal has been designed to appropriately fit within the school campus and the broader urban context and pattern of development. In particular, the:</p> <ul style="list-style-type: none"> Multi-Purpose Building envelope has been sympathetically designed to respond to the street-wall height and scale of neighbouring terraces on Bourke Street. In addition, it would be lower in height than the Old Science and Library Building it replaces. the refurbishment of Barham Building would remove significant later additions, conserve the building and restore key features, which is a significant public benefit. the height and scale of the proposed development has been reduced in response to concerns raised in submissions. The amended proposal responds sensitively to existing buildings on the site and within the immediate locality. building envelopes have been designed to enhance the appreciation and significance of the heritage items within the site and contribute to the streetscape and conservation area. <p>The Department has recommended requiring future detailed DA(s) include plans, elevations and sections of the proposed built form together with a design statement that demonstrates the design quality of the proposed development having regard to existing buildings on the site and the character of the surrounding area.</p>
Landscape should be integrated into the design of school developments to enhance	The proposal includes the provision of improved landscaping to enhance amenity, contribute to the quality of surrounding

on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites.

streetscapes and mitigate the impact of the proposed development. This includes:

- establishment of concept landscape principles to guide the development the design of landscaping across the site, including:
 - providing consistency through use of materials.
 - improve street address and sense of arrival.
 - enhance heritage character.
 - maximise usable outdoor space.
 - maintain and enhance existing mature tree canopy.
- the retention of existing significant trees on site, particular within the centre of the school campus and provision of additional hard and soft landscaping.
- where the removal of trees has been unavoidable, replacement trees and green walls are proposed.
- future detailed DA(s) would consider the landscaping of roof terraces, which would be designed to prevent overlooking of neighbouring properties.

School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and protect the special visual qualities and natural environment of the area, and located and designed to minimise the development's visual impact on those qualities and that natural environment.

The site is not located on land that has been identified as a scenic protection area.

Principle 2 – sustainable, efficient and durable

Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.

The proposal has been designed to enhance environmental, social and economic outcomes and reduce the consumption of resources. Use of natural ventilation is proposed, supported by mechanical ventilation where required. PV cells, Energy efficient lighting and water systems are also proposed.

The proposal seeks to reduce waste and encourage recycling particularly through the reuse and adaptation of some existing buildings where possible and encouragement of reuse or recycling of materials during construction.

Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.

The proposed development seeks to adapt, improve and expand existing school facilities to meet modern educational needs and provide flexible and adaptable learning spaces well into the future.

Principle 3 – accessible and inclusive

School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.

The proposal seeks to enhance the existing layout of the school campus by:

Note. Wayfinding refers to information systems that guide people through a physical environment and enhance their understanding and experience of the space.

- revitalising the main school entry and providing a strong and clear visual link to the heart of the school while providing improved security and accessibility.
- reinforcing and enhancing the main east-west pedestrian spine through the site by activating this route with new buildings and further beautifying it through upgrades and improvements to landscaping treatments.
- considering the level changes across the site and addressing these through design solutions as part of future detailed DA(s).
- providing for a clear and more intuitive wayfinding experience, which would assist in efficiently moving people around the site.

The Department has recommended conditions to require the submissions of a Disability Access Review as part of future detailed DA(s). The Department has also recommended conditions that the Stage 1 works be design and constructed in accordance with the Building Code of Australia (BCA).

Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.

The school currently allowed for a range of community uses during and out of school hours. The Application does not propose any change to these arrangements.

The Concept Proposal includes the provision of a childcare centre facility with 45 places, which would be open to the public. The detailed design and operation of the centre is subject to future detailed DA(s).

Although not proposed as part of this application, the Applicant has stated that Multi-Purpose Building might include a pool. Any shared / community use of a pool would be subject to consideration as part of future detailed DA(s).

Principle 4 – health and safety

Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.

The proposal has been designed to improve the amenity and safety of school facilities for students and staff. The proposal provides for spaces and facilities would direct access to natural light and ventilation.

The proposal retains and enhances the existing school layout which clearly delineates between public and private space. Access to the school would continue to be from existing site entrances/exits.

Principle 5 – amenity

Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood.

The proposal provides for a range of high quality flexible spaces and facilities for students and staff. This includes landscaped central lawn area and rooftop terraces above the Multi-Purpose Building.

The proposal provides for a high level of landscape and tree retention. Where tree removal has been unavoidable (Thompson Street) replacement planting and green walls are proposed.

Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.

Williams Street, a busy arterial road corridor, is located approximately 100m north of the site. However, that road is separated from the site by intervening developments and roads. The school is therefore considered not to be significantly affected by traffic noise emanated from the road corridor and currently, and would continue, to offer high levels of amenity to students and staff.

Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.

The proposal includes improved learning and recreational facilities to students. This includes new flexible and adapted learning spaces within all new buildings, additional flexible sports areas within the replacement Wilkinson House, improved landscaped areas throughout the site and landscaped roof terraces. High levels of amenity would be achieved for students and staff.

Principle 6 – whole of life, flexible and adaptive

School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.

The consideration of whole-of-life-cycle approach has underpinned the application and the proposed demolition of buildings that have been determined to have reached the end of their functional life.

The proposal seeks Concept Proposal and Stage 1 works approval for the comprehensive staged redevelopment of the school facilities to meet the current and future needs of students and staff. The proposal has been developed in accordance with a masterplan prepared to plan for the need of the school for the next 20 years.

The proposal includes ESD measures to reduce the environmental impacts of the school.

The proposed school facilities have been designed to be flexible and adaptable to meet the varying and evolving needs of the school and its students.

Principle 7 – aesthetics

School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood.

The detailed design and appearance of all new buildings (except for the replacement Wilkinson House) would be assessed in detail as part of the consideration of future detailed DA(s). While the Department supports the general height and scale proposed, conditions have been recommended requiring future detailed DA(s) include plans, elevations and sections of the proposed built form together with a design statement that demonstrates the design quality of the proposed development having regard to existing buildings on the site and the character of the surrounding area. Furthermore, consideration would be given to the Education SEPP design quality principles as part of the assessment of future detailed DA(s).

The replacement Wilkinson House building achieves a high standard of design and appearance, the proposed design

and materiality of the building is appropriate and would not have an adverse impact on the character of the locality.

The modern design approach and use of materials is supported, the proposal provides a coherent overall architectural composition and makes a positive contribution to the evolving character of the surrounding area.

The building has been designed and articulated to appropriately fit within its urban context without having an adverse impact on the character of the locality.

The proposal results in minimal tree removals and includes extensive site landscaping that maximises the efficiency of open spaces and includes appropriate hard and soft landscaping treatments.

The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.

The Department has carefully considered the demolition of the existing Wilkinson House (**Section 6.1**) and concluded that the demolition of the building is on-balance acceptable. In addition, the proposed replacement building is of a high standard of design and appearance and would contribute positively to the surrounding streetscapes.

The height and scale of the proposed development has been reduced in response to concerns raised in submissions. The amended proposal responds sensitively to existing buildings on the site and within the immediate locality.

Building envelopes have been designed to enhance the appreciation and significance of the heritage items within the site and contribute to the streetscape and conservation area.

State Environmental Planning Policy No. 55 - Remediation of Land

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application.

As detailed at **Section 6.6**, the Department is satisfied that the Applicant has adequately demonstrated that the site is suitable, subject to remediation, for the continued use as an educational establishment as required by SEPP 55.

Draft Remediation of Land State Environmental Planning Policy

The Department is reviewing all State Environmental Planning Policies to ensure they remain effective and relevant and SEPP 55 has been reviewed as part of that program. The Department has published the draft Remediation of Land State Environmental Planning Policy (Remediation SEPP), which was exhibited until April 2018.

Once adopted, the Remediation SEPP will retain elements of SEPP 55, and add the following provisions to establish a modern approach to the management of contaminated land:

- require all remediation work that is to be carried out without development consent, to be reviewed and certified by a certified contaminated land consultant.
- categorise remediation work based on the scale, risk and complexity of the work.

- require environmental management plans relating to post-remediation management or ongoing management of on-site to be provided to Council.

The new SEPP will not include any strategic planning objectives or provisions. Strategic planning matters will instead be dealt with through a direction under section 117 of the EP&A Act.

The Department considers the development is consistent with the draft Remediation SEPP subject to the recommended conditions discussed above.

Sydney Local Environmental Plan 2012

The SLEP aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of existing and future residents of the Sydney LGA. The SLEP also aims to foster economic, environmental and social well-being and promote development that is appropriate to its context and enhances the amenity of the Sydney community and environment.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the SLEP and those matters raised by Council in its assessment of the development (refer to **Section 5**). The Department concludes that the development is consistent with the relevant provisions of the SLEP. Consideration of the relevant clauses of the SLEP is provided at **Table 23**.

Table 23 | Consideration of the SLEP

SLEP	Department's consideration
Clause 2.3 Zone objectives and Land Use Table	The proposal is consistent with the objectives of the R1 General Residential zone to enable other land uses that provide facilities or services to meet the day to day needs of residents.
Clause 4.3 Height of buildings	<p>The SLEP applies a height of buildings development standard to the site of 15m and the proposal exceeds that standard by between 1.3m and 2.9m.</p> <p>Notwithstanding the above exceedances, the Department concludes the height of buildings is acceptable as discussed at Section 6.2.1.</p>
Clause 4.6 Exception to development standards	Height exceedance is considered acceptable as discussed at Section 6.2.1 .
Clause 5.10 Heritage conservation	The Department considers the demolition of existing locally listed heritage items at Section 6.1 , and concludes this is acceptable given the circumstances of the case.
Clause 6.21 Design excellence	<p>The Concept Proposal is considered capable of achieving, and the Stage 1 works (Wilkinson House) achieves, a high standard of design, as discussed at Section 6.2.3.</p> <p>A CDP is not required in accordance with the provisions of clause 6.21, as discussed at Section 4.3.2.</p>

<p>Clause 7.9 Car parking ancillary to other development</p>	<p>The SLEP requires that no more than 86 school car parking spaces should be provided on the site.</p> <p>The site currently provides for 112 school car parking spaces and therefore already exceeds the SLEP maximum by 26 spaces.</p> <p>The proposal provides for 22 car parking spaces, comprising 15 new and 7 relocated spaces. The 15 new car parking spaces relate specifically to the new childcare centre and service vehicles for the overall site. There is increase in school car parking spaces.</p> <p>The Department considers the new and relocated car parking spaces to be acceptable, as discussed at Section 6.3.</p>
<p>Clause 7.20 Development requiring or authorising preparation of a DCP</p>	<p>Pursuant to clause 8(2)(i) of the Education SEPP, clause 7.20 of the SLEP does not apply to the proposal, as discussed at Section 4.3.1.</p>

Development control plans

In accordance with Clause 11 of the SRD SEPP, development control plans do not apply to SSD. Notwithstanding this, the objectives of relevant controls under the Sydney Development Control Plan 2012, where relevant, have been considered in **Section 6** of this report.

Appendix C – Summary of the Department’s consideration of submissions

A summary of the Department’s consideration of the issues raised in submissions is provided at **Table 24**.

Table 24 | Department’s consideration of key issues raised in submissions

Issue raised	Department’s consideration
Demolition of heritage item	<ul style="list-style-type: none"> The Department concludes the Applicant has satisfactorily demonstrated through its options analysis that the demolition of Wilkinson House provides the most suitable outcome for the site in terms of its continued delivery of contemporary education, and to ensure the current and future education demands of the local community are met. The Department supports the proposed demolition of Wilkinson House in view of the above and in the context of the significant social benefit the proposal would provide for the community. The Department has recommended conditions to manage the heritage impacts (Section 6.1).
Traffic and parking	<ul style="list-style-type: none"> The Department considers that the proposed traffic and parking impact can be adequately managed through the recommended conditions of consent. Operational traffic impacts are considered to be acceptable as no increase in school population is proposed and the predicted traffic associated with the childcare centre is minor. The Department has recommended conditions limiting the number of car parking spaces to the 22 proposed and also requiring future detailed DA(s) to include a TIA (Section 6.3).
Built form	<ul style="list-style-type: none"> The Department considers the built form is appropriate in the context of the site and surrounding development. The Department has recommended conditions requiring the design of future building to be considered as part of future detailed DA(s) (Section 6.2). The replacement of Wilkinson House building is considered to achieve a high standard of design and results in a building that is appropriately articulated and fits within its urban context without having an adverse impact on the character of the locality (Section 6.2.3).
Amenity	<ul style="list-style-type: none"> The proposal has minimal view loss and overshadowing impacts and has demonstrated that the view and overshadowing impacts that occur are acceptable. The proposal has demonstrated that subject to appropriate architectural treatments and mitigation measures overlooking impacts can be addressed. The Department has recommended conditions requiring future detailed DA(s) consider view loss, overshadowing and privacy impacts (Section 6.4).
Noise and vibration	<ul style="list-style-type: none"> The Department concludes that noise and vibration impacts from construction and operation of the proposed development can be adequately managed or mitigated through the recommended conditions of consent set out in this report (Section 6.5).
Student numbers	<ul style="list-style-type: none"> The Applicant confirms that the proposal does not include an increase in school population. To ensure this is the case, the Department has recommended a condition limiting the school population to existing student and staff numbers (Section 6.3.2).

Appendix D – Recommended Instrument of Consent

The recommended instrument of consent can be found on the Department's website as follows.

<https://www.planningportal.nsw.gov.au/major-projects/project/12756>