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Jason Maslen  
Department of Planning & Environment  
320 Pitt Street  
SYDNEY NSW 2000

Council Ref: DA115/18  
Your Ref: SSD 17\_8669  
KRR (CIS)

13 June 2018

Dear Sir,

**RE: REDEVELOPMENT OF ST ALOYSIUS COLLEGE (CONCEPT AND STAGE 1)**

North Sydney Council appreciates the opportunity to provide comment on the concept proposal and Stage 1 development for the St Aloysius College Campus.

Please be advised that due to recent resident and Councillor interest in the subject proposal as well as that of the Loreto School (SSD 7919 also being concurrently assessed by the Department), the following resolution was passed at the Council meeting of 28 May 2018 regarding the two proposals:

***RESOLVED:***

- 1. THAT Council holds a briefing session(s) so that Councillors can be fully updated on both the Loreto Kirribilli and St Aloysius College proposed projects.***
- 2. THAT both representatives from Loreto and Aloysius be invited to give presentations to the Councillors and representatives of the local community on their proposed projects.***

The briefing sessions have been arranged to occur on the evening of 19 June 2018 with the respective school representatives. Whilst the outcome of the briefing sessions is not known, it is possible that further concerns may be raised by the elected Council.

It is understood that Department is, however, seeking details of the principle concerns as currently raised by North Sydney Council staff. Council staff has reviewed the application package provided by the Applicant and wish to raise the following objections and submissions regarding this development:

**Traffic / Pick up and Drop off**

The suburb of Kirribilli is identified as having one of the highest population densities in Sydney. Traffic associated with the existing school and morning drop off and evening collection of students contributes to the significant shortfall in existing parking and traffic problems in the immediate locality.

Particular concern is raised regarding the potential impacts to local traffic and the rejection by the applicant to consider the provision of additional parking spaces and functional a pick-up/drop off zone.

Whilst an increase in the student population is not specifically noted as being sought as part of this proposal, *Planning Circular PS 17-004 Regulating Expansion of Schools* makes it clear that absolute caps to student numbers in the form of conditions of development consent should be avoided particularly if impacts can be reasonably addressed through amendments in the application and negotiated during the assessment.

The subject proposal will increase the potential for the school to take on more enrolments and increase the school's student and staff population. With no consideration given to provision of further parking and an internalized pick up/drop off point, the proposal in its current form can only exacerbate the existing local temporal traffic problems the area is experiencing. This issue is of such concern, that were Council assessing the proposal, they would likely withhold any consideration for approval until a mutually agreeable outcome could be negotiated.

This issue, in conjunction with other concurrent State Significant application for the nearby Loreto School (SSD 7919), poses indefensible impacts to the capacity of the local street network to absorb the impact of the development(s) and would be to the detriment of the local Kirribilli residents. With no provision for additional park and detailed plans for management of traffic impacts, the proposal is not supported by Council in this regard.

### **Use of Public Open Space**

It is noted that the proposal further consolidates development on school sites by building over the already limited existing private open space. Whilst a new rooftop outdoor area is proposed, this space does not alleviate the already considerable impact the school as existing has on the public open space in the locality.

By allowing this development and its accompanying potential to accept further student numbers, it exacerbates the current school practice of using Bradfield Park south as defacto school grounds. The overflow of students onto this area of parkland places physical stress and "wear and tear" on the grass coverage as the use of the space by the students usually involves informal sports use. Bradfield Park is maintained entirely at North Sydney Council's expense and the school contributes nothing to that upkeep.

It also should be noted that the sheer number of private school students using that space alienates any other active or passive usage by the general public during those times of use. In effect, the current and likely increased usage amounts to the local rate paying residents subsidizing a private school usage of a community open space and is not supported by Council in this regard.

### **Inappropriate Building Character and Context to the Kirribilli Locality**

The existing building of the Middle Campus is already an incongruous built form within the Kirribilli locality with nil street setbacks and no tangible landscaped area. The building as existing creates an imposing vertical street wall and lack of setbacks does not allow for landscape relief to the Upper Pitt Street and Kirribilli Avenue streetscapes.

The design response with regard to the further and new infilled section to the building is inconsistent with the desired built form for educational establishments prescribed under the Part C Section 8.2.3 Desired Built Form of the character statement for Kirribilli Neighbourhood of NSDCP 2013 which states:

*P2 Educational establishments are to reflect the scale and massing of development on adjoining properties at its interface with the adjoining property.*

## Planning Issues

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

Whilst the submitted Environmental Impact Statement has identified that State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 is applicable to the development there does not appear to be any consideration of the proposal against the Schedule 4 Design Quality Principles for Schools contained within the SEPP.

### *North Sydney Local Environmental Plan 2013*

#### **Building Height**

Clause 4.3(3) of NSLEP 2013 states that the maximum permitted building height on the site is 12 meters or 8.5 metres depending of the location of the respective campus and applicable height controls (refer to Figures 1 below).

The height control lines have not been plotted upon the elevation and section plans as submitted and accordingly it is difficult to gauge the full extent of existing breaches to the Building Height control and impacts associated with new elements in breach of the control.

Council is of the view that the scale of the new additions particularly the new infill building located close to the eastern boundary site are incompatible with density of the locality. Whilst from a design standpoint, the location of the additions is appropriate, from a density standpoint, the additions infill what little remaining airspace remains between two five storey built forms. Existing buildings on adjoining sites the east and south generally exhibit building heights of 3-4 storey. Buildings to the west of the site are generally 2-3 storeys in height and accordingly the building as existing already displays densities far above that typical of the immediate locality.

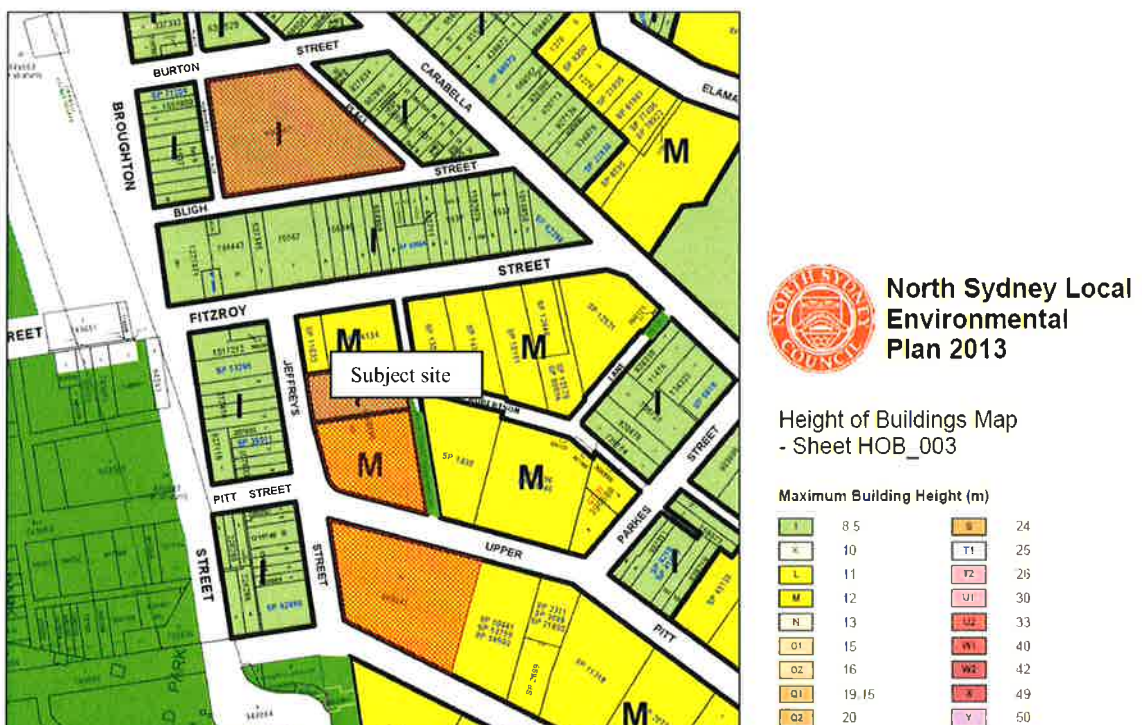


Figure 1 – Extract from Height of Building Map in NSLEP 2013

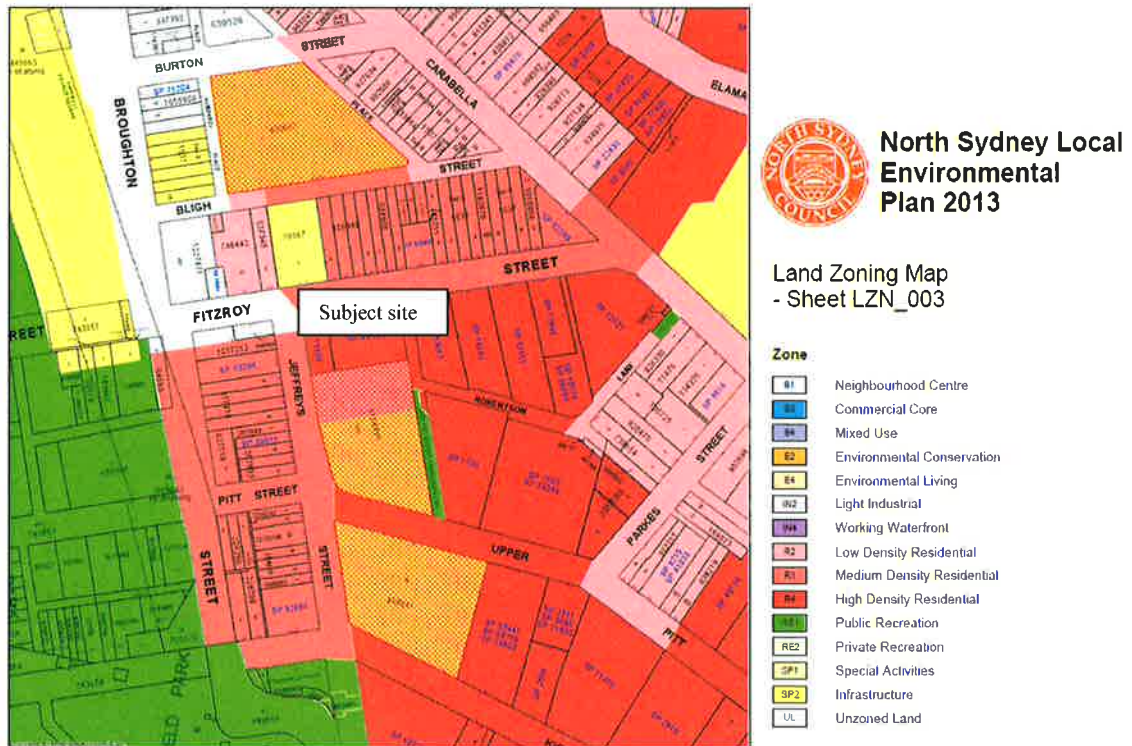


Figure 2 – Extract from Land Zoning Map in NSLEP 2013

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

## 1.2 Aims of Plan

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

## 4.3 Height of buildings

- (1) The objectives of this clause are as follows:
- (e) to ensure compatibility between development, particularly at zone boundaries,
- (f) to encourage an appropriate scale and density of development that is in accordance with, and promotes the character of, an area.

As detailed earlier in this issues letter, the additions have the potential to provide for greater student numbers to be accommodated at the school. Combined with the additional bulk and scale being added to the existing site, Council does not agree that the new breaches to the Building Height control accord with the objectives of the *Aims of the Plan* and objectives of the *Building Height* control.

## Excavation

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

A significant amount of demolition and excavation is proposed particular regard to the junior campus with potential excavation to 3 metres below existing ground level in close proximity to the boundaries of the site.



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

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

### ***North Sydney Development Control Plan 2013***

The principle Section of the NSDCP 2013 applicable to the development is *Section 3 Non Residential Development in Residential Zones*. The following matters raised relate to the following headings within this section of the DCP.

#### *Solar Access*

The height and proximity of the new infill addition section of the Middle Campus to the eastern boundary is likely to significantly impact upon the solar amenity to the occupants of 88 Kirribilli Avenue, Kirribilli (also known as "Craiglea").

A limited suite of shadow diagrams has been submitted as part of the application package. However, it is considered appropriate that an hour by hour breakdown (from between 9.00am to 3.00pm June 21) of the impact be submitted in order to accurately detail the impact.

Three dimensional suns eye view shadow diagrams should also be provided on an hour by hour basis for a more detailed analysis of the impact to individual apartments as shadows move across the elevation of the most affected buildings.

It should also be confirmed whether shading devices are to be employed to the rooftop area which may impact upon the solar access.

#### *Privacy (Visual and Acoustic)*

Privacy concerns are raised regarding the new infill additions and proposed rooftop outdoor area at the eastern end of the site with the view and noise corridor created as a result of the existing northern building wing towards the existing residential flat building at 88 Kirribilli Avenue, Kirribilli.

Any use of this area should be restricted (preferably in the form of a separate management plan) to ensure there are no adverse noise or visual privacy impacts occurring from this new roof area or the usage limited to specific times of the day to minimize impacts to adjoining residential properties.

#### *Views*

Concern is raised that there will be loss of outlook and views to high amenity bridge and water views currently afforded from the western outlook particularly from the lower levels of 88 Kirribilli Avenue, Kirribilli. The applicant should pursue access to the premises and expand upon the view analysis to detail impact to these areas.

Additionally, the plans indicate the rooftop outdoor area will be enclosed by a glazed barrier. It has not been specified whether there are to be frameless panels or whether they require structural support i.e. metal brackets

It should also be confirmed whether shading devices are to be employed to the rooftop area which may impact upon the view analysis.

### *Artificial Illumination*

A detailed external lighting plan should be submitted (if proposed for newly created outdoor areas which details the proposals compliance with *AS4282 Control the Obtrusive Effects of Outdoor Lighting*).

### *Reflectivity*

The types of glazing and their reflectivity levels should be specified to ensure the extensive rooftop barrier screening and new or refurbished windows will not result in excessive glare to surrounding properties.

### *Site Coverage and Landscaped Area*

North Sydney Council's Development Control Plan 2013 (NSDCP 2013) specifies maximum site coverage (45%) and minimum landscaped area (40%) controls. The proposal (particularly the Middle Campus) is significantly non-compliant with the maximum site coverage control in NSDCP 2013. The amended proposal should incorporate greater deep soil landscaping across the site or in site where landscaping cannot be provided, management strategies put in place to enable student access to bona fide landscape area across the range of St Aloysius campuses in Sydney.

## **Internal Referral Comments**

### **Heritage and Landscaping (Including Tree Removal)**

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

### **Traffic, Parking and Transport**

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

#### ***"Traffic Generation***

*Currently, the school includes a total of approximately 1200 students and 181 full time staff. It is stated in the traffic report that the proposed Concept Plan will not include any increase in either staff or student population and therefore, the net increase of traffic generation was concluded to be zero. There is however no limitation to new student enrolments or student numbers.*

*As the school does not have any off-street pick-up/drop off facilities and rely on on-street pick up/drop off zones, any increase of school population will have significant impact on the traffic flow and on-street parking supply in the surrounding road network and may have implications on road safety.*

*It was noted in the traffic report that the predominant travel mode by staff and students from Junior Campus is by private vehicle then by train. Council's adopted Community Strategic Plan aims to minimise the impact of the private motor vehicle. The traffic report did not include any formal Green Travel Plan as part of this application, but suggested that the requirement could form a condition of consent to be submitted at the time of Construction Certificate.*

*The proposed development will not have unacceptable traffic implications in terms of road network capacity **provided** that there is no increase of school populations and a Green Travel Plan be submitted as part of this application or a condition of consent prior to the issue of Construction Certificate/Occupation Certificate.*

### **Car Parking – Supply**

*The school currently has an open-air car park on the Senior Campus capable of providing a total of 16 parking spaces. It is expected that these parking spaces are provided for staff of the Senior Campus.*

*The traffic report stated that the morning school generated parking demand was estimated to be 21-45 vehicles based on the parking occupancy rates recorded from 9:15am to 9:45am. However, the report stated that the parking survey was undertaken between 7:00am-9:00am with data provided only until 9:00am. Therefore, it is unclear how the above result was derived.*

*The afternoon school generated parking demand was estimated to be 95 vehicles based the parking occupancy rates recorded between 3:15pm and 3:30pm.*

*The traffic report justified that each of the pick up and drop off zone (5 spaces) can provide a total of 150 parking opportunities per location capable to accommodate the estimated 117 drop-offs by private vehicles. It is questionable how these numbers were calculated and over what time period these parking opportunities are expected to be available. The applicant would be requested to confirm these numbers.*

*Notwithstanding the above, it is evident from the parking beat survey and Council's experience that the parking spaces in streets closer to the school are generally highly occupied. Therefore, any increase of parking demand by the school will have significant impact on the surrounding road network.*

### **Loading Facilities**

*The school currently has a loading dock in Upper Pitt Street accessed from Jefferies Street which will remain unchanged as part of this proposal.*

### **Construction Traffic Management Plan**

*The proposed Construction Traffic Management Plan can be accommodated except for the proposed Works Zone locations in Upper Pitt Streets that are replacing the existing Kiss & Drop zones. Relocation of any Kiss & Drop zones will require community consultation and approval by the Traffic Committee. Additionally, there is no feasible location on the northern side of Upper Pitt Street to implement any additional Kiss & Drop zone. Should Works Zones be required at these locations, alternative Kiss & Drop Zone must be determined prior to the issue of Construction Certificate. It should also be noted that the supposed Works Zone in Kirribilli Avenue is not considered ideal as it requires construction vehicles to travel in a longer route through residential areas.*

*Furthermore, there is a proposed redevelopment of Loreto Kirribilli pursuant to DA371/17 currently with Council. It is unknown at this stage the extent of construction activities will involve for the Loreto redevelopment and the cumulative impacts of the redevelopments of both school sites in such close proximity. A combined CTMP should be required to coordinate construction activities of both sites if occurring at the same time.*

*It recommended that, additional traffic study detailing the impacts of the proposed redevelopment and the cumulative impacts of both schools be provided.*

### **Conclusion**

*Council objects to the potential traffic impacts to the St Aloysius Stage 1 Concept Plan and detailed built form proposal of Upper Pitt Street Main Campus and Wyalla Senior Campus. This objection will not be rescinded until workable traffic solutions are provided to Council which can provide relief to the traffic circumstances around the Kirribilli suburb.*

### **Accessibility**

Council's Community Development Officer has reviewed the plans and documentation and provided the following comments:

*Council's Development Control Plan (DCP) 2013 - Section 12 on Access "aims to provide provisions for the promotion and acceptance of people as individuals and their access to a fair and equal opportunity to participate in community life". The legislation that relates to disability discrimination is the Disability Discrimination Act, (Cth) 1992 [DDA]. It is noted that the Applicant has submitted a separate Masterplan Access Design Assessment Report (produced by Design Confidence (Sydney) Pty Limited). It is noted that the "report is to identify the extent to which the schools existing infrastructure and proposed upgrade works comply with the accessibility provisions of the Building Code of Australia 2016". The report should be treated as preliminary as it lacks certain detail about how the design features will be fully incorporated. Given the scale of the project that St Aloysius College proposes, the opportunity to provide improved and enhanced access which overcomes current shortfalls in disability access is considered essential to be assessed as part of the DA. In particular, the Access provisions should address:*

| <b>Australian Access Standards</b>   | <b>Comment</b>  |
|--|---|
| <i>Australian Standards: AS 1428.1: 2009 – Design for Access and Mobility</i>                                  | <i>All aspects of the access requirements need to meet this standard</i>  |
| <i>Australian Standards: AS 1428.2: 1992 – Enhanced and Additional Requirements - Buildings and Facilities</i> | <i>Given the scale of the development, enhanced access requirements should also be met. In particular, continuous accessible paths of travel and circulation spaces for people who use wheelchairs, sanitary facilities for people with disabilities, equitable access to buildings and rooms within buildings, accessible counters, and signage and hearing augmentation systems should comply with AS 1428.2.</i> |
| <i>Australian Standards: AS 1428.4: Tactile Ground Surface Indicators (TGSI)</i>                               | <i>The Applicant's Access Report notes: "TGSI's have not been detailed at this stage. TGSI's will be addressed as the design develops". These should be included at a future stage.</i>   |



|  |   |
|--|---|
| <i>Australian Standards: AS 1428.5: 2010 - Communication for people who are deaf or hearing impaired</i> | <i>Signage and Hearing augmentation systems are noted as required by the Applicant's Access Consultant who also noted that they will provide further detail with future design progression. These should be included at a future stage.</i> |
|--|---|

### ***Specific Disability Access issues***

*Existing pedestrian entrance to the school – It is noted that the existing principal pedestrian ramp access to the entrance on Upper Pitt Street is non-compliant, and this will be rectified. To further facilitate access, an automatic sliding entrance door is also recommended.*

*The paths of travel - from the principal pedestrian entrance to any new part of the redeveloped facility should be fully accessible to people with disabilities. These should be assessed at a future stage.*

*Lifts: Within the Upper Pitt Street Campus - a lift is proposed at the southern end of the Upper Pitt Street Campus (Kirribilli Avenue). As such, compliant level access to this area is necessary. Wyalla building - Whereas, the access consultant notes, "a new lift is not proposed within the Wyalla Building", but access "is provided via the Upper Pitt Street bridge connection". The explanation given, including that Wyalla is a heritage building needs to be questioned because as it stands, it does not give equal access to all areas in the Wyalla building for people with disabilities. It is recommended that a new lift be installed in the Wyalla Building.*

*Access ways - the access consultant noted that "within the Upper Pitt Street Campus standard doorways have a clear opening width of approximately 820mm" which is non-compliant to the Australian Standards. Design modifications are recommended to be fully compliant with AS1428.1-2009. Further, the access consultant states that: "There will be some areas of the Wyalla building (primarily levels 01 and 02) that cannot be accessed by wheelchair users". It is recommended that the floor areas be redesigned so that a wheelchair user can access all areas.*

*Accessible Sanitary Facilities - the access consultant noted: "no new or existing Accessible WCs are proposed within the Wyalla Building". It is recommended that Accessible WCs be incorporated into the Wyalla Building to provided equal access for people with disabilities.*

*The hours of operation of the school should acknowledge Before and After School Care, operations between 7.00am and 6.00pm, Monday to Friday.*

*Should the application be approved, conditions of development consent should be imposed addressing the following matters:*

- *Access Considerations taking into account Australian Standards: AS 1428.1, 1428.2, 1428.4 and 1428.5 should account for:*
  - *A new pedestrian entrance to the school including the installation of an automatic sliding entrance door*
  - *enhancing the paths of travel in the redeveloped to include improved access to all areas of the school including buildings, rooms and facilities*

- *improved access to all areas by installing lifts as designated within the Upper Pitt Street Campus and a new one suggested for the Wyalla Building.*
- *recalibrating the Wyalla building so as to ensure compliance with the standards and improved access ways, and*
- *Incorporating accessible WCs into the Wyalla Building.*

#### **Submissions from the Community**

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

#### **Draft conditions of consent**

North Sydney Council can provide the Department with draft conditions of consent if required. However, in light of this objection, further information and modification to the application is required before consent should be granted.

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

Yours faithfully,



**STEPHEN BEATTIE**  
**MANAGER, DEVELOPMENT SERVICES**