

## St Joseph's College Physical Education and Sports Precinct Project (PESPP) (SSD 8970)

Mark Street, Hunters Hill



### RESPONSE TO SUBMISSION

Prepared on behalf of St Joseph's College



13 May 2019 | 16037

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## 1.0 Introduction

An Environmental Impact Statement (EIS) for a State Significant Development Application (SSDA) for the St Joseph's College (SJC) Physical Education and Sports Precinct Project (PESPP), Healy Gym and kiosk substation was publicly exhibited for a period of 30 days between 18 October 2018 and 14 November 2018 (SSD 8970).

In response to the public exhibition, 17 submissions were received. Ten submissions (including one by Hunter's Hill Council) objected to the proposal and seven provided comment.

The Department of Planning and Environment (NSW P&E) also prepared a letter outlining key issues to be addressed by SJC (by letter dated 23 November 2018).

The main issues raised in the agency, group and individual submissions and key issues identified by NSW P&E were:

1. Aboriginal Cultural Heritage Assessment Report (ACHA)
2. Built form of the PESPP (height and setbacks)
3. Tree removal and replacement planting
4. Materials
5. Heritage and protection of the sandstone heritage wall.

SJC and its consultant team have reviewed the submissions and the NSW P&E letter in accordance with cl. 85A(2) of the *Environmental Planning & Assessment Regulation 2000* (EP&A Reg).

### 1.1 Summary of amendments

This Response to Submissions (RtS) addresses the issues identified by NSW P&E and submissions and outlines proposed amendments to address the key issues. Key amendments proposed to mitigate the issues raised comprise:

1. **Luke Street Setback:** A 4.3m building setback to Luke Street is proposed (compared with 1.3m in the Original SSDA). The proposed setback allows the majority of trees on Luke Street and Gladesville Road to be retained (approximately existing 20 trees) and provides for the planting of 21 new trees within a landscape buffer located between the PESPP and stone wall. The increased setback also simplifies the required construction solution to protect the stone wall.
2. **Building height:** A 2.7m reduction in the height of the parapet and ridge of the main roof is proposed (-19%). This is achieved by increasing the excavation depth to lower the entire building and relocating the roof plant away from Luke Street. The amended *building height* of the parapet and ridge, which varies along Luke Street and Gladesville Road, is predominantly 11.4m compared with 14.1m in the Original SSDA.

### 1.2 Additional and amended information

This RtS should be read in conjunction with the EIS by Robinson Urban Planning Pty Ltd (RUP) dated September 2018 and will form part of the SSDA approval. It is accompanied by the following plans and specialist consultant reports:

- **Appendix A** NSW P&E letter to SJC (23 November 2018)
- **Appendix B** Submissions Tables, by RUP
- **Appendix C** Aboriginal Cultural Heritage Archaeological Report (ACHA), by Biosis Pty Ltd (Biosis) (10 May 2019)

- **Appendix D** Architectural Plans, shadow diagrams, external materials and finishes and 3D views, by Tanner Kibble Denton (**TKD**) Architects (23 April 2019)
- **Appendix E** Architectural Design Statement, by TKD Architects (April 2019)
- **Appendix F** Landscape Strategy, by TaylorBrammer (5 April 2019)
- **Appendix G** Visual Assessment Report, by Roberts Day (May 2019)
- **Appendix H** Arboricultural Impact Assessment, by Bluegum Tree Care Consultancy (April 2019)
- **Appendix I** Response to Submissions Report – Structural, by Northrop (4 April 2019)
- **Appendix J** Statement of Heritage Impact, by TKD Architects (May 2019)
- **Appendix K** Construction & Operational Noise Report, by Wilkinson Murray (April 2019)
- **Appendix L** BCA Design Assessment Report, by Design Confidence (5 April 2019)
- **Appendix M** Supplementary Traffic Statement, by Traffix (29 April 2018)
- **Appendix N** Infrastructure Management Plan, by Northrop (2 April 2019)
- **Appendix O** Stormwater Management Plan, by Northrop (8 May 2019)
- **Appendix P** Erosion and Sediment Control Plan, by Northrop (8 May 2019)
- **Appendix Q** Integrated Water Management Plan, by Northrop (8 May 2019)

## 2.0 Submissions

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This section summarises the number and nature of submissions received in response to exhibition of the EIS (between 18 October 2019 and 14 November 2018).

### 2.1 Number of submissions

A total of 17 submissions were received by NSW P&E in response to exhibition of the EIS comprising:

- **Eight agency submissions from:**
  - Sydney Water
  - Office of Environment and Heritage
  - Heritage Council
  - Transport for NSW
  - Roads and Maritime Services (RMS)
  - Hunters Hill Council
  - Government Architect NSW
  - Environment Protection Authority (EPA)
- **Three precinct/group submissions from:**
  - Hunters Hill Residents Association
  - Ryde - Hunter's Hill Flora and Fauna Preservation Society
  - Hunters Hill Trust
- **Six resident submissions**
  - Gladesville Road (one submission)
  - Outside of Hunters Hill (Batemans Rd, Gladesville) (one submission)
  - Withheld/not stated (four submissions).

Based upon the detailed Submissions Tables at **RtS Appendix B**, the submissions received are summarised in **Table 1**.

### 2.2 Issues raised in submissions

Issues raised in the submissions are summarised below in **Table 2**.

**Table 1 – Submission data**

	Number of submissions	%
• Type of submission (excluding repeats):		
– Agency	8	47%
– Group	3	18%
– Individual (objection & support)	<u>6</u>	6%
– Total submissions	17	
• Nature of all submissions (excluding repeats):		
– Objection	10	59%
– Comment	<u>7</u>	41%
– Total submissions	17	
• Location of individual submissions:		
– Gladesville Road	1	17%
– Luke Street	0	
– Mary Street	0	
– Outside of Hunters Hill (Batemans Rd, Gladesville)	1	17%
– Withheld/not stated	<u>4</u>	67%
– Total individual	6	

**Table 2 – Issues raised in submissions**

Issues	Number of submission	% of submissions
Streetscape character, height, size, scale, design - PESPP	9	53%
Inadequate setback to Luke Street and Gladesville Road, inadequate landscaping and impact on stone wall	9	53%
Streetscape character, materials, design, heritage impact, tree loss - Healy Gym	7	41%
Inadequate landscaping, tree loss and inadequate replacement trees	10	59%
Heritage impact	8	47%
Aboriginal Cultural Heritage Assessment (ACHA) required	1	6%
Height poles required	1	6%
Call for public hearing	5	29%
Increase in traffic and on-street parking demand	5	29%
Impact of car park ramps	1	6%
Materials - inappropriate or more information required	1	6%
Indigenous acknowledgement needed	1	6%
Landscape strategy - more information needed	1	6%
Community use plan needed, SJC does not allow local community use	3	18%
Overshadowing of Luke Street & Gladesville Road properties	2	12%
Noise including certainty of closing of louvres	3	18%
Exemption from s. 94A	3	18%
Inconsistency with School Design Quality	2	12%
Inadequate information at SJC consultation sessions	1	6%
Stormwater impacts/increased impervious area	1	6%
Demolition/construction impacts	1	6%
Support for location strategy for PESPP	1	6%
Agency comment	7	41%



### 3.0 Key Issues and Proponent's Response

The Key Issues set out in Attachment 1 to the NSW P&E letter of 23 November 2018 (**RtS Appendix A**) and the SJC response follows.

#### 3.1 Aboriginal Cultural Heritage

##### NSW P&E Key Issue

##### *Aboriginal Cultural Heritage Assessment*

##### 1. *Aboriginal Cultural Heritage*

- The application is supported by a Baseline Archaeological Assessment Report which concludes that there is a moderate potential for unrecorded archaeological relics associated with archaeological resources present within the study area. The Office of Environment and Heritage (OEH) have reviewed the EIS and considers that a complete Aboriginal Cultural Heritage Assessment Report (ACHA) is required to be prepared, given the extent of excavation works proposed and the conclusion of the archaeological report. A Due Diligence Report is inadequate to assess the impacts of the proposed development on the Aboriginal archaeological and cultural heritage values of the subject land.*
- The Department requires the Response to Submissions (RtS) to include an ACHA in accordance with the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) and Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW).*

The RtS includes an ACHA by Biosis (**RtS Appendix C**) which has been prepared in accordance with the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) and Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW). An overview of the ACHA findings follows.

##### 3.1.1 ACHA consultation

The Aboriginal community was consulted regarding the heritage management of the project throughout its lifespan. Consultation was undertaken in accordance with the process outlined in the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* (DECCW 2010). The appropriate government bodies were notified and advertisements were placed in *The Northern District Times* newspapers (6 February 2019) which resulted in the following Aboriginal organisations registering their interest (ACHA Table 1):

**Table 1 List of registered Aboriginal parties and group contact**

Organisation	Contact person
A1 Indigenous Services	Carolyn Hickey
Amanda Hickey Cultural Services	Amanda Hickey
Darug Boorooberongal Elders	Gordon Workman
Darug Land Observations	Jamie and Anna Workman
Didge Ngunawal Clan	Lillie Carrol and Paul Boyd
Goobah Developments	Basil Smith
Goodradigbee Cultural & Heritage Aboriginal Corporation	Caine Carroll
Metropolitan Local Aboriginal Land Council	Nathan Moran
Tocomwall	Scott Franks

A search conducted by the Office of the Registrar, *Aboriginal Land Rights Act 1983* listed no Aboriginal Owners with land in the study area. A search conducted by the National Native Title Tribunal (NNTT) listed the study area as freehold. Freehold tenure extinguishes native title. The NNTT does not hold data sets for freehold tenure.

Upon registration, the Aboriginal parties were invited to provide their knowledge on the study area and on the proposal provided in *St Joseph's College Physical Education and Sports Precinct Project, Aboriginal Cultural Heritage Assessment: Methodology*. The responses did not identify the study area as an area of cultural significance. Responses from the Registered Aboriginal Parties (RAPs) are included in ACHA Appendix 3.

A representative from the Metropolitan Local Aboriginal Land Council (MLALC) participated in the field survey and provided comment on the study area with regard to the proposal. The MLALC noted that the surrounding area would have traditionally been an important place for food and resources.

The recommendations that resulted from the consultation process are set out below.

### 3.1.2 ACHA results

The ACHA assessment undertook background research for the proposed study area. Key considerations arising from the background research include:

- Rock shelters with middens were the most common site type in the area, followed by middens.
- Geotechnical testing undertaken in the south-eastern portion of the study area showed significant disturbance to natural soil profiles, and in some instances complete removal of natural soils to sandstone bedrock.
- Registered AHIMS sites have been primarily focused on foreshore areas of the Parramatta River, Lane Cove River or other smaller water sources where resources would likely have been plentiful.
- The underlying sandstone within the study area is unlikely to have been exposed, and as such rock engravings and/or grinding grooves are unlikely to be present.

Biosis undertook a field survey with Kevin Telford of the MLALC which did not identify any Aboriginal heritage sites within the study area. High levels of disturbance were noted in the south-eastern portion of study area, with moderate disturbances in the north-western and north-eastern corners of the study area in the areas of proposed works.

### 3.1.3 ACHA management recommendations

Prior to any development impacts occurring within the study area, the ACHA recommends the following:

- **Recommendation 1: Works may proceed with caution in areas of low archaeological potential**

No Aboriginal objects, sites, or areas of sensitivity were identified within the study area. The areas of proposed works have been assessed as holding low archaeological potential. No further archaeological works are required. The proposed works may proceed with caution; refer to Recommendation 2 below for unanticipated Aboriginal objects.

- **Recommendation 2: Discovery of Unanticipated Aboriginal Objects**

All Aboriginal objects and Places are protected under the *National Parks and Wildlife Act 1974 (NPW Act)*. It is an offence to knowingly disturb an Aboriginal site without a consent permit issued by the OEH. Should any Aboriginal objects be encountered during works associated with this proposal, works must cease in the vicinity and the find should not be moved until

assessed by a qualified archaeologist. If the find is determined to be an Aboriginal object the archaeologist will provide further recommendations. These may include notifying the OEH and Aboriginal stakeholders.

- **Recommendation 3: Discovery of Aboriginal Ancestral Remains**

Aboriginal ancestral remains may be found in a variety of landscapes in NSW, including middens and sandy or soft sedimentary soils. If any suspected human remains are discovered during any activity you must:

1. Immediately cease all work at that location and not further move or disturb the remains
2. Notify the NSW Police and OEH's Environmental Line on 131 555 as soon as practicable and provide details of the remains and their location
3. Not recommence work at that location unless authorised in writing by OEH.

- **Recommendation 4: Continued consultation with the registered Aboriginal stakeholders**

As per the consultation requirements it is recommended that the proponent provides a copy of this draft report to the Aboriginal stakeholders and considers all comments received.

- **Recommendation 5: Lodgement of Final Report**

A copy of the final report will be sent to:

- Registered Aboriginal Parties.
- The AHIMS database.

### 3.2 Built form

#### NSW P&E Key Issue

##### 2. Built Form

- *The Department considers that the proposed bulk and scale of the Physical Education and Sports Precinct (PESP) building is excessive and would not be compatible with the character of the immediately locality or the heritage values of the Hunters Hill Conservation Area No 1—The Peninsula. The bulk and scale of the PSEP building would dominate both street frontages due to its height and lack of setbacks to the boundary.*
- *The Department considers that opportunities to reduce the mass of the PSEP building and increasing the setbacks of the building from the site boundaries, must be explored. These may include additional excavation (to reduce the overall height), deleting components of the building on the upper level such as meeting rooms and / or reducing the overall building footprint.*
- *Additional photomontages, comparing the scale of the PSEP building with the existing buildings within the site and also in the locality (streetscape sections and overall site sections), must be provided to enable detailed assessment of the visual impacts of the bulk and scale of the proposed building*

Amend Architectural Plans, a Rts Architectural Design Statement and an Amended Landscape Strategy have been prepared (**Appendices D to F**) which illustrate the following key amendments to address the built form issues:

1. **Luke Street Setback:** A 4.3m building setback to Luke Street is proposed (compared with 1.3m in the Original SSDA). The proposed setback allows the majority of trees on Luke Street and Gladesville Road to be retained (approximately existing 20 trees) and provides for the planting of 21 new trees within a landscape buffer located between the PESPP and stone wall. The increased setback also simplifies the required construction solution to protect the stone wall.

2. **Building height:** A 2.7m reduction in the height of the parapet and ridge of the main roof is proposed (-19%). This is achieved by increasing the excavation depth to lower the entire building and relocating the roof plant away from Luke Street. The amended *building height* of the parapet and ridge, which varies along Luke Street and Gladesville Road, is predominantly 11.4m compared with 14.1m in the Original SSDA.

The depth of the additional excavation, which has a substantial cost impost for SJC, has been determined by the following constraints:

- **Maximum gradients permitted for the entry driveway access ramp:** The main section of the ramp has been designed to a maximum gradient of 1:6.5 required for Medium Rigid Vehicles (MRV) in accordance with AS2890.2. The boom-gate controlled access and other sections of the ramp have been designed to maximum gradients permitted under AS2890.2. The lowered basement level maintains vehicular egress from the southern end of the building without adversely impacting the existing staff residence.
- **Accessible entry:** The lowering of the ground floor results in the requirement for a 1:14 access ramp (a 1:20 walkway in the Original SSDA) to the front entry facilitates the movement of students in large groups onto the main floor of the complex. SJC requires students and staff to be able to easily and directly access the ground floor of the complex where the main sports courts are located. Any additional lowering of this level would result in convoluted access arrangements that would not be acceptable.

Images including (photomontages) comparing the existing, Original SSDA and Amended SSDA follow at **Figures 1 to 5** showing the proposed reduction in height, bulk and scale achieved from the proposed reduction in height and increased Luke Street setback.

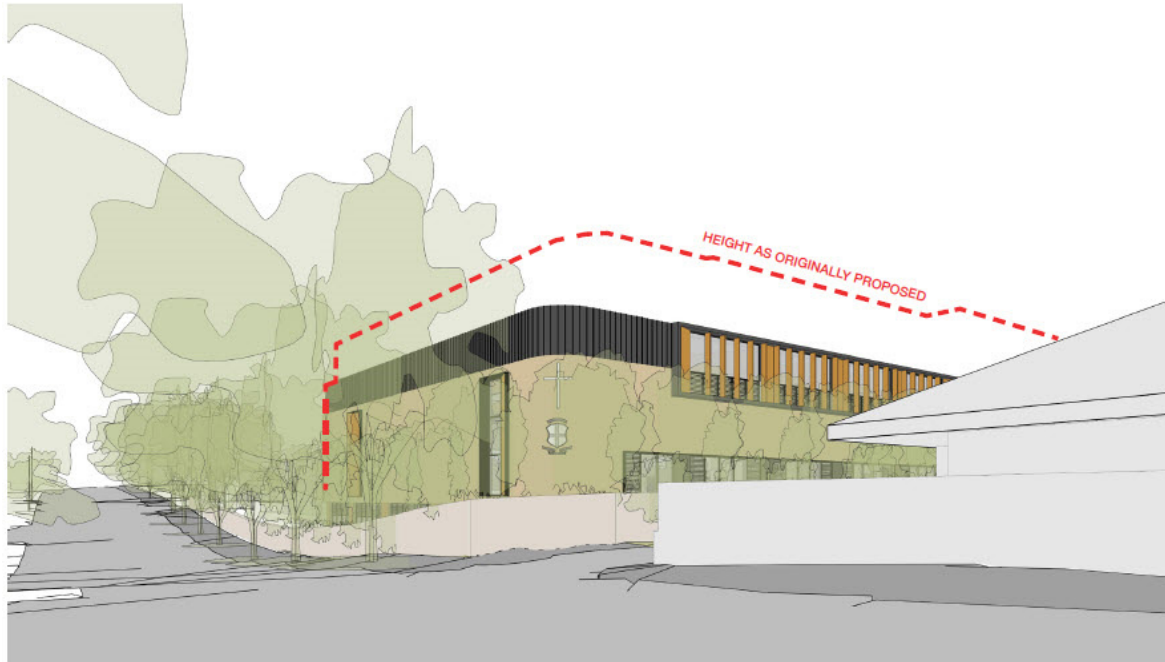
An amended Visual Assessment Report has also been prepared by Roberts Day (**RtS Appendix G**) which concludes that the proposed amendments reduce the visual impact of the PESPP as viewed from Gladesville Road/Rocher Avenue and Gladesville Road/Luke Street.

**ORIGINAL SSDA**



SUBMITTED DESIGN PROPOSAL

**AMENDED RtS SSDA**



AMENDED DESIGN PROPOSAL

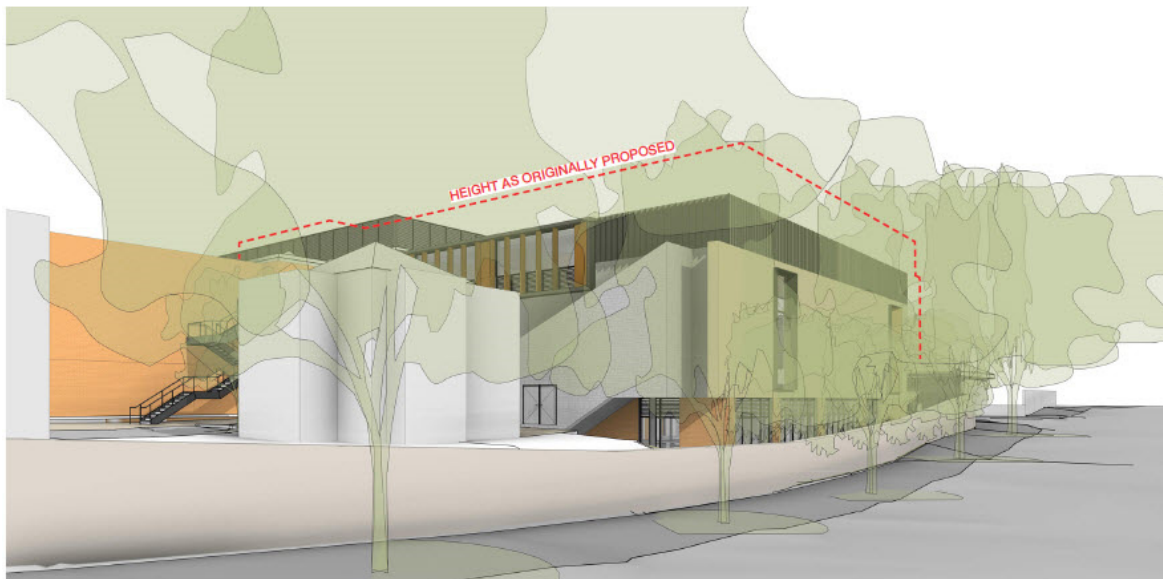
**Figure 1 – Built form Gladesville Road/Luke Street: Original SSDA and RtS Amended SSDA**

**ORIGINAL SSDA**



SUBMITTED DESIGN PROPOSAL

**AMENDED RtS SSDA**



AMENDED DESIGN PROPOSAL

**Figure 2 – Built form Gladesville Road/Rocher Ave: Original SSDA and RtS Amended SSDA**



**EXISTING**



**ORIGINAL SSDA – MODERATE-LOW IMPACT**



**AMENDED RtS SSDA –LOW IMPACT**



Google Earth Coordinate:  
33°49'59.6"S 151°08'26.7"E



**Figure 3 – Built form Gladesville Road/Luke Street: Existing Original SSDA and RtS (Source: RobertsDay)**

**EXISTING**



**ORIGINAL SSDA – LOW IMPACT**



**AMENDED RtS SSDA - NEGLIGIBLE IMPACT**



Google Earth Coordinate:  
33°49'59.0"S 151°08'22.3"E



**Figure 4 – Built form Gladesville Road/Rocher Ave: Existing Original SSDA and RtS (Source: RobertsDay)**



**EXISTING**



**ORIGINAL SSDA – NEGLIGIBLE IMPACT**



**AMENDED RtS SSDA – NEGLIGIBLE IMPACT**



Google Earth Coordinate:  
33°49'54.3"S 151°08'26.9"E



**Figure 5 – Built form Luke Street/Short Street: Existing Original SSDA and RtS (Source: RobertsDay)**

## 4.0 Other Matters and Proponent's Response

Other matters set out in Attachment 2 to the NSW P&E letter of 23 November 2018 (**Appendix A**) and the SJC response follows.

### 4.1 Tree removal and replacement planting

#### NSW P&E Other Matters

##### 1. Tree Removal and Replacement Planting

- The submitted plans do not identify the total number of individual trees that are proposed to be removed within the site and outside the boundary of the site. The Department notes that one row of trees has been counted as a single tree, which is not acceptable. Each tree should be individually identified, and the impacts of removal assessed.*
- The Department considers that additional replacement tree planting should be provided within the site, especially along the peripheries (front setback areas), to assist with screening the building and offsetting the loss of tree canopy within the site including six large trees.*
- The Department requires that a comprehensive schedule of the total number of trees that are proposed to replace the loss of tree canopy be submitted. The proposed replacement planting should comprise of native species ranging in height from 14 to 30 metres.*
- Updated landscape plans must be submitted including details of the replacement planting within the site.*

#### Response

The amended Landscape Strategy (**RtS Appendix F**) and Arboricultural Impact Assessment (**RtS Appendix H**) confirm that the following individual trees are to be removed/replaced:

- Individual trees to be removed:** 16 individual trees are proposed to be removed to facilitate the proposed works (compared with 36 trees in the Original SSDA). The 16 individual trees comprise:
  - 4 High Retention Value trees
  - 6 Medium Retention Value trees
  - 6 Low Retention Value trees
- Trees to be removed outside of the site:** One tree is to be removed outside of the site (Tree 38 on Luke Street) compared with 20 trees which were to be removed in the Original SSDA
- Replacement trees within street setbacks:** A new landscaped buffer is proposed along Luke Street and Gladesville Road including 21 new trees planted on the site between the PESPP and sandstone wall (Lemon Scented Honey Myrtle (*Backhousia citriodora*), 14-30m high at maturity).

**Table 3** compares the trees to be removed in the Original SSDA (36 trees to be removed) and the RtS Amended SSDA (16 trees to be removed) noting that some 20 extra trees are to be retained in the Amended SSDA.

## 4.2 Materials

### NSW P&E Other Matters

#### 2. Materials

- *The Heritage Impact Assessment Report states that the materials for cladding of external walls of building include sandstone cladding and timber. However, this is not clarified in the supporting documentation.*
- *Please provide further clarification and details of the materials and finishes proposed for external cladding of the walls of the buildings.*

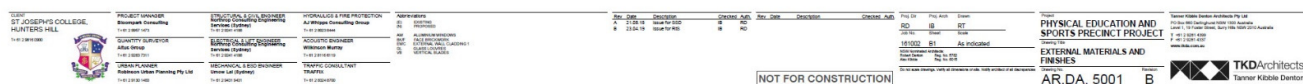
#### Response

The External Materials & Finishes plan (**RtS Appendix D**, AR.DA. 5001\_B and reproduced at **Figure 6**) and Architectural Design Statement: Response to Submissions (**RtS Appendix E**, Section 7.0) provide details on the proposed external wall cladding.

They show that the following external cladding materials are proposed (including External Wall Cladding 4 - sandstone cladding):

- **EW C1** External Wall Cladding 1 Integrally coloured fibre cement cladding: Equitone Materia. Colour: MA200
- **EW C2** External Wall Cladding 2 Colorbond standing seam metal wall cladding: Lysaght Imperial (325mm). Colour: Colorbond Monument Matt
- **EW C3** External Wall Cladding 3 Aluminium cladding: Vitracore G2. Colour: Walnut (VB8338)
- **EW C4** External Wall Cladding 4 Sandstone Cladding
- **EW C5** External Wall Cladding 5 Integrally coloured fibre cement cladding Equitone Natura. Colour: Charcoal (N252)
- **EW C6** External Wall Cladding 6 Integrally coloured fibre cement cladding Equitone Natura. Colour: Pale Grey (N154).

Trees to be removed	Original SSDA	RtS Amended SSDA
High Retention Value	6	4
Medium Retention Value	17	6
Low Retention Value		
• Individual	7	
• Group (counted as individual trees)	5	6
<b>Total</b>	<b>36</b>	<b>16</b>



ROBINSON  
URBAN  
PLANNING



#### 4.3 Heritage wall

##### NSW P&E Other Matters

##### 3. Heritage walls

- *The PSEP [stet] building is proposed to be located within one meter of the sandstone boundary wall which has a significant heritage value.*
- *The Department requires that additional engineering and heritage advice be provided confirming the methodology proposed to protect the wall and its foundation during the demolition / construction process and excavation works.*

##### Response

- **Setback:** As amended, the PESPP building is setback 4.3m from the heritage significant sandstone wall.
- **Engineering advice:** Northrop has prepared Structural Advice on protection of the sandstone wall (RtS Appendix I) and advises that:
  - No demolition or reconstruction of the heritage significant sandstone wall is required
  - The clay face of the excavation will be protected by plastic to prevent any drying out of the material. Vibration levels caused by the excavation process will be kept to a level below that which could cause damage to the boundary walls
  - The PESPP building is to be setback 4.3m from the Luke Street boundary, which provides a significant setback from the wall and greatly reduces any impacts to the wall from excavation and construction. The integrity of the foundations of the Luke Street and Gladesville Road sandstone walls will be unaffected by the excavation.
- **Heritage advice:** TKD Architects has prepared an amended SOHI (RtS Appendix J) which notes (p. 27) that the building is set back from the significant stone walls along Luke Street and Gladesville Road, thus providing a curtilage within the College site for them. The construction of the building will not necessitate any disturbance of the walls. The setbacks will allow buffer planting between the building and the walls that will provide additional screening of the building in views to the College site from the public realm.

## 5.0 Individual and agency comments

The following points provide a response to the issues raised in individual and agency submissions (where not addressed above). Section 5.1 responds to the issues raised by Hunter's Hill Council and Section 5.2 responds to remaining issues not addressed elsewhere in this RtS.

### 5.1 Response to Hunter's Hill Council's letter of objection

A response to the reasons for objection set out in Council's letter of 14 November 2018 follows (showing Council's issue of objection in *blue*). SJC also presented the amended proposal to the elected Hunter's Hill Councillors and staff on 13 May 2019.

#### 5.1.1 Scale, character and landscaping

- The proposal does not give proper consideration to clause 1.2 Aims of Plan in that it is considered that it will not maintain and enhance the character and identity of the established neighbourhood in this part of Hunters Hill. Further, it will not promote a high standard of urban and architectural design quality. That is, the main new structure at the south eastern corner of the school site will be substantially out of scale and character with the long established residential development opposite over Luke Street. The close proximity of the new sports building to the Luke Street alignment will preclude any real opportunity for landscaping to be planted and established in a form expected of Hunters Hill Council in its assessment for new development.*

Response: Council's concerns in relation to scale and character are addressed as follows:

- The height of the PESPP parapet and ridge has been reduced by 2.7m (-19%) giving an amended predominant height of 11.4m. The amended Luke Street wall height is predominantly 10.4m which better relates to the ridge height of the residential buildings on the opposite side of Luke Street. The relationship between the PESPP and these residential building is also commensurate with the relationship between existing SJC buildings and its neighbours (as illustrated in the Architectural Design Statement, Section 6.2)
- The Luke Street setback has been increased to 4.3m
- The lowering of the building combined with the setback result in an even greater reduction in bulk and scale to the street frontages (as illustrated in the 3D View Comparison, Architectural Design Statement, Appendix A)
- A new landscaped buffer along Luke Street and Gladesville Road including 21 new trees is proposed between the PESPP and heritage stone wall (Lemon Scented Honey Myrtle (*Backhousia citriodora*), 14-30m high at maturity)
- Approximately 20 existing street trees along Luke Street (Bottlebrush, Jacaranda, Lilly Pilly, Paperbark and Chinese Tallow trees) will be retained screening large parts of the PESPP
- The existing street trees to be retained and the new landscape buffer to Luke Street will provide a significant landscape buffer that screens views to the PESPP
- The proposed setback to Gladesville Road allows the retention of three significant Brushbox street trees, which will again screen large parts of the PESPP
- The reduction in height and increased setback has reduced overshadowing impacts for nearby dwellings (see shadow diagrams in the Amended Architectural Plans).

### 5.1.2 Luke Street streetscape

- *The size and scale of this new sports building so close to Luke Street will be detrimental to this part of the local streetscape when compared to the low scale residential development opposite in the Low Density Residential R2 zoned area.*

Response: As noted above, the significant reduction in height, increased setback, street tree retention and new landscape buffer along Luke Street will result in a scale that is compatible with the Luke Street residential development opposite the site.

- *The likely character of the new sports building will be such as to introduce a new architectural element not in sympathy with the low scale dwelling houses opposite in this part of Luke Street.*

Response: In addition to the responses shown above in relation to height, setbacks and landscaping; the design of the proposed facade has been refined to reduce the expanse of walls and perceived height by articulating the facade horizontally. The facade incorporates different high-quality materials, window fenestration and grouped vertical blades. The upper band of the facade is a dark neutral colour which is visually recessive to reduce the perceived height. The facade along Luke Street is articulated by a projecting circulation stair and grouped vertical blade elements to provide visual interest. The plant area is located above the roof and repositioned to the western side of the building so that it is not readily visible from Luke Street or Gladesville Road. Influenced by the existing sandstone boundary wall which curves at the corner of Gladesville Road and Luke Street, the new building form is similarly curved at the corner.

### 5.1.3 Heritage

- *With the school site bounded by Luke Street, Ryde Road, Mark Street and Gladesville Road being in a Heritage Conservation Area and locally heritage listed under Hunters Hill Local Environmental Plan it is considered that it has not properly taken into account the detrimental effect this development will have on the heritage significance of the school premises itself. Further, it will be likely to have detrimental implications on the heritage significance of many of the premises opposite and nearby both as heritage items and/or in the conservation area.*

Response: The SJC campus is characterised by three to four storey masonry buildings set within landscaped grounds and lawns. The campus is dominated by the four storey sandstone Main Building and Stone Chapel, which sits at the high point of the site. A sandstone boundary wall is located around the entire perimeter of the campus. The proposed building is consistent with the scale of buildings located on the campus and sits lower than most of the existing campus buildings (see Campus and Streetscape Sections in Architectural Design Statement, Section 6).

### 5.1.4 New Healy gym

- *The scale, form and character of the proposed Healy gym near the south eastern corner of Mary Street and Mark Street requires a redesign to better promote its situation within this part of the school grounds and its juxtaposition with the various buildings adjoining and nearby. It also has to properly address its heritage role in the school premises and the heritage considerations for it and those school and non-school buildings in the precinct.*

Response: No design changes are proposed for the Healy Gym. Single storey in scale, this building is designed and sited to mitigate visual heritage impacts on the campus and the heritage conservation area. Visual impacts from within the conservation area are minimised by the sandstone boundary wall and trees along Mary Street and by the sandstone boundary wall and two-storey Brother's Residence along Mark Street. Visual impacts of the Gym on the Main Building are mitigated by the distance provided between the structures, maintaining sufficient curtilage around the historic Main Building.

#### 5.1.5 Height poles and public hearing

- Council considers that two things should take place prior to a decision being made on this development proposal: one is that height poles should be erected in the Luke Street precinct to enable the local residents to better assess the likely scale effect of the proposal on their neighbourhood Secondly, that the Minister call for a public hearing to be held to give all residents an effective chance of having their concerns properly and comprehensively assessed*

Response: The amended Architectural Plans and Visual Assessment Report (**RtS Appendices C and D**) include a clear and accurate comparison of the existing and proposed street views from Luke Street and Gladesville Road. Given this, effective information has been prepared to enable an assessment of the proposal's streetscape scale.

The calling of a public hearing is a matter for the Minister.

#### 5.1.6 Traffic

- Additional traffic is going to be generated at locations around the subject site which will further reduce the local amenity for the surrounding residents as well as motorists using the local streets for matters of accessibility*

Response:

The Traffic Report included in the EIS (by Traffix) concludes that the proposal will have no traffic impacts given that there is to be no change to the student or staff population, number of boarders, students participating in night study or the uses accommodated on the site.

Additionally, the proposed PESPP car park will be used by SJC staff during school hours. After hours and on weekends, it will be used by visitors to the PESPP. The additional parking will reduce demand for on-street parking.

Transport for NSW and the Roads and Maritime Service raised no objection to the proposal.

### 5.2 Other issues

#### 5.2.1 Overshadowing of Luke Street & Gladesville Rd properties

The package of amended Architectural Plans includes shadow diagrams in plan for spring/summer/autumn and midwinter at 9.00am, 12 noon and 3.00pm (with midwinter diagrams shown at hourly intervals) (**RtS Appendix D**). Midwinter shadows in elevation have also been prepared.

As detailed by the following assessment of impact, the proposed reduction in height and increased Luke Street setback ensures that the PESPP has very minimal overshadowing effects



### Luke Street

The shadow diagrams show that the amended PESPP building envelope casts shadows on to the front yards and western elevations of 1, 3-7 Luke Street and 30 Gladesville Road for one hour between 2pm and 3pm in mid-winter. This same area has solar access for three hours between 11am and 2pm in mid-winter. The shadows cast on the western elevations of 1, 3-7 Luke Street at 3pm are generally at low levels and below window level.

### Gladesville Road/Rocher Avenue

The shadow diagrams show that the amended PESPP building envelope casts shadows to the side yard and northern elevation of 2 Rocher Avenue for 1.5 hours between 9am and 10.30am in winter in mid-winter. This same area has solar access for 4.5 hours between 10.30am and 3pm in winter. The amended PESPP building envelope does not cast any shadows onto 35 Gladesville Road (The Heritage).

#### 5.2.2 Noise including certainty of closing of louvres

An amended Construction and Operational Noise Report been prepared by Wilkinson Murray (RtS Appendix K). The Noise Report (at Section 4.3) notes that the louvre system would need to be closed around four to eight times a year during music events such as school dances which would end by midnight (plus any community use that includes the use of amplified music or a sound/ announcement system).

The Noise Report states that the louvre system will be mechanically operated by SJC staff and that the air conditioning system would need to be switched to full air conditioning mode during such events. In this mode, the louvres would automatically close.

The Noise Report notes the control of louvres and vents will need to be included in a Hall of management.

#### 5.2.3 Impact of car park ramps

The proposed basement car park has two points of access, to the north and south of the existing Dormitory Building.

The service access road to the south of the Dormitory Building is largely existing and has been extended to the car park so that the SJC Maintenance Area (located at the southern end of the Lower Ground Floor), has convenient access to the campus without conflicting with other users of the car park. This road is only suitable for one-way traffic flow, due to the narrowness between existing buildings, and an additional access road to the carpark is required to allow for the entry and exit of vehicles.

The only location that is suitable and able to accommodate the size of the entry and exit ramp is to the north of the existing Dormitory Building. The design of this ramp has been revised so that it ramps down at the maximum gradient permitted. This revised design allows the eastern end of the ramp to be pulled away from the Main Entry by approximately 7m, creating a generous and welcoming Entry Forecourt approach to the PESPP. The garden bed has been extended to the full perimeter of the northern entry ramp so that it will be visually screened by low planting.

#### 5.2.4 Community use

As detailed in Section 3,10.4 of the EIS, the Indicative Usage Profile (EIS, Appendix D) includes the following existing community uses that will continue on the SJC site, moving from the Brother Emilian Hall to the New Sports Centre:

- CLDS Youth Conference (every second year in the January school holidays)
- Marist Brother Jubilee (once a year)
- St Patrick's Dundas Graduation Dinner (once a year)

- Marist School Australia Dinner (once a year)
- Mamas Charity Concert (once a year)
- Marist Sisters Woolwich Foundress Day (once a year)
- Gladesville Public School Concert (once a year)
- Missionaries of The Sacred Heart (every five years)
- Marist Youth Festival (once a year)
- Miscellaneous events by other community organisations including Giant Steps, Marist Sony Holiday Camp<sup>1</sup>, Wheelchair Basketball and Inner West Bulls Basketball Club.

The potential to accommodate additional community uses during the school term is constrained as around 50% of SJC students board on the site and the boarders use the school facilities extensively outside of standard school hours.

#### 5.2.5 Exemption from s. 94A

Hunters Hill Section 94A Developer's Contribution Plan 2014 (**CP 2014**) authorises the consent authority to grant consent to development subject to a condition requiring the applicant to pay to a s. 94A levy (now s. 7.12). CP 2014, at Section 7, lists exemptions that will be considered by Council including *"development by not-for-profit charity (as defined by ATO), application will be assessed on an individual basis"*. As SJC is a registered not-for-profit charity (see EIS Appendix Z), Council has granted past exemptions to SJC. Consistent with this past procedure, SJC seeks an exemption for the proposal.

#### 5.2.6 Inconsistency with School Design Quality

A high standard of architectural and landscape design is proposed with high quality materials.

#### 5.2.7 Inadequate information at SJC consultation sessions

Prior to lodging the SSDA, SJC and its consultant team consulted key stakeholders and provided overview information on the proposal (see EIS Section 4.0). The complete EIS was exhibited for 30 days during the statutory exhibition period.

#### 5.2.8 Stormwater impacts/increased impervious area

A Stormwater Management Strategy, Erosion and Sediment Control Plan and Integrated Water Management Plan have been developed by Northrop to manage stormwater quantity and quality runoff (see Rts **Appendix O, P and Q**).

Northrop notes that the site (pre-development) is mostly impervious, with only around 90 m<sup>2</sup> of pervious area. The proposed PESPP includes an addition of 438m<sup>2</sup> of landscape area (catchment 3 and catchment 5 as shown in the Stormwater Management Strategy on page 10). This results in a net gain of 348m<sup>2</sup> pervious/landscaped area. This increase in pervious area alone will reduce the post-development peak flow compared to the pre-development case.

#### 5.2.9 Demolition and construction

Construction management is addressed in Section 5.19 of the EIS.

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<sup>1</sup> At the start of the 2014 Christmas break, SJC welcomed 37 children with disabilities to the Marist Sony Holiday Camp (approximately 37 guest). The annual camp held at different locations offers children with disabilities a four-day holiday and provides their parents and carers with much-needed respite. Student volunteers from SJC, Marist Sisters College Woolwich, Brigidine College St Ives and Loreto Normanhurst undertook special training to become the primary carers for the guests throughout the camp. Assisting the students and helping run the camp were 12 staff members from SJC and two from Brigidine and Marist Sisters. The 2018 camp is to be held at Marist College Ashgrove.

## 6.0 Final mitigation measures

The collective measures required to mitigate the impacts associated with the proposal are detailed in **Table 4** below. The measures include those stated in the EIS with new measures proposed to respond to issues raised in submissions (changes are highlighted in red).

**Table 4 – Final mitigation measures**

Mitigation measures
<b>Architectural and landscape design</b>
<ul style="list-style-type: none"> <li>Implement the TKD Architects Architectural Plans and Architectural Design Report including external material selections (<b>RtS, Appendix D</b>)</li> <li>Implement the Preliminary Landscape Concept Plan, by Taylor Brammer (<b>RtS, Appendix F</b>)</li> <li>Implement the tree protection measures set out in the Arboricultural Impact Assessment, by Bluegum (<b>RtS, Appendix H</b>)</li> <li>Adopt CPTED measures in accordance with Section 5.4.4 of the EIS.</li> </ul>
<b>Residential amenity</b>
<b>Privacy</b>
<ul style="list-style-type: none"> <li>Buildings are internally orientated and openings to the adjoining streets are limited.</li> </ul>
<b>Noise and vibration</b>
<ul style="list-style-type: none"> <li>Implement the recommendations set out in the Construction &amp; Operational Noise Report, by Wilkinson Murray (<b>RtS, Appendix K</b>), including the provision of high performance acoustic glass or double glazed louvres to the eastern elevation and closure of the eastern elevation and roof louvres when the PESPP is used for dances, banquets or other events using amplified music or a sound/announcement system (which are likely to occur 4-8 times a year).</li> <li>Energy efficient mechanical air conditioning will be used when the louvres are closed as stated in the ESD Report by Umow Lai (<b>EIS Appendix G</b>).</li> </ul>
<b>Traffic, parking and accessibility</b>
<ul style="list-style-type: none"> <li>There will be no change to the existing student or staff population, number of boarders or intensity of use</li> <li>A total of <b>143</b> car parking spaces are to be provided on the SJC site (89 existing + a net increase of <b>54</b> spaces) to meet staff demands during standard hours and to be available for visitor use during weekend sporting fixtures.</li> </ul>
<b>ESD</b>
<ul style="list-style-type: none"> <li>Achieve an informal Green Star rating of 4-Stars (which will not be formally certified by the Green Building Council of Australia, the administrators for Green Star), as set out in the ESD Report by Umow Lai (<b>EIS Appendix G</b>).</li> </ul>
<b>Archaeology and Heritage (including <b>Aboriginal Cultural Heritage</b>)</b>
<ul style="list-style-type: none"> <li>Implement the recommendations of the Baseline Historical Archaeological Assessment and Aboriginal Cultural Heritage Due Diligence Assessment, both by Biosis (<b>EIS Appendix I</b>).</li> <li><b>Implement the recommendations in the ACHA, by Biosis (<b>RtS Appendix C</b>).</b></li> </ul>
<b>Contamination and hazardous materials</b>
<ul style="list-style-type: none"> <li>Implement the hazardous materials recommendations in the Visual Arts and John Healy Fitness Centre Buildings - Hazardous Material Inspection Report, by Healthy Buildings International Pty Ltd (<b>EIS Appendix Y</b>).</li> </ul>

## Mitigation measures

### Stormwater drainage, OSD and sediment and erosion control

- Implement the Stormwater Report and Plans, by Northrop (**RtS Appendices , P and Q**).

### Waste

- Implement the recommendations of the Construction and Operational Waste Management Plans, by Foresight Environmental (**EIS Appendix M**).

### Use and hours of operation

- There will be no change to the number of students, staff, boarders or the intensity of use
- Activities on the site will generally comply with the Indicative Usage Profile by SJC including closing the louvres on the eastern elevation and in the roof when the PESPP is used for dances, banquets or other events using amplified music or a sound/announcement system (which are likely to occur 4-8 times a year) (**EIS Appendix D**).

### BCA and accessibility

- Implement the recommendations of the BCA Compliance Report, by Design Confidence (**RtS Appendix L**)
- Implement the recommendations of Accessibility Report, by Design Confidence (**Appendix T**).

### Geotechnical and structural considerations

- Implement the recommendations of the Geotechnical Investigation, by WSP (**EIS Appendix K**)
- Implement the recommendations of the Structural Report a advice, by Northrop (**EIS Appendix X and RtS Appendix I**).

### Construction management

To minimise the adverse impacts of construction for adjoining residents and SJC students, boarders and staff, work will be carried out in accordance with the:

- Traffic Impact Assessment, by Traffix (**EIS Appendix F and RtS Appendix M**)
- Construction and Operational Noise Report, by Wilkinson Murray (**RtS Appendix K**)
- Preliminary Construction Management Plan, by TBH (**EIS Appendix S**).



## Appendix A

NSW P&E letter to SJC (23 November 2018)

## Appendix B

Submissions Tables, by RUP

## Appendix C

Aboriginal Cultural Heritage Archaeological Report, by Biosis



## Appendix D

Architectural Plans, shadow diagrams, external materials and finishes and 3D views,  
by TKD Architects

## Appendix E

Architectural Design Statement, by TKD Architects

## Appendix F

Landscape Strategy, by TaylorBrammer

## Appendix G

Visual Assessment Report, by Roberts Day

## Appendix H

Arboricultural Impact Assessment, by Bluegum Tree Care Consultancy

## Appendix I

Response to Submissions Report – Structural, by Northrop

## Appendix J

Statement of Heritage Impact, by TKD Architects

## Appendix K

Construction & Operational Noise Report, by Wilkinson Murray



## Appendix L

BCA Design Assessment Report, by Design Confidence

## Appendix M

Supplementary Traffic Statement, by Traffix

## Appendix N

Infrastructure Management Plan, by Northrop

## Appendix O

Stormwater Management Plan, by Northrop

## Appendix P

Erosion and Sediment Control Plan, by Northrop

## Appendix Q

Integrated Water Management Plan, by Northrop