



Saint Ignatius' College Riverview Redevelopment Stage 2

State Significant Development Assessment
SSD 10424

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
AR	Acoustic Report
BCA	Building Code of Australia
BDAR	Biodiversity Development Assessment Report
CER	Civil Engineering Report
CIV	Capital Investment Value
COLA	Covered Outdoor Learning Area
Council	Lane Cove Council
Crown Lands	Crown Lands, DPIE
CTPMP	Construction Traffic & Pedestrian Management Plan
DCWMP	Demolition and Construction Waste Management Plan
Department	Department of Planning, Industry and Environment
DPI	Department of Primary Industries, DPIE
DRG	Division of Resources & Geoscience, DPIE
EESG	Environment, Energy and Science Group
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW

GTP	Green Travel Plan
Heritage	Heritage NSW, Department of Premier and Cabinet
HIS	Heritage Impact Statement
IDILS	Initial Direction Indigenous Landscape Strategy
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
OWMP	Operational Waste Management Plan
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
PNTL	Project Noise Trigger Level
PSI	Preliminary Site Investigation
RMS	Roads and Maritime Services, TfNSW
RtS	Response to Submissions
SDRP	State Design Review Panel
SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SRtS	Supplementary Response to Submissions
SRV	Small Rigid Vehicles
STEMP	Science, Technology, Engineering, Mathematics and PDHPE
SSD	State Significant Development
TAA	Traffic and Access Arrangement
TfNSW	Transport for NSW
VIS	Visual Impact Statement

Executive Summary

This report provides an assessment of a State significant development (SSD) application (SSD-10424) lodged by Saint Ignatius' College Riverview Limited (the Applicant) for Stage 2 of the redevelopment of Saint Ignatius' College Riverview (the Proposal) at 2-60 Riverview Street, Riverview. The Saint Ignatius' College site (the College site) is located within Lane Cove local government area.

The site is located within an existing school campus and the Department of Planning, Industry and Environment (the Department) is satisfied the site is suitable for the proposal. The Department concludes the proposal is in the public interest as it would provide improved educational infrastructure for an established school community. The Department recommends that the application be approved subject to conditions.

The proposal seeks approval for Stage 2 of an approved Concept Proposal for the College site, involving the construction of a new five-storey building (new Ignis Building) with learning areas, canteen and multi-purpose hall, refurbishment of the existing O'Neil Building, new landscaped areas and an upgraded courtyard. The proposal would not result in an increase to student numbers.

The Department has considered the merits of the proposal in accordance with the relevant matters under section 4.15(1) and the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the principles of ecologically sustainable development, the issues raised in submissions as well as the Applicant's response to these. The Department considers the key issues for assessment including consistency with Concept Proposal, as well as built form and urban design are satisfactorily considered by the Applicant and are acceptable with the inclusion of environmental mitigation measures and recommended conditions of consent.

The proposal has a Capital Investment Value (CIV) of \$39,676,204 and 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 with a CIV of more than \$20 million.

The application was publicly exhibited between 10 December 2020 and 29 January 2021. The Department received a total of two submissions, including one from Lane Cove Council (Council) and one public submission. The Department also received six public authority comments. The key issues raised in the submissions include built form and material selection.

The Applicant's Response to Submissions (RtS) included responses to the issues raised in the submissions including an amended Design Analysis Report and Visual Impact Assessment in response to concerns raised by the Department and Government Architect NSW. Public authorities raised no further concerns after reviewing the RtS. The Department requested additional information regarding consistency of the Stage 2 application with the Concept Proposal and assessment of soil contamination which was provided as a Supplementary Response to Submissions (SRtS).

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1 Introduction

This report provides an assessment of a State significant development (SSD) application (SSD-10424) for Stage 2 of the redevelopment of the Saint Ignatius' College Riverview at 2-60 Riverview Street, Riverview.

The Concept Proposal for a staged redevelopment of the Saint Ignatius' College (specifically the senior school campus) was approved on 24 June 2016, by the Department (SSD-7140). The current proposal seeks approval for Stage 2 of the Concept Proposal involving the construction of a new five-storey building (new Ignis Building), refurbishment of the existing O'Neil Building, new landscaped areas and an upgraded courtyard.

The application has been lodged by Saint Ignatius' College Riverview Limited (the Applicant).

1.1 Site description

Saint Ignatius' College Riverview (the College) is an independent catholic secondary boarding school for boys that caters for students from Year 7 to Year 12. The College is located in Riverview, approximately 1.3 kilometres (km) south of Lane Cove Town Centre and 6km north-west of the Sydney Central Business District (CBD) within the Lane Cove Council local government area (LGA). The College is legally described as Lot 10 DP 1142773. The College's location in the regional context is shown in **Figure 1**.

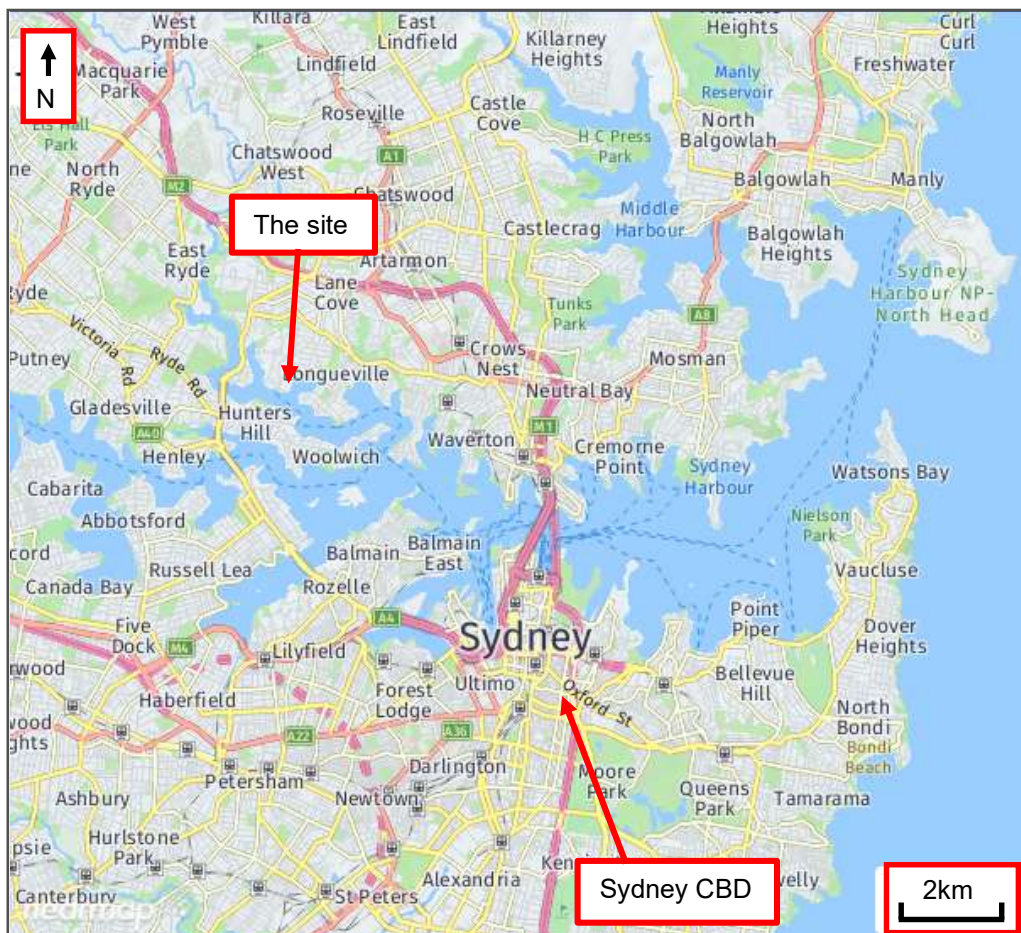


Figure 1 | Regional Context Map (Source: Nearmap 2021)

The College comprises two separate sections, located on either side of Riverview Street, with a total area of approximately 40 hectares (ha). It includes the Main Campus (senior school) and Regis Campus (junior school). The Regis Campus is located on the northern side of Riverview Street and is not subject to this application. The Main Campus primarily frontages are to Riverview Street to the north, Tambourine Bay Road to the east, Lane Cove River to the south and the west (**Figure 2**).

The SSD application relates to a section of the Main Campus, located at its centre (referred to as the site in **Figure 2**).



Figure 2 | Local Context Map, College shaded in blue and site in red (Source: Applicant's EIS 2020)

The topography varies quite significantly across the Main Campus with the highest location in the north-western portion, at the sporting fields (RL 48). Most of the buildings within the Main Campus are located along the central ridge which runs in a north-south-direction, the RL along that ridge typically sits between RL 36 and RL 40. The playing fields located in the eastern part of the Main Campus are at the lowest point being RL17 and RL 25.

The College is listed as an item of local heritage significance under Lane Cove Local Environmental Plan 2009 (LCLEP) for its Victorian buildings and overall cultural significance.

The existing vehicular access to the College is via a two-way internal loop road around the main buildings located at the centre of the Main Campus (known as Loyola Drive) connecting to a roundabout at the intersection of Riverview Street/Tambourine Bay Road to the east and Riverview Street to its west (**Figure 4**). These form the two entry/exit points from Riverview Street. The Main Campus accommodates 304 car spaces including six accessible car spaces. Additional overflow parking is provided during major events on the open spaces areas and playing fields.

The College contains a variety of building and facilities (**Figure 3**) including: Junior School; Northwest and eastern playing field; Kevin Fagan Boarding House; Vaughan Building; Therry Building; O'Neil

Building; Gartlan Centre; Wallace Building; Ramsey Building; Main School Building; Doyle Wing; St Michael's House; Dalton Memorial Chapel (Chapel); and Administration Building.

The buildings range in height from single to four storeys.

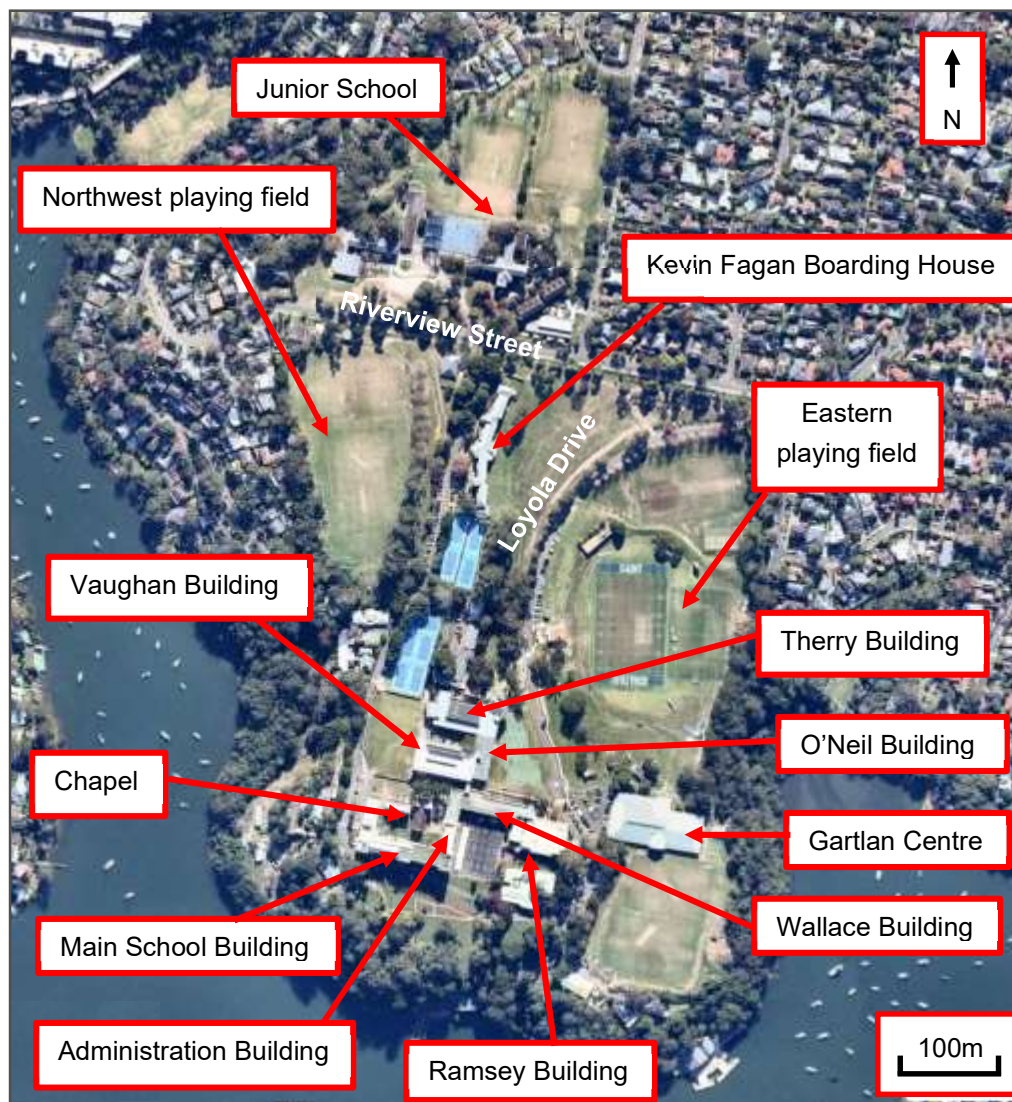


Figure 3 | Existing College buildings (Source: Nearmap 2021)

1.2 Project area

The project area (referred to as the site in this report) is primarily vacant land with a few encumbrances, located centrally within the Main Campus with Loyola Drive to its north, the existing O'Neil Building and Therry Building to the west and Wallace Building to the south/east (refer to **Figure 4**).



Figure 4 | Existing Main Campus plan, with the site shaded in blue (Source: Applicant's EIS 2020)

The site currently accommodates two basketball courts, an open grassed area and trees at the southern end.

The existing bus pick-up / drop-off area for the Main Campus is located to the north of the site, adjacent to the Therry Building. An existing at-grade on-street parking area is located on Loyola Drive, immediately opposite the site.

The location of the site is provided in the **Figure 4** and site photos are shown in **Figure 5** to **Figure 7**.



Figure 5 | Therry Building (Source: Applicant's EIS 2020)



Figure 6 | Wallace and O'Neill Building (Source: Applicant's EIS 2020)



Figure 7 | View from Wallace Building towards Therry Building (Source: Applicant's EIS 2020)

1.3 Existing use and activities

Currently the College accommodates 1640 students across the Main Campus and Regis Campus with a maximum of 350 full time and part time staff. The College also accommodates a maximum of 365 boarding students.

The College's facilities are currently used for other purposes including the Gartlan Centre pool and sports facilities which can be hired out when not used by the students. The tennis courts, ovals and grounds are leased during and after school hours when not used by students.

The Cova Cottage and Boat house are also hired out for functions and conferences. The Chapel is used for Funerals, Weddings, Baptism and Sunday Mass. The O'Kelly Theatre is hired out for external use.

1.4 Surrounding context

The Main Campus is predominantly surrounded by residential developments and the harbour foreshore. Land to the north, east and west of the Main Campus comprise low density residential areas. South of the Main Campus is the Lane Cove River which runs from Lane Cove National Park to Sydney Harbour. The Tambourine Bay Park is located to the east of the site at the end of Tambourine Bay Road.

The surrounding context is shown in

Figure 8.

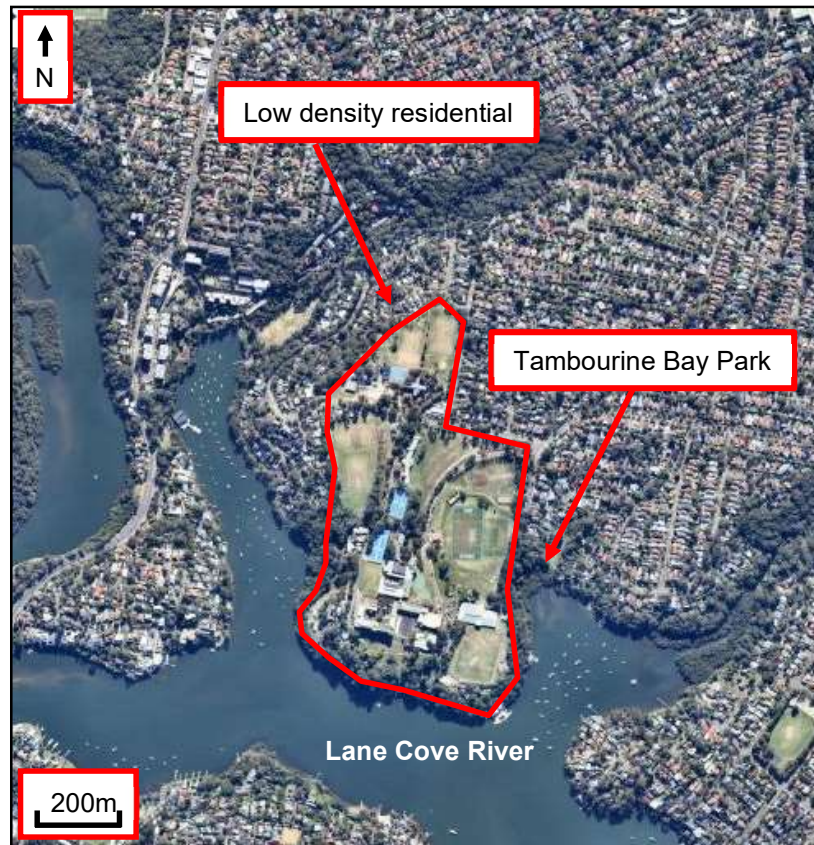


Figure 8 | Surrounding context (Source: Nearmap 2021)

1.5 Concept Proposal

On 24 June 2016, the then Executive Director Priority Projects Assessments, as delegate of the (then) Minister for Planning, granted a staged SSD approval (SSD-7140) for a Concept Proposal and Stage 1 works for the redevelopment of St Ignatius' College Riverview senior school campus.

The Concept Proposal included a plan for the staged redevelopment of the senior school campus over a thirty-year period comprising:

- demolition and construction of new buildings and recreation facilities.
- refurbishment and expansion of the existing buildings.
- vehicular access, car parking and pedestrian circulation arrangements.
- new recreation and outdoor spaces with associated landscaping.

The approved Stage 1 Works included the following works at the senior school campus:

- expansion and refurbishment of the existing Therry Building and the O'Neil Wing to provide new learning spaces.
- upgrade to the existing courtyard between the Therry and Vaughan Buildings to integrate with learning areas.
- upgrade to the existing courtyard to the north of the Therry Building.
- upgrade to the landscaped area at the north-east of the courtyard to provide a transition in the level change and opportunities for outdoor learning.

The Concept Proposal was approved on the basis that the College would be constructed on a 'precinct by precinct' basis with the sequence of staging dependent on the school's needs and funding requirements. **Table 1** provides a summary of the proposed works in each precinct.

Table 1 | Concept Proposal precincts (as approved in SSD-7140)

Precinct	Summary of proposed works
Therry Precinct (Stage 1 completed)	<ul style="list-style-type: none"> construction of new additions to the west, north and north-east of the existing Therry Building and O'Neil Wing.
Wallace Precinct	<ul style="list-style-type: none"> demolition of existing Wallace and Administration buildings. construction of a new building to provide new learning areas.
Food and Beverage Precinct	<ul style="list-style-type: none"> construction of a new contemporary two storey building to the north of the existing Refractory building and west of St Michael's House to replace the existing canteen.
Main Building Precinct	<ul style="list-style-type: none"> consolidate administration and staff areas into the Main Building. provide a new reception at ground floor. alterations to the Main Building.
St Michael's House Precinct	<ul style="list-style-type: none"> remove the recent northern additions and reinstate its original form for use as a heritage centre along with landscaping.
Vaughan Precinct	<ul style="list-style-type: none"> internal refurbishment and connection between the levels. refurbish existing library and relocate administration facilities. connect Vaughan and new Wallace Building.
Boarding Precinct	<ul style="list-style-type: none"> construct a new four level building for existing boarders from the junior school with associated works and parking.
Community Precinct	<ul style="list-style-type: none"> construction of a new building with catering, function, maintenance and sports facilities and integrated landscaping.
Sports Precinct	<ul style="list-style-type: none"> consolidation of the main playing fields and support facilities.
Recreation Courts Precinct	<ul style="list-style-type: none"> a new level podium spanning the existing road and connecting to the sports and recreation fields. provision of new basketball courts and reinstatement of car parking areas lost through the redevelopment.
New Learning Precinct	<ul style="list-style-type: none"> construction of a building over three to four levels.

The sequencing of stages for the Concept Proposal have not been predetermined to allow the College to efficiently operate while undertaking works to meet the College's needs and priorities. The Concept Proposal was modified in three occasions as summarised in **Table 2**. The Concept Proposal masterplan as modified is provided in **Figure 9**.

Table 2 | Summary of modifications

Mod No.	Summary of Modification	Approval Date
MOD 1	Installation of solar panels in the Therry Learning Precinct and the Vaughan Learning Precinct.	11 January 2018
MOD 2	Alterations to the approved landscaping and changes to the existing handball court in the senior school campus.	19 June 2018
MOD 3	Modifications to the Concept Proposal masterplan by: <ul style="list-style-type: none"> splitting the proposed Wallace Building envelope into the new Wallace Building and the Student Node-Link Building. increasing the height of the new Wallace Building to RL 52. separating the works into two stages to allow the new Wallace Building to be built first (retaining the existing). 	10 August 2020

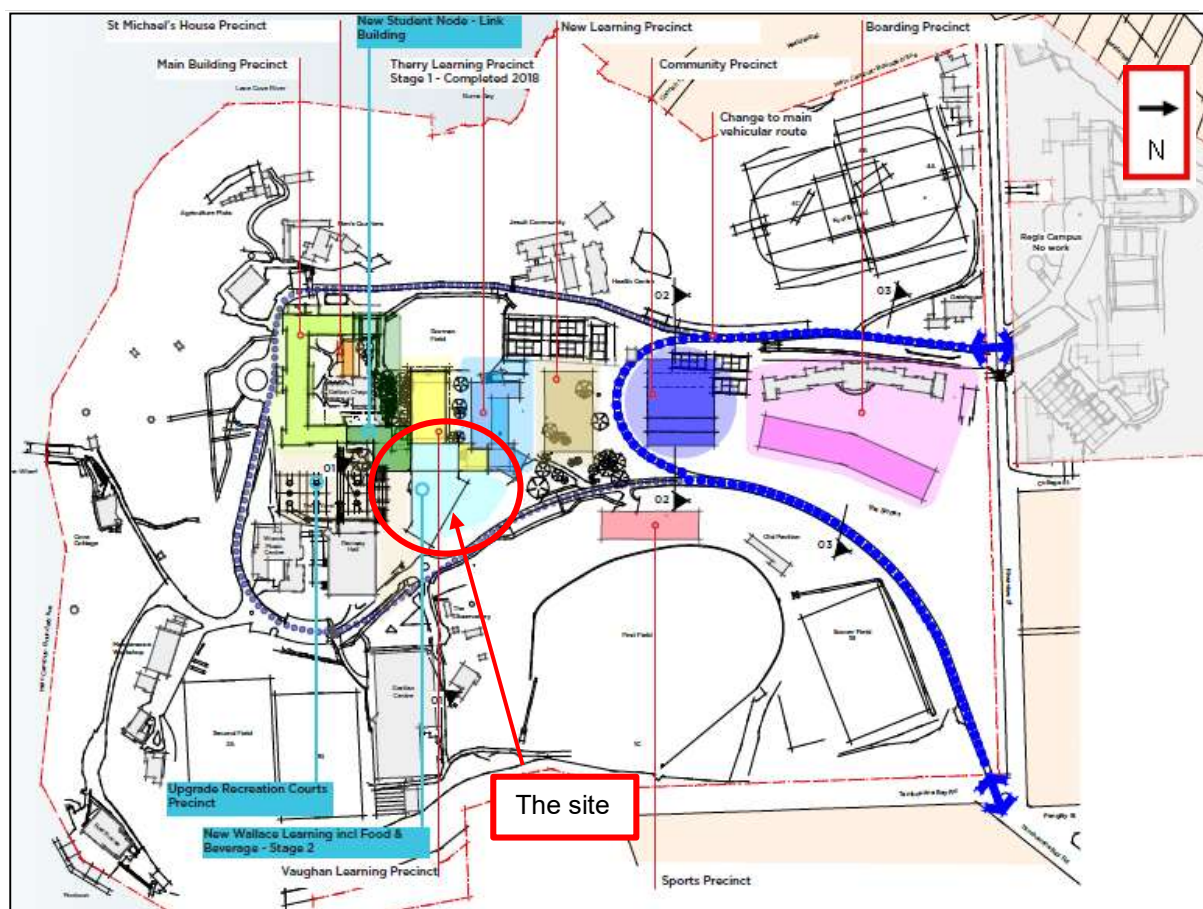


Figure 9 | Concept Proposal of Saint Ignatius' College Riverview senior school campus, as modified (Source: SSD-7140-MOD-3 Modification Report 2020)

2 Project

The Stage 2 application comprises the construction of the new Wallace Building, which is referred to as the new Ignis Building in the application, along with associated works.

The key components and features of the proposal, as refined by the RtS are provided in **Table 3** and are shown in **Figure 10** to **Figure 17**.

Table 3 | Main Components of the Proposal

Aspect	Description
Proposal Summary	Stage 2 of St Ignatius' College Concept Proposal comprising the demolition of some existing structures, construction and operation of a new five storey building including basement (new Ignis Building), internal demolition and refurbishment of the O'Neil Building, upgrades to the adjoining courtyard area and associated landscaping works.
Site Preparation	<ul style="list-style-type: none"> Partial internal demolition of the O'Neil Building. Removal of retaining walls and services.
Site Area	<ul style="list-style-type: none"> 40ha
Additional Gross Floor Area (GFA)	<ul style="list-style-type: none"> 4217 square meters (m²).
Height of Building	<ul style="list-style-type: none"> New Ignis Building: approximately 21m (maximum RL 52).
Built form	<ul style="list-style-type: none"> Construction of a new five-storey new Ignis Building comprising: <ul style="list-style-type: none"> loading/unloading area on basement level. multi-purpose hall and canteen on the ground floor with a covered outdoor learning area (COLA), in between. learning areas for Science, Technology, Engineering, Mathematics and PDHPE (STEMP). five pastoral care house areas and staff rooms. Internal alterations to the existing O'Neil Building comprising: <ul style="list-style-type: none"> learning enrichment room and first nations office. one pastoral care house area and science laboratories.
Landscaping	<ul style="list-style-type: none"> New landscaped area with lawn and plants, fronting Loyola Drive. New promenade between Wallace and new Ignis Building. Upgraded courtyard with open gathering and circulation areas.
Access	<ul style="list-style-type: none"> Vehicular access to the Main Campus maintained from the two access points from Tambourine Bay Road and Riverview Street. Two separate entry/exit driveways to access the basement level.
Carparking	<ul style="list-style-type: none"> No additional carparking proposed.
Jobs	<ul style="list-style-type: none"> 220 construction jobs and 0 additional staff.
CIV	<ul style="list-style-type: none"> \$39,676,204

2.1 Physical layout and design

2.1.1 New Ignis Building and alterations to O'Neil Building

The development proposes a purpose-built five storey new Ignis Building (including basement) and internal refurbishment works to the existing O'Neil Building, located within the College site. The new Ignis Building, with a height of 21m – 23.9m is proposed to be located at the south-western corner of the site, opposite Loyola Drive. The proposed site plan is shown below in **Figure 10**.

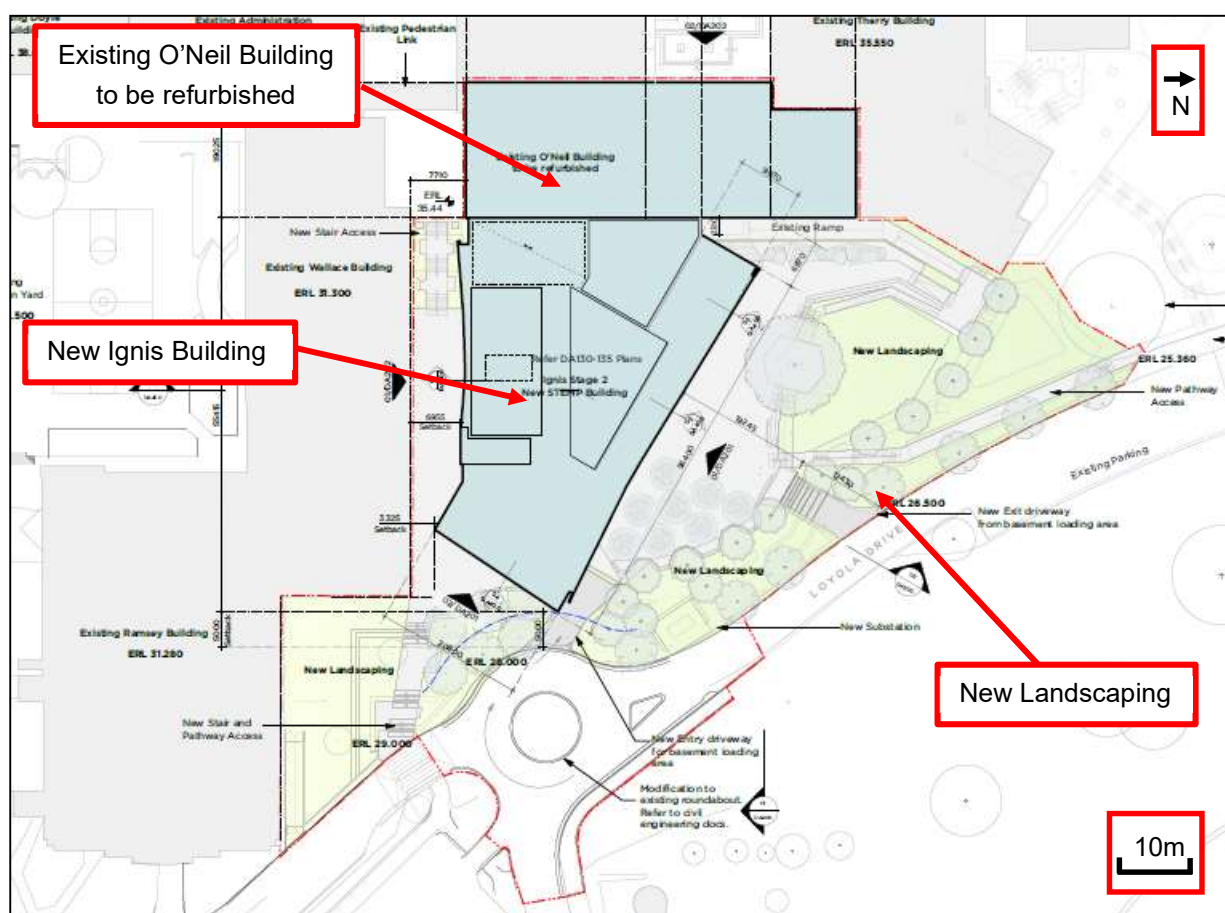


Figure 10 | Site Plan (Source: Applicant's RtS 2021)

As identified in **Table 3**, the building would accommodate STEMP facilities along with six pastoral care house areas and staff rooms. The alterations to O'Neil Building require renovations and partial demolition inside to allow for the integration of STEMP spaces within the new Ignis Building.

The Ignis Building includes a proposed loading dock located on the basement floor (**Figure 11**). This facility would accommodate two small rigid vehicles (SRV) simultaneously with one parking in the waiting bay while the other in the loading dock. A multi-purpose COLA and canteen are proposed on the ground floor (podium level) serviced by the loading area at the basement level.

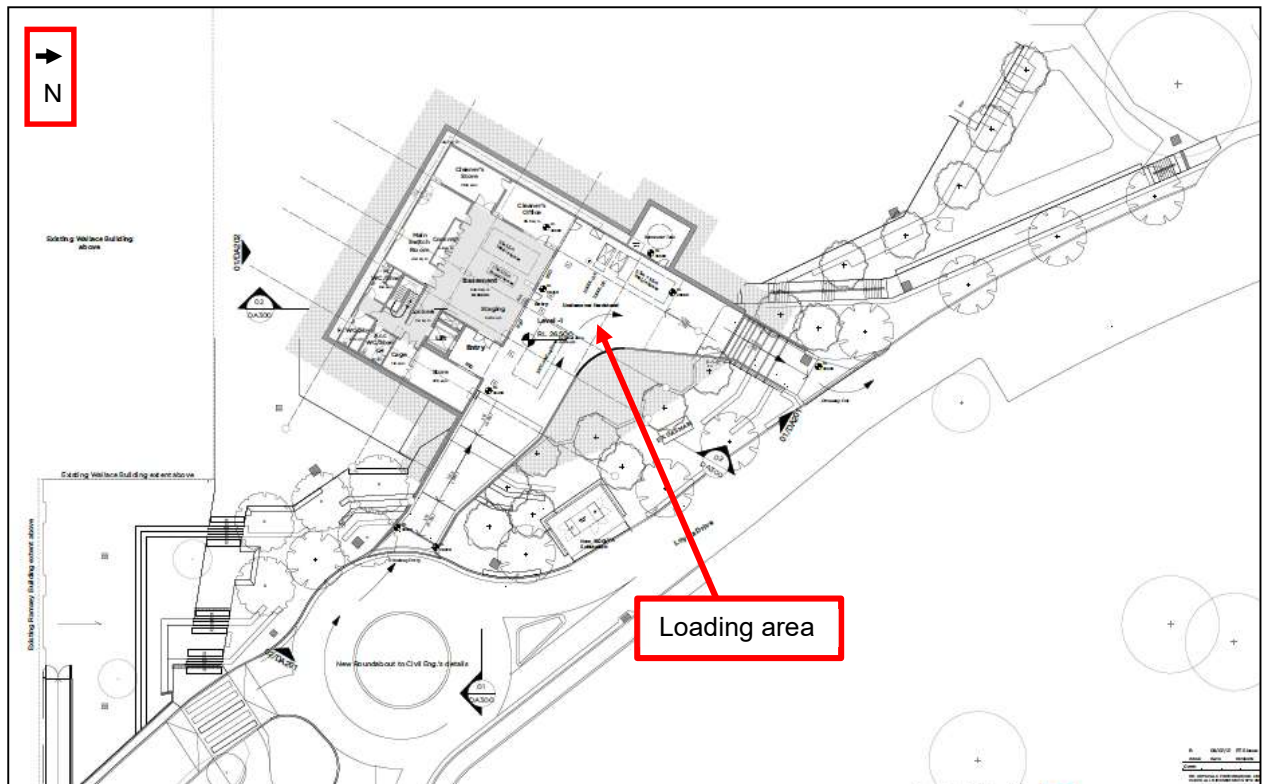


Figure 11 | Basement floor plan (Source: Applicant's RtS 2021)

An axonometric view of the new Ignis Building within the existing site is presented in **Figure 12**.

The façade of the new Ignis Building would be contemporary in design, while responding to the surrounding existing College buildings and context. The Applicant advises that the building materials have been selected to complement the existing materials and heritage fabric used across the site while clearly defining the new and old developments.

The building materials are identified in **Figure 13** and **Figure 14**.



Figure 12 | Axonometric view of the Stage 2 proposal within the existing site setting (Source: Applicant's RtS 2021)



Figure 13 | North-east and east facade (Source: Applicant's RtS 2021)



Figure 14 | South facade (Source: Applicant's RtS 2021)

2.1.2 Siting of the buildings and connections

The proposed new Ignis Building would integrate with the Therry Building (constructed in Stage 1) and the existing O'Neil Building to its west at the ground level via an open podium. On the upper levels, the buildings are proposed to be connected via circulation corridors providing access to the STEMP areas and the general learning areas.

To the west, the refurbished O'Neil Building would be internally connected with the existing Vaughan Building to its west and to the existing Wallace Building via an existing pedestrian link.

The Stage 2 application would retain the existing Wallace Building, thereby creating a promenade between this building and the new Ignis Building at the podium level.

Figure 15 show the ground floor plan of the new Ignis Building and its connection with the surrounding buildings at the podium level.

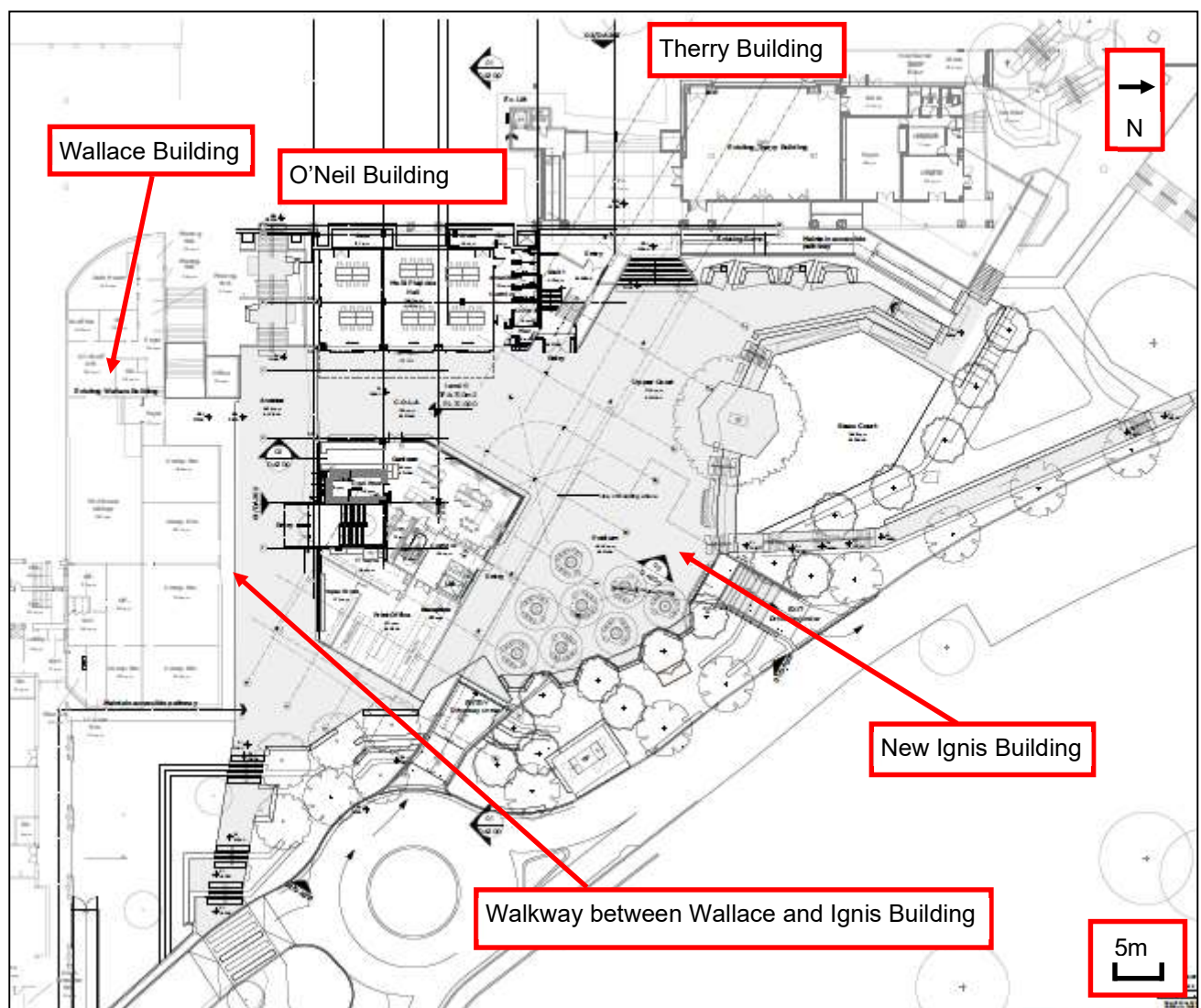


Figure 15 | Ground floor plan (podium level) (Source: Applicant's RtS 2021)

The upper level connections are shown in **Figure 16**.

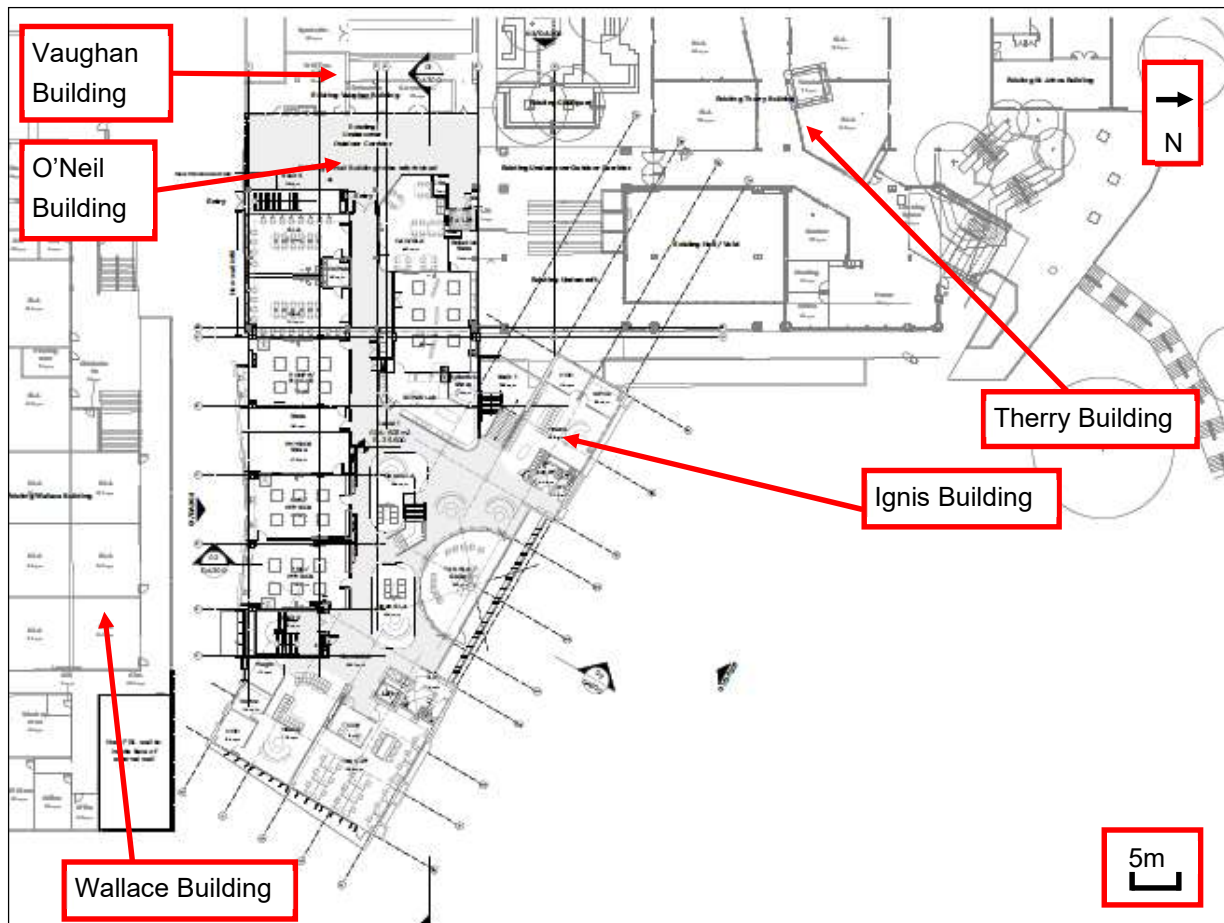


Figure 16 | First floor plan (Source: Applicant's RtS 2021)

2.1.3 Landscaping

The proposed landscaping upgrades completing the Ignis Building relate to the ground level podium. The landscaped areas are split up into four different categories: the study food and beverage grove (F&B), garden terrace, admin axis and northern lawn. These spaces include smart shelters, study spaces, open play areas, seating and sandstone planted terracing. A total of 32 trees are proposed to be planted in the landscaped area.

The new landscaped areas are shown schematically in **Figure 17**.

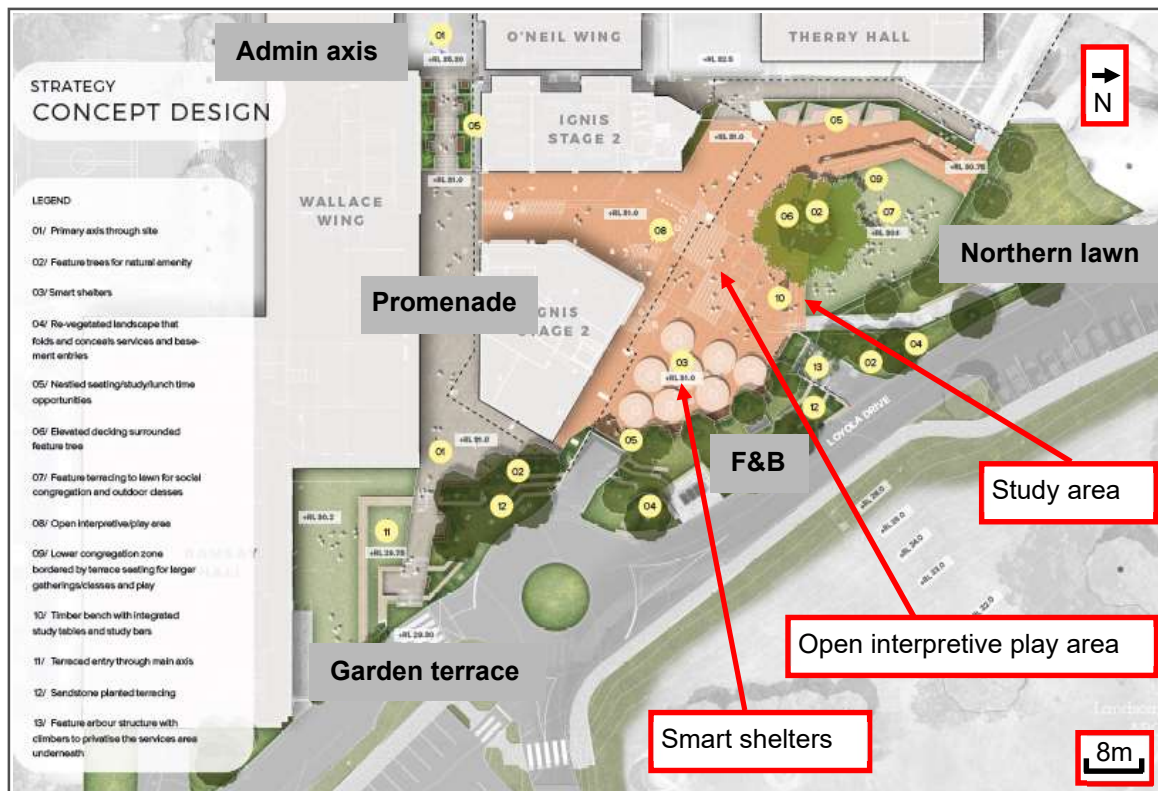


Figure 17 | Landscape Design (Source: Applicant's EIS 2020)

2.2 Uses and activities

The proposal is for a new Ignis Building within the Main Campus. No change to the overall use of the site, hours of operation of the College or staffing is proposed. The new Ignis Building would not be made available for community use.

The proposal would not result in any increase in student or staff population within the College site.

2.3 Timing

The Applicant has advised that the development will be constructed in a single stage. Works are anticipated to begin in July 2022, within a 17-month construction program to November 2023.

3 Strategic context

3.1 Project need and justification

The Applicant has identified the need for a staged redevelopment and upgrade of the school to enable it to meet contemporary and evolving learning and educational standards now and into the future. The Concept Proposal for the redevelopment is intended to provide a high-quality educational environment for staff and students over 20 years.

3.2 Strategic context

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

- it is consistent with The Greater Sydney Plan: A Metropolis of Three Cities, as it proposes improved school facilities within a central mixed-use walkable location.
- it is consistent with the State Infrastructure Strategy 2018 – 2038: Building the Momentum, as it proposes investment in the non-government school sector to provide modern learning environments for students and to continue to accommodate infrastructure and facilities sharing with communities.
- it is consistent with the NSW Future Transport Strategy 2056, as it supports the ongoing provision of a modern education facility in a highly accessible location.
- it is consistent with the vision outlined in the Greater Sydney Commission's Eastern City District Plan, as it would support the provision of services and social infrastructure to meet people's changing needs.
- it is consistent with Sydney's Cycling Future 2013, as it would promote bicycle use through the provision of end-of-trip facilities.
- the proposal has a CIV of approximately \$40 million and is predicted to generate 220 construction jobs.

4 Statutory Context

4.1 State significance

The proposal is SSD under section 4.36 of the Environmental Planning and Assessment Act 1979 (EP&A Act) as the development has a CIV in excess of \$20 million and is for the purpose of alterations or additions to an existing school under clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

In accordance with section 4.5 of the EP&A Act, the Minister is the consent authority. In accordance with the Minister for Planning and Public Space's delegation to determine SSD applications, signed on 26 April 2021, the Director, Social and Infrastructure Assessments may determine this application as:

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

4.2 Permissibility

The site is predominantly zoned as SP2 (Educational Establishment) under the LCLEP. The south east corner of the site is partly zoned E2 (Environmental Conservation) and RE1 (Public Recreation). The proposed development is located wholly within the SP2 zone and is permissible with development consent.

An educational establishment is permissible with development consent in the SP2 Infrastructure zone under clause 35 of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP).

Therefore, the Minister for Planning and Public Spaces or delegate may determine the carrying out of the development.

4.3 Other approvals

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

The Department has consulted with the relevant public authorities who have responsibility for integrated and other approvals, considered their advice in its assessment of the project, and included suitable conditions in the recommended conditions of consent.

4.4 Mandatory Matters for Consideration

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 project.

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

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 4**.

Table 4 | Response to the objects of section 1.3 of the EP&A Act

Aspect	Description
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 proposal promotes the social and economic welfare of the community by replacing ageing school infrastructure and providing purpose-built and modern learning spaces to accommodate the needs of future education.
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 measures to deliver ecologically sustainable development (ESD) as detailed in Section 4.4 .
c) to promote the orderly and economic use and development of land,	The development promotes the orderly and economic use of the land as it would replace ageing school infrastructure and provide additional fit-for-purpose education facilities on land that is zoned for educational uses. The merits of the proposal are considered in Section 6 .
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 would protect the environment and would not adversely impact on biodiversity values (See Section 4.5).
f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposal is considered to have an acceptable heritage impact and would not result in any impacts on Aboriginal cultural heritage.
g) to promote good design and amenity of the built environment,	The proposal promotes good design consistent with the design principles established by the Concept Proposal to improve the amenity of the built environment (See Section 6.1).
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 good construction and maintenance of buildings, subject to the implementation of recommended conditions.
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, consulted with Council and other public authorities and has considered their responses (Sections 5 and 6).
j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the proposal, which included notifying adjoining landowners, and displaying the proposal on the Department's website and during the exhibition period (See Section 5).

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 proposal includes the following ESD initiatives and sustainability measures to achieve a minimum 4-Star Green Star rating or equivalent, which can be achieved through the implementation of:

- natural ventilation where possible to minimise energy consumption from mechanical systems.
- building materials performance will include insulation.

- rainwater harvesting for landscaped areas.
- external shading.

The Department has considered the proposal in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process via a thorough and rigorous assessment of the environmental impacts of the development.

Overall, the proposal is consistent with ESD principles and the Department is satisfied the proposed sustainability initiatives will encourage ESD, in accordance with the objects of the EP&A Act.

Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the Environmental Planning and Assessment Regulation 2000 (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.

Planning Secretary's Environmental Assessment Requirements

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

Section 4.15(1) matters for consideration

The matters for consideration under section 4.15(1) of the EP&A Act that apply to SSD in accordance with section 4.40 of the EP&A Act are addressed in **Table 5**.

Table 5 | Section 4.15(1) Matters for Consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Complies. The Department's consideration of the relevant EPIs is provided in Appendix B .
(a)(ii) any proposed instrument	Complies. The Department's consideration of the relevant draft EPIs is provided in Appendix B .
(a)(iii) any development control plan	Under clause 11 of the SRD SEPP, development control plans (DCPs) do not apply to SSD. Notwithstanding, the objectives of the Lane Cove Development Control Plan (LCCDCP) are considered in Section 6 .
(a)(iiia) any planning agreement that has been entered into or any draft planning agreement that a developer has offered to enter into	Not applicable.

Section 4.15(1) Evaluation	Consideration
(a)(iv) the regulations	The application meets the relevant requirements of the EP&A Regulation including the procedures and requirements relating to DAs, public participation procedures for SSD and the preparation of an 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	The likely impacts of the development have been appropriately mitigated or conditioned as discussed in Section 6 .
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Section 3, 4 and 6 .
(d) any submissions	The Department considered submissions received during the exhibition period as discussed in Sections 5 and 6 .
(e) the public interest	The proposal is in the public interest as discussed in Section 6 .

4.5 Biodiversity Development Assessment Report

Under section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act), SSD applications are “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 request to the Department to waive the requirement to submit a BDAR and included an ecological assessment as part of its request. The assessment found that the proposed siting of the building would have no significant impacts on the surrounding biodiversity values, mainly due to absence of trees in this part of the Main Campus.

On 13 August 2020, the Energy, Environment and Science Group (EESG) of the Department determined that the proposed development would be not likely to have any significant impact on biodiversity values and that a BDAR is not required. The Department supported EESG’s decision and on 24 September 2020 and determined that the application is not required to be accompanied by a BDAR under section 7.9(2) of the BC Act.

Notwithstanding the above, the impacts of the development on tree removal and/or replacement is discussed in **Section 6.2.5**

5 Engagement

5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 10 December 2020 to 29 January 2021 (51 days) on the Department's website. The Department also notified adjoining landowners and relevant state and local government authorities in writing. The Department has considered the comments raised in the public authority and public submissions during the assessment (**Section 6**) and/or by way of recommended conditions in the instrument of consent at **Appendix D**.

5.2 Summary of submissions

During the EIS exhibition, the Department received a total of two submissions including comments from Lane Cove Council and one public submission objecting to the proposal. The Department also received six comments from public authorities.

A summary of the issues raised in the submissions and public authority comments are provided at **Section 5.3** and **5.4** and copies of the submissions/comments may be viewed at **Appendix A**.

5.3 Public authority comments

A summary of the issues raised in the comments from public authorities including Lane Cove Council is provided in **Table 6**. Copies of the submissions may be viewed at **Appendix A**.

Table 6 | Summary of public authority comments to EIS

Lane Cove Council (Council)

Council supported the proposal, and noted the following:

- the development would result in a new 21m building which exceeds the 9.5m height control in the LCLEP.
- the proposal would result in a total FSR of 0.183:1 which complies with the development standard in the LCLEP of 0.5:1.

Council recommended conditions with respect to the following:

- construction and occupation certificates.
- construction hours.
- appropriate signage for construction sites.
- Building Code of Australia.
- environmental health and engineering.

Transport for NSW (TfNSW)

TfNSW provided the following comments:

- an incorrect reference to travel routes were made in the Traffic and Access Assessment (TAA) report.
- motorcycle parking spaces, bicycle racks, secured lockers and end of trip facilities must be provided as part of this proposal in line with the LCDCP.
- travel demand measures were a SEARs requirement but has not been adequately addressed.
- the Green Travel Plan (GTP) should analyse and discuss the school catchment data and demonstrate how this has informed the GTP.
- GTP is a live document and should be prepared and implemented in consultation with TfNSW prior to the issue of the first Occupation Certificate.
- the GTP should include analysis of the 2021 travel survey data and school catchment data in conjunction with the previous 2015 student travel survey data.
- the construction truck routes should be outlined in the Construction Traffic and Management Plan.

Environment, Energy and Science Group (EESG)

EESG acknowledged a BDAR waiver request was approved and raised no issues with flood risk management.

Environment Protection Authority (EPA)

EPA advised that a protection license under the Protection of the Environment Operations Act 1997 is not required.

Sydney Water

Sydney Water commented that portable water and wastewater servicing infrastructure should be available to service the site.

Heritage Division of the Department of Premier and Cabinet (Heritage NSW)

Heritage NSW noted that:

- there are no State Heritage Register listed items onsite or in the vicinity.
- the site has low to nil potential for historical archaeological deposits.

Heritage NSW – Aboriginal Cultural Heritage (ACH)

ACH noted the Aboriginal Cultural Heritage Assessment Report (ACHAR) and commented that:

- there are six registered Aboriginal sites identified on the Aboriginal Heritage Information System located within the near vicinity of the site, but not within the site itself.
- the proposal would have no impacts to the Aboriginal cultural heritage values.
- management and mitigation measures provided in the ACHAR be incorporated into the EIS mitigation measures.

5.4 Public submission

One submission was received objecting to the development, specifically regarding the design of the new Ignis Building. The issues raised included the material selections, façade, proportion of the building, activation at ground level and winter solstice solar diagrams.

5.5 Response to submissions and post exhibition consultation

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 issues raised in the submissions and, government agency comments.

Additionally, the Department requested that the Applicant consult with the State Design Review Panel (SDRP) further and address the concerns raised by the SDRP in its previous meetings with the Applicant, with regard to the building design (pre EIS lodgement).

Following the EIS exhibition, the Applicant consulted with the SDRP. During this engagement, the SDRP raised a number of concerns regarding the design of the building, specifically in relation to its consistency with the 'Connection to Country' design theme. SDRP requested amendments to the façade of the new Ignis Building along with design of the landscaped areas.

The Applicant engaged with the Department and the Government Architect NSW (GANSW) following their consultation with the SDRP. As a result of further consultation, the GANSW requested the Applicant to provide a detailed and updated Design Report that would clearly iterate how the 'Connection to Country' design theme and the concept of 'rock shelter' have been incorporated into the overall design of the development.

On 20 July 2021, the Applicant provided a RtS, responding to the issues raised in the submissions and public authority comments, during the exhibition of the proposal. The RtS included:

- revised architectural plans and a design report responding to GANSW comments.
- a traffic statement including clarification regarding the comments from TfNSW.
- a visual impact statement (VIS) identifying the view impacts from nearby public vantage points.
- a response detailing consistency of the proposal with the Concept Proposal.

The RtS was made publicly available on the Department's website and was referred to the relevant public authorities. An additional four comments were received from the public authorities and one submission from Council. No community submissions were received after lodgement of the RtS.

The Department notes that no public authority or the Council raised any specific concern with regard to the RtS, except TfNSW. TfNSW reiterated that while there would be a limited new trip generation with this proposal, the GTP provides an opportunity to improve travel choices and is a requirement of the SEARs. TfNSW also commented that the GTP should:

- include more initiatives than proposed including targeting staff as well as students.
- be prepared in consultation with TfNSW prior to the issues of the first Occupation Certificate.
- include, promotion of active and sustainable transport modes, a Travel Access Guide, communication strategy, audit of current bike access, parking and end of trip facilities.
- be updated based upon anonymised student catchment data including the proportion of staff and students living in each postcode and 2021 travel survey data.

The Department consulted with GANSW, following the lodgement of the RtS. GANSW did not raise any further concerns in relation to the proposal.

5.6 Supplementary Response to Submissions

Following the submission of the RtS, the Department raised a number of additional concerns, especially in relation to the assessment of soil contamination, consistency of the Stage 2 application with the Concept Proposal and a request for clarification regarding the refurbishment of the O'Neil Building.

In response to the Department's request, the Applicant submitted a SRtS on 9 September 2021. The SRtS included:

- a table detailing the consistency of the project with the Concept Proposal.
- an updated preliminary site investigation.
- confirmation of no change to the College's operating hours.
- further detail regarding the new Ignis Building and refurbishment of the O'Neil Building.
- confirmation the new Ignis Building would not be available for community use.
- a draft construction program.
- confirmed the available amount of space on site for construction worker parking.

The SRtS was made available on the Department's website.

6 Assessment

6.1 Consistency with Concept Proposal

The approved Concept and Stage 1 application (the Concept Proposal) provides for a staged 30-year redevelopment of the Saint Ignatius' College Riverview Main Campus including demolition works, construction of new buildings and refurbishments of existing buildings, vehicular access, car parking, new outdoor spaces and associated landscaping. The approved Concept Proposal (SSD 7140) as modified, provides the masterplan, built form envelopes and the design parameters for the future development of the Main Campus (**Figure 9**).

The Stage 2 application proposes detailed design and operation of a part of the approved Concept Proposal. The 'new Wallace Building' previously identified as an envelope in the Concept Proposal, along with the refurbishment of the O'Neil Building, are the main components of Stage 2. It does not involve the demolition of the existing Wallace Building or the construction of the new Student Node-Link Building. The 'new Wallace Building' is now referred to as the 'new Ignis Building' in this application.

Figure 18 and **Figure 19** provide a comparison of the approved Concept Proposal (as modified and without the existing Wallace Building) and the proposed stage 2 works.

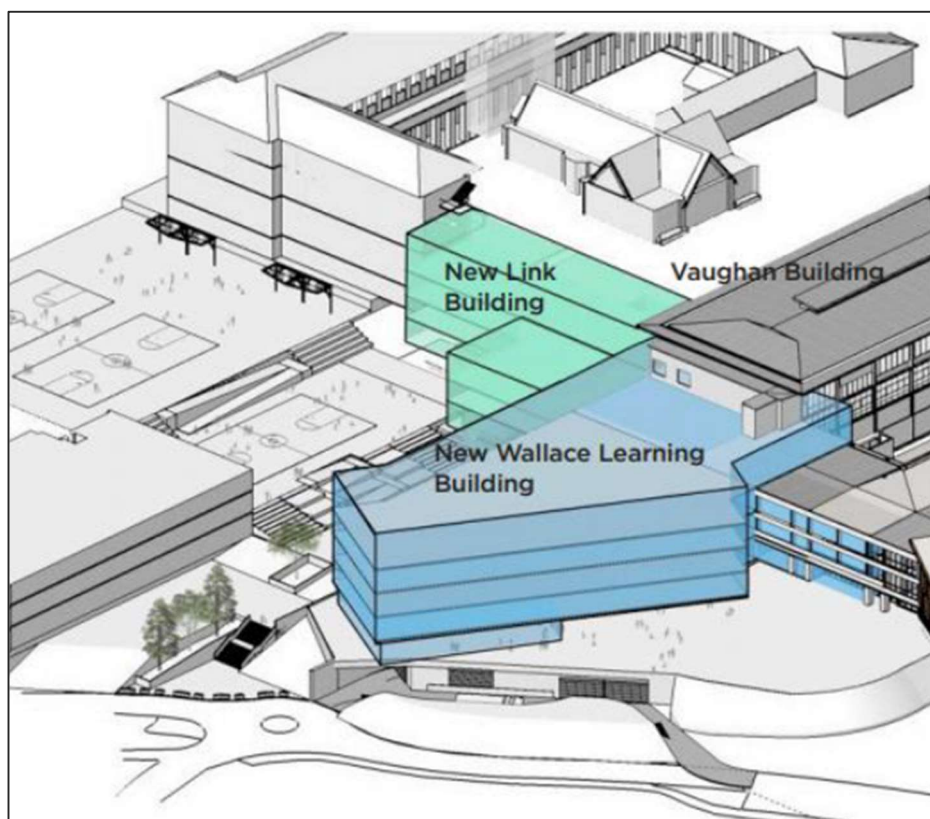


Figure 18 | Approved Concept Proposal (as modified in SSD 7140 Mod 3) (Source: Applicant's RtS 2021)

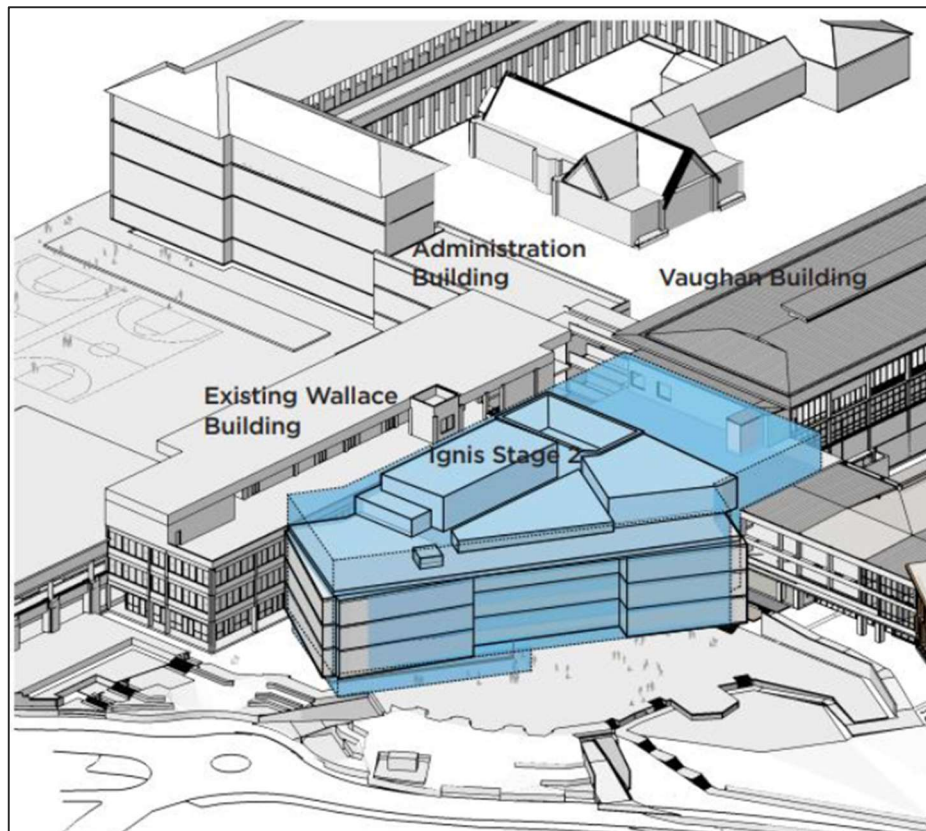


Figure 19 | Proposed Stage 2 layout (Source: Applicant's RtS 2021)

During the EIS exhibition, the Department noted inconsistencies between the Stage 2 application layout and the Concept Proposal (SSD 7140 Mod 3). The Department specifically raised concerns regarding the retention of the Wallace Building, which was otherwise approved for demolition as part of the Concept Proposal.

In response, the Applicant's RtS and SRtS provided details to clarify the consistency of the Stage 2 application with the overarching Concept Proposal. The Applicant advised that the Concept Proposal was modified (SSD 7140 Mod 3) to retain the existing Wallace Building as a shunt or decanting space to accommodate students while the construction of the new Ignis Building would occur. The Applicant proposes the existing Wallace Building to be demolished after the new Ignis Building is operational but as part of a future stage of the Concept Proposal. The RtS confirmed that the proposed new Ignis Building (along with the internal refurbishments to the O'Neil Building) is the only component of the current Stage 2 application.

Consistency with conditions of Concept Proposal

Future development applications that form part of the Concept Proposal are required to comply with several conditions of consent that were recommended in SSD 7140. The Applicant's RtS includes a table demonstrating compliance of the Stage 2 application with the established parameters of the Concept Proposal and its conditions.

The Department has also assessed the consistency of the Stage 2 application having regard to the parameters of the Concept Proposal and concludes that:

- the built form lies within the envelope as approved.

- the new Ignis Building has a maximum height of 52 RL and is five storeys (as approved).
- the ground level includes a covered outdoor learning area and canteen (as approved).
- a Heritage Impact Statement (HIS), TAA, Arboricultural Impact Statement, Landscape Report and Landscape Plan were prepared and are consistent with the Concept Proposal conditions.

However, in its assessment, the Department noted that the Concept Proposal included the following condition:

“B2. All future development applications for new built form shall include an assessment of potential site contamination in accordance with the requirements in *State Environmental Policy No.55 – Remediation of Land*.”

The Department further noted that the Preliminary Soil Investigation Report submitted with the Concept Proposal suggested that soil testing be undertaken to inform future detailed applications.

The EIS for the Stage 2 application, did not comply with the recommendations of the previous Soil Investigation Report (Concept Proposal) or the condition of consent for SSD-7140 in that it did not include a further site investigation report or results of additional test excavations. The EIS stated, that based on the previous investigations, the site is considered to not be contaminated.

Based on the above assessment, the Department requested the Applicant conduct additional test excavations to ascertain the soil contamination for the whole site. In response to the Department’s concerns, the Applicant submitted additional information with regard to soil contamination including some details of test excavations. This matter is discussed in detailed in **Section 6.3**.

On the basis of the information submitted by the Applicant and subject to recommended conditions to manage soil contamination, the Department is satisfied that the Stage 2 proposal is consistent with the Concept Proposal as modified.

6.2 Built form and urban design

6.2.1 Building height

The site is subject to a maximum height of limit of 9.5m under the LCLEP. The existing building heights across the Main Campus vary, with a maximum building height of 23.5m (see **Figure 20**). The new Ignis Building is a maximum height of 21m – 23.9m. However, the predominant visible height of the building, from the ground level, would be 21m.

The Applicant’s EIS acknowledges that the proposed building would sit below the maximum building height across the site and is centrally located so that the built form is not visible from outside the boundary of the existing College. The EIS notes the proposed building height has been designed in accordance with the envelopes approved under the Concept Proposal (as modified).

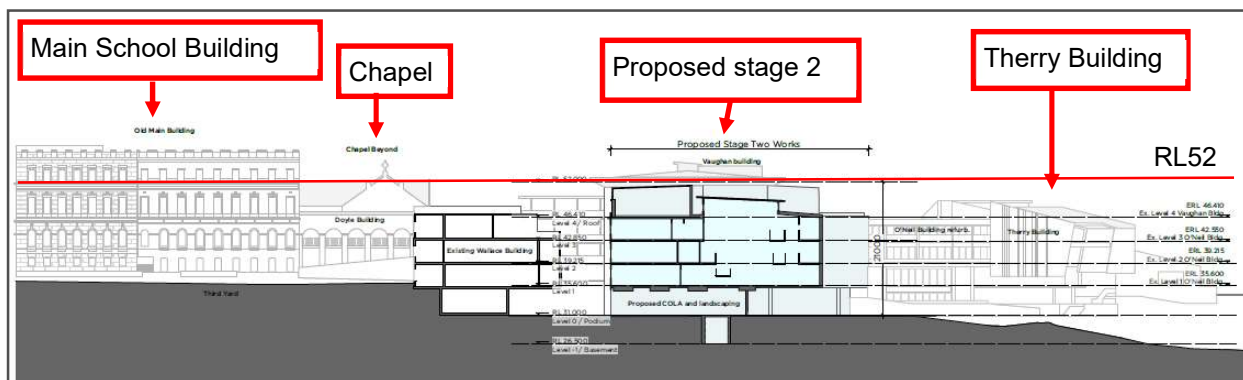


Figure 20 | Site section comparing the scale of Stage 2 and other existing buildings (Source: Applicant's RtS 2021)

The Applicant has not provided any detailed reasons to justify the exceedance of the building height beyond the maximum stipulated building height in the LCLEP.

Council reviewed the EIS, raised no concerns in relation to the proposed building height and provided the following comments that the proposed building is:

- consistent with the previously approved building envelope in the Concept.
- similar in height and scale of other buildings such as Doyle and Vaughan.
- in character with the envisioned built form of the College.
- centrally located within the Main Campus and would not be highly visible from the Lane Cove River or neighbouring sites.
- acceptable as it does not result in adverse privacy or overshadowing impacts on neighbouring properties.
- acceptable as it would not have any adverse impact on the heritage significance of the main quadrangle precinct.

Figure 21 and **Figure 22** provides sections through the new Ignis building and the existing buildings showing the building heights.

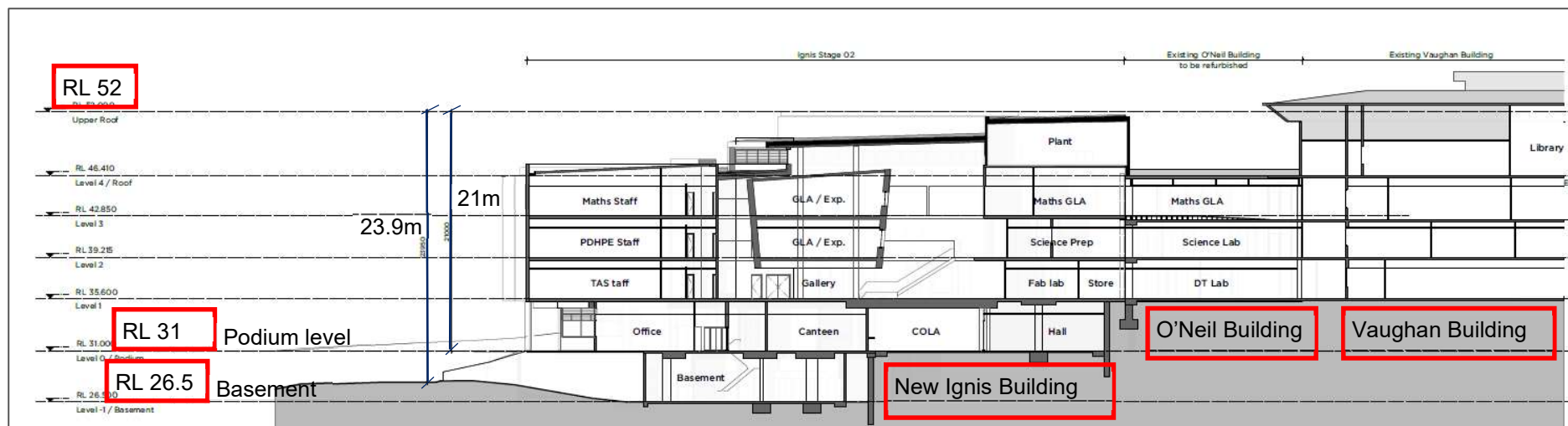


Figure 21 | Section through the Ignis building to the Vaughan building (Source: Applicant's RtS 2021)

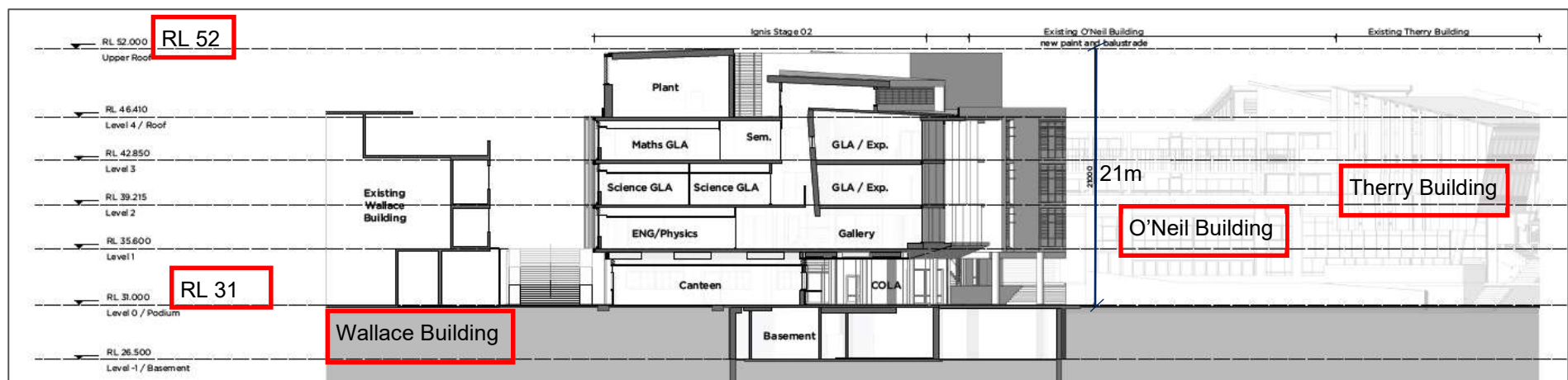


Figure 22 | Section through Wallace Building to the Therry Building (Source: Applicant's RtS 2021)

The SDRP and GANSW reviewed the EIS and supported the overall scale of the new Ignis Building in response to the context and established built form.

The Department notes that clause 42 of the Education SEPP states that *“Development consent may be granted for development for the purpose of a school that is State significant development even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted”*. Pursuant to clause 42, strict compliance with the LCLEP height control is not required in this instance.

The Department considers that the Applicant has designed the new Ignis Building to respect the height of the existing buildings within the site. The proposed building height is lower than the Main School Building, which is identified as an exceptional contributory item to the heritage significance of the College.

Strict compliance with the LCLEP height limit is not relevant for this site, which has been used as an educational establishment and already includes buildings exceeding the existing height control.

The overall spatial character of the site and the existing buildings would be retained while the proposed new Ignis Building would function to visually unify the existing built forms on the site. Further, given the height exceedance is consistent with the Concept Proposal and is located centrally well within the Main Campus, it would result in negligible visual impact on neighbouring properties or from the Lane Cove River.

Based on the comments from the public authorities and the above assessment, the Department is satisfied that the building height of the new Ignis Building is acceptable.

The proposed floor space ratio (FSR) for the site is 0.183:1 and the maximum FSR under the LCLEP is 0.5:1. The Department considers the proposed FSR to be acceptable.

6.2.2 Building design, materials and finishes

The new Ignis Building is proposed to be in the envelope location approved by the Concept Proposal.

The building design is a contemporary form with a variety of materials, as described in detail in **Section 2**. The Applicant's EIS was supported by a Design Analysis Report which indicated that the design of the new Ignis Building is based on 'rock shelters' used by the First Nations People as rest places, knowledge sharing and storytelling, and was developed in consultation with the SDRP. Consistent with this theme, the proposed design includes a recessed and open ground level with a floating building mass at the upper levels. The Applicant advised that the open ground level would provide opportunities to strengthen landscape connections through the site and create opportunities for gathering.

The report also indicated that the 'Connection to Country' is the theme of the development throughout and would be further developed through the landscape design in the future. The theme has informed the spatial building design through the idea of a central atrium around which the learning areas are grouped (**Figure 15**).

During the EIS exhibition, GANSW advised that the proposal does not satisfactorily respond to the concerns raised by the SDRP in relation to the building design, in its previous meetings with the Applicant. GANSW also raised concerns regarding the materiality and suggested using materials that reference muted tones to compliment the natural setting. One public submission raised issues

regarding the design including selection of materials and the façade. The submission raised concerns that the proposal lacked the timeliness qualities of the existing heritage buildings on site. The building design is bulky and there is a lack of rhythm in the façade. The design could take cues from other buildings within the College.

The Department reviewed the EIS and requested that the Applicant provide a detailed response to the matters raised by SDRP in its earlier meeting with the Applicant.

Following the EIS exhibition, the Applicant consulted with the SDRP. While the SDRP supported the integration of the main design theme in a few areas of the building design and landscaping, the following concerns were raised:

- the building should seek more opportunities to portray the Aboriginal knowledge (being the design theme) such as rock shelters and stories that connect the harbour with the campus.
- the sketch of the 'rock shelter' should be referenced in the floating building form.
- the key hierarchy of the building components should be visible in the building façade, being the ground plane, columns, soffit, floating built form, and facade treatments.
- a continuous soffit should be provided above the recessed ground floor to unify the overall building façade externally.
- conflicting elements such as circular columns support a building with a rectilinear language.
- the louvres to the façade of the atrium should be orientated for optimal shading and justify the departure from the horizontality.
- materials should reference the muted tones of the natural setting.

Additionally, the SDRP also recommended that the registered Aboriginal Parties be consulted with, in developing the built form integration with landscaping. Following this meeting, the Applicant actively engaged with GANSW and the Department and advised that the design already incorporated the above elements. The Applicant however agreed to amend their design analysis report to fully address the above SDRP concerns.

Consequently, the RtS included an amended Design Analysis Report which included the following clarifications in relation to the design considerations:

- the College is committed to continuing to support and enrich the voice of First Nations Peoples.
- the Cultural Mapping would provide opportunities for the College to create meaningful and inclusive spaces which extends beyond the Ignis Stage 2 project.
- a visual study of existing building materials provided important cues for the selection of materials for Ignis Stage 2. The final selection of facade materiality provides a contextual and cohesive response to the existing buildings.
- material selected for the building are complementary to the sites natural setting of parkland and water views.
- a continuous soffit cannot be provided for the new Ignis building, as it would impact on the functionality of the floor plans and accessible connections at each level.
- environmental design principles have been considered throughout the built form including sun shading etc.
- the ground level is recessed to celebrate the importance of ground scape and strengthen key connections on the site.

- the building receives cues from the Connection to Country by drawing upon the idea of a rock shelter which is translated into the building with a recessed base and floating mass on top.
- the building façade has been broken up into three distinctive components to reduce its perceived scale.
- the base of the building has been deeply recessed to reinforce the image of the building floating above the landscape.
- sun shading has been designed for the central atrium and east façade to ensure the appropriate level of shading versus solar penetration.
- a central gathering space which spans over multiple levels translates into a central atrium responding to changing user needs.

The translation of the rock shelter design into the built form is schematically provided in the amended Design Analysis Report and shown in **Figure 23**.

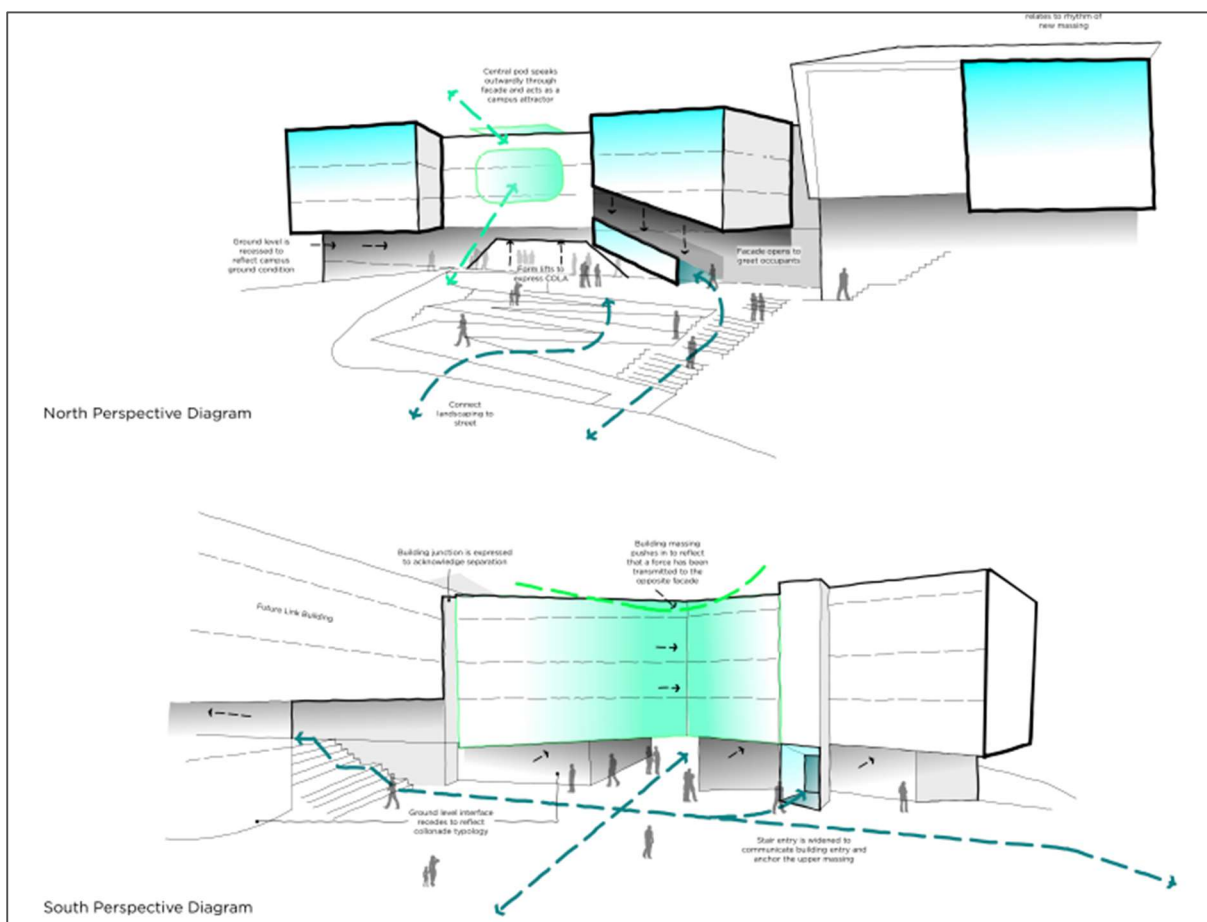


Figure 23 | Design concept for the rock shelter (Source: Applicant's RtS 2021)

Additionally, the Applicant's amended Design Analysis Report addresses the Education SEPP Design Quality Principles. This includes considering the compatibility with adjacent buildings and environmental solutions; creating an inclusive campus that provides contemporary learning spaces which are healthy, safe and comfortable; considering adaptability, contemporary design and a design to fit within the fabric of the campus.

The Applicant's RtS revised the materiality of the building in response to comments from the SDRP. The soffit edge colour at base level was amended to be consistent with the sloping soffit to the atrium

and enhance the appearance of the upper volume 'floating' above its base. The base brick colour was amended to mid-dark tone to again reinforce the appearance of the upper volume 'floating' above its base. The window and wall proportions at the base level were amended to provide consistency in treatment and achieve the appearance of a unified base element.

The revised colours and materials of the new Ignis Building are provided in **Figure 13** and **Figure 14**.

The Applicant responded to the public submission that subtle references to the existing heritage buildings have been included in the building design as a modern interpretation. Masonry was not appropriate for the upper part of the building so Equitone is proposed as a lightweight cladding option.

GANSW reviewed the RtS and were satisfied that the amended Design Analysis Report addresses all the SDRP concerns.

The Department has reviewed the proposed building design. The Department considers that the building materials chosen were based on a visual study of the existing building materials within the College, which include a palette of warm and earthy tones, complimenting the natural setting of the parkland and river.

The Department is satisfied with the proposed building materials, which incorporate a high standard of architectural design responding to the site's natural setting and College's palette. The new Ignis Building, while being contemporary and representing its functional form, also respects and blends well with the design of the surrounding buildings. The building is proposed to be located so as not to interfere with the significant heritage listed buildings on the site.

The overall development form, as identified in **Figure 23** does represent a rock shelter and connects well with the landscape areas on the podium, as iterated in the amended Design Analysis Report. Based on the comments from GANSW, the Department is satisfied that the building elements provide visual interest and make a positive contribution to the College.

6.2.3 Overshadowing

The design for the new Ignis Building demonstrates that the overshadowing impact is limited to within the site. The Department is satisfied that the development would not restrict solar access to any neighbouring residences during the winter solstice or to other parts of the Main Campus, within which the site is located.

The shadow diagrams submitted with the Applicant's EIS indicate the promenade between the new Ignis Building and existing Wallace Building (identified in **Figure 17**) would experience shadowing during winter solstice (between 9am to 3pm). During the EIS exhibition, the Department raised concerns with the overshadowing of the proposed building on the existing Wallace Building and the promenade in between, as well as the associated impacts on the amenity for students. One public submission raised concerns with the winter solstice diagrams and overshadowing of student spaces. The public submission raised concerns that the external podium student spaces would be in shade during lunchtime during the winter solstice.

The Applicant's RtS indicated that the existing Wallace Building's north façade is shaded by the building's colonnade for most of the day presently. Therefore, the additional overshadowing due to the new Ignis Building is negligible. A comparison of the existing and the proposed shadow impacts of the new Ignis Building are provided in **Figure 24**. The RtS also acknowledged that any building in that siting would need to recognise that the south elevations and spaces would be in shade all day.

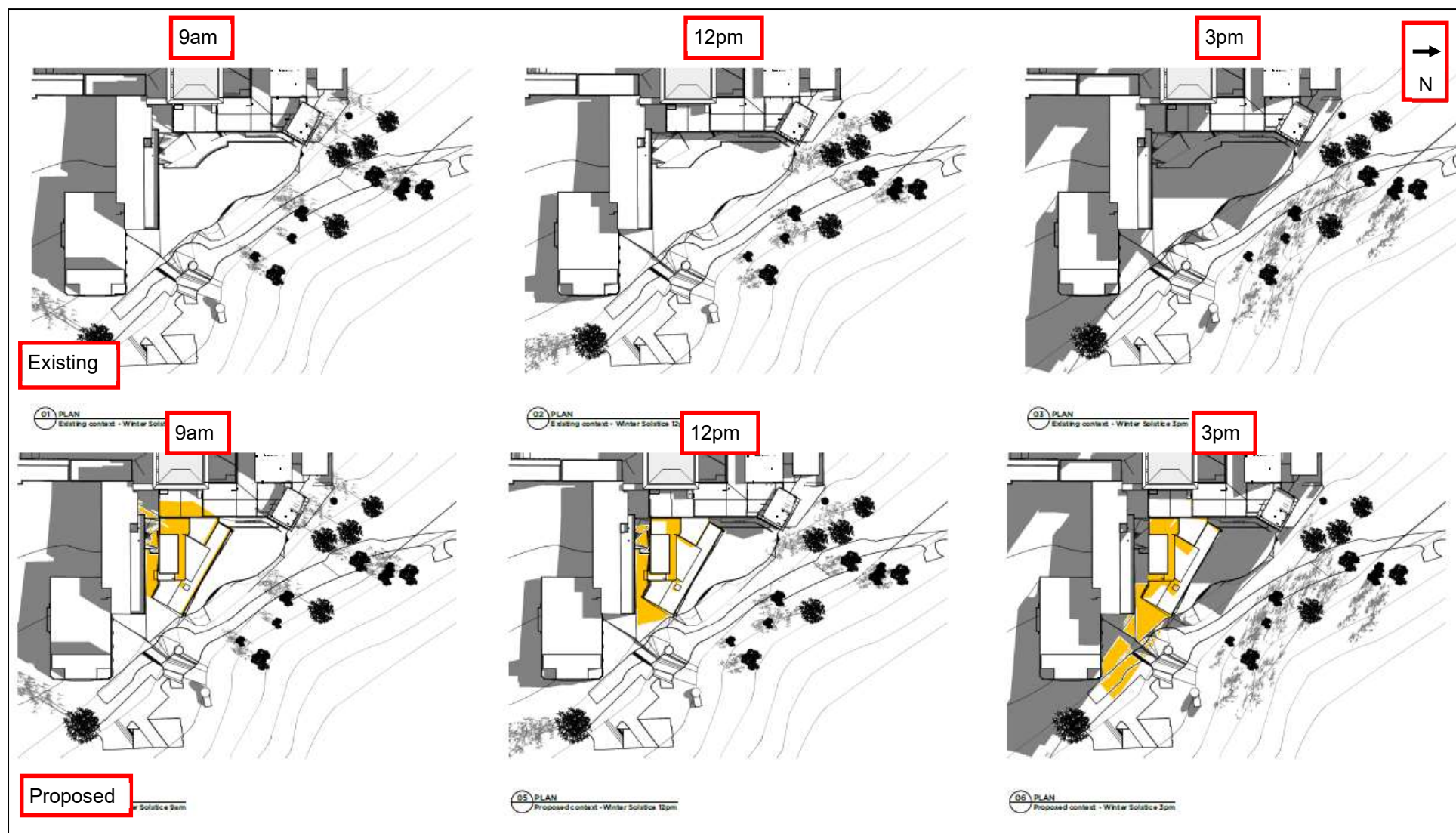


Figure 24 | Additional overshadowing due to the new Ignis Building (shown in yellow) during winter solstice (21 June) (Source: Applicant's RtS 2021)

The Department has reviewed the existing and the proposed shadows and does not agree with the Applicant that the new Ignis Building would not have any additional overshadowing impact on the existing Wallace Building. The shadow diagrams clearly indicate that the north facing general learning areas of the existing Wallace Building would be overshadowed due to the new Ignis Building.

However, the Department acknowledges that the location of the new Ignis Building along with the temporary retention of the existing Wallace Building were approved by the Department through SSD 7140 Mod 3. Therefore, the Stage 2 application does not result in a development or associated impacts which have not been previously anticipated under the Concept proposal assessment.

Notwithstanding the overshadowing impacts on the existing Wallace Building, the Department anticipates this to be a temporary impact only, as the existing Wallace Building would be demolished in a future stage of the development (once the new Ignis Building is operational). Once demolished, the southern side of the Ignis Building would be an open space with a reasonable level of solar access to the promenade as well as the southern façade of the Ignis Building.

The Department also notes that the promenade between the two buildings would be subject to a more open environment following removal of the existing Wallace Building. However, the Department notes that, even when this occurs the overshadowing impact of the new Ignis Building on the promenade area would not be completely alleviated. Notwithstanding, the Department considers that the shading of the promenade is acceptable to some extent, as it has been designed as a transient activated space rather than a space to gather for long periods.

Based on the above, the Department considers that the overshadowing impacts due to the new Ignis Building is acceptable.

6.2.4 Visual impact

The site and surrounding area currently access views to the Lane Cove River and towards Sydney Harbour. During the EIS review, the Department requested a visual impact assessment be conducted to identify potential visual impacts of the development on the surrounding built environment, as well as any view loss from identified vantage points and/or private properties, in line with the SEARs requirements.

In response, the Applicant provided a VIS as part of the RtS. The VIS selected viewpoints in nearby public receivers and significant vantage points in the broader public domain.

The Applicant's assessment concludes the proposal has been integrated into the existing built form environment of the College and is located centrally within the College. Therefore, the visual impacts of the proposal on any surrounding public vantage point would be none, negligible or low. The new Ignis Building would also not result in the loss of any significant views of the river, distort or sky views, when viewed from the public viewing points. No private views would be impacted by the development. Therefore, this assessment was not conducted.

Figure 25 and **Figure 26** show the views of the development for two of the chosen vantage points.



Figure 25 | Viewpoint from the sidewalk of Fig Tree Bridge (Source: Applicant's RtS 2021)



Figure 26 | Viewpoint from Warilla Place and Riverview Street (Source: Applicant's RtS 2021)

The Department has considered the view impacts. Given the development would not result in any significant view loss from the public domain or private residences surrounding the site, the Department agrees with the Applicant's conclusion, The Department also considers material and colour selection has been chosen to blend in with the surrounding environment to reduce the visual impact.

6.2.5 Landscaping

The site currently contains two multi-purpose sports courts and grassed areas. The proposal includes the removal of four trees to facilitate the proposed development. The proposed landscaping works comprise a range of soft and hard landscaping works, including hard surfaced outdoor court area and replacement planting of approximately 32 trees as well as shrubs and groundcovers across the project footprint as identified in **Figure 13**.

The proposed landscaped areas have been split into four different areas (see **Figure 27**): admin axis, study food and beverage groves, garden terrace and northern lawn. Additionally, the Applicant proposes a range of endemic feature planting along Loyola Drive.



Figure 27 I (Source: Applicant's EIS 2021)

An Initial Direction Indigenous Landscape Strategy (IDILS) was also prepared as part of the EIS. The IDILS explores the Indigenous narrative to celebrate and reveal the story of place, create a rich and memorable learning experience that shares the landscape narrative and celebrates First Nations Culture. This strategy at the time of the EIS was at community contact stage and had not completed consultation.

During the Applicant's consultation with SDRP prior to the lodgement of the EIS, concerns were raised regarding the lack of connection between the buildings and the landscaped areas, as well as lack of representation of 'Connection with Country', being the design theme. The Department concurred with SDRP and requested the Applicant to address these concerns as part of the RtS.

At its meeting following the EIS exhibition, the SDRP further raised concerns regarding landscape design, including Connection with Country and consultation with the Cammeraygal people. The SDRP requested that the Applicant explore opportunities for enhancing the landscaped areas, especially the garden areas, to be enriched by Aboriginal knowledge specifically in terms of usability, amenity and plant species selection. The SDRP also suggested that garden beds should have access to natural rainwater and the existing Figtree (a significant tree proposed to be retained as part of the proposal) should have suitable ground coverage around it to ensure its long term longevity. GANSW requested that the Applicant clearly distinguish play areas, so that they do not conflict with student movements and includes infrastructure such as plug-in points in the outdoor study nooks.

In response and following further consultation between the Department, and GANSW, the Applicant's RtS included an amended Design Analysis Report. The report included reference to the IDILS, justification of the play areas, identification of the routes for student movements, being separated from the play areas, the ground coverage around the Figtree, inclusivity of spaces as multi-purpose play areas and access to technology. GANSW reviewed the amended Design Analysis Report and supported in principle the landscape design. However, GANSW recommended that the Connecting with Country theme and ongoing consultation with the Aboriginal Parties be undertaken as part of the detailed design development.

The Department agrees that the Applicant's RtS has satisfactorily addressed the concerns raised by the SDRP regarding the landscaping associated with the new Ignis building. However, the Department also concurs with GANSW's comments regarding the proposed landscape plan. The Department notes, that while the Applicant has considered the 'Connection to Country' theme in the landscape design conceptually, further detailed development of this design is required in consultation with the Cammeraygal people prior to implementation.

Consequently, the Department has recommended conditions requiring preparation of an amended Landscape Plan including:

- evidence of consultation with the Cammeraygal people in development of the landscape plan.
- additional planting with proposed courtyards and garden beds where possible.
- suitable ground coverage under the Figtree.
- opportunities for multi-use outdoor play areas.
- replacement planting of 32 trees.
- inclusion of any additional infrastructure where relevant.

The Department has also recommended conditions for tree protection during construction works.

6.2.6 Interface of existing Wallace Building and the new Ignis Building

The promenade is the interface between the existing Wallace Building and the new Ignis building. During the EIS review, the Department raised concerns that the narrow passageway between the buildings was not an ideal area for landscaping or for student gathering.

In response, the Applicant indicated that the interface of the two buildings has been designed with landscape features to ensure that the students and staff do not dwell in the promenade for long periods. It has been designed as a transient space.

While the Department does not consider the promenade to be an ideal landscaped area, it anticipates that the interface between the buildings would exist once the Wallace Building is demolished. It would then be an open space landscape area which would likely be more useable by the students. Noting the temporary nature of this space, the Department agrees to its landscaped features.

6.2.7 Refurbishment of the O'Neil Building

The O'Neil Building is being refurbished to allow integration to the new Ignis Building. The work proposed within the O'Neil Building are all internal with no amendments proposed to the external appearance of this building. The Department considers that the refurbishment allows connection of the existing fabric and links between O'Neil Building and the new Ignis Building.

6.2.8 Heritage

The site is identified as an item of local heritage significance in the LCLEP. A HIS was submitted with the EIS to assess potential heritage impacts of the proposal on built heritage items within the College grounds and in the vicinity of the College.

The Applicant's EIS advised that A *Riverview St Ignatius' College Heritage Precinct, Main Quadrangle Tambourine Bay Road, Riverview NSW 2066 Conservation Management Strategy September 2004* has been previously prepared for the College. This strategic document detailed that the cultural heritage significance of the College is located in the Historic Quadrangle Precinct and comprises the Main Block, Doyle Wing, Entry Archway and Western Wing, Dalton Memorial Chapel and St Michael's House.

The HIS notes that the new Ignis Building is not located within the heritage curtilage of any significant building on the site. Noting the conclusions of the above document, the HIS concluded that proposal would not have any heritage impact on the cultural significance of the Main Quadrangle Precinct of College or the Main Campus, due to its location.

The Department supports the findings and conclusions of the HIS. The Department considers that, given the location of the new Ignis Building, its impacts would be neutral, in relation to the significant heritage buildings on the site. The Department considers the HIS findings to be acceptable and the development's heritage impacts to be acceptable.

6.3 Other issues

The Department's consideration of other issues is provided at **Table 7**.

Table 7 | Department's assessment of other issues

Issue	Findings	Recommendations
Contamination	<ul style="list-style-type: none"> A preliminary site investigation was conducted for Concept Proposal which indicated the site is historically free of contamination. However, the conditions for the Concept Proposal required all future applications to include an assessment of potential site contamination to demonstrate compliance with the provisions of State Environmental Planning Policy 55 (SEPP 55). The condition of consent (mentioned in Section 6.1) also required that the future soil contamination assessment includes soil testing as needed. In its assessment, the Department noted that an assessment of potential site contamination was not undertaken as part of the Stage 2 application Consequently, the Department requested the Applicant to provide additional details regarding soil contamination of the site and demonstrate compliance with the Concept Proposal condition as well as SEPP 55. In response, the Applicant's SRtS included an updated Preliminary Site Investigation (PSI) that included borehole testing conducted in the south-eastern part of the site only. The PSI indicated that the soil testing revealed no specific soil contaminants that exceeded any relevant criteria of assessment. The PSI concluded that no further site investigation is required and that the site is suitable for the development. The Department reviewed the PSI and requested the Applicant to clarify the reasons for which the soil testing was only restricted to the eastern part of the site. In response, the Applicant advised that the soil testing has been undertaken based on the soil conditions identified in the geotechnical report and in the location of the basement only as it would lead to ground disturbance. 	<ul style="list-style-type: none"> The Department has reviewed the Applicant's information and considers that: <ul style="list-style-type: none"> while the ground disturbance would mainly occur on the eastern side due to the basement excavation, soil testing is required to be conducted on the entire site to ensure a comprehensive assessment against the guidelines of SEPP 55. in the absence of soil testing throughout the site, it cannot be ensured that the entire site is suitable for the development and that the Stage 2 application is consistent with the Concept Proposal conditions in its entirety. Due to the above uncertainties, the Department has recommended the following conditions: <ul style="list-style-type: none"> a detailed site investigation be undertaken including soil testing throughout the site. the PSI be updated including the results of the tests and should any contaminants be identified at unacceptable levels; a remedial action plan be prepared. a site auditor be engaged by the Applicant. an unexpected finds protocol be developed and implemented. in case remediation works are needed, the site auditor must confirm (via a site audit statement) the suitability of the site at the completion of those works. The Department considers that subject to the implementation of the above conditions of consent, the application is assessed as satisfactory against the provisions of SEPP 55. Given the proposal does not propose any change of use, section 7 of SEPP 55 does not require further consideration.

Operational traffic, service vehicles and car parking

- The proposal does not involve any increase in student numbers. Consequently, it would result in no changes to the existing traffic generation due to the development, on-site car parking and existing on-street pick-up and drop-off.
- The Applicant submitted a TAA with the EIS. The TAA concludes the proposal does not result in an increase in student population. Thus, there would be no change to traffic conditions or transport demands. The surrounding roads are currently operating at a satisfactory level of service and would continue to do so post development.
- The TAA notes the existing parking capacity on the Main Campus caters for more than the existing peak and future demands with an overflow grassed area with capacity for some 800 vehicles.
- The TAA notes the proposed loading dock facility at the basement as well as the entry/exit driveways would comply with the requirements of the Australian Standard for Commercial Parking Facilities – AS2890.2 – 2018 for a SRV, which is proposed to access this facility.
- TfNSW did not raise any concerns regarding the maneuverability of the SRV. However, TfNSW indicated that the motorcycle parking spaces, bicycle racks, secured lockers and end of trip facilities should be in line with the LCDCP.
- In response to the TfNSW comments the Applicant indicated that the bicycle spaces are not required as part of this application as there is no increase to student or staff population. However, the Applicant proposes three shower and change facilities in the basement of the Ignis Building to complement the existing 79+ bicycle racks within the College.
- TfNSW made no further comment in relation to the motorcycle parking spaces, bicycle racks,
- The Department has reviewed the TAA and is satisfied that there would be no additional traffic or parking demands as a result of the project.
- The Department considers there is no increase in student or staff numbers and the traffic conditions would continue to operate at a satisfactory level of service.
- The Department notes the existing bicycle provisions within the College.
- Given that the proposed development does not result in any increase in student numbers and/or intensification of the development, the Department considers it to be unreasonable to require additional bicycle parking or motorcycle parking as part of the Stage 2 application.
- As such, the Concept Proposal did not require provision of car/bicycle/motorcycle parking as part of the detailed staging works. In this regard, the Stage 2 application is not inconsistent with the Concept Proposal requirements.

secured lockers and end of trip facilities.

Construction traffic impacts

- A Construction Traffic & Pedestrian Management Plan (CTPMP) was submitted as part of the EIS including details of construction traffic.
- The proposal is expected to generate a maximum of 18 truck movements per day. Trucks are proposed to access the site via Tambourine Bay Road and the arterial road network. Internally truck movements would occur along Loyola Drive. The CTPMP indicates that there would be no adverse impacts to the operation of the road network including during the busy construction periods.
- The proposal includes provision of 15,000 sqm, a designated area within the College, specifically to accommodate 220 construction workers, expected to work on the project.
- TfNSW advised that construction truck routes should be outlined in the CTPMP.
- The Department requested information on the access of trucks during construction and the turning circle to ensure that vehicles can appropriately manoeuvre on site.
- Council raised no specific concerns regarding the construction traffic impacts due to the development.
- The Applicant's RtS included a turning path assessment which confirmed a dog/trailer truck arrangement with a total length of 18.804m can manoeuvre appropriately within the site.
- The Department has assessed the CTPMP and based on the comments from the public authorities, concludes that the construction traffic would not have a significant adverse impact on public roads.
- The Department is also satisfied that the turning circle for the construction trucks to manoeuvre on site is appropriate.
- The Department has recommended a condition requiring the preparation of a final CTPMP incorporating the TfNSW comments and implementation of this plan during the construction works.
- The CTPMP is required to include information to ensure how construction traffic within the site would be managed without adversely impacting on the daily operations of the College.

Green travel plan and sustainable transport

- A preliminary GTP was submitted as part of the EIS.
 - The GTP used 2015 travel survey data for students and 2016 data for staff to inform sustainable transport measures.
 - TfNSW requested that the GTP include discussion of school catchment data, 2021 travel survey data in conjunction with
 - The Department notes the Applicant's response and reasons for not preparing a GTP with 2021 travel survey data as part of the Stage 2 application.
 - However, the Department considers that the preparation and implementation of the GTP would result in significant benefit
-

	<p>previous 2015 student travel survey data.</p> <ul style="list-style-type: none"> • TfNSW also recommended the GTP should be prepared and implemented in consultation with TfNSW prior to the issue of the first Occupation Certificate. • The Applicant's RtS advised that the Covid-19 pandemic has altered travel patterns. The Applicant notes that 2015 school survey data is appropriate, and a baseline snapshot survey can be undertaken in 2022 or 2023 feeding into the potential amendment of the GTP at a later date. • TfNSW reiterated following the RtS that an updated GTP is prepared and implemented. 	<p>for the school community in the future.</p> <ul style="list-style-type: none"> • Consequently, the Department has recommended a condition requiring the GTP be prepared and implemented in consultation with TfNSW prior to the commencement of operation. • The Department has also recommended the GTP include 2021 travel survey data.
Aboriginal cultural heritage	<ul style="list-style-type: none"> • An ACHAR was submitted as part of the EIS, which concludes the proposal would not impact on significant Aboriginal archaeological relics of the registered Aboriginal sites within the Main Campus. • The ACHAR recommendations include the registered Aboriginal sites are protected and an induction for all construction staff in regard to Aboriginal heritage protection. • During the EIS exhibition, ACH acknowledged there are six registered Aboriginal sites located within the Main Campus. However, these sites are not located within the area of proposed works and would not be impacted. • ACH recommended the management and mitigation measures provided in the ACHAR be incorporated into the mitigation measures of the EIS. • The Applicant's RtS acknowledged ACH comments and advised they would be reflected in the management and mitigation measures. • ACH raised no further comments following the RtS. 	<ul style="list-style-type: none"> • The Department acknowledges the registered Aboriginal sites are not within the proposed area of works and would not be impacted on by the development. • Based on comments from ACH, the Department recommended the following conditions: <ul style="list-style-type: none"> ○ induction of all construction staff in respect to Aboriginal heritage protection. ○ implementation of unexpected finds protocol. ○ protection of registered Aboriginal sites within the College during construction works.

Flooding and stormwater management

- A Civil Engineering Report (CER) was submitted as part of the EIS which includes a stormwater assessment.
- The CER notes that:
 - the Main Campus includes an extensive stormwater system currently servicing the site. The surface water drains into an existing 375mm diameter pipe running along the western edge of Loyola Drive.
 - the existing runoff passes through an existing gross pollutant trap and a 600mm diameter pipe, running downstream and discharging freely into Tambourine Bay via a 1200mm diameter pipe.
 - roof and surface drainage from Wallace, Vaughan and Therry buildings are collected via pits and pies and conveyed downstream to Tambourine Bay via a steep 375mm diameter pipe.
 - roof water from the new development would be collected in roof gutters and downpipes and conveyed via a separate pipe system into the 10kL rainwater tank located in the basement for re-use.
 - surface stormwater runoff would be collected through site grading, overland flow paths / inlet pits and conveyed by in-ground pipe system into the trunk main discharging to Tambourine Bay
- The existing stormwater piping from Wallace, Vaughan and Therry buildings would need to be diverted and reconstructed to allow the establishment of the basement level of the new Ignis Building. An additional gross pollutant trap is proposed to be installed downstream to manage the stormwater quality.
- To reduce the risk of flooding to the basement, a surcharge pit with a top of grate level would be provided adjacent to Loyola Drive.
- The CER also indicated that an on-site detention system was not required for this development.
- The Department considers the flooding and stormwater management assessment to be adequate.
- The Department recommends a condition requiring the preparation, construction and implementation of the stormwater management system, consistent with the submitted civil works plans.

- The CER acknowledges there is no risk of flooding due to the high elevation of the proposed site.
- EESG raised no issues with the proposed food risk management.
- Council raised no specific concern regarding stormwater management works.

Noise impacts

- An Acoustic Report (AR) was submitted with the EIS which examined the acoustic and vibration impacts of the proposal. The AR did not detail the noise predicted to be generated by the construction equipment. However, it established project noise trigger levels (PNTLs) based upon noise monitoring to record the ambient noise levels.

Construction noise

- The EIS details construction noise mitigation and management measures which would be implemented by the Construction Contractor.
- The Applicant advised that a Construction Noise and Vibration Management Plan would be implemented to ensure construction noise is minimised and managed appropriately.
- Council did not raise any concerns regarding construction noise.

Operational noise

- The AR acknowledges that the operational noise impacts would be generated by mechanical services and the public address system.
- The AR recommends architectural treatment to address the noise attenuation of rooftop material plant and coordination design of the public address system.
- The AR notes that the nature of the building would not generate disruption noise to the nearest residential receivers.

- The Department has reviewed the AR and recommended conditions requiring:
 - the preparation and implementation of a Construction Noise and Vibration Management Plan to ensure that the construction noise limits are within the PNTLs established by the Applicant's AR and appropriate mitigation measures are included in case the PNTLs are exceeded.
 - measures to ensure that the construction noise does not adversely impact on the regular operation of the College.
- The Department has recommended detailed design to incorporate architectural treatments for the rooftop material plant and the public address system.
- The Department recommends operational noise limits do not exceed those in the AR.

Geotechnical

- A Geotechnical report was submitted with the EIS.
- The borehole testing in the report indicated there were fill depths of 0.4m to 3.9m. Below this is residual clay and then sandstone bedrock.
- The report indicates ground water level is located at a depth of 5.7m.

- The Department has reviewed the Geotechnical report satisfied that the site is suitable for the proposed development, subject to adherence to the recommendations of the report.
- Conditions to this effect are recommended.

	<ul style="list-style-type: none"> The report recommends the new building can be founded on the existing bedrock through either pad footings or piles depending on the structural load requirements. 	
Services and utilities	<ul style="list-style-type: none"> An infrastructure management plan was submitted as part of the EIS. It concluded that the site can be sufficiently serviced by power, telecommunications, water, sewer gas and stormwater services. However, the electrical infrastructure requires upgraded capacity to service the new Ignis Building. The Applicant has applied for approval of a new substation and redirection of the existing 11kV feeder cables from beneath the proposed building footprint with Ausgrid the relevant service authority. The SRTS notes that the Applicant has obtained in-principle endorsement from Ausgrid. However, formal lodgement will occur following approval of the project. Sydney Water noted that portable water and wastewater servicing would be able to service the College. 	<ul style="list-style-type: none"> The Department is satisfied that the development can be suitably serviced in the future. The Department has recommended conditions requiring approvals to be obtained from the relevant service authority prior to the commencement of the relevant infrastructure works.
Waste management	<p><i>Construction waste management</i></p> <ul style="list-style-type: none"> A Demolition and Construction Waste Management Plan (DCWMP) was submitted with the EIS. The DCWMP details ways to carefully remove waste and transport from site to an approved waste facility. <p><i>Operational waste management</i></p> <ul style="list-style-type: none"> The Applicant's EIS includes an Operational Waste Management Plan (OWMP). The OWMP indicates that no additional waste would be generated from this development as the proposed new canteen within the Ignis building would replace the existing canteen within the Administration building. However, no details of the waste storage areas within the Ignis building have been provided. 	<ul style="list-style-type: none"> The Department recommended conditions to ensure compliance with the DCWMP. The Department acknowledges that the proposal would result in the replacement of an existing canteen and therefore no additional waste is anticipated to be generated within the Main Campus due to the food and beverage areas within the site. However, the Applicant has not provided sufficient details to demonstrate that waste can be satisfactorily stored within the site and collected from the designated location. Consequently, the Department recommends that: <ul style="list-style-type: none"> the OWMP be updated to provide details of the bin storage areas within the building, designed in

	<ul style="list-style-type: none"> • The OWMP indicates that the waste from the Ignis building would be taken to the central waste storage area within the site and collected from that point. • Council raised no concerns with regard to the operational or construction waste management for the site. 	<p>accordance with Council's standards.</p> <ul style="list-style-type: none"> ○ details of the methodology for waste collection from the Ignis building and carting the bins to the central waste storage facility within the site be provided. ○ detailed design plans be updated to incorporate the operational waste storage areas complying with Council's standards.
Development Contributions	<ul style="list-style-type: none"> • The proposal would not require payment of contributions under the Lane Cove Section 94 Development Contributions Plan 2004 (now known as Section 7.11 Development Contributions Plan) as it does not apply to educational establishments. • Council confirmed the Section 7.11 Development Contributions Plan does not require contributions for educational establishments. 	<ul style="list-style-type: none"> • The Department is satisfied that development contributions are not required as part of this application.

7 Evaluation

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

The Department concludes the impacts of the development are acceptable and can be mitigated through the 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 the State's strategic planning objectives for the site set out in the Greater Sydney Region Plan – A Metropolis of Three Cities and the Greater Sydney Commission's Eastern District Plan, as it would provide much needed improved and expanded school facilities located near existing public transport.

The proposal is suitable for the site and the identified key issues in relation to consistency with the Concept Proposal and built form and urban design impacts are considered satisfactory. The development respects the character and heritage significance of the College and surrounding locality. Mitigation measures and recommended conditions are proposed to manage construction and operational impacts.

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

- provision of upgraded educational facility to meet the needs of the existing school population.
- investment of \$39,676,204 to deliver approximately 220 new construction jobs.

8 Recommendation

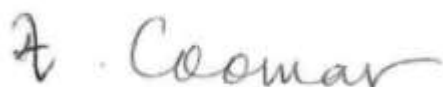
It is recommended that the Director, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **accepts and adopts** all of 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 Saint Ignatius' College Riverview (SSD 10424)
- **signs** the attached development consent and recommended conditions of consent (Appendix D).

Prepared by:

Jasmine Tranquille
Planning Officer
Social and Infrastructure Assessments

Recommended by:



Aditi Coomar

Team Leader
School Infrastructure Assessments

9 Determination

The recommendation is **Adopted** by:



25/10/2021

Karen Harragon

Director

Social Infrastructure Assessments

Appendices

Appendix A – List of referenced documents

1. Environmental Impact Statement

<https://www.planningportal.nsw.gov.au/major-projects/project/26871>

2. Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/26871>

3. Response to Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/26871>

4. Supplementary Response to Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/26871>

5. Correspondence after close of exhibition and other public authority submissions

[Provided under separate cover](#)

Appendix B – Statutory Considerations

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

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

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

- State Environmental Planning Policy (State and Regional Development) 2011.
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017.
- State Environmental Planning Policy No. 55 – Remediation of Land.
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.
- Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities).
- Draft State Environmental Planning Policy (Remediation SEPP).
- Lane Cove Local Environmental Plan 2009.

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 SSD.	Yes
8 Declaration of State significant development: section 4.36 (1) Development is declared to be State significant development for the purposes of the Act if: (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2.	The proposed development is permissible with development consent. The proposal is for the purpose of alterations and additions with a capital investment value in excess of \$20 million, under clause 15(2) of Schedule 1.	Yes
Schedule 1 State significant development – general (clause 8 (1)).		Yes

Relevant sections	Consideration and Comments	Complies
15 Educational establishments (2) Development that has a capital investment value of more than \$20 million for the purpose of alterations or additions to an existing school.	The proposal comprises development that has a CIV of more than \$20 million for the purpose of alterations or additions to an existing school.	

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 Lane Cove Local Environmental Plan 2009 (LCLEP). The Department notes that the height exceedance is permissible under clause 42 of the Education SEPP. The Department's consideration of the variation to the development standard is provided at **Section 6.2** of this report and in the consideration of the LCLEP below.

Clause 57 of the Education SEPP requires developments for the enlargement of an existing educational establishment capable of accommodating 50 or more students to be referred to the TfNSW. The Application was referred to TfNSW in accordance with this clause.

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**.

Table B2 | Consideration of the Design Quality Principles

Design Principles	Response
Context, built form and landscape	<p>The proposed new Ignis Building would be integrated into the design of the existing buildings within the College to ensure it responds to the existing fabric, setting and heritage context. The materials, landscape have been designed to reflect natural environment, river foreshore and Indigenous history of the site.</p> <p>The building has been designed to fit into the surrounding built form, notwithstanding the height non-compliance, and includes appropriate design measures and landscaping to soften the impacts of the development</p>

Design Principles	Response
Sustainable, efficient and durable	<p>The proposal incorporates a range of ESD measures including natural ventilation where possible to maximise energy consumption from mechanical systems, building materials performance will include insulation, rainwater harvesting for landscaped areas and external shading.</p> <p>Additionally, the Department has recommended a condition requiring a GTP to further encourage sustainable travel modes.</p>
Accessible and inclusive	<p>The building has been designed in accordance with the applicable access standards accessible travel paths provided to the buildings and lifts to provide equitable access.</p>
Health and safety	<p>The proposed design of the building would provide a safe and secure school environment and has incorporated Crime Prevention through Environmental Design principles into the design, operation and management of the school to ensure a high level of safety and security for students, staff and visitors.</p>
Amenity	<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 proposed building seeks to maximise natural light, ventilation and capitalise on the views of the river. The landscaping and outdoor spaces are located internally within the site and seek to provide ample shade, outdoor study spaces and play areas that meet the students' needs.</p>
Whole of life, flexible, adaptable	<p>The buildings would allow for long term flexibility through the provision of flexible formal and informal learning areas to adapt to future learning requirements.</p>
Aesthetics	<p>The proposal offers an articulated and dynamic built form responding and complement the existing campus and river foreshore. An assessment of the architectural design is provided in Section 6.2.</p>

State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The Concept Proposal included a preliminary site investigation (PSI) of the College which concluded that the site is historically free of contamination. However, further testing would be required at each stage of the development. An assessment of potential site contamination was not included as part of the EIS. The Department requested additional details regarding soil contamination and compliance with the Concept Proposal. The Applicant provided an updated PSI as

part of the SRtS which concluded no further site investigation is required and that the site is suitable for the continued use as a school. However, soil testing was restricted to the eastern part of the site.

Noting the uncertainties in relation to soil contamination, the Department has recommended conditions that require further soil investigation and preparation of adequate remediation (if needed), prior to the commencement of construction. The details of the assessment of soil contamination is provided in **Section 6.3**.

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

The 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 the SHC SREP and would not have any significant adverse impact on the Sydney Harbour Catchment.

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 childcare 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 exhibited Explanation of Intended Effects (EIE) also 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 consistent with the objectives of the Draft Education SEPP.

Draft Remediation of Land State Environmental Planning Policy

The Draft Remediation SEPP would retain the overarching objective of SEPP 55 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 would require all remediation work that is to be carried out without development consent, to be reviewed and certified by a certified contaminated land consultant, categorise remediation work based on the scale, risk and complexity of the work and require environmental management plans relating to post-remediation management of sites or ongoing operation, maintenance and management of on-site remediation measures to be provided to Council.

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

Lane Cove Local Environmental Plan 2009 (LCLEP)

The Department's assessment of the relevant clauses of the LCLEP are provided below in **Table B3**.

Table B3 | Consideration of the LCLEP

LCLEP	Department's consideration
Clause 2.3 Zone objectives and Land Use Table	The proposed development is located in SP2 Infrastructure zone and is a permissible use with development consent.
Clause 4.3 Height of buildings	<p>The maximum height of buildings permitted on the site is 9.5m.</p> <p>The proposal includes a maximum height of approximately 21 – 23.9m, which exceeds the maximum building height. The merits of the development were considered in Section 6.2.1. The Department has assessed the height exceedance to be acceptable.</p>
Clause 4.4 Floor space ratio	The maximum floor space ratio (FSR) for the site is 0.5:1. The proposed works under Stage 2 would exhibit a maximum FSR of 0.183:1. The Department has assessed the proposed maximum FSR and consider it to be acceptable.
Clause 5.10 Heritage conservation	The site contains an item of local heritage significance. The proposed works are not expected to directly impact the identified heritage item. 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 6.2.8 .
Clause 6.4 Environment protection land	The foreshore of the College is identified as environmental protection land. The proposed works are not located within this classified land and would have no direct impact on this land. The Department has assessed the impact on the environmentally protected land and deems there is no impact.

Other policies

In accordance with clause 11 of the SRD SEPP, Development Control Plans do not apply to State significant development. Notwithstanding, the objectives of relevant controls under the Camden City Lane Cove Development Control Plan 2010, where relevant, have been considered in **Section 6**.

Appendix C – Community Views for Draft Notice of Decision

Issue	Consideration
<i>Overshadowing</i>	<i>Assessment</i>
<ul style="list-style-type: none"> The proposal would result in shading over the promenade between the Ignis Building and existing Wallace Building. 	<ul style="list-style-type: none"> The Department considers the promenade between the building is subject to change with the future stages of the Concept Proposal. However, the Department acknowledges that the overshadowing impact would not be fully alleviated, post demolition of the Wallace Building in the future. The Department agrees with the Applicant's argument that the promenade has been designed as a transient space for students and staff to pass through rather than gather for long periods of time, and is also located on the southern side (which results in overshadowing irrespective of the design). Therefore, the overshadowing of this area is acceptable.
<i>Building design, materials and finishes</i>	<i>Assessment</i>
<ul style="list-style-type: none"> The building design lacks the timeliness qualities of the existing heritage buildings onsite. The bulk and scale of the building are displayed as three primary forms. The building materials selected for the project were chosen based on a visual study of the existing building materials. 	<ul style="list-style-type: none"> The Department considers the proposed materials are in line with the existing College's palette of mid-tone coloured materials. The project has subtle references to the existing heritage buildings including the use of Equitone as a building material. The Department consulted with Government Architect NSW (GANSW) during the assessment and is satisfied the built form is appropriate for the site. The Department is satisfied that the building elements provide visual interest and make a positive contribution to the College.

Appendix D – Recommended Instrument of Consent

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

<https://www.planningportal.nsw.gov.au/major-projects/project/26871>