



Alterations and additions to Kincoppal-Rose Bay School

State Significant Development SSD-10325

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Glossary

Abbreviation	Definition
ACHAR	Aboriginal Cultural Heritage Assessment Report
AHD	Australian Height Datum
Applicant	KINCOPPAL - ROSE BAY SCHOOL
CIV	Capital Investment Value
Council	Woollahra Municipal Council
Department	Department of Planning, Industry and Environment
DPI	Department of Primary Industries, Department of Planning Industry and Environment
DRG	Division of Resources & Geoscience, Department of Regional NSW
EESG	Environment, Energy and Science Group, Department of Planning Industry and Environment
EIS	Environmental Impact Statement
ELC	Early Learning Centre
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
Heritage NSW	Heritage NSW, Department of Premier and Cabinet
KRB	Kincoppal-Rose Bay School of the Sacred Heart
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces and Minister for Transport and Roads
SEARs	Planning Secretary's Environmental Assessment Requirements
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
SEPP	State Environmental Planning Policy

SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
TfNSW	Transport for NSW
WLEP 2014	Woollahra Local Environmental Plan 2014

Executive Summary

This report provides an assessment of a State significant development (SSD) application for alterations and additions to Kincoppal-Rose Bay School of the Sacred Heart (KRB) (SSD-10325). The development site is 2 Vaocluse Road, Vaocluse. The Applicant is Kincoppal-Rose Bay School and the site is located within the Woollahra local government area (LGA).

Consent is sought for a concept development application (concept proposal) for alterations and additions to the Hughes centre and circulation hub and construction of a boarding house building. Consent is also sought for a stage 1 development proposal involving an increase in the student population by 250 students, as well as alterations and additions to the senior school, junior school and early learning centre (ELC).

The project is SSD under clause 15(2) of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011, as it is development for the purpose of alterations or additions to an existing school that has a capital investment value (CIV) of more than \$20 million.

Assessment summary and conclusions

The Department of Planning, Industry and Environment (the Department) has considered key issues in its assessment, along with the relevant matters under section 4.15(1), the objects of the *Environmental Planning and Assessment Act 1979*, the principles of ecologically sustainable development, the issues raised in submissions as well as the Applicant's response to these. The Department's assessment of key issues includes:

- built form, heritage and urban design
- Aboriginal cultural heritage
- tree removal and landscaping
- transport and traffic
- contamination

The Department is satisfied that these issues have been adequately addressed in the Applicant's Environmental Impact Statement (EIS), and Response to Submissions (RtS). Other minor issues can be addressed through the Department's recommended conditions of consent.

The site is suitable for the continued use as a school and the development is permissible with consent in the SP2 – Infrastructure zone under the Woollahra Local Environmental Plan 2014 (WLEP 2014). The proposal would provide improved teaching and learning outcomes through the development of new purpose-built and modern educational facilities.

The Department concludes the proposal is in the public interest and recommends that the application be approved subject to conditions.

The proposal

The concept proposal seeks consent for the reconfiguration and expansion of the existing Hughes centre and circulation hub, as well as a new building to form an extension to the existing boarding house.

The stage 1 proposal includes traffic management works, landscaping and tree removal, alterations and additions to the Early Learning Centre (ELC), junior school, year 8 learning centre and senior school main entrance forecourt. An increase to a maximum of 1208 students (a 26 per cent increase) is also proposed.

The proposal has a capital investment value (CIV) of \$48,822,131 and would generate approximately 257 construction jobs and an additional 35 operational jobs.

The site

KRB is located at 2 Vacluse Road, Vacluse within the Woollahra local government area. The site includes an ELC, primary school and senior school. The school currently has a combined student population of 955.

The site is 9km from the Sydney central business district and is divided by Vacluse Road. The site is bound by the Sydney Harbour to the west, residential to the north and south, and New South Head road to the east.

The site is listed as local heritage item number 396 within the WLEP 2014. The listed site description is '*Kincoppal, Roman Catholic Convent of the Sacred Heart and school—buildings and interiors, grounds, trees, sandstone and wrought iron fence, gateposts and gates*'.

Engagement

The application was publicly exhibited between 9 December 2020 and 29 January 2021. The Department received a total of 7 submissions, all from public authorities. An additional two submissions from public authorities were received in response to the applicant's Response to Submissions (RtS).

The key issues raised in the submissions include built form, traffic and transport and landscaping. These issues have been resolved to the Department's satisfaction through amendments to design and additional investigations.

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1 Introduction

This report provides an assessment of a State significant development (SSD) application lodged under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) for alterations and additions to Kincoppal-Rose Bay School of the Sacred Heart (KRB) at 2 Vaucluse Road, Vaucluse. The application was lodged by KRB.

Consent is sought for a concept development application (concept proposal) for alterations and additions to the early learning centre (ELC), junior school, senior school, and an overall increase of the student population by an additional 250 students. Consent is also sought for the first stage of development (stage 1).

The application has been lodged by Kincoppal-Rose Bay School of the Sacred Heart.

1.1 Site description

The site is located at 2 Vaucluse Road, Vaucluse, within the Woollahra Municipal Council local government area (LGA). The site is located approximately 9km east of the Sydney CBD as shown in **Figure 1**.

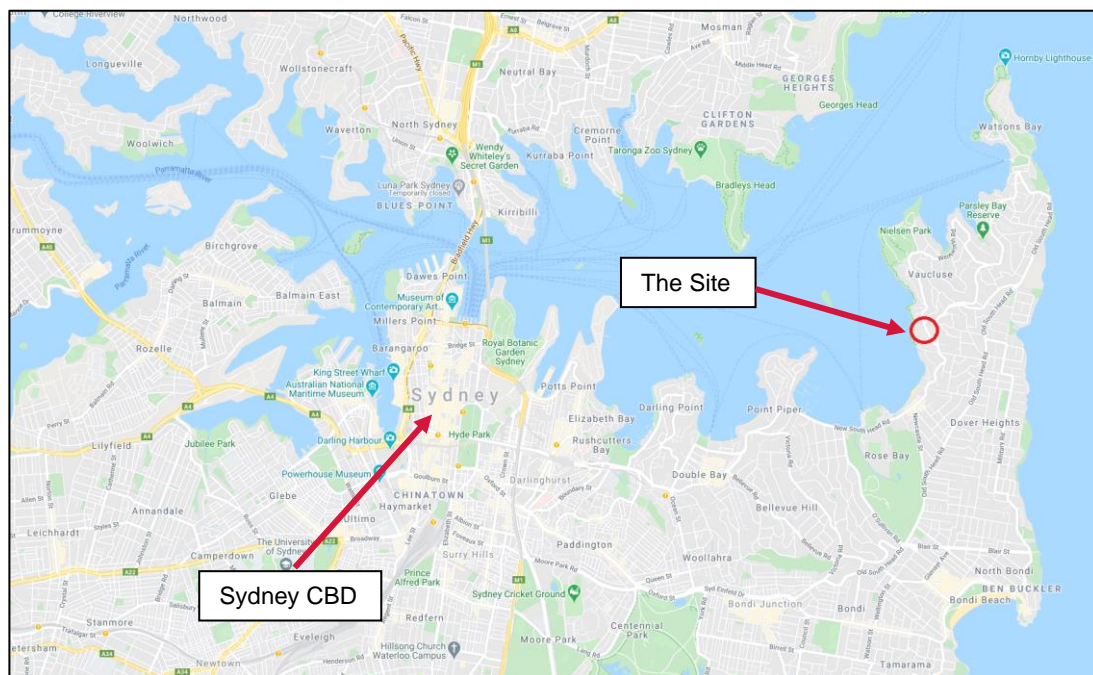


Figure 1 | Regional context map, indicative location of site (Source: Nearnmap 2021)

Lot 104 DP 1092747 is irregular in shape and split in the centre by Vaucluse Road as shown in **Figure 2**.

Works proposed in this application only apply to the western portion of the lot (known as the site) which is 6 hectares (ha) in size. The site includes the main school campus, ELC, junior school, senior school and student and staff accommodation.

The eastern portion of the lot (not included in this application) includes KRB's outdoor sporting fields, sports facilities, landscape spaces and the Maureen Tudhope Centre.



Figure 2 | Boundaries of development site (Source: Applicant's EIS 2020)

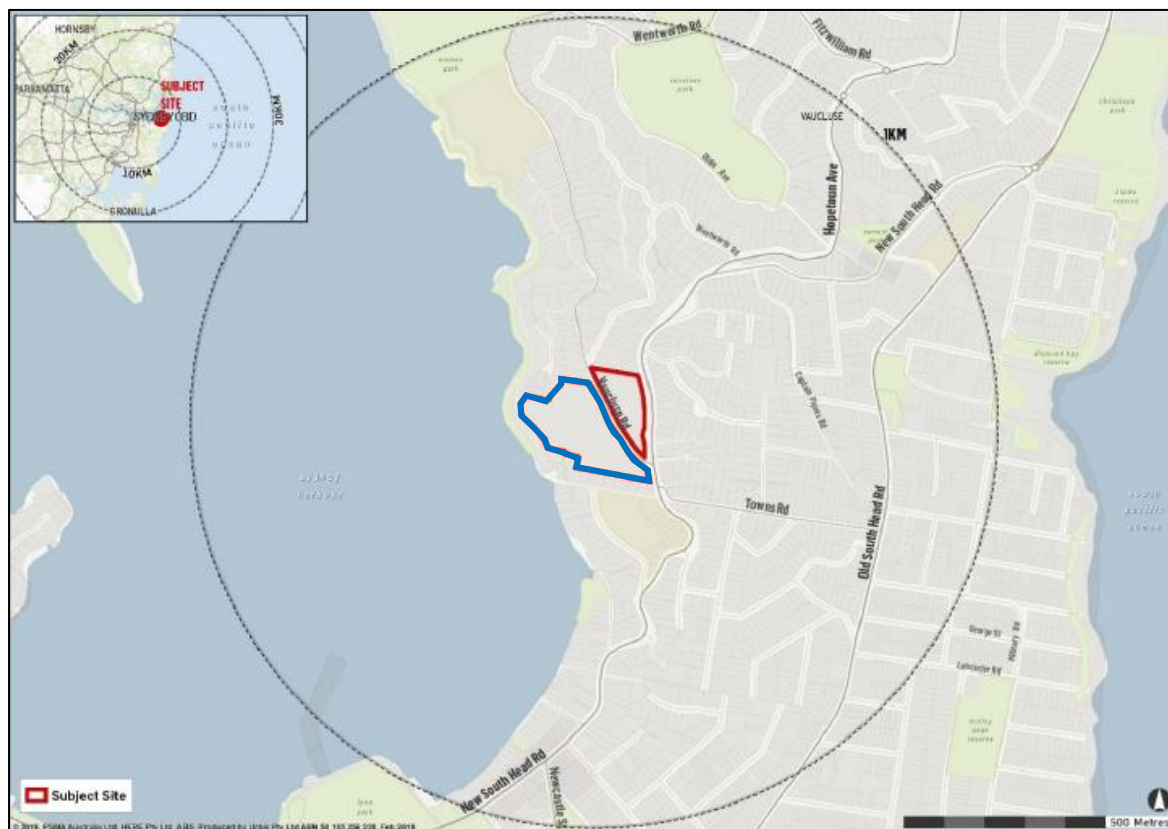


Figure 3 | Local context map (Source: Applicant's EIS 2020)

The locality of site is characterised by predominantly low-scale residential development on standard suburban allotments. To the north and east, development is typically residential. To the west is the Sydney Harbour foreshore (as seen in **Figure 3**) including the Heritage Foreshore Walk that runs parallel to Sydney Harbour. To the direct south is residential development and Forsyth Park.

The site is developed, with multiple buildings of varying size, scale, architectural styles and heritage significance.

The site is zoned SP2 – Infrastructure (Educational Establishment), has a maximum height of buildings of 9.5m and no maximum floor space ratio, under the WLEP 2014. It is listed as flood affected, and as a locally significant heritage item 396, being '*Kincoppal, Roman Catholic Convent of the Sacred Heart and school—buildings and interiors, grounds, trees, sandstone and wrought iron fence, gateposts and gates*'.

The main vehicle access for the eastern portion of the site is from Vaucluse Road, with two separate access points: one for the senior school towards the south, and one for the junior school towards the north.

The site experiences a fall from east to west downward toward Sydney harbour.

1.2 Main campus development site

The site is divided into three precincts, as shown in **Figure 4** below. **Figure 5** provides a detailed map of existing school buildings.



Figure 4 | Precinct's within main campus (Source: Applicant's RtS 2021)

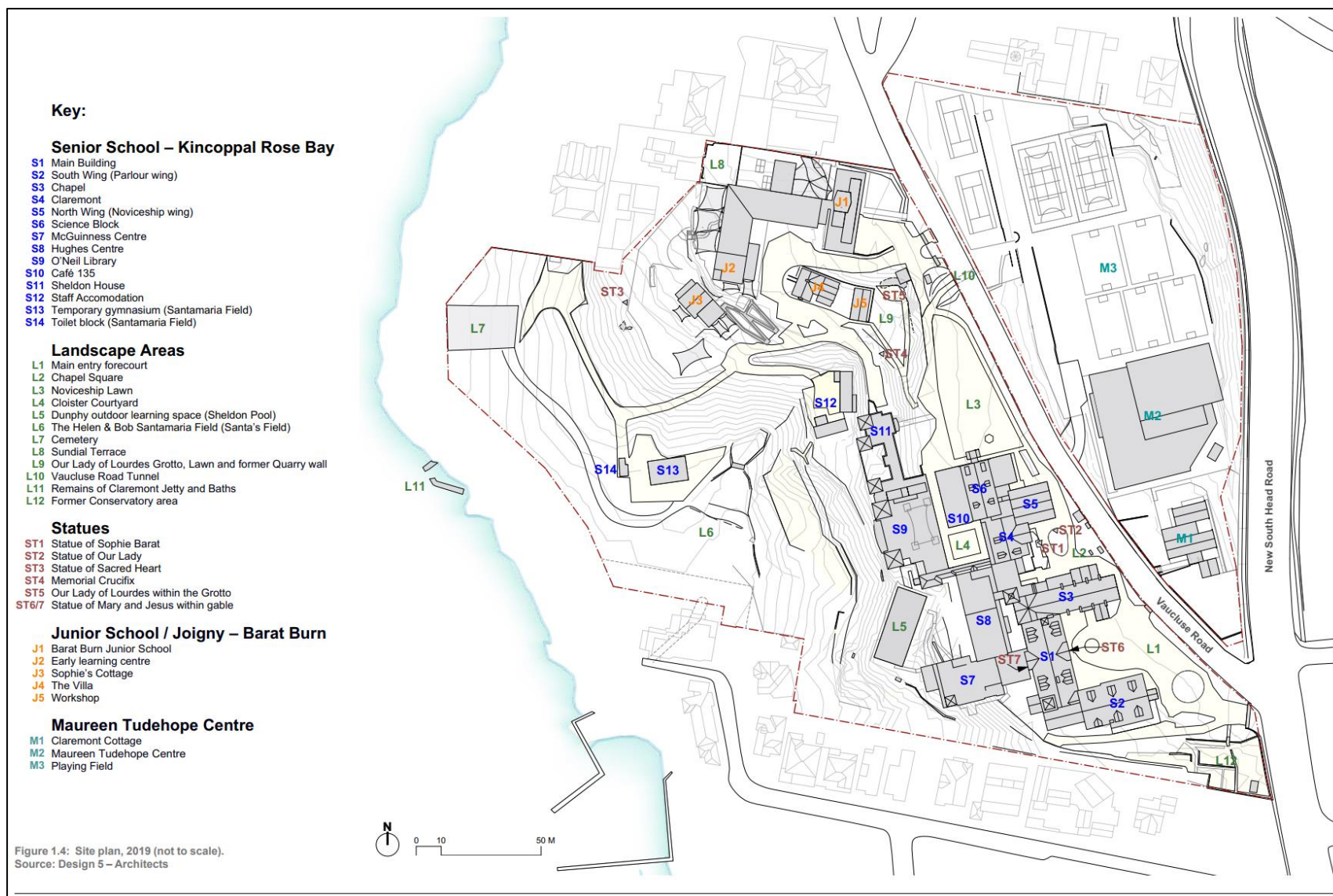


Figure 5 | School map (Source: Applicants EIS 2020)

1.2.1 Precinct A – Junior School

The junior school is located at the northern end of the campus, towards the intersection of Vaucluse Road and Gilliver Avenue. It includes classrooms, a library, language centre, music centre, gymnasium, administration office, uniform shop, and early learning centre (ELC).

The majority of classes within the junior school are taught within the “Barat-Burn”. This three-storey and four storey face brick building contains three wings in two distinct architectural forms (known as the east and west wings).

The ELC is contained within a historical building known as Sophie’s Cottage. The cottage has recently undergone alterations and additions and currently caters for up to 40 children.

1.2.2 Precinct B – Senior School

The senior school is located at the southern end of the campus, towards the intersection of Vaucluse Road and Bayview Hill Road. It includes multiple buildings of varying historical significance and height including the main building, south wing, chapel, Claremont, north wing (noviceship wing), science block, McGuinness centre, Hughes centre, swimming pool, O’Neil library and café.

1.2.3 Precinct C – Student and staff accommodation

The student and staff accommodation buildings are located toward the middle of the site. Student accommodation is split between two buildings: years 7-10 boarders in the top two levels of the Main Building, and the senior students in the Sheldon House Building (located north of the library). A staff accommodation building is also located in this precinct.

1.3 Site history and related development

The site has a history of residential use dating back to the mid-19th century and use as a religious educational and establishment from circa 1882. KRB school has had various recent local and regional development applications including:

- DA387/2007 for the construction of a multi-purpose facility comprising an indoor swimming pool, multi-purpose sports hall and an outdoor playing field.
- DA457/2014 for a proposed child care facility known as the ELC.
- DA284/2016 for the construction of 2 x 2 storey buildings comprising 3 staff accommodation dwellings, 3 car parking spaces, internal driveway extension and landscaping.
- DA550/2016 for the refurbishment of the McGuinness Centre gymnasium to create a year 12 learning hub, landscaping modification, improved pedestrian access, and the construction recreation areas.

2 Project

The key components and features of the proposal as detailed in the Environmental Impact Statement (EIS) and amended in the Response to Submissions (RtS) are provided in **Table 1**.

Table 1 | Main components of the concept proposal and stage 1

Aspect	Description
Project summary	Concept proposal and stage 1 proposal for the alterations and additions to KRB and an additional 250 students.
Site area	6ha.
Jobs	Overall, 257 construction jobs and an additional 35 operational jobs.
Capital Investment Value (CIV)	\$48,822,131.
Concept Proposal	
Development components	<ul style="list-style-type: none"> Reconfiguration and additions to the existing Hughes centre for a new multi-purpose teaching facility. The height of the existing building is not proposed to change. Reconfiguration and additions to the circulation hub including access improvements. The height of the existing circulation core is not proposed to change. A new boarding house building adjacent to Sheldon house up to a maximum of 3 storeys in height.
Gross floor area (GFA)	<ul style="list-style-type: none"> No increase in GFA proposed for the Hughes centre and the circulation hub. The proposed boarding house building would provide an additional 1,020m² of GFA.
Height of buildings	<ul style="list-style-type: none"> Circulation hub concept – 13.5m (existing). Hughes centre concept – 13.5m (existing). Boarding house concept – 14m (proposed).
Built form	<ul style="list-style-type: none"> Three story concept refurbishment to the Hughes centre. Four storey concept refurbishment to the circulation hub. Three storey concept boarding house building.

Stage 1

Development components	<ul style="list-style-type: none">• An expansion to the ELC comprising the construction of a two-storey building and landscaped terraces.• Traffic management works for the junior school including a new vehicular entrance point, pedestrian bridge, one-way road, and drop-off/pick-up (DOPU) area.• Internal and external alterations and additions to the junior school buildings including outdoor roof terrace learning areas, vertical circulation upgrades, outdoor terrace refurbishment and access improvements.• Construction of a car and bus parking structure.• Internal and external additions and refurbishment to the senior school to form a dedicated year 8 learning centre.• Refurbishment to the senior school main entrance forecourt and reception/foyer.• An increase in staff and student numbers, up to 1,204 students and 185 staff.
Demolition and excavation	<ul style="list-style-type: none">• Demolition of pathways and walkways, waste compactor, pavements, an existing toilet block within the northern courtyard as well as interiors, windows, and roofs of buildings to be refurbished.• Earthworks required to create level building platforms as well as remove contaminated fill material.• Approximately 3,480m³ of cut and 900m³ of fill.
Built form	<ul style="list-style-type: none">• Two storey building to be constructed for the ELC in precinct A.• Four storeys for the junior school with pedestrian link to remain in precinct A.• Expansion to level 3 of the year 8 learning centre in precinct B.
Gross floor area	<ul style="list-style-type: none">• Additional 1,801.7m² of gross floor area (GFA) for stage 1 works
Height of buildings	<ul style="list-style-type: none">• Early learning centre – 7.57m• Junior School – 13.246m• Year 8 Centre – 15.193m• Bus/carparking area – 4.077m
Indicative capacity	<ul style="list-style-type: none">• Early learning centre existing 40 students, proposed 70 students.• Junior school existing 372 students, proposed 445 students.• Senior school existing 543 students, proposed 690 students.• Total school existing 955 students, total proposed 1,205 students.• 185 staff.

	<ul style="list-style-type: none"> The RtS suggests that the overall increase in student and staff numbers would not occur immediately and would increase as the various aspects of the development are constructed.
Access	<ul style="list-style-type: none"> Existing external pedestrian and cyclist access to be maintained. Internal pedestrian access would be improved through the installation of an elevated pedestrian pathway and accessible entry to the senior school reception. A new driveway crossing is proposed on Vaocluse Road providing access to a new set-down and pick-up area for the junior school.
Car parking	<ul style="list-style-type: none"> 31 net new car parking spaces proposed including 4 accessible spaces resulting in a total of 134 spaces. 3 motorcycle space and 18 bicycle spaces.
Signage	<ul style="list-style-type: none"> Upgrade of existing wayfinding signage. Upgrade existing blade wall sign to entrance of the junior school. New signage adjacent to the new vehicle crossing for the junior school.
Bicycle parking	<ul style="list-style-type: none"> 18 bicycle spaces adjacent to the year 8 learning centre.
Tree removal and landscaping	<ul style="list-style-type: none"> 16 trees proposed for removal. 10 trees are proposed for retention and protection. Additional landscaping proposed (mix of native and non-native species) comprising 58 trees.
Hours of operation	<ul style="list-style-type: none"> Senior school – 8:15am to 3:10pm, Monday to Friday. Junior school – 8:20am to 3:10pm, Monday to Friday. Early learning centre – 7:30am to 6:00pm, Monday to Friday. Existing before and after school care – 6:30am to 8:20am and 3:00pm to 6:00pm, Monday to Friday.

2.1 Construction Staging

Separate development consent would be required for refurbishment of the Hughes centre and circulation hub, and the construction of the boarding house building. The Hughes centre would likely be constructed before the circulation hub and boarding house accommodation. The RtS details proposed construction phases as follows for the stage 1 works:

- Phase 1
 - Precinct A* – traffic management works including the proposed secondary vehicle entry within the Junior school, DOPU bay, and the elevated foot bridge.

- *Precinct B* – traffic management works and the construction of the bus and car parking area, proposed DOPU, and road widening.
- Phase 2
 - *Precinct A* – ELC extension and additional car parking.
 - *Precinct B* – year 8 centre construction.
- Phase 3
 - *Precinct A* – junior school assembly, general learning areas and trafficable roof space (southern portion of the west wing).
 - *Precinct B* – senior school main entry forecourt, landscaping and accessible entry ramp.
- Phase 4
 - *Precinct A* – junior school general learning areas and trafficable roof space (middle portion of the west wing).
 - *Precinct B* – senior school main entry reception, foyer and administration offices.
- Phase 5
 - *Precinct A* – junior school vertical circulation link.
- Phase 6
 - *Precinct A* – junior school general learning areas (east wing), amphitheatre traffic management.

2.2 Concept proposal building envelopes

The concept proposal seeks consent for building envelopes to accommodate the refurbishment of the Hughes centre and the senior school vertical circulation hub as well as a new boarding house building. The locations of the concept buildings are seen below in **figure 6**.

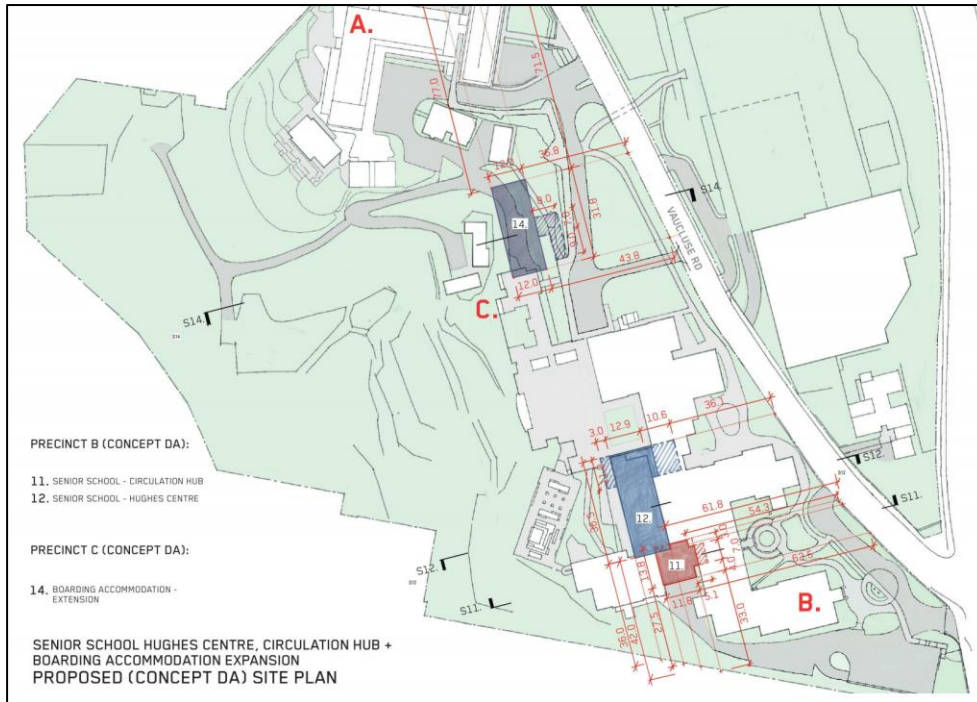


Figure 6 | Concept proposal site plan (Source: Applicant's RtS 2021)

2.2.1 Hughes centre

The concept alterations to the Hughes centre involve a new balcony on the western elevation, modifications to windows and doors, replacement of a fire stair, improved pedestrian connections, and internal alterations to create multi-purpose learning and performance spaces. The Hughes centre would maintain the existing gross floor area of approximately 940m² and height of 13.5m (RL 60.5).

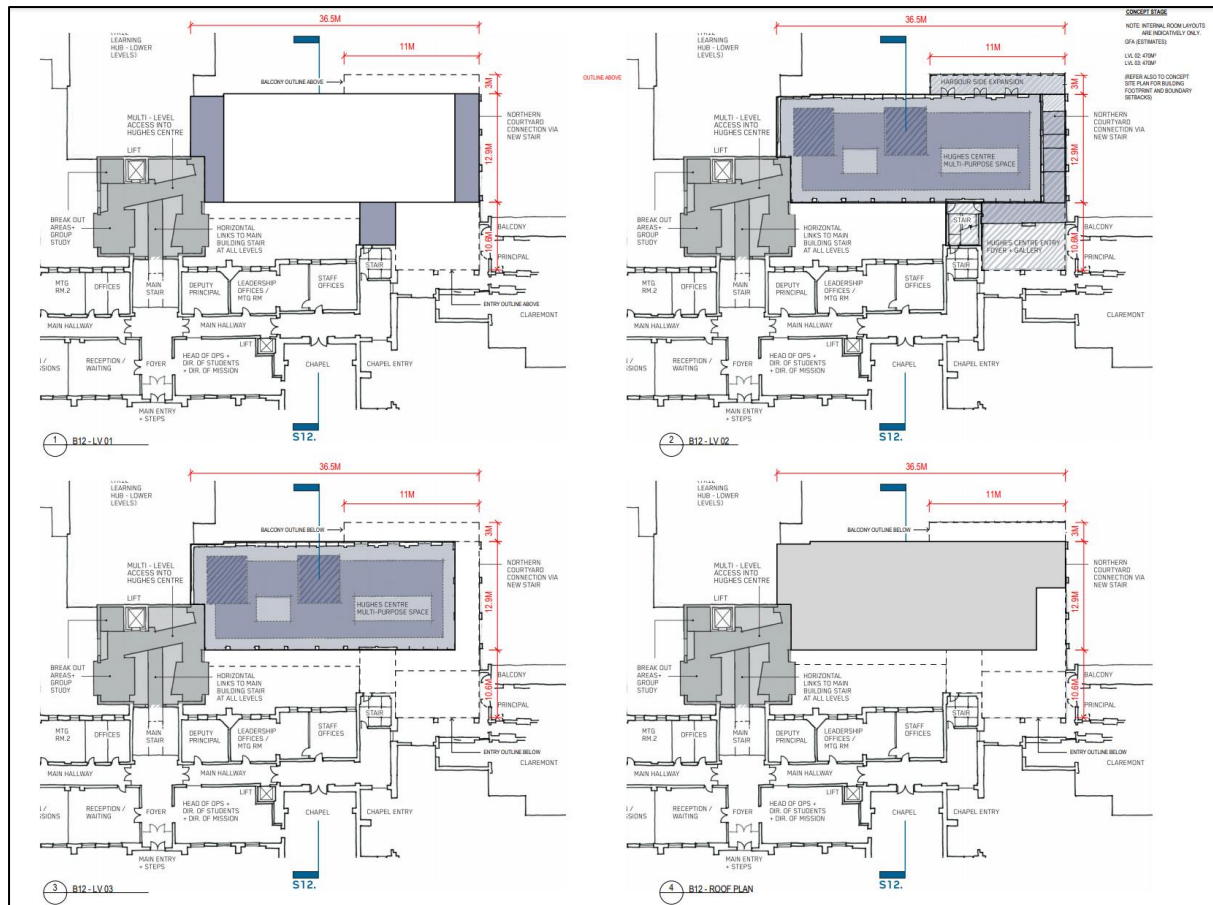


Figure 7 | Precinct B concept Hughes centre (Source: Applicant's RtS 2021)

2.2.2 Vertical circulation hub

The concept circulation hub includes reconfiguring the existing vertical circulation core and stairwell within the senior school (precinct B). The hub would provide multiple up down and cross site connections to the science lab, student accommodation and the Hughes centre. The built form would be contained within the existing hub and stairwell. The concept proposal would maintain the existing gross floor area of approximately 480m² and height of 13.5m (RL 60.5).

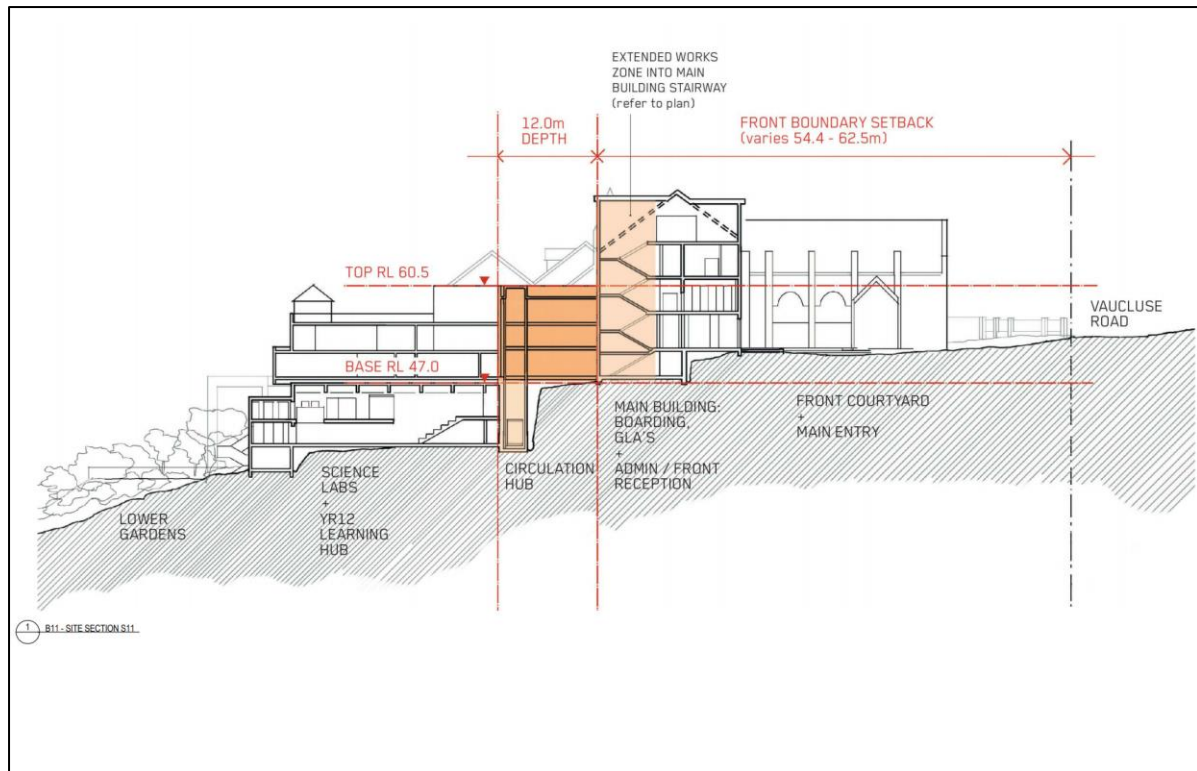


Figure 8 | Precinct B concept circulation hub (Source: Applicant's RtS 2021)

2.2.3 Boarding house building

The school has identified the need for additional boarding rooms. Various locations were investigated for the new building however open space beyond Sheldon House within precinct C was deemed as the most suitable location.

The 3-storey building would align with the floor levels of Sheldon house and would provide single bed boarding rooms, common areas and communal bathrooms. The three-storey building would comprise approximately 1,020m² of additional GFA with a maximum height of 14m (RL 50.5).

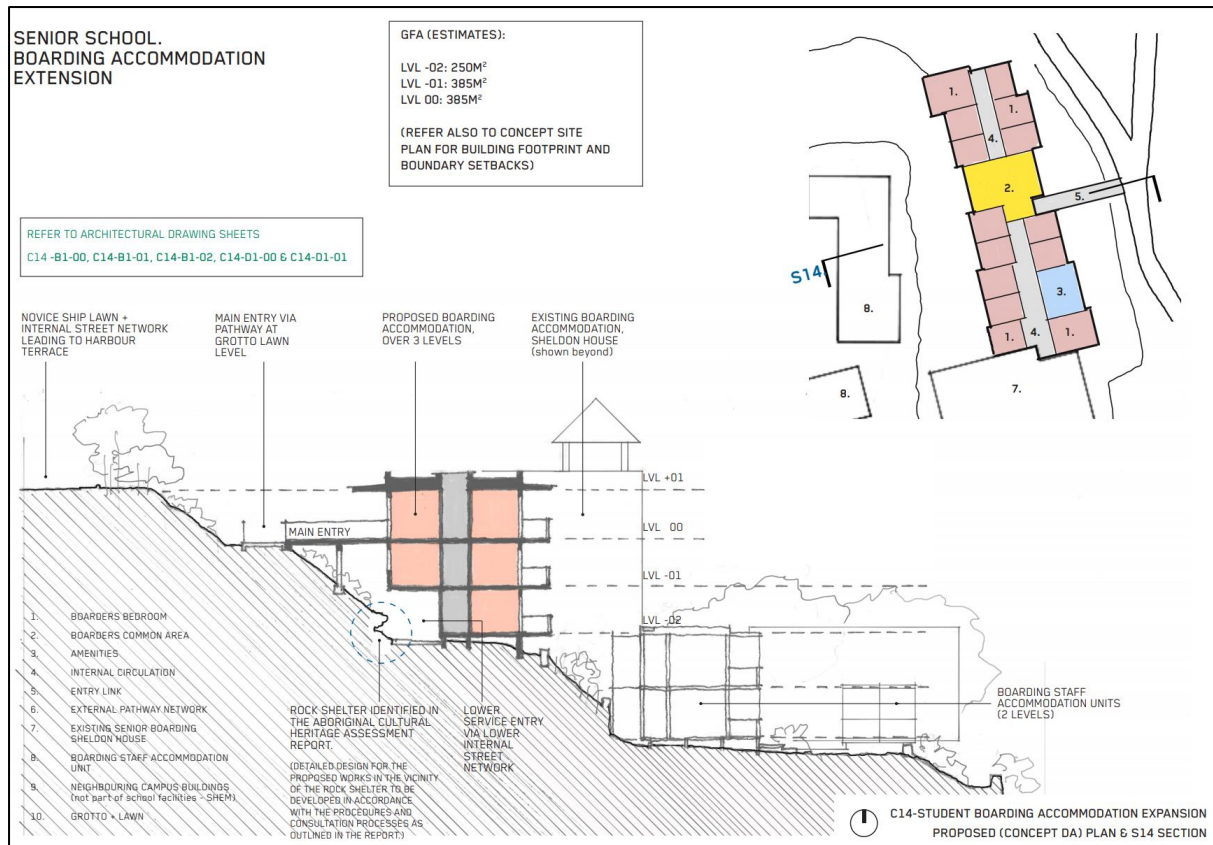


Figure 9 | Precinct C concept boarding house (Source: Applicant's RtS 2021)

2.3 Stage 1 works

2.3.1 Precinct A overview

Works proposed to precinct A all form part of the Stage 1 works and include:

- alterations and additions to the ELC.
- alterations and additions to the junior school.
- traffic management works including the widening of the existing vehicular crossing, the construction of a new one-way road, vehicular crossing, new DOPU area, and a pedestrian link.

A site plan, demolition plan and photo montage of precinct A can be seen in **Figure 10, 11 and 12** below.

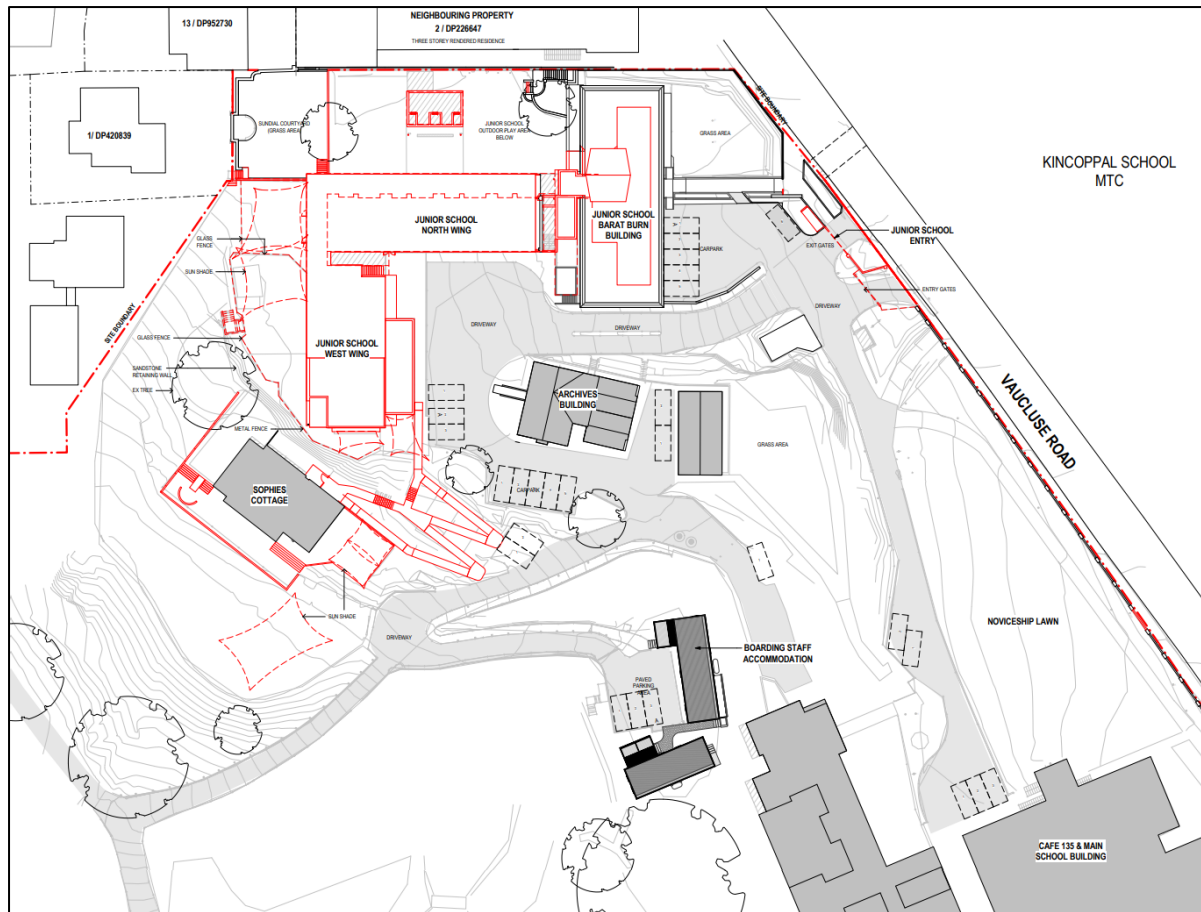


Figure 10 | Precinct A demolition plan (Source: Applicant's RtS 2021)

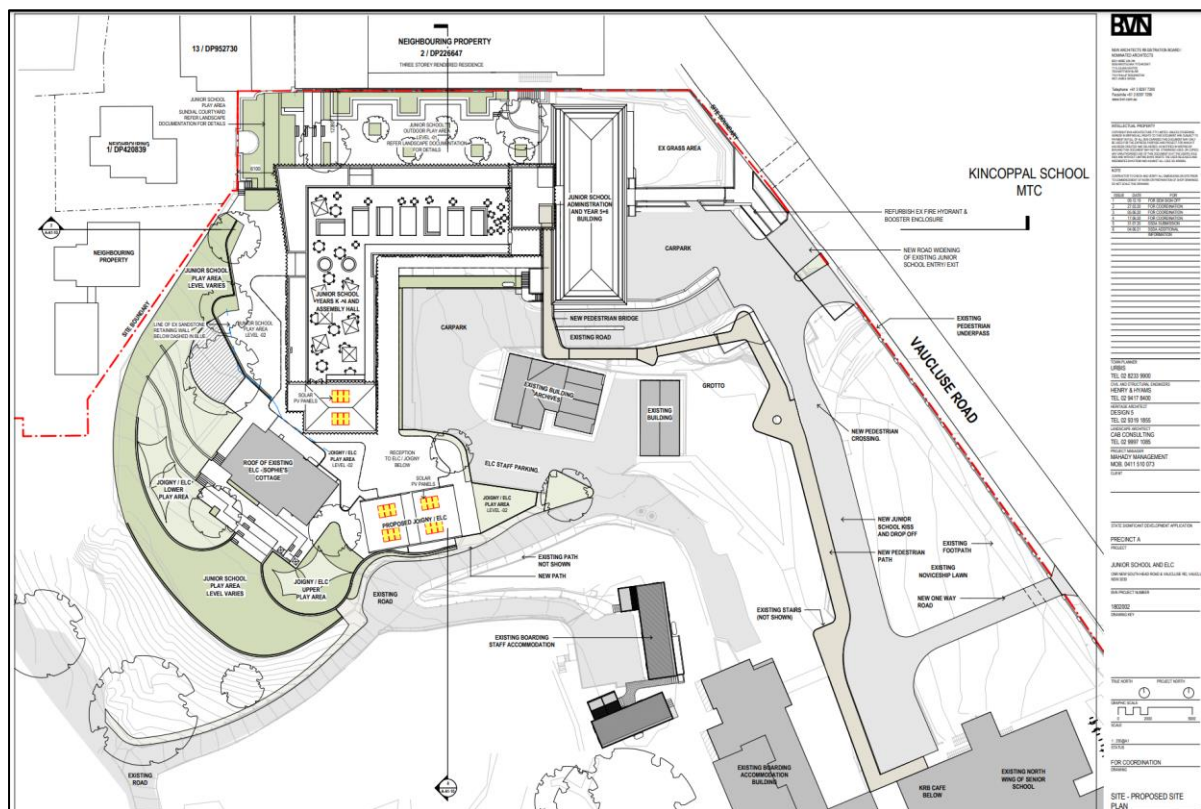


Figure 11 | Precinct A site plan (Source: Applicant's RtS 2021)

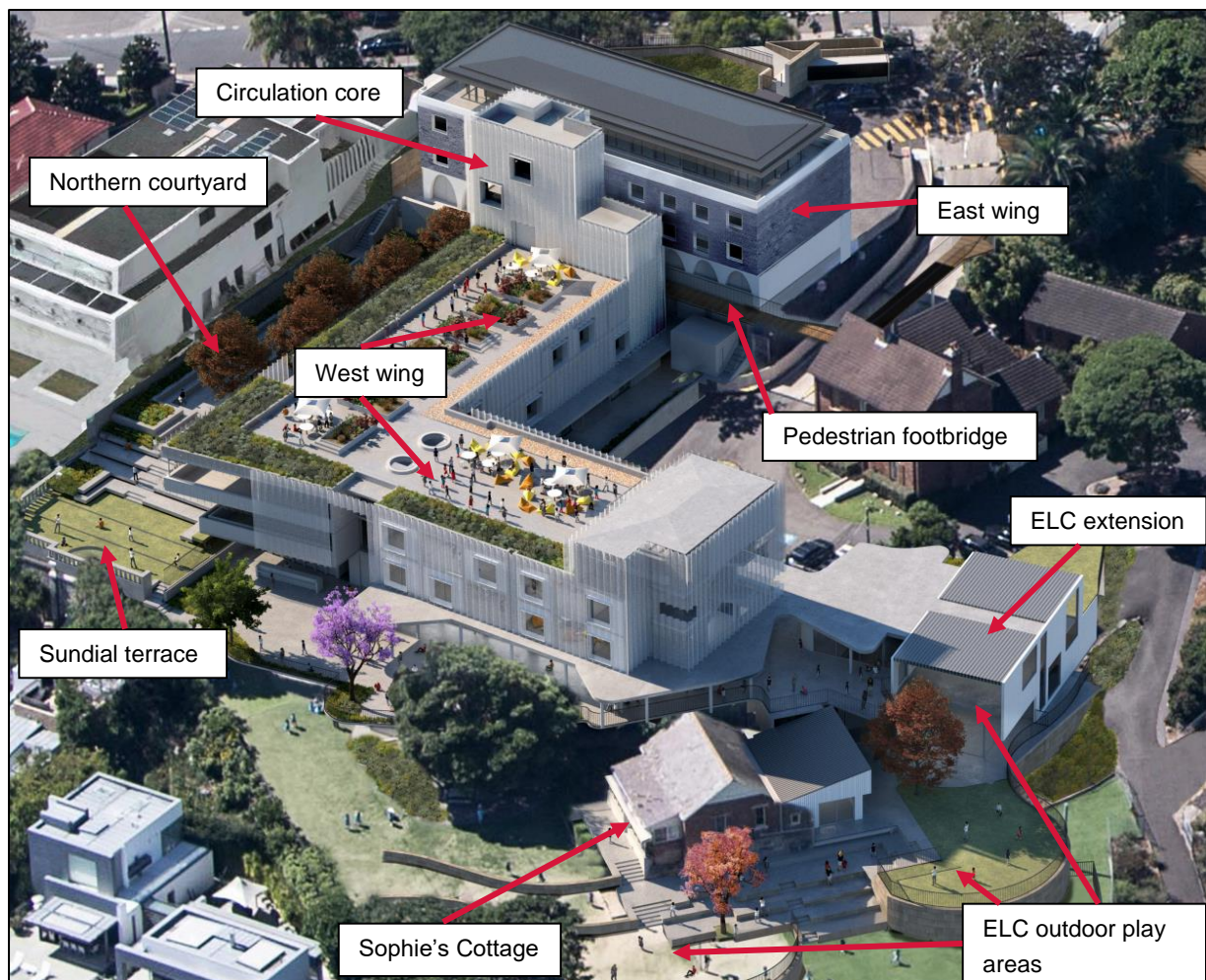


Figure 12 | Precinct A photo montage (Source: Applicant's RtS 2021)

2.3.2 ELC extension

The ELC is currently contained within a building known as Sophie's Cottage. The cottage has recently undergone an extension that caters for up to 40 children. Existing pathways and ramps would be demolished as seen in **Figure 10** and a modern two-storey building is proposed to be constructed east of the cottage. The two-storey building would provide a laundry, bathrooms, office, storage areas and indoor/outdoor play space. The new building would be physically connected to the existing ELC extension via a recessive ground floor circulation corridor to the rear of the buildings as shown in **Figure 13** below.

The additions would provide outdoor play space between the two buildings which expands toward the harbour down a series of landscaped playground levels. Landscape treatment surrounding the ELC includes the installation of shade sails over the terraced play areas, sandstone retaining walls with metal balustrades, and the planting of four trees. The tree species include a *Fraxinus pennsylvanica* 'Urbanite' (urbinate ash) and two *Jacaranda mimosifolia* (blue jacaranda) trees.

The proposal also includes an additional 11 at grade car parking spaces near the ELC located along the existing road to the cemetery.

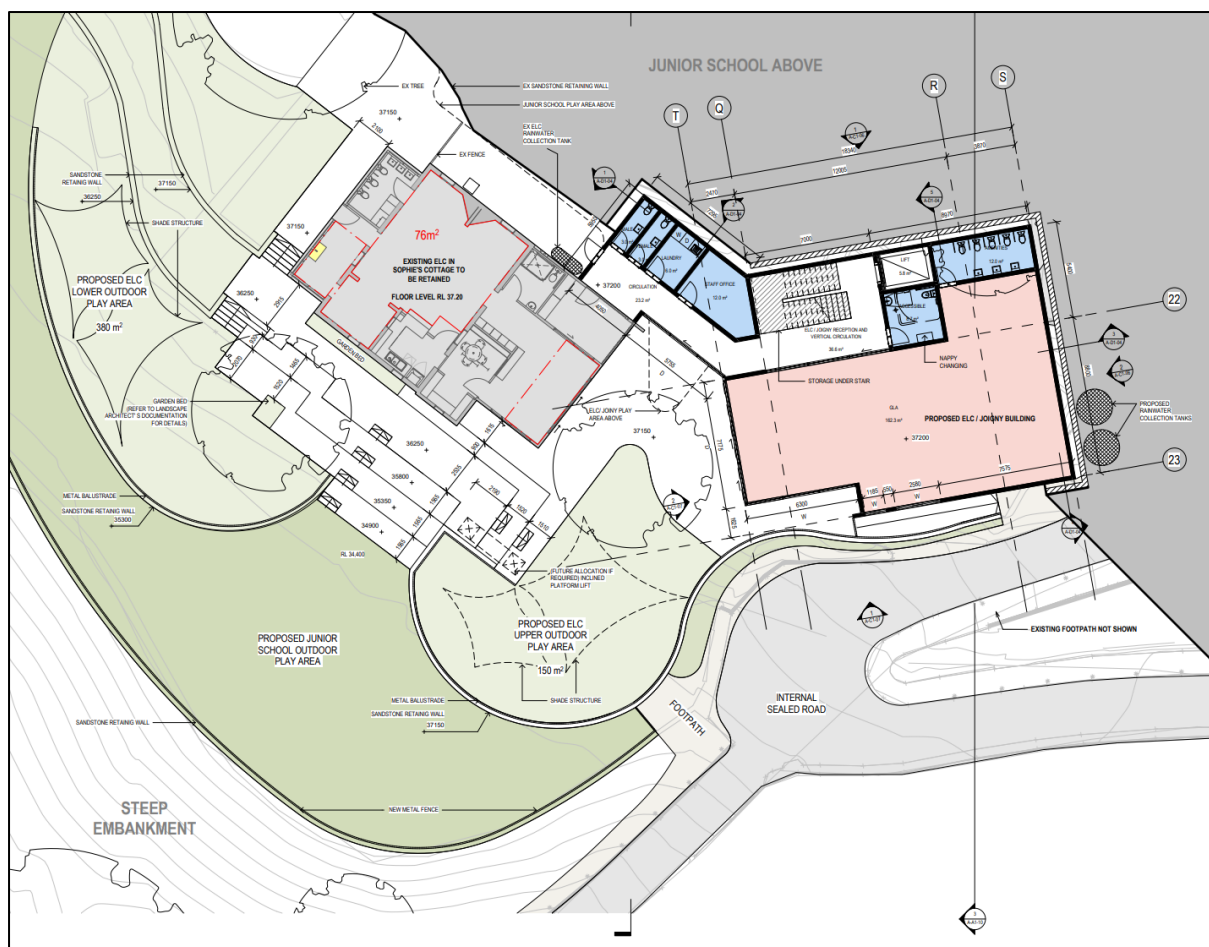


Figure 13 | Precinct A ELC ground floor (Source: Applicant's RtS 2021)

2.3.3 Junior school building refurbishment

The junior school currently utilises an existing learning area known as the “Barat-Burn”. This three-storey face brick building contains three wings with two distinct architectural forms (known as the east and west wings) and is located within the north-eastern portion of the school grounds.

The proposal includes significant internal alterations to the west wing with remodeling of the interior, recladding of the façade, demolition of the external toilet block and construction of a trafficable roof. The trafficable roof would include shaded seating areas, outdoor leaning areas as well as the planting of shrubs and groundcovers.

The northern courtyard adjacent to the west wing would also be refurbished to include play areas, seating areas and improved access to the sundial terrace. The tree species selected for planting in the courtyard include *Bambusa lako* (timor black bamboo), *Acmena smithii* ‘Sublime’ (sublime Lilly Pilly) and *Nyssa sylvatica* ‘Forum’ (tupelo).

The east wing works involve the replacement of the external vertical circulation core, internal demolition, internal additions, and construction of a new enlarged roof terrace. Majority of the 1960’s façade would be retained. The enlarged roof terrace would be used for shaded general learning areas.

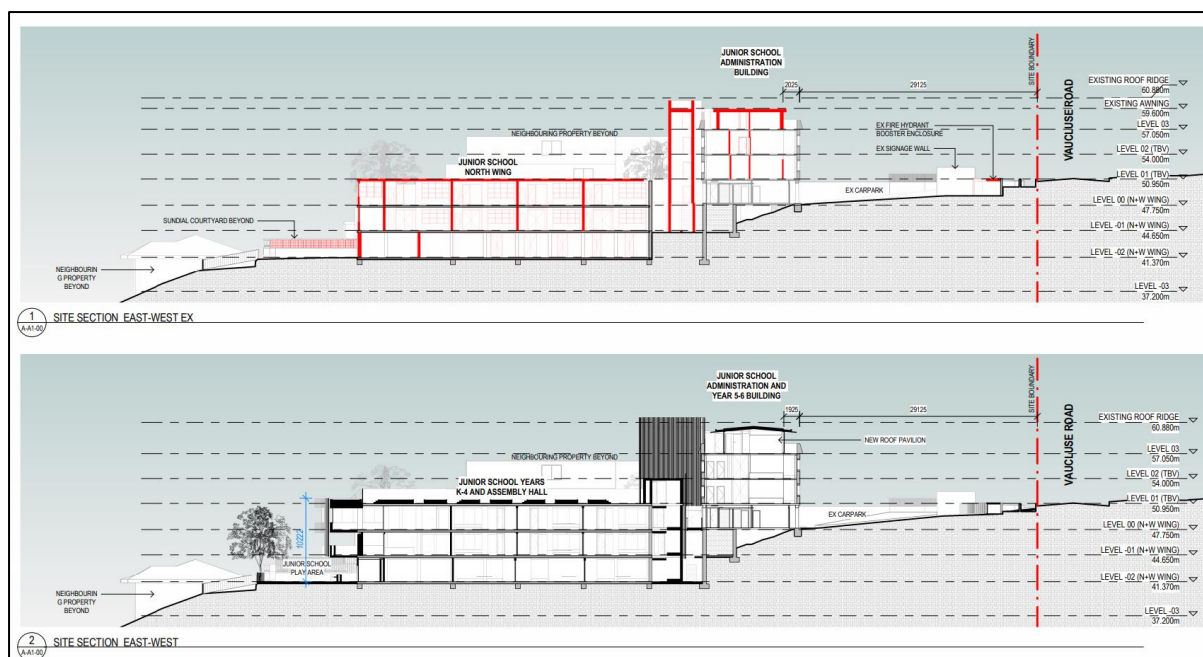


Figure 14 | Junior school before and after section (Source: Applicant's RtS 2021)

2.3.4 Junior school traffic management works

Traffic management works involve the construction of an internal one-way road from Vacluse Road to form a new DOPU zone, removal of part of the existing masonry fence for the new vehicle crossing, widening of the existing driveway and vehicle crossing, and construction of an elevated pedestrian footbridge to provide pedestrian access from the Café and new DOPU zone to the Barat Burn building.

The existing car parking located near the junior school would be reconfigured to provide an additional 5 spaces.

The development also includes the refurbishment of the school sign at the existing junior school entrance and a new blade sign on the fence at the new junior school entrance as seen in **figure 15**.

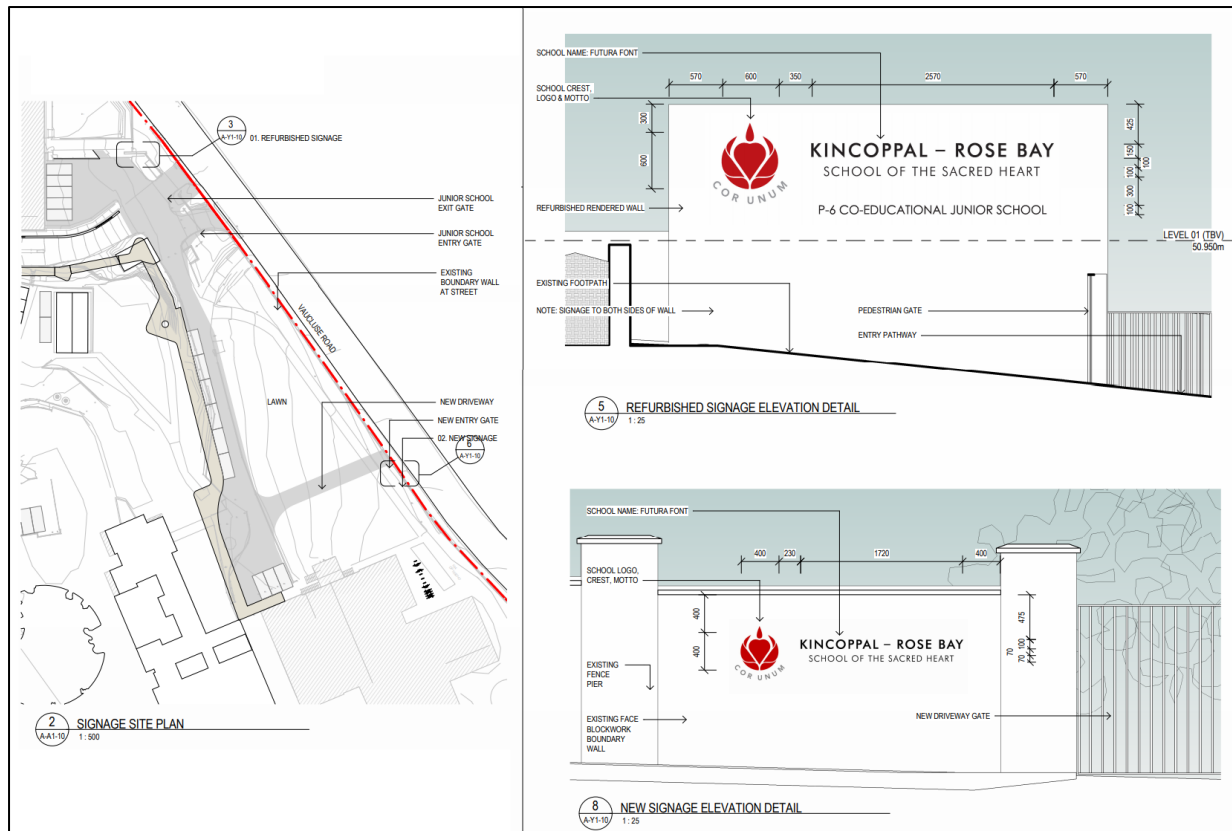


Figure 15 | Junior school signage (Source: Applicant's RtS 2021)

2.3.5 Precinct B overview

Precinct B is located within the southern portion of the site and stage 1 works include:

- the refurbishment of the senior school entry courtyard and reception/foyer.
- traffic management works.
- the construction of a car/bus parking area.
- alterations and additions to the north wing to form a year 8 learning centre.

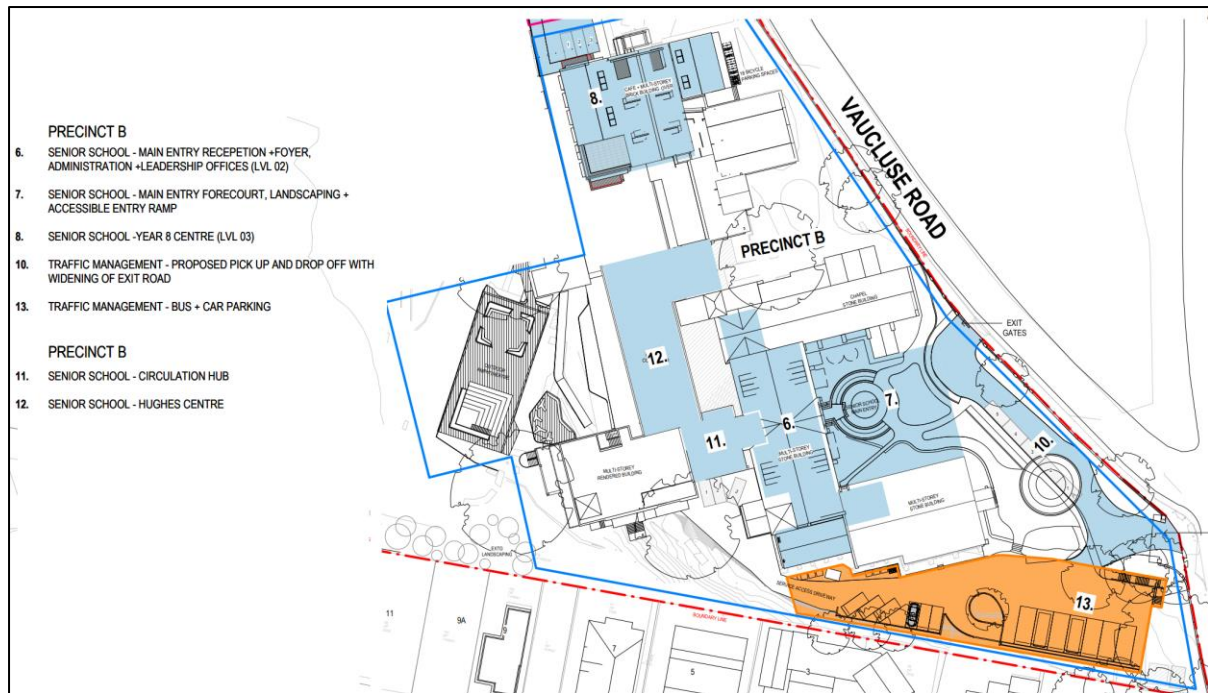


Figure 16 | Precinct B overview (Source: Applicant's RtS 2021)

2.3.6 Senior school entry courtyard and reception

The senior school entry and front reception is located within precinct B adjacent to Vacluse Road. The application proposes landscape, accessibility, and aesthetic upgrades to the main entry forecourt. The external works include the:

- removal of vehicle access to the area.
- provision of a pedestrian grassed area centred around the existing central planter.
- construction of sandstone pathways, accessible ramps, new entrance doors, and landscape treatment in the form of low-lying shrubs and groundcovers.

Internal works include alterations to room dimensions to provide for a refurbished reception, office, and meeting rooms. **Figure 17** displays the floor plan of the proposed senior school entrance.

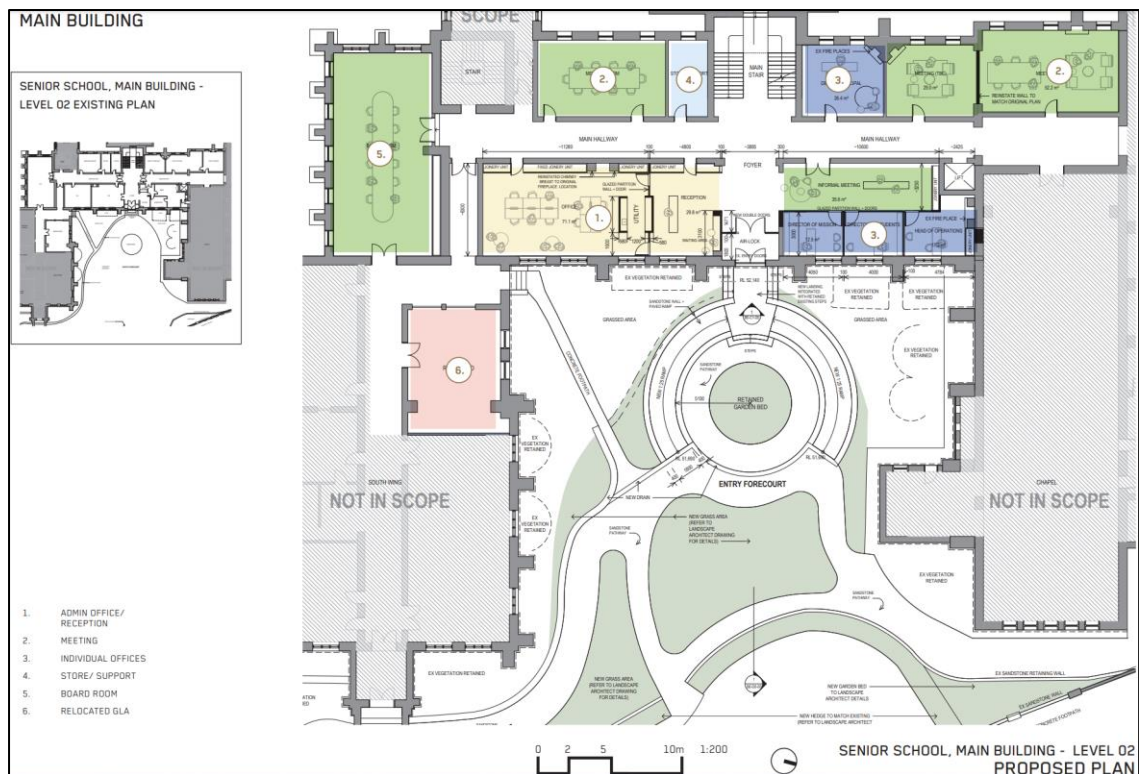


Figure 17 | Precinct B senior school entry (Source: Applicant's RtS 2021)

2.3.7 Traffic management works and car parking

A basement carpark and at grade bus parking structure is proposed off Vaucluse Road within the south-eastern corner of the site as seen in **Figure 18** and **Figure 19**. The structure would sit predominantly below the existing ground with the exception of the southern portion which would have a maximum height of 4.077m. The structure would have a southern setback of 3.5m to allow for the planting of screening vegetation including *Syzygium australe* 'Hinterland Gold' (Gold Lilly Pilly), *Bambusa textilis gracilis* (Slender Weavers) and *Raphiolepis indica* 'cosmic white' (Indian Hawthorn). A dark brown timber screen would also be installed to provide a privacy barrier between the school and the southern adjoining properties. The basement parking area would provide for 29 car spaces and 3 motorcycle spaces. The upper level would provide for 6 car spaces and 7 bus spaces as well as a waste storage area.

The traffic management works include the removal of vehicle access to the forecourt, the construction of a one-way road from the Jubilee gates to the Kincoppal gates and the partial demolition of the second roundabout.

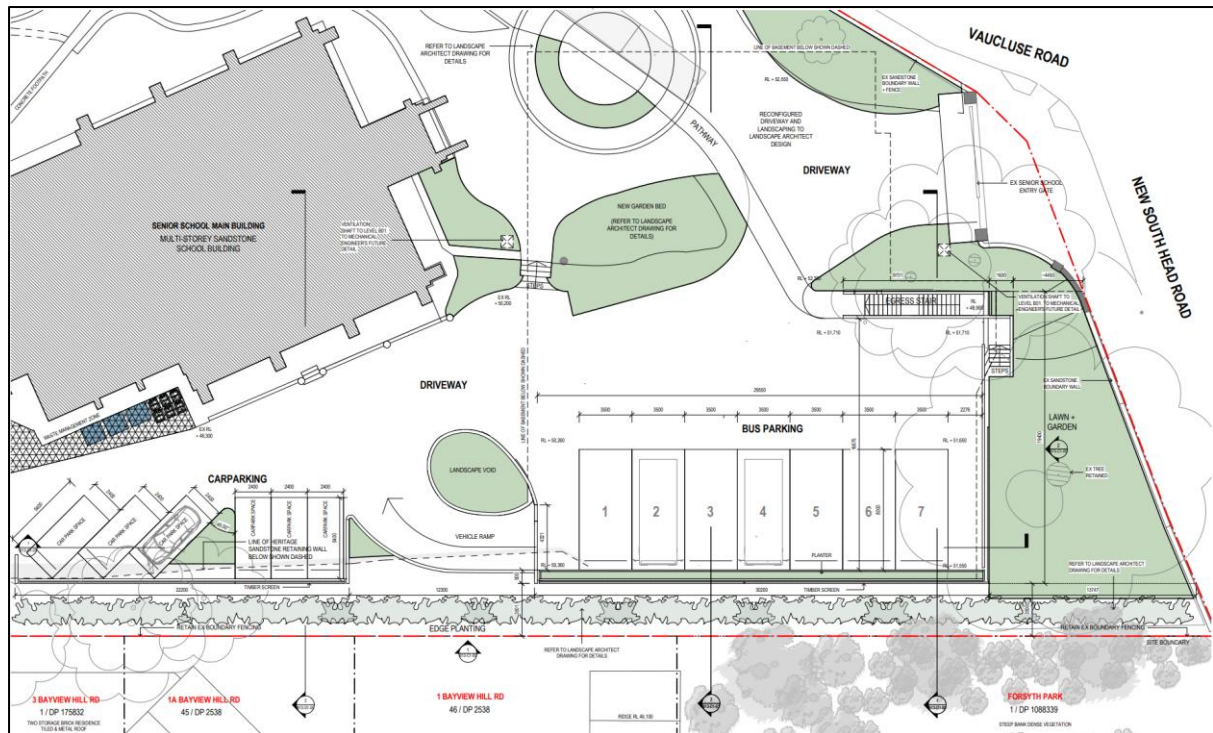


Figure 18 | Precinct B bus and car parking ground floor (Source: Applicant's RtS 2021)

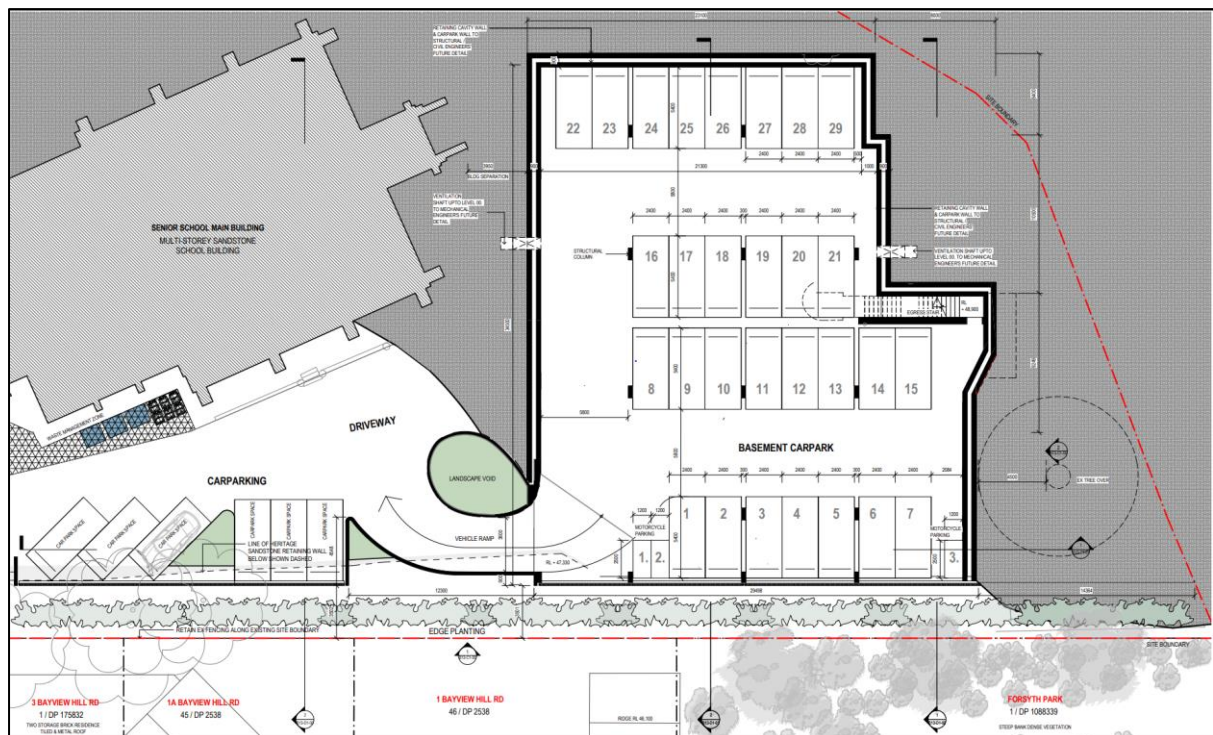


Figure 19 | Precinct B bus and car parking basement level (Source: Applicant's RtS 2021)

2.3.8 Senior school year 8 centre

The senior school north wing (known as the Noviceship wing addition) is located within precinct B. The wing currently occupies four levels and houses various learning rooms, offices, and a tuckshop. The proposed upgrades would provide for a consolidated learning area for year 8 students on the upper floor.

The stage 1 works include the removal of the existing rendered external walls, windows, internal partitions and roof, and the construction of wing additions to both sides of the building. The wings would comprise two gable formed structures aimed at visually complementing the existing building and adjoining heritage Claremont Cottage. The additions would provide for 3-5 general learning areas with operable walls, student lockers and a common kitchenette as seen in **Figure 20** and **Figure 21**.



Figure 20 | Precinct B year 8 learning centre upper floor level (Source: Applicant's RtS 2021)

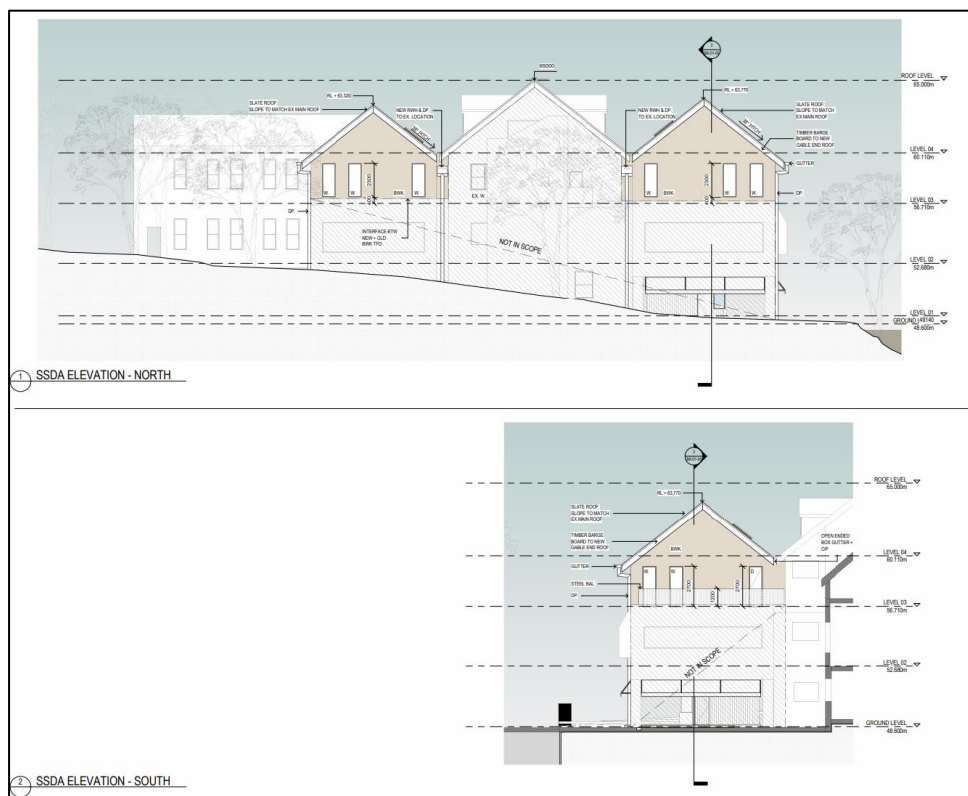


Figure 21 | Precinct B year 8 learning centre elevations (Source: Applicant's RtS 2021)

3 Strategic context

3.1 Project need and justifications

The application suggests that the project would provide multiple benefits for the school including the:

- refurbishment and revitalisation to the existing internal and external learning spaces.
- provision for modern facilities to meet the needs for current and future students.
- improvement to existing on-site parking facilities.
- improvements to the efficiency of DOPU operations.
- improved pedestrian amenity and accessibility to, from and within the school.
- certainty for the ongoing and long-term operation of the school.

KRB have prepared various versions of a school masterplan, however alternative design options have been limited given the heritage significance of the school, the topographical constraints with accessibility and limited building footprint opportunities. A do-nothing approach is not considered reasonable as it would not meet the needs of the school into the future.

3.2 Strategic context

The Applicant's EIS notes that the proposed redevelopment and upgrade of the senior and junior school campus and ELC is required to meet contemporary and evolving learning and educational standards.

The Department considers that the proposal is justified given it is consistent with:

- Premier's Priorities to create jobs and improve education results as it would create 257 construction jobs and 35 operational jobs and provide upgraded education facilities.
- Greater Sydney Commission's (GSC) *Greater Sydney Region Plan – A Metropolis of Three Cities*, as it seeks to update existing educational facilities within an established locality and provide additional student places.
- GSC's *Eastern City District Plan* as it is an existing school that responds to growth and changing demand in innovative ways, including more efficient use of land and flexible learning spaces.
- NSW Government's *State Infrastructure Strategy 2018-2038*, as it would provide facilities to support modern and technologically enabled learning.
- Transport for NSW's *Future Transport Strategy 2056*, as it would update existing educational facilities in a location with public transport options.

The proposed development would provide investment in the region of approximately \$48.8 million.

4 Statutory context

4.1 State significance development

The proposal is SSD under section 4.36 (development declared SSD) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as the development is for the purposes of alterations and additions to an existing school with a CIV of more than \$20 million pursuant to clause 15 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011.

The Minister for Planning and Public Spaces and Minister for Transport and Roads (the Minister) is the consent authority under section 4.5 EP&A Act. In accordance with the Minister's delegation to determine SSD applications, signed on 26 April 2021, the Director, State Significant Acceleration may determine this application as:

- the relevant council has not made an objection.
- there are less than 15 public submissions in the nature of an objection.
- a political disclosure statement has not been made.

4.2 Permissibility

The site is located within the SP2 – Infrastructure (Educational Establishment) zone under the WLEP 2014, and an existing school is located at the site. The development is best defined as alterations and additions to an existing educational establishment, and as such, the development is permitted with consent in the SP2 zone.

Therefore, the Minister or a delegate may determine the carrying out of the development.

4.3 Other approvals

Under section 4.41 of the EP&A Act, a number of other approvals are integrated into the SSD approval process, and consequently are not required to be separately obtained for the proposal.

Under section 4.42 of the EP&A Act, a number of further approvals are required, but must be substantially consistent with any development consent for the proposal (e.g. approvals for any works under the *Roads Act 1993*).

The Department has consulted with the relevant public authorities responsible for integrated and other approvals, considered their advice in its assessment of the project, and included suitable conditions in the recommended conditions of consent (**Appendix C**).

4.4 Mandatory Matters for Consideration

4.4.1 Environmental planning instruments

Under section 4.15 of the EP&A Act, the consent authority is required to take into consideration any environmental planning instrument (EPI) that is of relevance to the development the subject of the

development application. Therefore, the assessment report must include a copy of, or reference to, the provisions of any EPIs that substantially govern the project and that have been considered in the assessment of the proposal.

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

4.4.2 Objects of the EP&A 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. A response to the objects of the EP&A Act is provided at **Table 22**.

Table 2 | Response to the objects of section 1.3 of 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,	The proposed development seeks to undertake alterations and additions to an existing educational establishment and would not detrimentally impact the economic or social welfare of the surrounding land.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal includes a number of ecologically sustainable development (ESD) measures outlined in Section 4.4.3 .
(c) to promote the orderly and economic use and development of land,	The proposal would be an orderly and economic use and development of the land as it would provide redevelopment of an established school.
(d) to promote the delivery and maintenance of affordable housing,	Not applicable.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposal has avoided impacts on the environment where possible and would not impact any known threatened ecological communities or habitats. Impacts on tree removal have been appropriately mitigated or addressed through conditions of consent and replacement planting.

Objects of the EP&A Act	Consideration
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	<p>An Aboriginal Cultural Heritage Assessment Report (ACHAR) was included which identified the Aboriginal cultural heritage values of the site in consultation with Aboriginal communities and sets out appropriate mitigation measures to protect these values.</p> <p>It is unlikely that the development would have any significant adverse impacts on any local heritage items or Aboriginal cultural heritage as discussed in Section 6.2.</p>
(g) to promote good design and amenity of the built environment,	The proposal promotes good design and amenity, as detailed in Section 6.1 of this report.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The proposal would promote proper construction and maintenance of buildings subject to recommended conditions of consent.
(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 proposal (Section 5.1), which included consultation with Council and other public authorities and consideration of their responses (Section 5 and 6).
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the proposal as outlined in Section 5.1 , which included notifying adjoining landowners and displaying the proposal on the Department's website and at council during the exhibition period.

4.4.3 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:

- development that would not result in any known threat of serious or irreversible environmental damage.
- a high level of inter-generational equality through the provision of integrated internal and external learning environments for current and future students and teachers.
- conservation and retention of the more environmentally significant portions of the school including a large number of trees within the south-western portion of the site. Less than 40% of the school grounds would be occupied by buildings.
- installation of solar panels and rainwater collection tanks where appropriate in order to reduce electricity and water consumption.
- passive designed buildings that provide for natural ventilation. Appropriate glazing and shading.
- energy efficiency fittings and appliances such as LED lighting, motion sensors, taps, and ceiling fans.
- waste management plans to minimise waste generation, maximise reuse, recycling and reprocessing construction waste and minimise volume disposed in landfill.
- water sensitive urban design (WSUD) initiatives including native low water usage plants to increase stormwater retention, decrease total suspended solids and mitigate effects of urban heat island.

The development is not seeking a formal Green Star rating, however the project has been benchmarked against the Green Star Design and As-Built v1.3 rating system, with a goal of achieving equivalent to a 4 star Green Star rating.

The proposed development is located on a previously developed site and would not result in the loss of any threatened or vulnerable species, populations, communities or significant habitats. The Department has recommended a condition that requires the Applicant to register for a minimum 4-star Green Star rating.

Subject to this condition, the proposed development is consistent with ESD principles as described in Appendix S of the EIS, which has been prepared in accordance with the requirements of Schedule 2 Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). Overall, the proposal is consistent with ESD principles, and the Department is satisfied the proposed sustainability initiatives would encourage ESD, in accordance with the objects of the EP&A Act.

4.4.4 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.

4.4.5 Planning Secretary's Environmental Assessment Requirements

The EIS is compliant with the Planning Secretary's Environmental Assessment Requirements and is sufficient to enable an adequate consideration and assessment of the proposal for determination purposes.

4.4.6 Section 4.15(1) matters for consideration

Table 33 identifies the matters for consideration under section 4.15 of the EP&A Act that apply to SSD in accordance with section 4.40 of the EP&A Act. The table represents a summary for which additional information and consideration is provided in **Section 6** and relevant appendices or other sections of this report and EIS.

Table 3 | 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 in Appendix B .
(a)(ii) any proposed instrument	The Department's consideration of the relevant draft EPIs is provided in Appendix B .
(a)(iii) any development control plan (DCP)	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD, however the objectives of the Woollahra Development Control Plan 2014 (WDCP 2014) have been considered in Section 6 .
(a)(iiia) any planning agreement	Not applicable.
(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 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(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	Appropriately mitigated or conditioned (see Section 6).
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Sections 3, 4 and 6 .
(d) any submissions	Consideration has been given to the submissions received during the exhibition period. See Sections 5 and 6 .
(e) the public interest	Refer to Sections 6 and 7 .

4.5 Biodiversity Development Assessment Report

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all applications for SSD to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.

The Applicant submitted a BDAR waiver request to the Department on 7 May 2020. The accompanying biodiversity assessment statement submitted with the BDAR waiver request did not map any threatened ecological communities within the development area. The assessment found that the vegetation is not consistent with any remnant vegetation communities and did not conform to any listed plant community type.

The proposal was reviewed by the Department against the test of significance under sections 1.5 and 7.3 of the BC Act and clause 1.4 of the Biodiversity Conservation Regulation 2017 and it was determined that the development is not likely to have any significant impact on biodiversity values. As such, the application did not need to be accompanied by a BDAR and a waiver under section 7.9 was granted on 7 July 2020.

5 Engagement

5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 9 December 2020 until 29 January 2021 (51 days – extended due to holiday period). The application was exhibited on the Department's website. Adjoining landholders and relevant authorities were also notified in writing.

5.2 Summary of submissions

The Department received a total of 7 submissions on the EIS, all from public authorities. An additional 2 submissions from public authorities were received in response to the Applicant's RtS.

5.3 Public authority submissions

A summary of submissions received from public authorities is outlined in **Table 4** and copies of the submissions may be viewed at **Appendix A**.

Table 4 | Summary of public authority submissions

Woollahra Municipal Council (Council)

Council did not object to the proposal, however raised concerns in relation to:

Car parking

- a shortfall of at least three car parking spaces and three motorcycle spaces and insufficient provision of bicycle spaces against the numerical controls within WDCP 2014.

Traffic and transport

- the potential for the development to have an undesirable impact on the intersection between Vaucluse Road and New South Head Road based off the information provided within the EIS.
- the fact a green travel plan (GTP) had yet to be submitted.
- insufficient information regarding pick up/drop off arrangements.
- Insufficient information in the form of a construction traffic management plan (CTMP).

Built form and urban design

- the perceived bulk and scale of the vertical circulation link when viewed from the Sydney Harbour.

- reduction in heritage building views from Sydney Harbour from the construction of the year 8 learning centre.
- the proposed envelope for the boarding house addition that exceeds the WLEP 2014 maximum height of buildings control.
- the visual impact analysis as it should include additional significant views.

Tree retention

- the retention of additional trees including tree 2.

Acoustics

- the acoustic report as it should reference compliance with relevant standards.

Council also provided recommended conditions of consent.

Transport for NSW (TfNSW)

TfNSW commented:

- the right turn movement from New South Head Road onto Vacluse Road as a result of the development may cause safety and efficiency issues on the classified network.
- significant concern is raised regarding the likelihood of vehicular queuing on Vacluse Road from increased traffic generation.
- the cumulative impact of vehicles exiting the junior and senior schools, along with the traffic exiting from the eastern portion of the site, is not adequately assessed.
- signalised and unsignalised Intersection Design and Research Aid (SIDRA) modelling does not accurately reflect current site operations.
- traffic volumes used do not show the date the survey data was collected.
- swept paths for the proposed basement staff parking in the senior school do not show vehicles being able to enter and exit car spaces (particular concern is raised for car spaces 7, 16 and 23).
- this proposal may coincide with Kambala School Sports Precinct Redevelopment (SSD-10385) during construction phases; the outbound stop on New South Head Road (TSN 203082) is critical for maintaining public transport access to the Kambala project during its construction phase.
- the traffic impact assessment submitted does not address the requirements in the SEARs as there is no comprehensive GTP.

NSW Environment Protection Authority (EPA)

-
- The EPA commented that the proposal does not require an environment protection licence under the Protection of the *Environment Operations Act 1997* and that they are not a regulatory authority.

DPIE Environment Energy and Science (EES Group)

EES Group commented:

- a Biodiversity Development Assessment Report (BDAR) waiver was approved.
- all relevant flood issues have been adequately addressed and there are no further requirements or comments in this regard.

Heritage NSW Aboriginal Cultural Heritage (HNSW ACH)

HNSW ACH commented:

- an updated Aboriginal Heritage Information Management System (AHIMS) search is required.
- clarification is required regarding the exact extent and depth of proposed impacts, and confirmation on whether any ground disturbance is proposed for the additional parking near the early learning centre and whether this impact has been assessed by the ACHAR.
- detailed design should avoid impact to 'KRB Rockshelter' (AHMIS #45-6-63754) and minimise impact to areas of moderate and high archaeological potential.
- if avoidance of the areas of moderate and high archaeological potential is not possible, a systematic subsurface testing program needs to be undertaken under an Aboriginal Heritage Impact Permit (AHIP) due to the proximity to the rockshelter and potential for rockshelter deposits and rock art to be encountered.
- if avoidance of the rockshelter is not possible, test excavations under an AHIP must occur within 'KRB rockshelter' to confirm the presence or absence of subsurface archaeological deposits.
- subsurface testing is recommended to be undertaken prior to development approval.
- following subsurface testing, the ACHAR needs to be updated to document the results of the testing and reassess the impacts.
- an Aboriginal Cultural Heritage Management Plan (ACHMP) needs to be prepared in consultation with Heritage NSW and the Registered Aboriginal Parties to address unexpected finds and outline the management and mitigation measures required before, during and after construction.
- consultation with the Registered Aboriginal Parties must continue in line with the NSW Government's Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010.

Sydney Water

Sydney Water commented:

- potable water servicing should be available on Vaucluse Road, and amplifications and/or extensions may be required.
- wastewater servicing should be available within the property boundary, and amplifications, extensions and adjustments may be required.
- a Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained.

Ausgrid

Ausgrid commented:

- had no objection to the proposal.
- encouraged the proponent continue to discuss their requirements directly with Ausgrid.
- recommended the proponent make the necessary connection application to Ausgrid as soon as practicable.

5.4 Response to submissions

Following the exhibition of the application, the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised.

On 15 July 2021, the Applicant provided a Response to Submissions (RtS) (**Appendix A**) on the issues raised, which included:

- an additional 3 car parking spaces, 3 motorcycle spaces and bicycle parking.
- identification of potential locations for solar panels and rainwater tank installation on the architectural plans.
- amendments to the junior school vertical circulation link to address perceived bulk and scale concerns when viewed from Sydney Harbour.
- shade structures for the ELC outdoor area identified on the plans.
- a reduction in the footprint of the basement car park to allow for more screen planting.
- provision of a landscape buffer along the southern boundary adjacent to the proposed car parking area.
- amended plans and reports including:
 - concept and phase 1 architectural plans
 - a revised architectural design report

- landscape plans
- transport impact assessment
- civil plans
- acid sulfate soils assessment
- geotechnical reports
- ESD report
- contamination report and remedial action plan
- Aboriginal cultural heritage statement
- acoustic report
- construction management plan
- heritage report

5.5 Submissions to RtS

The RtS was notified to Council and relevant public authorities. A copy of the RtS was placed on the Department's website.

TfNSW and Heritage NSW (Aboriginal Cultural Heritage) made additional submissions. A summary of the issues raised in the submissions is provided at **Table 5** and copies of the submissions may be viewed at **Appendix A**.

Table 5 | Summary of public authority submissions to the RtS

TfNSW

TfNSW stated that they had reviewed the RtS and raised no further comment.

HNSW ACH

HNSW ACH Commented:

- that the RtS does not reference Aboriginal cultural heritage or include policies to manage or avoid impacts to Aboriginal cultural heritage within the subject area during construction.
- that no detailed plans have been submitted for the design of the proposed Boarding Accommodation building near AHIMS site #45-6-3754.
- that they are satisfied that the depth of impacts and location of natural soil profiles has been considered and there would be no harm to potential archaeological deposits within the EIS subject area. Therefore, an archaeological test excavation program would not be required.

- that an updated ACHAR should be submitted for the proposed development
 - that an ACHMP would need to be prepared prior to construction in consultation with Heritage NSW and the Registered Aboriginal Parties.
-

5.6 Additional information

On 4 August 2021, the Department requested the Applicant update the original ACHAR submitted with the EIS to reference the additional reports and amended plans submitted with the RtS. A revised ACHAR was submitted on 10 September 2021 and it was re-notified to HNSW ACH. On 12 September 2021, HNSW ACH commented that no further concerns were raised with the proposal subject to recommended conditions in relation to a management plan. A discussion regarding Aboriginal cultural heritage is provided in **Section 6.2** of this report.

6 Assessment

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

- built form, built heritage and urban design
- Aboriginal cultural heritage
- tree removal and landscaping
- transport and traffic
- contamination

These issues are discussed in the following sections, and other issues considered during the assessment are discussed at **Section 6.6**.

6.1 Built form, heritage and urban design

The concept and stage 1 proposal involve the construction of two buildings, a basement car parking structure and alterations and additions to numerous buildings and outdoor areas. The site is listed as a heritage item relating to buildings, interiors, grounds, landscaping, and other improvements. The application was supported by an Architectural Design Report which provides a detailed site investigation and design justification. A Heritage Impact Statement (HIS), and Conservation Management Plan (CMP) were also submitted as part of the EIS and RtS. Discussions are provided in the following sections regarding built form, built heritage and urban design.

6.1.1 Building height, bulk and scale

The site is not subject to a maximum floor space ratio control standard under the WLEP 2014, however is subject to a maximum building height control of 9.5m. The Department acknowledges that this height control also applies to majority of the nearby residential zoned lots.

Several existing buildings currently exceed the 9.5m control and several elements of the proposal would also exceed this control as shown in **Table 6**.

Table 6 | Proposed building heights and variations

Proposed building	Maximum height (relative level RL)	Maximum building height	Variation to the 9.5m height control
Early learning	RL 44.770	7.57m	N/A
Junior school	RL 61.490	13.246m	3.746m
Year 8 centre	RL 63.77	15.193m	5.693m
Bus/carparking	RL 51.4	4.077m	N/A
Circulation hub concept	RL 60.5	13.5m	4m
Hughes centre concept	RL 60.5	13.5m	4m

Clause 42 of the Education SEPP provides that consent may be granted for the development of a school that is SSD, even if the development would contravene a development standard imposed by that SEPP or any other environmental planning instrument under which the consent is granted. Consequently, the height and FSR controls within WLEP 2014 do not strictly apply to this development. However, consideration is still given to the controls as discussed below.

The applicant's EIS acknowledges that the overall height of several elements of the proposal would contravene the 9.5m height of buildings development control and provides the following justification:

- *The maximum building height standard relates to the built form of the suburb, which is zoned R2 Low density residential. The 9.5m building height standard is to regulate residential development in the locality.*
- *The school is zoned SP2 – infrastructure and contains existing institutional buildings of a much greater height of 9.5m. Clause 42 of the Education SEPP recognises that educational facilities and school buildings are by virtue generally higher in form.*
- *It is noted that there are a number of buildings on the campus that already exceed the height limit, demonstrating that there has been historical recognition of the height exceedance.*
- *The buildings, or parts of buildings that exceed the maximum height limit, when viewed in context with the other existing buildings within the Campus, are acceptable and do not give rise to solar access, privacy, or visual/view impacts*

The Department generally concurs with the above statements and considers that the applicant has designed the proposed buildings with due respect to the height of existing buildings within the heritage site. A discussion regarding the height, bulk and scale of each proposed building and building alteration is provided below.

Early learning centre

The two storey ELC building is considered to be visually sympathetic to the nearby Sophies cottage and its recent additions. The building would reach a maximum height of 7.57m and would add approximately 446.85m² of GFA to the centre. Its location would provide sufficient curtilage from Sophies cottage and allow for the placement of terraced outdoor play areas that extend toward Sydney harbour as seen in **Figure 22**.

Junior school

With regard to the junior school, the three-storey face brick building contains two wings in two distinct architectural forms (east and west wing).

The application involves the construction of a larger rooftop outdoor learning area to the eastern wing and the southern end of the west wing resulting in a maximum height of 12.124m. Internal additions and the proposed vertical stair link would increase the existing GFA by approximately 1,076.6m². As seen in **Figure 22** and **Figure 23**, the Department considers that the existing bulk and scale of the interconnected buildings would be generally retained through the proposal. The Department acknowledges that the height exceedance is as a result of the existing building structure. Shadow impacts provided within the RtS demonstrate that the additional floor area and height would not result in any significant internal or external additional shadowing.

In response to concerns from the council regarding the scale of the new vertical link, it has been reduced by removing the two upper levels at the southern portion to limit its visual impact when viewed from Sydney Harbour as shown in **Figures 26-27**.



Figure 22 | Precinct A existing bulk and scale (Source: Applicant's RtS 2021)

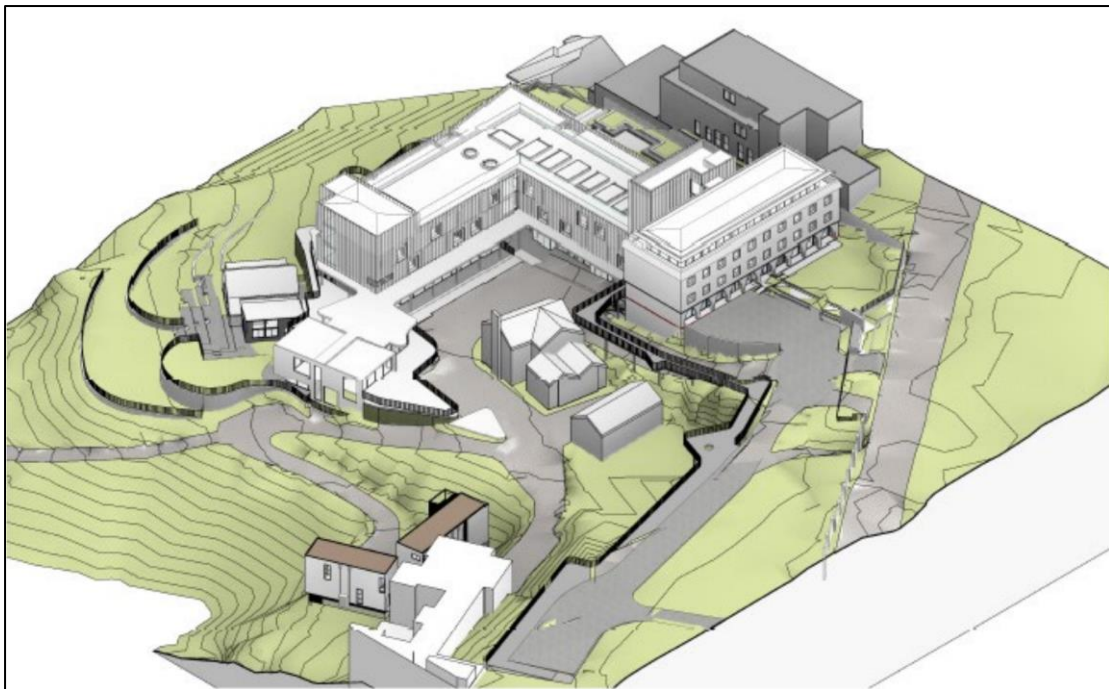


Figure 23 | Precinct A proposed bulk and scale (Source: Applicant's RtS 2021)

Car parking structure

The new basement car and bus parking structure is predominately situated below the natural ground level with the exception of its southern most portion as seen in **Figure 24**. It would have a maximum height of 4.077m above the existing ground level. The structure would have a southern setback of 3.5m to allow for the planting of screening vegetation. The Department considers the height and scale

of the structure to be appropriate, and as discussed in **Section 6.6** of this report would not result in any significant additional shadowing of southern adjacent properties.

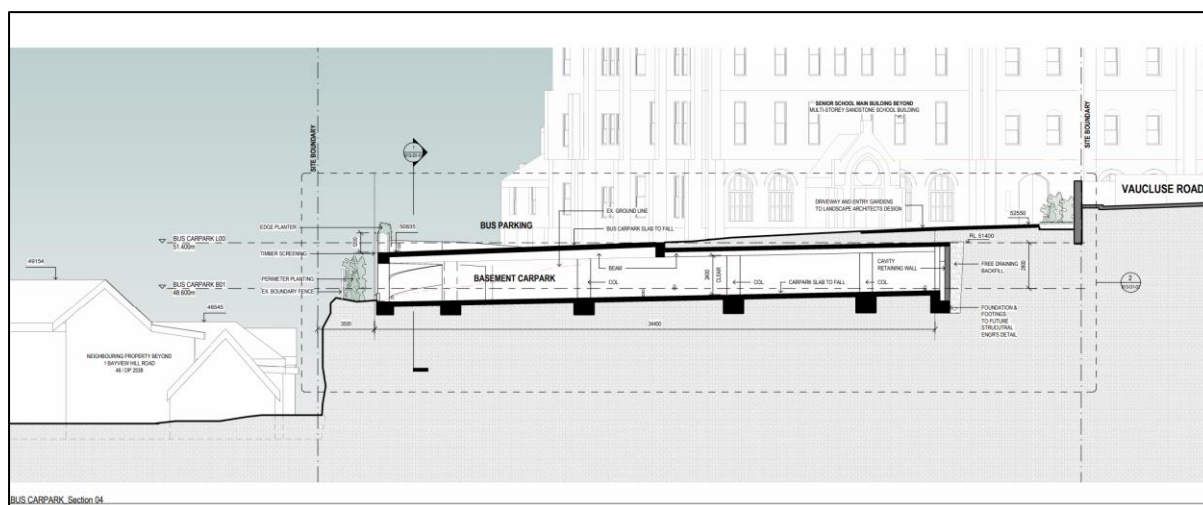


Figure 24 | Proposed car and bus park section (Source: Applicant's RtS 2021)

Year 8 learning centre

The third-floor additions to the senior school north wing result in an overall GFA increase of 267.23m² and have been designed in two gable formed, pitched roof structures as seen in **Figure 21**. The additions have been designed to be visually sympathetic to the original building along with the adjoining heritage buildings of the school. The additions would have a maximum height of 15.193m which sits below the existing ridge height. The Department raises no objections to the bulk and scale of the additions.

Concept circulation hub

The concept senior school circulation hub is proposed to be connect to the main senior school building to the Hughes centre and science block. The built form would be contained within the hub and stairwell which is located between the existing circulation hub and the main senior school building. The proposal would maintain the existing gross floor area of approximately 480m² and height of 13.5m (RL 60.5).

Concept Hughes centre

As shown in **Figure 7**, the concept alterations to the Hughes centre would be within the existing building envelope and would therefore not result in any significant changes to its bulk and scale.

Concept boarding house

The boarding house concept would expand upon the existing boarding facilities provide within Sheldon house. The three-storey concept building would align with the levels of Sheldon house and would provide single bed boarding rooms, common areas and communal bathrooms. The three-storey building would comprise approximately 1,020m² of additional GFA with a maximum height of 14m (RL 50.5). Subject to the overall height of the building not exceeding that of Sheldon house, the Department raises no objections to the proposed height and GFA.

6.1.2 Visual amenity

The application is supported by an architectural design. The report included a visual impact analysis from various vantage points including Sydney harbour, the southern residential boundary and from Vaucluse Road to the east.

With regard to views from Sydney harbour, the Department is satisfied that the simplified view of the junior school would not detract from the visual or historical significance of the site. The scale of the vertical link within school has been reduced in the RtS by removing the two upper levels at the southern portion as seen below in **figures 25-27**. The additions to the north wing (year 8 centre) while visible, would complement the existing building through the use of slate tiles and matching brickwork. Overall, no objections are raised by the Department to the visual impact when viewed from Sydney harbour.



Figure 25 | Sydney harbour view existing (Source: Applicant's EIS 2020)



Figure 26 | Sydney harbour view original application (Source: Applicant's EIS 2020)



Figure 27 | Sydney harbour view RtS (Source: Applicant's RtS 2021)

As seen below, views from the south would be largely retained. While the proposed timber screen to the basement car park would be partially visible, it would not significantly detract from the views to the school campus buildings.



Figure 28 | Existing view from south (Source: Applicant's RtS 2021)

Views from Vacluse Road to the to the school would be largely unchanged with the exception of the new vehicular crossing and updated signage. The Department raises visual concerns from this vantage point.



Figure 29 | Proposed view from south (Source: Applicant's RtS 2021)

6.1.3 Built heritage

Heritage listings

The site is listed as heritage item 396 within Schedule 5 of the WLEP 2014 and contains the following description: *"Kincoppal, Roman Catholic Convent of the Sacred Heart and school—buildings and interiors, grounds, trees, sandstone and wrought iron fence, gateposts and gates"*. The listing is related to the junior and senior school grounds and excludes land on the eastern side of Vaucluse Road that is not subject to this application.

KRB is also located within the immediate vicinity of the following properties/places listed within the WLEP 2014:

- Item 325 *"Kambala School—building formerly Tivoli and interiors, gateposts, gates and flanking walls with railing facing Tivoli Avenue, 2 Norfolk Island Pines"* located at 794 New South Head Road
- Item 365 *"Hermit Bay Slipway and landing"* located at Hermit Bay
- Item 393 *"St Michael's Anglican Church—church and interiors, grounds, sandstone works, gateposts and iron arch, obelisk"* at St Michael's Place

The site is also located within 100m of Claremont Wharf and baths which are listed as a heritage item in the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 as item 56 *"group of remains of wharf, baths and waterfront relics – including former Tivoli Pier and former Thorne's (or Claremont) Wharf"*.

Heritage assessment

Clause 5.10(4) of the WLEP 2014 requires the consent authority to consider the effect of the proposed development on the significance of the item or area concerned. Additionally, Clause 52 of SREP Sydney Harbour requires the consent authority to consider the relevant matters relating to heritage conservation contained within Part 5 of the plan.

The SSD application is supported by a heritage conservation management plan (CMP) and a heritage impact statement (HIS).

The CMP provides an overarching summary of the heritage and cultural significance of the school and guidance on how the significance can be maintained into the future. The CMP concludes that KRB has an overall exceptional level of historic, aesthetic, technical, social, and spiritual values with key aspects including:

- evidence of the mid-nineteenth century residential use of the site including the former residence of Claremont, remains of the former driveway to the jetty and associated landscape elements.
- the longevity of use and evidence of occupation of the site by the Sisters of the Sacred Heart from the 1880s Covent School to the present KRB.
- strong cohesive presence and landmark qualities of the 1880s Covent School including Claremont, the main school building, chapel and south wing, and the 1928 noviceship wing characterized by their uniform sandstone facades, gabled and tower roof forms clad in slate, sitting on the edge of a sandstone plateau in a mature landscape harbour setting.
- evidence of the work and association with renowned architect John Horbury Hunt in the design and construction of the 1880s convent school.
- evidence of the continuous expansion and development of the site during the early to mid-twentieth century for educational and religious use.
- spatial relationships between different built and landscape areas.
- the institutional landscape character of RB as defined by a mix of exotic and indigenous vegetation and the 1930's landscape treatment of the lower slopes including remnant sandstone retaining walls, bridge, steps and road edges.

The HIS provides an assessment of the existing built heritage and includes specific recommendations contained within part 10. A discussion is provided below that includes a summary of the proposed development, impact on built heritage and the Department's assessment.

ELC extension

ELC works involve the demolition of existing ramps and stairs and the construction of a two-storey building with connection to the existing ELC via covered walkway. The building would present as single storey to the east and two storey to the west. The building would comprise white weatherboard cladding, aluminum framed glazing and a flat sheet metal roof. New landscaping treatment is also proposed in the form of terraced play areas extending toward the Harbour. No internal or external works are proposed to the cottage.

Sophie's cottage was originally constructed in c1907 for the site gardener. The cottage is a single storey brick building with a pitched roof. The building has recently undergone additions for the conversion into a childcare centre (2016). Sophie's cottage is marked in the HIS as having high heritage significance with other surrounding improvements marked as low to moderate significance.



Figure 30 | Sophie's cottage (Source: Applicant's EIS 2021)



Figure 31 | 2016 addition to Sophie's cottage (Source: Applicant's EIS 2021)

The HIS supports the proposed building on heritage grounds and notes that the form, colour schedule and location of the proposed building has been appropriately designed with respect to the existing cottage.

The Department raises no heritage concerns to the ELC centre given the proposed building is proposed to function in conjunction with the existing cottage but has been designed to be visually recessive. The new building would provide sufficient curtilage from the existing cottage and is architecturally consistent with the recent 2016 addition. The proposed landscape treatment and tree planting is appropriate in response to its heritage setting.

The HIS recommends that the detailed design for the proposed car parking spaces along the road to the cemetery be developed in consultation with a heritage and landscape architect. The Department recommends conditions in this regard.

Junior school extension

The proposal includes significant internal alterations to the west wing along with remodeling of the interior, recladding the exterior, demolition of the external toilet block and construction of a trafficable roof. The northern courtyard adjacent to the west wing would be refurbished to include play areas and improved access pedestrian to the nearby sundial terrace.

The east wing works include replacement of the vertical circulation core, internal demolition, and refurbishment of levels 1 and 2 and construction of a new roof terrace.

The Barat Burn junior school opened in 1966 and forms two distinct architecturally formed wings. The western portion of Barat Burn differs from the east wing architecturally. The L shape wing comprises a concrete frame with orange face brick infill walls, cream cladding, and a shallow pitched roof. The east wing facing Vaucluse Road comprises a rendered colonnade at the lower levels with white catenary arches and blue/grey face brick above. The HIS notes that the windows appear to be replacements and the circulation core was constructed in 2000. The roof level contains a centrally located structure. The east wing of Barat Burn school is noted as having high heritage significance with the rest of the junior school marked as low to moderate significance.



Figure 32 | Barat Burn west wing (Source: Applicant's EIS 2021)



Figure 33 | Barat Burn east wing (Source: Applicant's EIS 2021)

The HIS concludes that the additions to the west wing would be consistent with its lower heritage significance and would result in acceptable impacts. Impacts to the sundial terrace and northern courtyard are considered acceptable given proposed accessibility improvements. Overall, the HIS considers potential heritage impacts to the west wing as acceptable subject to recommendations relating to planting options, balustrade options and shade structure design.

With regard to the eastern wing, the HIS acknowledges that the demolition of the existing roof-top enclosure and its replacement will have some impact through the loss of original fabric, however the impacts are considered acceptable given the proposal supports the primary use of the place for education purposes. In response to concerns raised from Council, the RtS included a revised heritage statement about the vertical circulation link along with revised plans. The revised external circulation link has resulted in reductions to the width at the upper levels. The HIS recommends that design refinement be considered to ensure that internal marble terrazzo architraves to external window openings are retained and expressed in the new design.

The Department raises no heritage concerns to the Barat Burn alterations on the bases that the eastern wing façade would be retained, and its rooftop additions would not detract from its original architectural features. Overall, the scale of the junior school would be retained and while the new vertical circulation core while visible from the Harbour, its bulk has been reduced to an acceptable level. The Department recommends the following conditions:

- Replace the proposed *Acmena smithii* (sublime) with *Waterhousea floribunda* within the northern courtyard of the junior school to not block important views.
- Modifications to the Italianate style balustrade on the west should be prepared in consultation with a heritage architect. Any modifications must retain access to the mosaic and sundial.
- New shade structures or balustrading to the proposed roof terrace on the west wing must be located and designed so as not clutter or impinge on key views to and from Barat Burn east wing.
- The internal marble terrazzo architraves in the east wing to the external window openings are retained and expressed in the new design.

Junior school traffic management

Traffic management works to the junior school include the construction of a one-way driveway off Vaucluse Road for a DOPU area, removal of part of the existing masonry fence for the vehicle crossing, widening of the existing driveway and vehicle crossing, and construction of an elevated pedestrian footbridge to provide pedestrian access from the Café and DOPU zone to the Barat Burn building.

The HIS notes that the traffic management works would have some impact on the significance of the Noviceship lawn located adjacent to Vaucluse Road as the new driveway crossing would cut across the lawn at its southern end. Notwithstanding, it is suggested that the limited use of the roadway for before and after school DOPU will mitigate the physical changes as the area can still be used for recreational activities during the day. The HIS also concludes that the impact of the elevated walkway would be minor on the significance of the nearby Grotto and villa. Overall, the HIS considers the traffic works would have a minor but acceptable impact subject to the recommendations regarding the materiality of the new driveway, and minor design details for the walkway.

On balance, the Department raises no heritage concerns to the proposed traffic management works for the reasons listed within the HIS, and subject to the following recommended condition:

- Detailed designs of the following must be prepared in consultation with a heritage architect to ensure visual impacts are minimised:
 - The materiality and detailing of the new driveway crossing
 - The walkway location to ensure that it does not significantly impact on the former quarry face forming the eastern boundary of the lawn in front of the grotto, or the existing cut sandstone steps, between the Noviceship Lawn and the grotto.

Senior school reception upgrade

Internal upgrades proposed as part of the stage 1 works include alterations to room dimensions to provide for a refurbished reception, office, learning areas and meeting rooms. Accessible access and new entry doors will also be provided to the building.

The HIS notes that the main senior school building was the first major addition to Claremont constructed in 1888. The configuration of internal spaces remains largely intact apart from minor additions including partitions. External walls are constructed in light yellow/white sandstone. The main building and entry forecourt are assessed as having high to exceptional heritage significance.

The HIS notes that the internal configuration of the building would be generally retained albeit with some modifications to the arrangement of door openings resulting in a minor, acceptable impact. Positive impact is anticipated from the reinstatement of the chimney breast at the centre of the new reception. Externally, the original steps and landing would be retained along with the existing circular garden bed. The HIS notes that minor impacts to the fabric would occur, however an overall positive benefit would occur as it would provide equitable access. Conditions are recommended in the HIS relating to salvaged materials, joinery and the original fireplace, protection of features during construction.

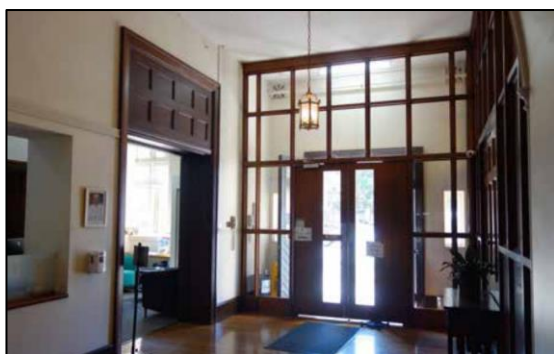


Figure 34 | Barat Burn west wing (Source: Applicant's EIS 2021)



Figure 35 | Senior school entry forecourt (Source: Applicant's EIS 2021)

The Department raises no objections on heritage grounds to the proposed modifications to the senior school reception subject to the recommended condition contained within the HIS including:

- the salvage of and re-use of materials.
- the realignment of the proposed glazed partitions to ensure the original fireplace remains visible.
- the protection of the existing stone landing and steps.

Senior school traffic management and modification to main entry forecourt

Traffic management works and modification to the main entry forecourt include:

- removal of vehicle access to the forecourt.
- the construction of a one-way road from the Jubilee gates to the Kincoppal gates.
- the partial demolition of the second roundabout.
- the provision of a pedestrian grassed area centered around the existing central planter.
- the construction of sandstone pathways, accessible ramps and landscape treatment.

The HIS suggests that historically the entry forecourt comprised an informal arrangement of garden beds, lawned areas and gravel paths with a mature collection of trees. A circular garden bed has been present since at least 1905. The historical arrangement of the forecourt was altered in the 1930s when large scale concreting occurred. The main entry courtyard is assessed as having high significance.

The HIS raises no concerns to the partial removal of the roundabout given the benefit of proving separate vehicle and pedestrian access. Further, the removal of bus and car parking within the forecourt and the reinstatement of a landscaped setting is considered positive.

The Department concur with the HIS view and support the proposed changes to the entry forecourt as detailed in the SSD.

Car and bus parking

The basement carpark and at grade bus parking structure is proposed off Vaucluse Road within the south-eastern corner of the site. The basement parking area would provide for 29 car spaces and 3 motorcycle spaces. The upper level would provide for 6 car spaces and 7 bus spaces.

The excavation required for the structure would necessitate the removal of much of a 1930s stone wall identified as being of moderate significance. A small 7m length of an c1888 retaining wall would also be required to be removed and salvaged.

The HIS notes that the impact of the structure can be mitigated through the appropriate use of soft landscaping and although the structure would have some impact on the fabric of the location, it is considered acceptable subject to screen planting recommendations that would not damage an existing stone drainage channel along the southern boundary.

On balance, the Department raise no objections to the car/bus parking structure it would provide for the re-instatement of the landscaped area within the main forecourt and help to improve traffic flow.

Year 8 centre

Works to complete the year 8 centre include the demolition of level 3 external walls and the construction of new internal and external additions. Specifically, the works propose the removal of the existing rendered external walls, windows, internal partitions and roof, and the construction of wing additions to both sides of the building. The wings would comprise two gable formed structures aimed at complementing the existing building and adjoining heritage Claremont cottage.

Constructed in 1959, the proposed year 8 centre (known as the Noviceship wing addition) comprises a rendered masonry building. The building features a slate gabled roof and a pair of dormer windows. The HIS suggests that the Noviceship wing additions have been largely subsumed by the construction of the science block in 1976, however some features remain intact. Internally, the building has undergone a large degree of remodeling. The 1959 Noviceship addition is noted as having moderate significance while the attached science block is rated as having low to intrusive significance.

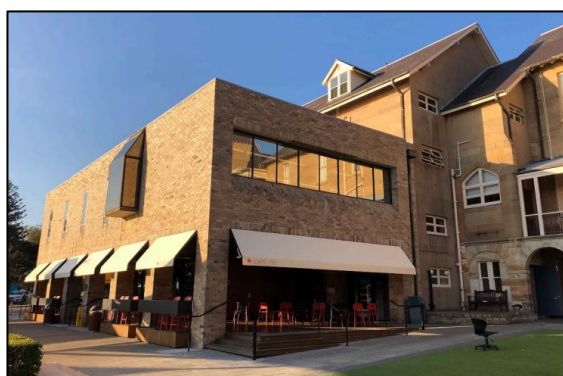


Figure 36 | Noviceship wing and science block
(Source: Applicant's EIS 2021)

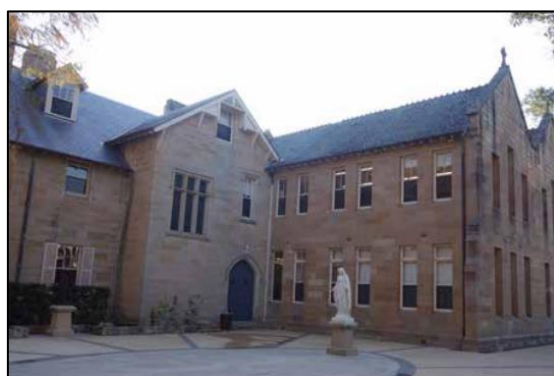


Figure 37 | Noviceship wing (Source: Applicant's EIS 2021)

The HIS notes that the additions have been deliberately designed to sit below the ridge height of the original 1959 construction and continues the strong gable roof form of the historic convent school as well as its materiality. The Department raises no objections regarding the internal additions.

The Department raises no heritage objections to the year 8 centre additions as it would visually complement the existing building and provide improved learning spaces for students.

Concept circulation hub

The concept proposal to the circulation hub would be contained within the existing building envelope.

The HIS suggests that all significant fabric associated with the main school building would be preserved through the concept proposal and recommends that a detailed fabric analysis should be undertaken before the submission of a future proposal. Conditions are recommended in this regard.

The Department raises no heritage objections to the proposed concept circulation hub.

Concept Hughes centre

The concept alterations to the Hughes centre include a new balcony on the northern half of the western elevation, modifications to windows and doors, replacement of a fire stair and improved connections, and internal alterations to create multi-purpose spaces. The concept proposal does not include an increase in the height of the centre.

The HIS raises no overall concerns with the proposed alterations subject to recommendations relating to materials and consideration to the replacement of an iron balustrade. Conditions are recommended by the Department in this regard.

The Department raises no heritage objections to the proposed Hughes centre upgrades.

Concept boarding house

The concept boarding house extension is proposed to the north of Sheldon house and adjacent to rock shelter identified as being a potential Aboriginal archaeological site. The three storey building would be similar in height to the existing boarding facility however sit below its ridge line. The HIS suggests that the area surrounding the existing boarding house is considered to have moderate built heritage significance.

The HIS raises no heritage objections to the concept proposal subject to recommendations regarding the management of the existing rock shelter, limiting the height of the building to below that of Sheldon house, retention of pathways and suggested materials and finishes. Conditions are recommended by the Department in this regard.

Subject to appropriate construction management documentation within future development applications, the Department raises no objections to the concept approval.

External colours and finishes

Table 7 below provides a details and a brief discussion regarding the proposed external colours and finishes for the propped buildings in Stage 1. The external colours and finishes of the concept buildings would need to be provided with any future application.

Table 7 | Stage 1 External colours and finishes

External colours and finishes	Recommendation
<i>Early learning centre</i> White weatherboard cladding to match Sophies cottage. Off white glazing. Aluminium framed glazing. Grey flat sheet metal roof. Dark grey painted steel balustrades.	No recommendations are necessary.

External colours and finishes	Recommendation
<p><i>Junior school buildings</i></p> <p>White perforated screen cladding for the west wing and circulation core. Concrete columns and awnings. Light grey, dark grey and off-white and external glazing. Concrete paving. Dark grey/charcoal aluminium roofing.</p>	<p>Conditions are recommended relating to the Italianate style balustrade and new shade structure.</p>
<p><i>Junior school walkway</i></p> <p>Timber decking for the walkway and bridge. Dark grey painted steel for the balustrade.</p>	<p>No recommendations are necessary.</p>
<p><i>Year 8 centre</i></p> <p>External face brick with light brown textured pattern. Dark grey slate roof to match existing. Copper gutters and downpipe to match existing. Anodised aluminium frames to match existing.</p>	<p>No recommendations are necessary.</p>
<p><i>Senior school entrance</i></p> <p>Sandstone ramps, paving and garden nib walls. Black painted steel fence palings, gates and handrails. Concrete pathways and driveways.</p>	<p>No recommendations are necessary.</p>
<p><i>Bus and car parking structure</i></p> <p>Composite dark brown timber screening. Tinted off-form concrete to match sandstone colour. Concrete pathways for the steps, driveway and parking surfaces.</p>	<p>No recommendations are necessary.</p>

Impact on surrounding items

KRB is located within the direct vicinity of several nearby heritage items including Hermit Bay slipway and landing, waterfront remains, Kambala School and St Michaels Anglican Church.

The Department is satisfied that the proposal would have negligible impact on the significance of any nearby heritage item given the proposal would generally retain the existing overall built form and external visual presentation.

6.2 Aboriginal cultural heritage

The EIS included an Aboriginal cultural heritage assessment report (ACHAR) that provided an assessment of potential impacts on Aboriginal cultural heritage. The ACHAR was prepared in accordance with the Office of Environment and Heritage Code of Practice for Archaeological

Investigation of Aboriginal Objects in New South Wales, and documents Aboriginal community consultation in accordance with the National Parks and Wildlife Regulation 2009.

The ACHAR included a review of the Aboriginal Heritage Management System (AHIMS) register over a 4km by 8km study area and discussed the results of an on-site field survey over the school campus.

The ACHAR did not identify any physical Aboriginal objects within the study area and noted that the area had been highly disturbed due to development. The report did however identify a possible archaeological site (KRB Rockshelter – AHIMS #45-6-3754). The KRB Rockshelter is located within precinct C on the western side of the campus within proximity to the concept boarding house building as in **Figure 38** and **39**. The ACHAR made various management recommendations and noted that the concept boarding house development could have a high potential impact on the KRB Rockshelter due to excavation into the existing escarpment.

As discussed in **Section 5.3** of this report, HNSW ACH made several recommendations in response to the Applicant's EIS and requested further clarification on the extent and depth of excavation required for the boarding house development. In response to this submission from HNSW ACH, the RtS noted that the boarding house would require a subsequent development application and that detailed plans cannot be provided at this stage. Notwithstanding this, additional geotechnical investigations included in the RtS confirmed that the boarding house building could be constructed without any ground disturbance within the site and could be undertaken with no direct impact to the rockshelter.

HNSW ACH reviewed the RtS and requested that the original ACHAR be updated to include the results of the additional geotechnical investigations. HNSW ACH also commented that they were satisfied that the location of natural soil profiles has been considered and there would be no harm to potential archaeological deposits within the EIS subject area.

The Applicant submitted a revised ACHAR on 10 September 2021 that referenced the updated geotechnical reports and plans. HNSW ACH reviewed the updated ACHAR and raised no further concerns with the proposal subject to recommend conditions requiring an Aboriginal Cultural Heritage Management Plan (ACHMP) to be prepared prior to construction in consultation with HNSW ACH and Registered Aboriginal Parities. Subject to conditions in line with those recommended by Heritage NSW ACR, the Department considers the proposal acceptable with regard to Aboriginal cultural heritage. To ensure that an appropriate assessment is undertaken in the future, conditions are also recommended that all future development applications include a detailed ACHAR along with detailed design plans and geotechnical and vibration reports.



Figure 38 | Location of KRB Rockshelter (Source: Applicant's RtS 2021)



Figure 39 | Views of the KRB Rockshelter (Source: Applicant's EIS 2020)

6.3 Tree removal and landscaping

The application is supported by a tree construction impact assessment and management plan. The plan recommends the removal of 16 trees to facilitate the construction of the car and bus parking facility in precinct B and the alterations and additions to the senior school entry. The plan also recommends the retention and protection of 10 trees within the vicinity of works. Tree species proposed to be removed include:

- T2 - *Grevillea robusta* (silky oak)

- T3 - *Erythrina x sykesii* (coral tree)
- T4-6 - *Podocarpus elatus* (plum pine)
- T7 - *Celtis sinensis* (hackberry)
- T8 - *Howea forsteriana* (kentia pine)
- T9 - *Nerium oleander* (oleander)
- T10-13 & 26 - *Harpephyllum caffrum* (kaffir plum)
- T14-15 - *Populus alba* (silver poplars)
- T16 - *Olea europea* (wild olive)

The plan notes that all high retention trees would be retained and that the trees proposed for removal fall within the exempt, low and moderate retention categories. In response to concerns raised by Woollahra Council regarding the removal of trees, the applicant in their RTS state that several design alternatives were considered for the construction of the car parking area, however they were found to not be adequate due to potential impacts on heritage character, setting for the senior school building and the large amount of earthworks required.

The revised landscape plans submitted with the RtS detail the planning of a mix of 58 native and non-native trees along with hundreds of shrubs and groundcovers. The tree planting would occur in various zones which have been designed in response to the existing heritage conditions. Planting within the senior school entrance would generally utilise low height species. Taller plantings have been included to screen the car parking area.

The Department considers this planting sufficient to offset the removal of the 16 trees and raises no concerns subject to appropriate conditions relating to tree sensitive construction to ensure trees proposed for retention are not damaged during works.

6.4 Transport and traffic

The application is supported by a traffic impact assessed (TIA) and a supplementary traffic report.

6.4.1 Existing conditions

The school currently provides two student DOPU areas. One is located adjacent to the lower access road for the junior school on the western side of Vauclose Road. The other is located near the car park on the eastern side of Vauclose Road.

The school currently has a total of 103 off street car parking spaces with 53 being located under the sports field on the eastern side of Vauclose Road. The other spaces are located adjacent to the junior school, along internal access roads and adjacent to the main administration building.

SIDRA traffic analysis completed with the application identified that the intersection between New South Head Road and Vauclose Road currently operates with average delays of approximately 28 seconds or less per vehicle during the morning and afternoons school times presenting a B/C grade level of service.

6.4.2 Operational Traffic

As part of the proposed works within precinct A (junior school), a revised student DOPU zone would be provided. This involves the construction of an internal link road and an elevated pedestrian walkway to the junior school buildings. Vehicles would enter the site off Vaocluse Road, travel north in a one-way direction and exit back onto Vaocluse Road via the current/existing junior school crossing. The new driveway and DOPU zone would only be available to vehicles during the morning and afternoon periods on weekdays. The DPOU zone would provide queuing for up to 14 vehicles which is aimed at improving the efficiency of the existing operation of Vaocluse Road during peak periods.

Regarding traffic generation, initial concerns were raised by TfNSW and Council that increased student numbers would negatively impact the efficiency of the New South Head Road and Vaocluse Road intersection. SIDRA traffic analysis within the RtS anticipates that with the traffic management works proposed, traffic within the intersection of New South Head Road and Vaocluse Road would continue to operate with average delays of 28 seconds or less during peak periods. The analysis concludes that overall, the intersection will have minimal change as a result of the proposed development and student increase. The applicant has also noted that the student increase would occur in stages as the school constructs various aspects of this proposal.

The school currently provides for several private bus services before and after school. The school also provides for a shuttle service to Edgecliff interchange for staff.

To alleviate traffic congestion during peak periods, the school proposes to continue staggered start and finish time for different cohorts. The application notes that a GTP is to be provided to meet the requirements of the SEARs as a condition of consent. Consequently, a condition of consent has been included requiring the preparation and approval of a GTP.

6.4.3 Pedestrian access and safety

The application proposes several measures and structures to improve pedestrian access and safety. Within precinct A, an elevated pedestrian pathway/bridge for access to the Junior School is proposed, connecting the new DOPU zone to the Barat Burn Junior School.

Within precinct B, the proposed bus and car parking structure would result in the relocation of the minibus and car parking area away from the main forecourt to reduce congestion as well as eliminate pedestrian vehicle conflict.

The development also proposes accessible ramps and lifts to the ELC, accessible ramps to the senior school reception, and a vertical stair link and lifts to the junior school.

6.4.4 Car parking

In response to concerns raised by Council, the Applicant has provided an additional 4 car spaces within the RtS, bringing the total of net new spaces to 31 (including 4 accessible spaces). This results in the school having a total of 134 spaces. The TIA states that the spaces and driveways would comply with *AS2890.1-2004* and *AS2890.6- 2009* with respect to width, length and grade. Conditions are recommended in this regard.

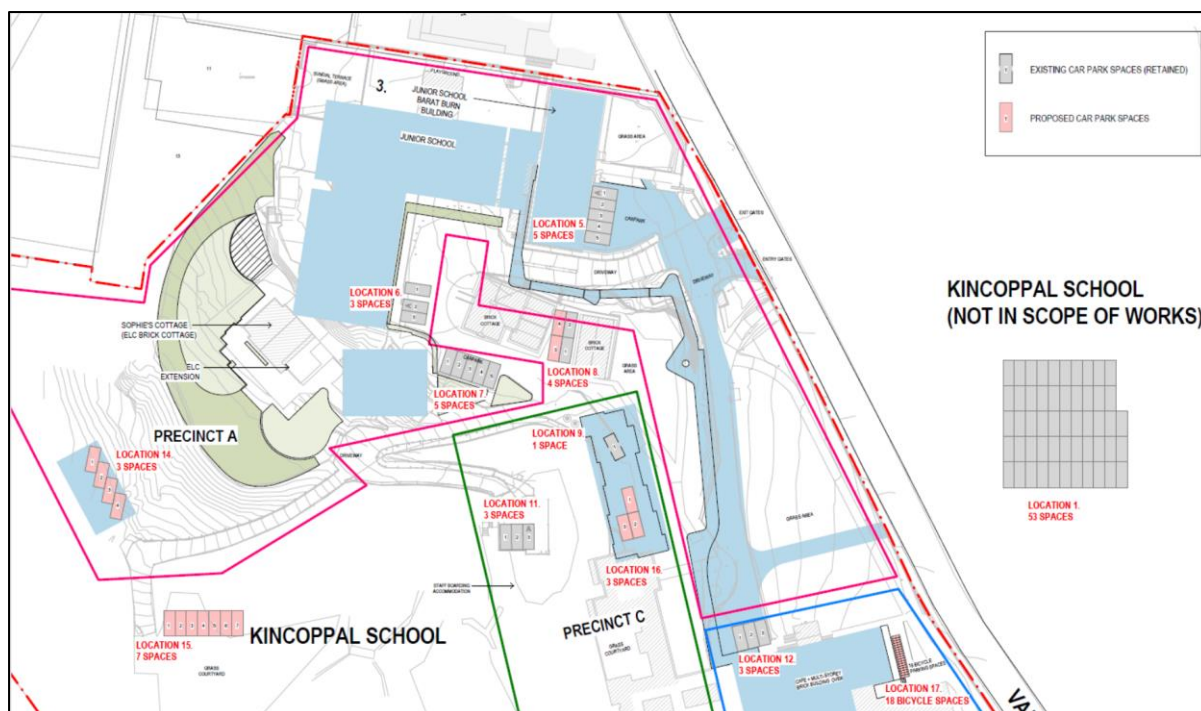


Figure 40 | Existing and proposed car parking precinct A and C (Source: Applicant's RtS)

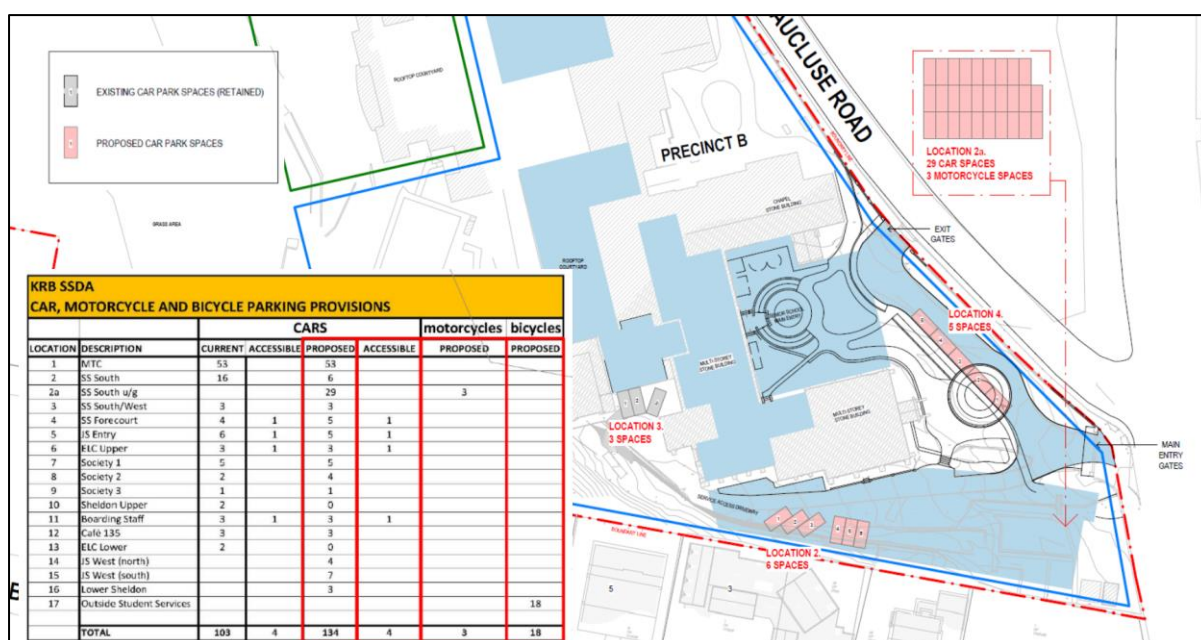


Figure 41 | Existing and proposed car parking precinct B (Source: Applicant's RtS)

6.4.5 Construction traffic and parking

The RtS includes a draft construction traffic management plan (CTMP) within the construction management plan (CMP) and includes details on construction methodology, process, and staging. The RtS notes that a formal CTMP is to be finalised post assessment and prior to the commencement of works in consultation with TfNSW.

The RtS and CMP details proposed construction phases as follows for the stage 1 works:

- Phase 1

- *Precinct A* – traffic management works including the proposed secondary vehicle entry within the Junior school, DOPU bay, and the elevated foot bridge.
- *Precinct B* – traffic management works and the construction of the bus and car parking area, proposed DOPU bay, and road widening.
- Phase 2
 - *Precinct A* – ELC extension and additional car parking,
 - *Precinct B* – year 8 centre construction.
- Phase 3
 - *Precinct A* – junior school assembly, general learning areas and trafficable roof space (southern portion of the west wing).
 - *Precinct B* – senior school main entry forecourt, landscaping and accessible entry ramp.
- Phase 4
 - *Precinct A* – junior school general learning areas and trafficable roof space (middle portion of the west wing).
 - *Precinct B* – senior school main entry reception, foyer and administration offices.
- Phase 5
 - *Precinct A* – junior school vertical circulation link.
- Phase 6
 - *Precinct A* – junior school general learning areas (east wing), amphitheatre traffic management.

The CTMP states that during remediation, excavation, demolition, and construction works, trucks removing spoil and transporting materials to the site would achieve access via the existing entry/exit driveways off Vacluse Road. Dedicated truck routes would also be provided for all trucks.

It is anticipated that the following truck movements would be required:

- 15 to 20 trucks per day for works associated with demolition and excavation.
- 2 to 30 truck movements per day for concrete pours (2 to 3 times per week).
- 10 to 15 truck movements per day for general deliveries during construction.

The CTMP anticipates that this equals approximately 4 to 6 truck movements per hour (two-way) during construction hours.

The following mitigation measures are provided within the CMP to ensure that construction/demolition impacts are limited:

- Ensure that construction vehicles travel to and from the school along the designated truck routes

- No construction vehicles are to use local residential streets in the vicinity of the school
- Construction vehicles will not be permitted to access the school during the morning and afternoon school peak periods
- Traffic controllers to manage the movement of construction vehicles entering and exiting the school grounds
- Controls on the size of construction vehicles
- Ensure that trucks do not park within surrounding streets. All construction vehicles are to be accommodated within the school grounds
- Co-ordinate and manage the arrival of trucks and the delivery of construction material to and from the school
- Ensure that all truck drivers are advised of the construction traffic management procedures

The CTMP does not provide for work zones along New South Head or Vacluse Road with all construction works to be confined on-site. No construction vehicles or equipment is to be parked or stored on public footpaths.

Additionally, pedestrian routes within the vicinity of the school are to be maintained during construction. The movement of trucks, students, staff and pedestrians within the vicinity of works are to be managed by traffic controllers.

Subject to conditions requiring a construction traffic and pedestrian management plan be implemented prior to works commencing, the Department is satisfied that potential impacts associated with construction traffic can be appropriately managed and impacts mitigated.

6.5 Contamination

The application is supported by a preliminary (stage 1) site investigation report and remedial action plan (RAP).

The stage 1 report was based off a desktop review, site inspection and sampling from 10 boreholes and one groundwater monitoring well. The desktop review did not identify any historic land uses that are of a concern to the continued use as an educational establishment. Based off the field and sample investigations, the following was identified:

- Lead, asbestos and carcinogenic PAHs contamination within soils in the northern and southern parts of the site above the adopted site criteria where works are proposed for the ELC and the bus/carpark.
- Carcinogenic PAHs within the southern part of the site area above the adopted site criteria where the new two-storey bus/carpark is proposed.
- Total Recoverable Hydrocarbons (TRH) F3 above the site criteria identified also within northern and southern parts of the site which poses a risk to ecological receptors.

The TRH exceedances were co-located with carcinogenic PAHs requiring remediation due to the potential risk to human health. The source is identified as fill material historically imported onto the site.

The RAP provides various remediation options, however, recommends that contaminated soils be classified, excavated, and disposed of to a licenced off-site facility. The RAP also suggests capping may be required for any contamination that is to be left in-situ. In this regard a long-term environmental management plan (EMP) is recommended as part of the proposed works. The RAP provides various contingencies along with a schedule of works and discussions on management plans.

The Department is satisfied that the site can continue to be used as an educational establishment subject to the remediation works described within the RAP. Conditions are recommended that a NSW EPA site auditor be appointed to provide advice throughout remediation and a validation report be submitted prior to commencement of use/occupation.

6.6 Other issues (SSD-10340)

The Department's consideration of other issues is provided below in **Table 8**.

Table 8 | Department's assessment of other issues

Issue	Findings	Recommendations
Flooding and stormwater	<p>The application is supported by a civil engineering report and flood assessment for the stage 1 works.</p> <p>The flood study assessment includes an analysis of the surrounding suburbs and predicts the impact of a 1 in 100-year ARI rainfall event on KRB. The assessment projects that majority of overland flow within the rainfall event would be captured within the New South Head Road stormwater system. The assessment suggests that residual runoff down Vacluse Road would not enter KRB for all modelled storm events.</p> <p>Consequently, the Department does not consider flooding to be an issue for the proposed development.</p> <p>Regarding internal stormwater flows, a new drainage system has been designed to collect stormwater overflow from new driveway within the junior school, the ELC, the existing internal road, and from the senior school additions. The drainage system would include a network of pipes, a dedicated overland flow path to contain any major flows and a 11m² on-site detention tank to reduce peak discharge from the site during heavy rainfall events.</p>	<p>Conditions of consent are recommended to ensure compliance with plans and details and for rainwater tanks to be included in the plans for a construction certificate.</p>

The stormwater would be quality treated before being discharged via gravity to the natural stormwater catchment being Sydney Harbour. The stormwater strategy aims to achieve the following water quality targets:

- 100% reduction in gross pollutants from both the senior and junior school
- 60.2% reduction in nitrogen for the high school and 51.7% for the junior school
- 83.6% reduction in phosphorous for the senior school and 79.4% for the junior school
- 96.9% reduction in total suspended solids for the senior school and 86.8% for the junior school

The Department notes that the civil plans submitted with the RtS do not include the rainwater tanks indicated on the architectural plans. Therefore, conditions are recommended that the construction certificate plans include details of the rainwater tanks required to meet a 4-star green star rating.

Overall, the Department considers the proposed stormwater strategy to be appropriate for the development.

Development contributions	<p>Alterations and additions to the school are subject to 7.12 contribution fees payable to Woollahra Council.</p> <p>Council has noted the 7.12 fees apply to the development and recommended payment of the fees prior to the issuance of any Construction Certificate.</p>	<p>A condition is recommended that all relevant contribution fees be paid.</p>
Acid Sulfate Soils	<p>The RtS includes a preliminary acid sulfate soils assessment as the site located within a class 5 zone (lowest rating) under the WLEP 2014 and within 500m of adjacent class 3 zone.</p> <p>The assessment concludes that the likelihood of disturbing acid sulfate soils would be extremely low during the development given:</p> <ul style="list-style-type: none"> • the site is not located in an acid sulfate soils risk area according to the risk maps prepared by the Department of Land and Water Conservation. 	<p>No recommendations are necessary.</p>

- geotechnical borehole testing indicates the site is underlain by natural soils and sandstone bedrock
- the development area is located 35 to 52m AHD and the lowering of the groundwater table is not proposed and unlikely to occur.

The Department considers that it is unlikely for acid sulfate soils to be disturbed during construction works and considers that the preparation of an acid sulfate soils management plan is not required.

Crime Prevention through Environmental Design (CPTED)

CPTED is a recognised crime prevention strategy that focuses on the planning, design and structure of the built environment to reduce opportunities for crime and anti-social behaviour.

- CPTED has four key principles:
- Natural surveillance
- Access control
- Territorial re-enforcement
- Space and activity management

To maintain good natural surveillance, publicly accessible spaces maintain visual connection to habitable areas.

Upgrades to the lighting of all public spaces will be carried out as part of external landscaping, traffic networks and pedestrian pathway links.

The existing KRB security systems will be maintained and modified to suit the proposed development.

Physical security and barriers such as controlled gates, perimeter fencing, boundary markers and secured internal areas will be maintained.

The buildings are to be maintained appropriately and regularly to provide a sense of guardianship and ownership.

The Department recognises that the proposal has been designed appropriately with CPTED principles in mind.

The Department has recommended a condition requiring all outdoor lighting be installed in accordance with ASINZS 4282:2019: *Control of the obtrusive effects of outdoor lighting*.

Erosion and sediment control

Erosion and sediment control details have been provided in the form of civil plans.

The Department recommends conditions requiring

	<p>The plans outline that appropriate measures are to be incorporated during construction, demolition and remediation works. The measures include vehicle shaker grids, stabilised site access, stockpile locations, geotextile filters, mesh & gravel inlet filters and haybale filters</p>	<p>sediment controls to be implemented during construction including, as a minimum, measures in accordance with Managing Urban Stormwater: Soils & Construction (4th edition, Landcom 2004) (commonly referred to as the 'Blue Book').</p>
Geotechnical	<p>Separate geotechnical and hydrogeological investigations were submitted for the proposed ELC building, bus and car parking area, and the new entry road.</p> <p>The investigations provide site specific advice and recommendations for the development proposed across the site including: footing design, site excavation and preparation, drainage, retaining walls and hydrology.</p> <p>Based on the investigations, the Department is satisfied that the geology site is suitable for the proposed development.</p>	<p>Conditions are recommended that the findings and recommendations provided in the Geotechnical report be implemented during construction.</p>
Noise and Vibration	<p>The application includes a noise report that provides an assessment of construction noise and vibration along with operational noise.</p> <p>The report utilised long-term ambient noise monitoring in two locations to provide background noise criteria for the daytime, evening, night time, and Saturday mornings. The first location included a monitor near to residences adjoining the southern boundary on Bayview Hill Drive. The second was adjacent to residences adjoining the northern boundary on Vaucluse Road.</p> <p><i>Construction noise</i></p> <p>The report has undertaken a construction noise and vibration impact analysis for the proposal and details its potential impact on adjoining residential properties in accordance with the EPA's <i>Interim Construction Noise Guideline</i> (ICNG). The report provides noise criteria for residential receivers. In the daytime noise should not exceed the background noise by more than 10dBA.</p>	<p>Conditions are recommended that a detailed construction noise and vibration management plan be submitted prior to any construction or demolition works.</p> <p>Conditions are also recommended that a pre and post development dilapidation report for adjoining residential properties and public assets be prepared and submitted to the council.</p>

Outside of standard construction hours, the noise management levels are reduced to background plus 5dBA. A high noise level has been set at 75dbA which has been set as a limit where if exceeded, alternative construction methods should be considered.

The report modelled construction scenarios for the proposed works with reference to nearby residential receivers to the north and south of the site. The modelling suggested that exceedances of the 10dBA were likely for southern residence receivers, especially during demolition works, however it was not predicted to exceed the high noise level of 75dBA. Predicted levels of up to 15dBA above background noise is predicted for northern receivers. The report concludes that the reasonable noise management and mitigation will be required. Mitigation measures recommended in the report include: the selection of quietest feasible construction equipment, use of rock saws in preference to rock breakers and localised treatment such as barriers, shrouds around fixed plant. Additionally, a noise management plan is recommended which incorporates complaints management, responsibility, record keeping and the like.

Conditions are recommended by the Department that a noise management plan be completed prior to any construction or demolition works to ensure noise level exceedances can be appropriately managed or mitigated.

Construction vibration

With regard to vibration, the report notes that the highest level of vibration is expected to occur when excavation equipment is utilised near the southern residential boundaries. In order to limit vibrations and potential structural damage, alternative excavation measures such as rock-saws or if hammers are recommended, test vibration monitoring is recommended throughout earthworks.

Operational noise

The report identifies various sources of noise emissions likely to have an impact on residential receivers to the north and south of the site.

Regarding noise emissions from mechanical plant such as air conditioning units, noise modelling concludes that compliance would be achieved at the nearest residential

receivers to the north without the need for any physical mitigation measures.

Regarding student noise, the ELC is located approximately 55m from the nearest residential boundary to the north-east. The revised acoustic report within the RtS notes that noise predictions of the ELC would result in a noise level of 34 dBA which is within the recommended noise limits.

The proposed rooftop terrace areas to the junior school are predicted to not exceed daytime noise criteria at the nearest receivers to the north. The use of the area at outside of school hours is not proposed.

The new bus and carparking area would be located up to 3.5m from the southern boundary of the site. The buses would arrive between 8:00am to 8:30am each morning and remain parked until they exit the campus between 3:30 to 4pm. The carpark is proposed strictly for staff members. No adverse noise impacts are proposed from its limited use.

Overall, the Department considers that the excessive noise and vibration during the construction phase can be managed or mitigated against subject to conditions. No concerns are raised with operation noise of the educational established.

Overshadowing

A shadow analysis was undertaken as part of the application.

No recommendations are necessary.

Regarding the junior school and ELC, the proposed development will result in some additional internal shadows that are not currently experienced at the site due to the trafficable roof form and new ELC building. The additional shadows would be minor as the development predominantly maintains the existing built form. No additional shadows would be cast on adjoining residential properties.

The car and bus parking structure would be elevated up to 4.077m above the existing ground level adjoining the southern boundary. The BVN modelling predicts on June 21 at:

- 9am minor additional shadowing would occur onto Bayview Hill Road. It is noted that the dwellings to the south would remain shadowed.

- 12pm minor additional shadowing would occur to the vegetated portion of Forsyth Park to the south-east, and the side of 1 Bayview Hill Road.
- 3pm the additional shadows would be cast onto Bayview Hill Road to the south-east.

The negligible increase in shadow is as a result of the car and bus parking structure is not considered to be an issue by the Department given the minor additional shadowing.

The concept Hughes centre, circulation hub and boarding house are not considered to result in unacceptable overshadowing given their internal locations within the school grounds.

Visual privacy

Visual privacy has been considered in the original and the revised RtS plans. A discussion is provided below regarding potential privacy impacts for the northern and southern adjacent residential properties.

No recommendations are necessary.

North

The ELC and junior school adjoins multiple residential properties to the north including 2A Vaucluse Road and 9-15 Queens Avenue.

The proposed extension to the junior school would result in a slight reduction of the existing northern setback from 16.1m to 12.6m. Notwithstanding, the space between the junior school and the northern boundary is currently, and would continue to be occupied by the northern and sundial courtyard and the junior and ELC play areas.

No additional privacy impacts are expected from the additional rooftop terrace areas given sufficient separation distance would remain along with tall glazed balustrades on the northern elevation.

South

The proposed car and bus parking structure would be located adjacent to 1A, 3 and 5 Bayview Hill Road with a 3.5m setback.

No visual privacy impacts are anticipated from the use of the parking area given the structure would include dark timber screening on the ground level along with screening vegetation within the boundary setback.

Construction waste management	<p>A site waste minimisation and management plan (SWMMP) in the construction management plan was submitted with the EIS.</p> <p>The objectives of the plan are to achieve a minimum of 80% reuse or recycling of all waste generated during construction.</p> <p>The Department supports the waste diversion targets and the plan, and considers the construction waste management of the development to be appropriate.</p>	<p>The Department has recommended conditions to ensure compliance with the SWMMP.</p>
Operational waste management	<p>An operational waste management plan (OWMP) was submitted with the application, prepared by Mahady Management. The plan detailed objectives to:</p> <ul style="list-style-type: none"> • employ strategies to reduce volumes of waste and recyclables going to landfill. • recover, reuse and recycle generate waste where possible. • comply with relevant codes and policies. <p>The plan estimates the following waste amounts will be generated weekly:</p> <ul style="list-style-type: none"> • 960L of food organics. • 6,000L of paper/cardboard recycling. • 6,000L of co-mingled recycling. • 5,000L of general waste. <p>The proposal includes relocating the waste storage areas from the junior school to a consolidated space on the southern side of the senior school main building. This area will include bins with 120L, 240L, and 1,100L capacities, and a 10m³ compactor.</p> <p>The development will be serviced by a private waste contractor, and waste would be collected directly from the waste storage area. Turning plans and swept paths submitted with the EIS demonstrate that there is sufficient space to allow for a medium rigid garbage truck up to 8.8m to appropriately manoeuvre and enter and exit the site in a forward direction.</p>	<p>The Department has recommended conditions to ensure compliance with the OWMP.</p>

The Department supports the operational waste management plan and considers that waste can be appropriately managed.

7 Evaluation

The Department has reviewed the Environmental Impact Assessment (EIS), Response to Submissions (RtS), and assessed the merits of the proposal, taking into consideration advice from public authorities, including Council. Issues raised in public authority submissions have been considered and environmental issues associated with the proposal have been addressed. The Department concludes that the impacts of the development are acceptable and can be mitigated through recommended conditions of consent. Consequently, the Department considers the development is in the public interest and should be approved, subject to conditions.

The proposal is consistent with the objects of the *Environmental Planning and Assessment Act 1979* and is consistent with the State's strategic objectives as set out in the *Greater Sydney Region Plan* and *Eastern City District Plan* as it would provide updated educational facilities.

The EIS was publicly exhibited for 51 days between 9 December 2020 and 29 January 2021. The Department received a total of 7 submissions, all from public authorities.

The Applicant submitted a RtS including an amended proposal on 15 July 2021, which included additional car parking, identification for solar panels and rainwater tanks, amendments to the junior school vertical circulation link, shade structures for the ELC, a reduction in the basement carpark footprint, additional landscaping detail, and amended reports. The RtS was notified to relevant public agencies and a further two public agency submissions were received.

The Department identified the key issues to be built form, heritage and urban design, Aboriginal cultural heritage, tree removal and landscaping, transport and traffic and contamination. The Department has concluded that:

- the proposed concept and stage 1 built form responds well to the heritage setting of the school.
- appropriate management strategies can be implemented to avoid any damage to Aboriginal archaeological sites.
- appropriate landscaping has been provided that responds to the site's heritage context.
- the surrounding road network could accommodate the proposed increase in student numbers subject to upgraded school DOPU up facilities.
- the proposed building envelopes under the concept proposal would facilitate future built form on the site that would not result in an unacceptable impact on existing views, privacy and solar access or overshadow.
- the height and scale of the proposed stage 1 buildings would not have an unacceptable impact on the character of the surrounding locality and the Applicant's justification for the variation of the height of buildings control in the Waverley Local Environmental Plan 2014 are considered acceptable.
- the visual impact of the stage 1 buildings are acceptable as it would not obstruct any significant or important views or have an unacceptable impact on views from the surrounding residential and public domain areas.

The proposal is in the public interest as it would provide benefits including:

- delivering updated educational facilities in the Woollahra Municipal LGA.
- providing educational facilities in an established area with connections to public transport.
- delivery of 257 construction and 35 operational jobs.

8 Recommendation

It is recommended that the Director, State Significant Acceleration, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of Alterations and additions to Kincoppal-Rose Bay School (SSD-10325)
- **signs** the attached development consent and recommended conditions of consent (**Appendix C**).

Prepared by:



Stephen Dobbs
Senior Planning Officer
State Significant Acceleration

Recommended by:



Gabriel Wardenburg
Team Leader
State Significant Acceleration

9 Determination

The recommendation is **Adopted** by:

A handwritten signature in black ink, consisting of several overlapping loops and a final horizontal stroke.

Alan Bright
Director
State Significant Acceleration

Appendices

Appendix A – List of referenced documents

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning, Industry and Environment's website as follows:

1. Environmental Impact Statement

<https://www.planningportal.nsw.gov.au/major-projects/project/12191>

2. Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/12191>

3. Applicant's Response to Submissions (RtS)

<https://www.planningportal.nsw.gov.au/major-projects/project/12191>

4. Public authority submissions to RtS

<https://www.planningportal.nsw.gov.au/major-projects/project/12191>

Appendix B – Statutory Considerations

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of section 4.15(a)(i) of the *Environmental Planning and Assessment Act 1979* (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.

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

- State Environmental Planning Policy (State and Regional Development) 2001 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure 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)
- State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64)
- State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHC SREP)
- Woollahra Local Environmental Plan 2014 (WLEP 2014)
- Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)
- Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

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 meets the criteria of SSD as summarised at **Table B1**.

Table B1 | SRD SEPP compliance table

Relevant sections	Consideration and comments	Complies
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 State significant development (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	The proposal is for the purpose of alterations and additions to an existing school with a CIV of more than \$20,000,000.00, under clause 15(1) of Schedule 1 of the SRD SEPP.	Yes

- (b) the development is specified in Schedule 1 or 2.

State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)

The Infrastructure SEPP aims to facilitate the effective delivery of infrastructure across the state by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular type of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

The application was referred to Transport for NSW and relevant service providers, including Sydney Water and Ausgrid. As discussed in **Part 5** of this report, conditions of consent have been recommended by Transport for NSW and have been included as conditions of consent.

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

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 development would exceed the permissible height limit of 9.5m allowed under the Woollahra Local Environmental Plan 2014 (WLEP 2014). The Department notes that the height exceedance is permissible 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 6.1** of this report and in the consideration of the WLEP 2014 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 B2**.

Clause 57 of the Education SEPP requires traffic generating development that involves new premises to be referred to Transport for NSW (TfNSW). The application was referred to TfNSW and their comments discussed and considered in **Section 5** and **Section 6.4** of this report.

The Education SEPP defines the ELC component of the development as a centre-based child care facility. Clause 22 states that concurrence is required for centre-based child care facility if:

- (a) *the floor area of the building or place does not comply with regulation 107 (indoor unencumbered space requirements) of the Education and Care Services National Regulations, or*
- (b) *the outdoor space requirements for the building or place do not comply with regulation 108 (outdoor unencumbered space requirements) of those Regulations.*

The proposed ELC extension satisfies the numeric play space requirements for up to 70 children being 3.25m² of unencumbered indoor space and 7m² of unencumbered outdoor space. The proposed play area calculation plans indicate that there would be 4.94m² of indoor and 11.5m² of outdoor space. As such, separate concurrence of the Regulatory Authority is not required.

Under Clause 23 of the Education SEPP, the consent authority is also required to consider the relevant provisions of the Department's Child Care Planning Guideline prior to determining an application for a centre-based child care facility. Consideration of the relevant planning provisions of the Guideline is provided below in **Table B3**.

Table B2 | Consideration of the design quality principles (whole of school)

Design Principles	Response
Principle 1 – context, built form and landscape	<p>The siting of new buildings and structures, their design and materials proposed have significant regard to the existing school, Sydney harbour and surrounding residential properties.</p> <p>The design of building additions and their materials would integrate well into the existing school and are designed with respect to its heritage context.</p> <p>The proposed includes landscaped areas, new outdoor play areas, courtyards, terraces and entry courtyards that are compatible with the existing school.</p>
Principle 2 – sustainable, efficient and durable	<p>The proposal includes various ESD measures incorporated where possible (Section 4.4.3). Bicycle parking is provided as part of the proposal to encourage sustainable travel modes.</p>
Principle 3 – accessible and inclusive	<p>The development includes improved wayfinding signage and new entry signage to the junior and ELC school to assist visitors when navigating the site.</p> <p>The proposed footpaths, ramps and lifts and circulation cores improve existing on-site accessibility to all levels of the school.</p> <p>Proposed play areas have been designed to provide safe and equal access.</p>
Principle 4 – health and safety	<p>The design of the school additions has considered passive surveillance and security.</p> <p>CPTED measures have been considered in the application to ensure a high level of safety for staff and students as discussed in Section 6.6 of this report.</p>
Principle 5 – amenity	<p>The proposed school additions have been designed to provide engaging spaces that are accessible and have access to sunlight, natural ventilation and provide visual and acoustic privacy.</p>

Design Principles	Response
	<p>The proposal provides a variety of internal and external learning places for both formal and informal educational opportunities.</p> <p>The new learning facilities would contain modern leaning facilities, spaces and equipment.</p>
Principle 6 – whole of life, flexible, adaptable	The proposed design of the additions encourages future use and flexibility of spaces. The new learning spaces allow for further adaptation throughout the longer life cycle of the overall schools as much as possible.
Principle 7 – aesthetics	The proposed new buildings and outdoor areas would include high quality finishes designed to be aesthetically pleasing while considering the heritage values of the site.

Table B3 | Education SEPP compliance table for ELC

Matter	Consideration/Comment
Design quality principles	
Context	<p>The existing ELC has been integrated into the school and caters for both the local community and greater catchment area.</p> <p>The design and of the two-storey addition, landscaping play areas and access points have considered the existing sites heritage context.</p>
Built form	The built form of the new ELC building and the terraced outdoor play areas have been designed with consideration to the sites existing heritage values and topographical constraints.
Adaptive learning spaces	<p>The proposal provides a variety of internal and external learning places for both formal and informal educational opportunities.</p> <p>The design of the landscaping and terraced outdoor areas provides ample shaded areas for students and staff. The facility includes equal access to outdoors, appropriate solar access, cross ventilation and all-ability play areas.</p>
Sustainability	Sustainability principles have been designed into the development and include PV panels, appropriate building orientation and rainwater tanks. The development also includes deep soil landscaping and retention of existing trees where possible.
Landscape	The landscape design for the ELC includes a series of outdoor terraced areas leading downward toward the Sydney harbour. The proposed landscaping is integrated well into the sites overarching heritage landscape strategy.

Amenity	<p>The learning spaces have been designed to ensure direct connections to outdoor learning and play spaces, and outlooks to green space. The various outdoor play spaces have been designed to cater for children with varying needs and ages.</p>
Safety	<p>The ELC has been proposed with play spaces designed to allow for internal sight lines for staff.</p> <p>Opportunities for overlooking into the facility are limited due to location of the facility within the site.</p> <p>Security surveillance will continue to be provided at key areas to enable best practice.</p>
Matters for consideration	
Site selection and location	<p>The ELC extension forms part of the existing junior school within precinct A. The use is appropriately sited to ensure no adverse acoustic, privacy or amenity impacts arise to nearby residential properties.</p> <p>The site is not affected by any significant environmental constraints that affect the operational safety of the facility.</p>
Local character, streetscape and the public domain interface	<p>As the existing ELC is located within the junior school, the proposal is not considered to alter the existing character of the area. The proposed additions would not be highly visible from the public domain or from adjoining residential properties.</p> <p>A new driveway from Vaucluse Road along with new entrance signage would provide a clear interface from the public domain.</p>
Building orientation, envelope, building design and accessibility	<p>The Applicant has demonstrated that the design and location of the ELC two storey building and outdoor play areas would not result in any adverse environmental or amenity impacts on the adjoining residential neighbours or diminish views from Sydney harbour.</p>
Landscaping	<p>The proposed landscape design for the ELC incorporates passive and active landscape elements that help create a diverse and interesting learning environment while respecting the heritage aspects of the site.</p> <p>Appropriate fencing is proposed around play areas for safety.</p>
Visual and acoustic privacy	<p>The ELC is located away from the public domain. Accordingly, privacy impacts are minimised by reducing exposure of the pre-school.</p> <p>The predicted noise impacts associated with the operation of the ELC are generally satisfactory and would not result in adverse amenity impacts. A further discussion regarding noise and privacy is provided in Section 6.6 of this report</p>

Noise and air pollution	The development would not result in noise or air pollution.
Hours of operation	The ELC is proposed to continue to operate between 7:30am and 6:00pm, Monday to Friday. The proposed hours of operation will not unreasonably impact on the locality.
Traffic, parking and pedestrian circulation	The application notes that staggered drop-off and pick-up times, along with a new DOPU zone would occur to ensure that the existing level of service would remain constant.
National Regulations	
Indoor space requirements	<p>3.25m² of unencumbered indoor space is required per child. This results in 227.5m² being required for 70 children.</p> <p>346m² of unencumbered indoor space is provided for the ELC.</p>
Laundry and hygiene facilities	Laundry and hygiene facilities are proposed on level-03.
Toilet and hygiene facilities	Toilet and hygiene facilities are provided. They are located on both levels of the new building. Passive surveillance and supervision would be provided by internal windows.
Ventilation and natural light	Appropriate ventilation and natural light are provided. The ELC building has been designed with passive design principles including orientation, shading, and ventilation. It is intended these principles will minimise energy consumption and reliance on mechanical heating and cooling.
Administrative space	The administrative spaces for the ELC are provided. The internal layout of the proposed administrative spaces has considered the interaction of staff, parents and children and visitors to ensure interactions are appropriately managed.
Nappy change facilities	Nappy change facilities are provided within laundry area.
Premises designed to facilitate supervision	The internal layout of the pre-school, including staff rooms and toilet facilities, have been designed to facilitate supervision between educators and children.
Emergency and evacuation procedures	The Applicant has not submitted details surrounding emergency and evacuation procedures. The Department has recommended a condition of consent requiring such details be provided prior to the issue of a construction certificate and certified by a suitably qualified access consultant.

Outdoor space requirements	<p>7m² of unencumbered outdoor space is required per child. This results in 490m² being required for 70 children.</p> <p>585m² of unencumbered outdoor space is provided.</p>
Natural environmental	<p>The landscape design integrated greenery and natural elements into the outdoor play spaces.</p> <p>Several different zones within the outdoor play spaces are provided including balcony, covered and uncovered outdoor grassed area.</p>
Shade	<p>The outdoor play area would include shade sails, trees and under-building awnings to provide sufficient shading.,</p>
Fencing	<p>The outdoor play area is bounded by appropriate metal balustrading and physical walls.</p> <p>The remainder of the ELC is secured through access points.</p>
Soil assessment	<p>Detailed site investigations have demonstrated the site can be suitable for the proposed development as discussed in Section 6.5 of this report.</p>

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. A Preliminary Site Investigation (PSI) was submitted as part of the EIS.

The PSI included an assessment of historical information, soil sampling from 10 boreholes, and groundwater sampling from one monitoring well onsite. It outlined that contamination requiring remediation included lead contamination hotspot, carcinogenic polycyclic aromatic hydrocarbons (PAHs), and total recoverable hydrocarbons (TRHs) F3. The likely source is historical fill material imported into the site. The PSI concludes that the site can be made suitable subject to remediation, and the implementation of a Remedial Action Plan (RAP), with validation assessments.

The RAP provides various remediation options, however, recommends that contaminated soils be classified, excavated, and disposed of to a licenced off-site facility. The RAP also suggests capping may be required for any contamination that is to be left in-situ. In this regard a long-term environmental management plan (EMP) is recommended as part of the proposed works. The RAP provides various contingencies along with a schedule of works and discussions on management plans.

The Department is satisfied that the site can continue to be used as an educational establishment subject to the remediation works described within the RAP. Conditions are recommended that a NSW EPA site auditor be appointed to provide advice throughout remediation and a validation report be submitted prior to commencement of use/occupation.

State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64)

SEPP 64 applies to all signage that, under an EPI, can be displayed with or without development consent, and is visible from any public place or public reserve.

The development includes the refurbishment of the school sign at the existing junior school entrance and a new blade sign on the fence at the new junior school entrance. Both signs are considered business identification signs and include the school name and logo. Under clause 8 of SEPP 64, consent must not be granted for any signage application unless the proposal is consistent with the objectives of the SEPP and with the assessment criteria contained in Schedule 1. **Table B4** demonstrates the consistency of the proposed signage with these assessment criteria.

Table B4 | SEPP 64 compliance table

Assessment Criteria	Comments	Compliance
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed sign are contemporary in design, would be compatible with the existing / future character of the area.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	No particular themes exist for outdoor advertising in the area however they are simple and reflective of the educational use.	N/A
2 Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposal does not detract from the amenity or visual quality of any special areas.	Yes
3 Views and vistas		
Does the proposal obscure or compromise important views?	No views or vistas would be impacted by the proposed signage.	Yes
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed signs would not dominate the skyline and would not impact the quality of any views or vistas.	Yes
Does the proposal respect the viewing rights of other advertisers?	Proposed signs would not impact on existing views experienced by others or existing advertising rights.	N/A

Assessment Criteria	Comments	Compliance
4 Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The signs would complement the educational establishment design and contribute to the visual interest of the streetscape.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed scale and design of the signs are appropriate for the streetscape and setting within which it is proposed.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The signs are simple in design and would not result in visual clutter.	N/A
Does the proposal screen unsightliness?	Not applicable.	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signs would sit well below the height of proposed adjoining buildings and trees.	Yes
Does the proposal require ongoing vegetation management?	No vegetation management is required by the proposed signs.	Yes
5 Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The signage is of appropriate scale and proportion and is considered relatively understated in the context of the site.	Yes
Does the proposal respect important features of the site or building, or both?	The signage is appropriately located at the site entrance and would not impact on any other important features of the site.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The purpose of the signs are to denote the entrance of the junior and need to be simple and direct.	Yes

Assessment Criteria	Comments	Compliance
6 Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Safety devices are not necessary for the proposed design of the signs.	N/A
7 Illumination		
Would illumination result in unacceptable glare?	No illumination proposed.	N/A
Would illumination affect safety for pedestrians, vehicles or aircraft?	N/A	N/A
Would illumination detract from the amenity of any residence or other form of accommodation?	N/A	N/A
Can the intensity of the illumination be adjusted, if necessary?	N/A	N/A
Is the illumination subject to a curfew?	N/A	N/A
8 Safety		
Would the proposal reduce safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No – extensive views of the footpath and entrance area would still be available.	Yes
Would the proposal reduce safety for any public road?	The design and location of the proposed signage would not impact on safety of any public road.	Yes

State Environmental Planning Policy (Coastal Management) 2018 (Coastal SEPP)

The Coastal SEPP aims to promote an integrated and co-ordinated approach to land use planning in the coastal zone by managing development in the coastal zone and protecting the environmental assets of the coast, establishing a framework for land use planning to guide decision-making in the coastal zone, and mapping the four coastal management areas (the coastal wetlands and littoral rainforests area, the coastal vulnerability area, the coastal environment area and the coastal use

area) that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016. The Coastal SEPP replaces SEPPs 14, 26, and 71.

The site is mapped in the 'coastal environment area' and the 'coastal use area' identified by the SEPP. The Department has taken into consideration the matters outlined in cl.13 and cl.14 of the Coastal SEPP. The proposed development does not alter foreshore access or any of the site's existing interaction with the foreshore area. The proposal is seen as consistent with the relevant clauses and is not likely to have any significant adverse impact on the environmental assets of the coast.

As such, the Department considers the proposal satisfactory with regard to the Coastal SEPP.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHC SREP)

SHC SREP provides planning principles for development within the Sydney Harbour Catchment. The site is located within the Sydney Harbour Catchment area.

The proposal is consistent with the relevant planning principles of SHC SREP and would not have any significant adverse impact on the Sydney Harbour Catchment.

Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)

The Draft Remediation SEPP will retain the overarching objective of SEPP 55 of promoting the remediation of contaminated land to reduce the risk of potential harm to human health or the environment.

Additionally, the provisions of the Draft Remediation SEPP will provide a state-wide planning framework for the remediation of land, maintain the objectives and reinforce those aspects of the existing framework that have worked well, require planning authorities to consider the potential for land to be contaminated when determining development applications and planning proposals, clearly list the remediation works that require development consent, and introduce certification and operational requirements for remediation works that can be undertaken without development consent.

The Department is satisfied that the proposal would be consistent with the objectives of the Draft Remediation SEPP.

Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) (Draft Education SEPP)

The Draft Education SEPP will retain the overarching objectives of the Education SEPP to facilitate the effective delivery of educational establishments and child care facilities across the state. The provisions of the Draft Education SEPP aim to improve the operation, efficiency and usability of the Education SEPP and to streamline the planning pathway for schools, TAFEs and universities that seek to build new facilities and improve existing ones. The Explanation of Intended Effects was exhibited from 20 November 2020 to 17 December 2020 and proposes changes to the threshold triggers for SSD under the SRD SEPP, specifically for schools and tertiary institutions. The Department is satisfied that the proposal is generally consistent with the objectives of the Draft Education SEPP.

Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)

The Draft Environment SEPP is a consolidated SEPP which proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property.

Once adopted, the Draft Environment SEPP will replace seven existing SEPPs. The proposed SEPP will provide a consistent level of environmental protection to that which is currently delivered under the existing SEPPs. Where existing provisions are outdated, no longer relevant or duplicated by other parts of the planning system, they will be repealed.

Given that the proposal is consistent with the provisions of the applicable existing SEPPs, the Department is satisfied that the proposed development would generally be consistent with the provisions of the Draft Environment SEPP.

Woollahra Local Environmental Plan 2014 (WLEP 2014)

WLEP 2014 aims to protect amenity and the natural environment, and provide for an appropriate balance and distribution of land within the Woollahra LGA. WLEP 2014 also aims to ensure development achieves the desired future character of the area.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of WLEP 2014, and those matters raised by Council in its assessment of the development (refer to **Section 5**). The Department concludes the development is consistent with the relevant provisions of WLEP 2014. Consideration of the relevant clauses of the WLEP 2014 is provided in **Table B5**.

Table B5 | Consideration of RLEP 2014

WLEP 2014	Department comment/assessment
Land Use Table – SP2 Infrastructure (Educational Establishment)	Educational establishments are permissible with consent in the SP2 zone, and the proposal involves alterations and additions to an existing lawful school.
Clause 4.3 Height of buildings – 9.5m	The site is subject to a Height of Building control of 9.5m. The proposal exceeds the control with a maximum height of 15.193m proposed. The Department considered this clause in its assessment (Section 6.1) and assessed the height exceedance to be acceptable.
Clause 4.4 Floor space ratio – N/A	The development site is not subject to a maximum floor space ratio.
Clause 5.10 Heritage Conservation	The Department has considered the development having regard to the requirements of clause 5.10. The Department considers that the proposal would be sympathetic to the heritage significance of the

buildings and structures on site. These matters are addressed in detail in **Section 6.1** of this report.

Clause 6.1 Acid sulfate soils	The site is mapped as potentially containing Class 5 acid sulfate soils. The Department considered this issue in Section 6.6 .
Clause 6.2 Earthworks	The Department is satisfied the extent of proposed earthworks would not have a detrimental impact on drainage patterns and soil stability at the site or adjoining properties, subject to the recommended conditions. The Department considered potential earthwork impacts in Section 6.6 .
Clause 6.3 Flood planning	The Department considered potential flooding impacts in Section 6.6

Other policies

In accordance with clause 11 of SRD SEPP, Development Control Plans (DCPs) do not apply to SSD, however the objectives of the Woollahra Development Control Plan 2015 (WDCP 2015) were considered in **Section 6**.

Appendix C – 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/12191>