



Mosman High School Upgrade

State Significant Development Assessment (SSD-10465)

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Glossary

Abbreviation	Definition
ACHAR	Aboriginal Cultural Heritage Assessment Report
AHD	Australian Height Datum
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
BDAR	Biodiversity Development Assessment Report
CBD	Central Business District
CIV	Capital Investment Value
COLA	Covered outdoor learning area
Council	Mosman Council
Department	Department of Planning, Industry and Environment
DSI	Detailed Site Investigation
EESG	Environment, Energy and Science Group
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
FTE	Full-time equivalent
GANSW	Government Architect NSW
GTP	Green Travel Plan
Heritage NSW	Heritage NSW, Department of Premier and Cabinet
ICNG	Interim Construction Noise Guideline

LEP	Local Environmental Plan
LoS	Level of Service
Mosman LEP 2012	Mosman Local Environment Plan 2012
Minister	Minister for Planning and Public Spaces
NIA	Noise Impact Assessment
NML	Noise Management Levels
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
PSI	Preliminary Site Investigation
RAP	Remedial Action Plan
SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
STP	School Transport Plan
TfNSW	Transport for NSW
TIA	Traffic Impact Assessment

Executive Summary

This report provides an assessment of a state significant development (SSD) application for the upgrade of the Mosman High School at 745 Military Road, Mosman. The application has been lodged by the NSW Department of Education (the Applicant) and the site is located within the City of Mosman local government area.

Assessment summary and conclusions

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

The key issues identified with the proposal include traffic and transport, built form and urban design, and noise. The Department is satisfied that these issues have been adequately addressed in the Applicant's Environmental Impact Statement and Response to Submissions (RtS). Minor outstanding issues can be addressed through the Department's recommended conditions of consent.

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

The proposal

The proposal seeks approval for the upgrade of the Mosman High School to provide improved school facilities and an increase in capacity from 1,116 to 1,200 students. Proposed works include the demolition of selected buildings and structures, construction of a new part three / part four storey building, relocation of the main pedestrian entrance and ancillary works including tree removal and landscaping.

The proposal has a capital investment value of \$54 million and would generate approximately 70 full-time equivalent (FTE) construction jobs and an additional six full-time equivalent operational jobs.

The site

The existing Mosman High School is located 745 Military Road, Mosman, approximately 8km north of Sydney Central Business District (CBD) and 4km east of North Sydney CBD. The site has an area of approximately 1.45 hectares and contains a range of existing school buildings including demountable buildings. The site is bounded by Military Road to the east, Belmont Road to the north, Gladstone Avenue to the west and Avenue Road to the south.

Statutory context

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. Therefore, the Minister for Planning and Public Spaces is the consent authority.

Engagement

The application was publicly exhibited between Thursday 8 April 2021 to Wednesday 5 May 2021. The Department received a total of 13 submissions, five were from public authorities, one was from Mosman Council (Council), and seven were from members of the community. One submission supported the proposal, two submissions objected to the proposal and 10 submissions provided comments.

The key issues raised in the submissions included traffic and parking, bulk and scale, colours and materials, and completion of the Aboriginal cultural heritage assessment.

On 18 June 2021, the Applicant submitted a RtS which included updated technical reports and drawings, additional information with regards to the Aboriginal cultural heritage assessment and design changes for the proposed new building, including use of muted colours and increased consistency in building design features.

The RtS was referred to public authorities and five submissions from public authorities including Council were received in response to the Applicant's RtS. All public authorities were satisfied the RtS had addressed previously raised issues, except Council which reiterated its previous concerns regarding building height and parking.

The Department is satisfied that the outstanding concerns with the proposal have been addressed through the Applicant's RtS and further information and the Departments recommended conditions.

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1 Introduction

This report provides an assessment of a state significant development (SSD) application for the upgrade of the Mosman High School, at 745 Military Road, Mosman (the site) (SSD-10465).

The application seeks to provide improved school facilities and an increase in capacity from 1,116 to 1,200 students. Proposed works include the demolition of selected buildings and structures, construction of a new part three / part four storey building, relocation of the main pedestrian entrance and ancillary works including tree removal and landscaping.

The application has been lodged by the NSW Department of Education (the Applicant) and the site is within the Mosman local government area (LGA).

1.1 Site Description

The site is located at 745 Military Road, Mosman and is bound by Military Road to the east, Belmont Road to the north, Gladstone Avenue to the west and Avenue Road to the south. The site has a total area of 1.45 hectares (ha), is legally described as Lot 1 DP 1268793 and is zoned SP2 – Infrastructure within the Mosman Local Environment Plan 2012 (Mosman LEP 2012).

The site is located approximately 8 kilometres (km) north of the Sydney Central Business District (CBD) and 4km east of the North Sydney CBD. The site forms part of the Military Road Conservation Area and Mosman Junction local business centre and adjoins well-established residential areas. The regional context is shown in **Figure 1** and the local context in **Figure 2**.

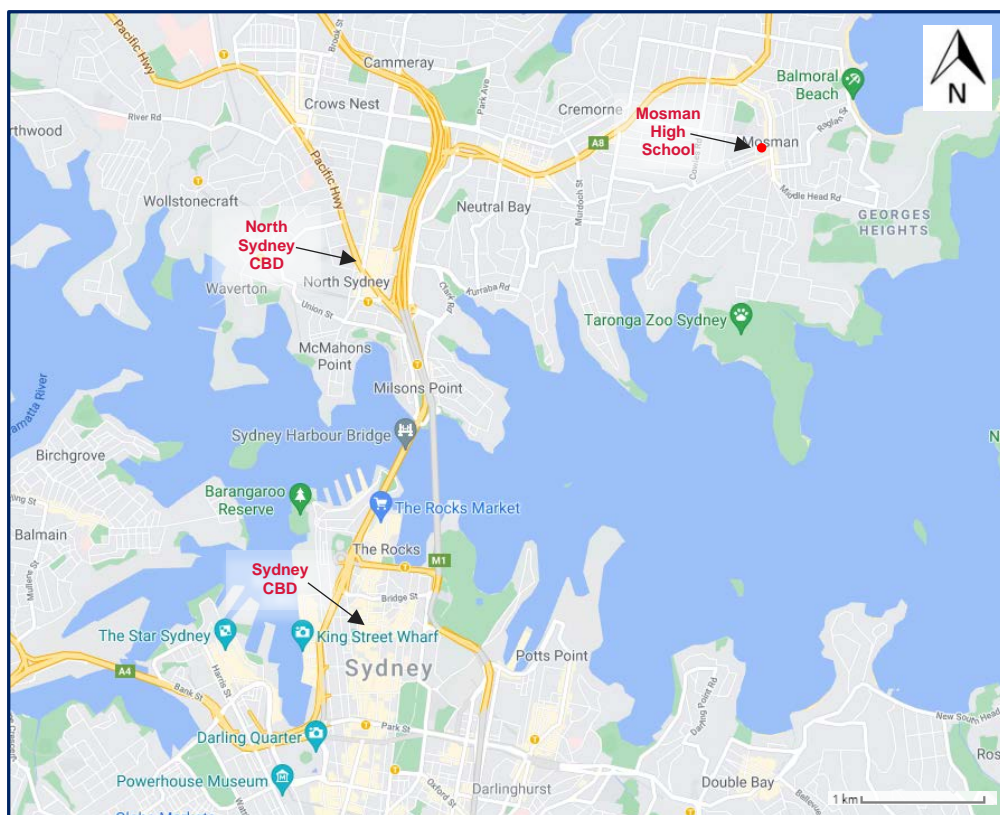


Figure 1 | Regional Context Map (Source: Google Maps, 2021)

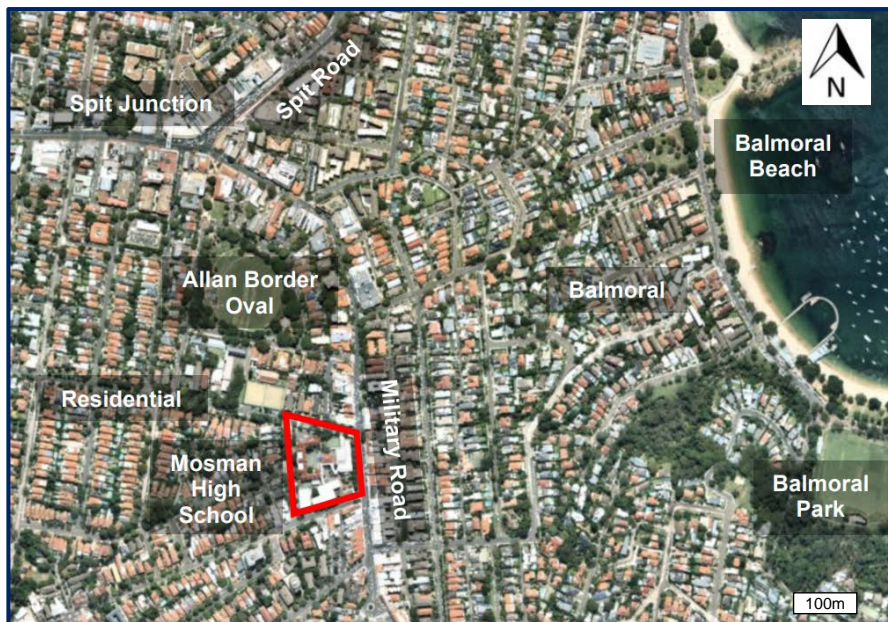


Figure 2 | Local Context Map (Source: Applicant's EIS, 2021)

1.2 Existing Development and Use

The site is currently occupied by the Mosman High School and contains the following:

- Five buildings of two to three storeys in height, of which two (Buildings A and D) are listed as heritage items under the Mosman LEP 2012.
- Two demountable buildings adjoining Building D.
- Several significant trees with large structural root zones.
- A covered outdoor learning area (COLA), sports court and tennis court.
- A staff car park in the north-western corner of the site, providing 33 car spaces for staff.
- Covered walkways, ramps and grassed areas connecting buildings and outdoor areas.
- A main pedestrian entry along Military Road and main carpark entry along Gladstone Avenue.

A plan of the existing site layout is provided within **Figure 3**.

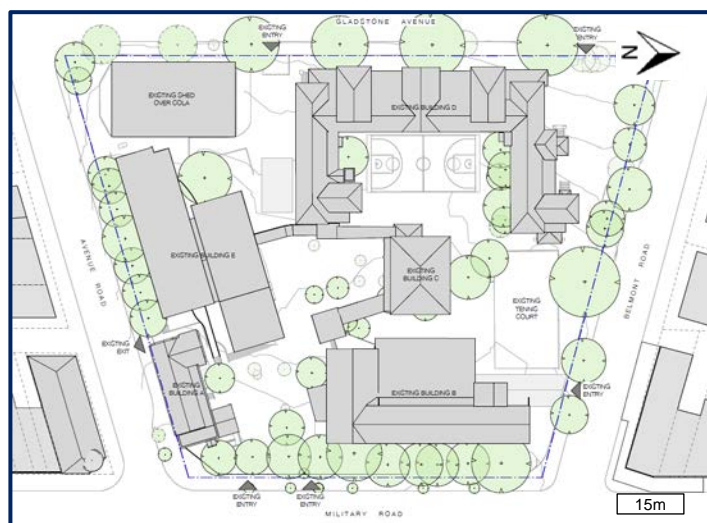


Figure 3 | Existing Site Plan (Source: Applicant's EIS, 2021)

1.3 Surrounding Development

The site is located within a local heritage conservation area and business centre within the suburb of Mosman. Immediately adjoining the site are a variety of uses. From Military Road to the east of the site are one to two storey developments, including shops and shop-top housing with Military Road providing a well-utilised shopping strip. Located to the north of the site along Belmont Road are predominantly three storey residential apartment buildings and small-scale businesses as well as a bowling club. To the west of the site along Gladstone Avenue are low-scale, predominantly residential, one to two storey buildings. Along Avenue Road to the south of the site are two storey shopfronts and three storey residential apartments with one to two storey residential dwellings heading further south (**Figure 4**).



Figure 4 | Site and surrounds (Source: Applicant's EIS, 2021)

2 Project

The key components and features of the proposal (as revised in the RtS) are provided within **Table 1**.

Table 1 | Main Components of the Project

Aspect	Description
Project summary	Upgrade of the Mosman High School comprising demolition of selected buildings and structures, construction of a new part three / part four storey building (Building G), on the corner of Military Road and Belmont Road, removal of trees and addition of landscaping including a rooftop play space and multi-purpose court, relocation of the main pedestrian entrance and an increase in student numbers to 1,200 from 1,116.
Demolition	Demolition of Building B, Building C and part of Building E, including a two storey overhang, separated amenities block, the elevated walkway linking Buildings B and C to Building D and the removal of a tennis court and surrounding landscaping elements, including retaining wall.
Built form	Construction of a new part three / part four storey (Building G), plus lift overrun and rooftop multi-court enclosure. Building G would be setback from Military Road to align with existing Building A.
Site entry	Relocation of the main pedestrian entry from Military Road to Belmont Road.
Site area	1.45ha.
Gross floor area (GFA)	11,889 square metres (sqm).
Maximum building height	15.86 metres (m) to the top of Building G with rooftop play fencing at 24.26sqm (no maximum building height under the Mosman LEP 2012).
Uses	High school for 1,200 students, after-hours school and community uses.
Access	Vehicle access for both staff car parking and service vehicles to be maintained via Gladstone Avenue. Secondary pedestrian site access and out of hours school access to be via the existing Military Road entry.
Car parking	33 spaces (no change).
Bicycle parking	60 student bicycle parking spaces. Six staff bicycle parking spaces. End-of-trip facilities for staff would include four showers and change rooms.
Open space and landscaping	Trees: removal of 20 trees and replacement planting of 34 trees, increasing canopy coverage at the site from 21.2% to 24.6%. Play space: increase of 1,633sqm providing 7.24sqm per student overall.
Construction hours	Monday to Friday: 7am to 6pm. Saturday: 8am to 1pm.

No work on Sundays or public holidays.

Hours of operation	Monday to Friday 7:30am to 5:30pm. Cleaning staff: Monday to Friday 5am to 6pm. Evening events and community uses: Seven days, ending at 10:30pm.
Construction timing	15 months.
Jobs	70 full-time equivalent (FTE) construction jobs. Six additional FTE operational jobs.
Capital Investment Value (CIV)	\$54 million.

2.1 Physical layout and design

The proposed new building is to be located in the north-eastern corner of the site in proximity to Building B which is to be demolished. The proposed demolition plan, proposed site plan and elevations of the proposal are shown in **Figure 5** to **Figure 14**.

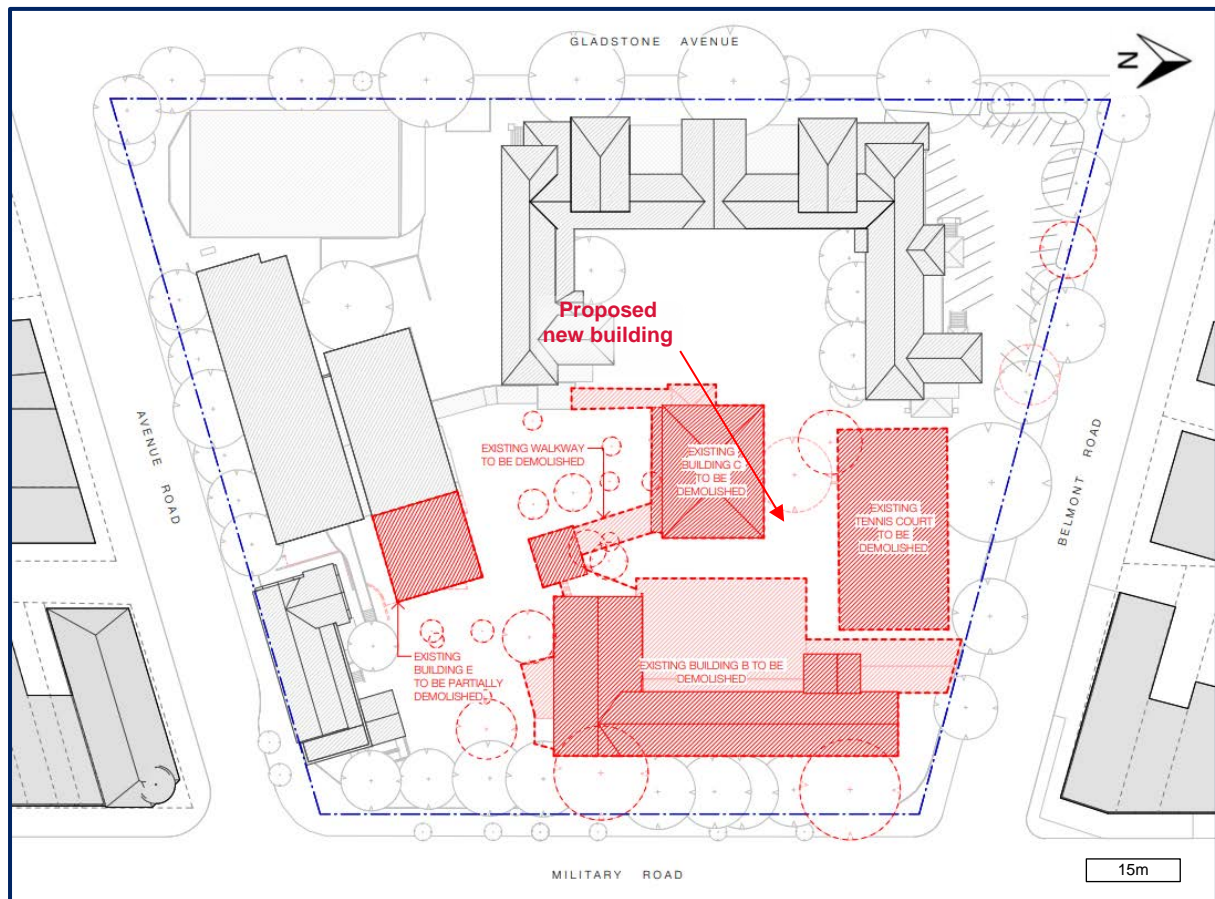


Figure 5 | Demolition Plan (Source: Applicant's RtS, 2021)

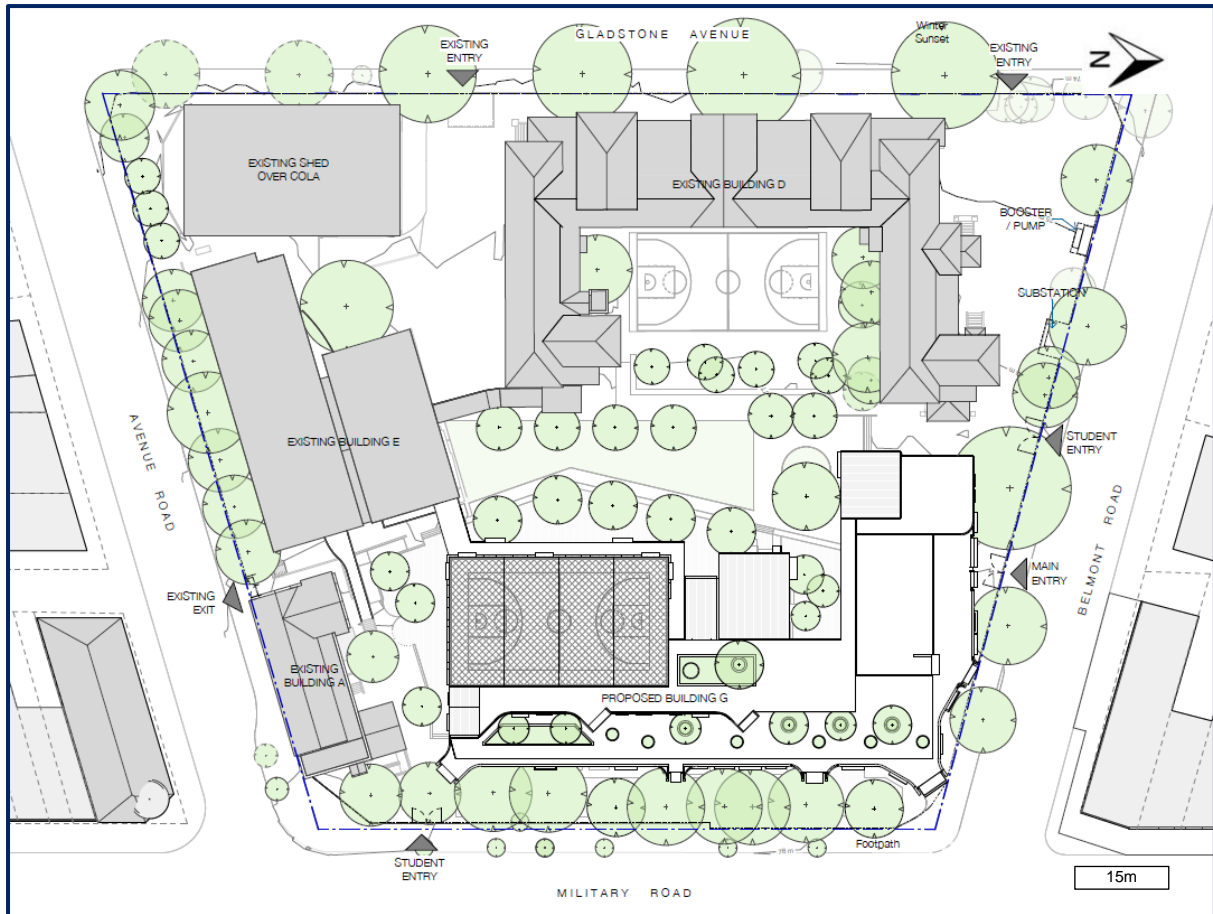


Figure 6 | Proposed Site Plan (Source: Applicant's EIS, 2021)



Figure 7 | Proposed Building G – eastern elevation (Military Road) (Source: Applicant's RtS, 2021)

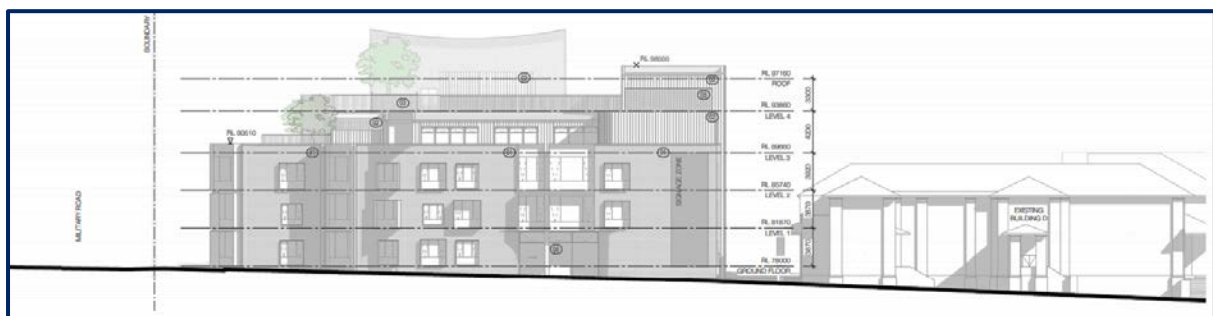


Figure 8 | Proposed Building G – northern elevation (Belmont Road) (Source: Applicant's RtS, 2021)

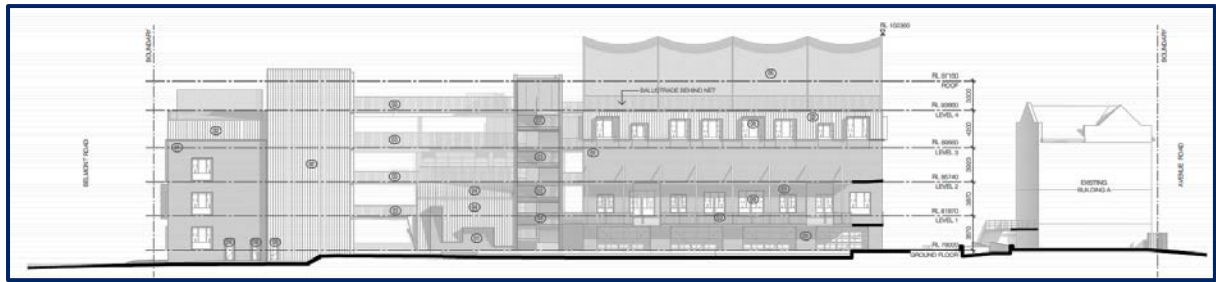


Figure 9 | Proposed Building G – western elevation (Source: Applicant's RtS, 2021)

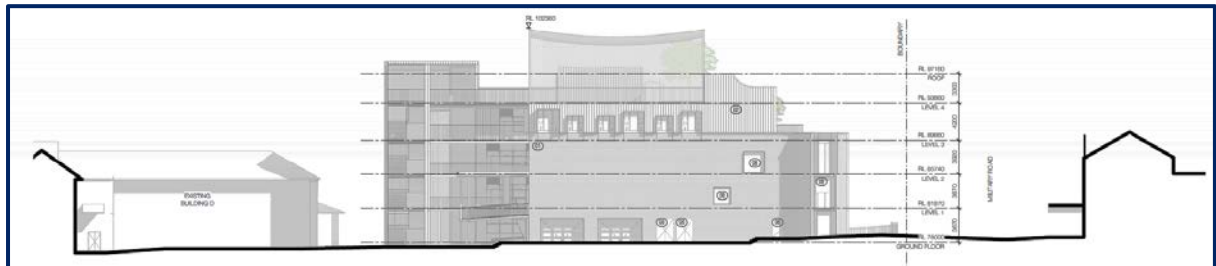


Figure 10 | Proposed Building G – southern elevation (Avenue Road) (Source: Applicant's RtS, 2021)



Figure 11 | Proposed Building G from corner of Military Road and Belmont Avenue (Source: Applicant's RtS, 2021)



Figure 12 | Proposed Building G viewed from the south-west within the site (Source: Applicant's RtS, 2021)



Figure 13 | Proposed Building G viewed from the west within the site (Source: Applicant's RtS, 2021)



Figure 14 | Proposed new main entrance off Belmont Road (Source: Applicant's RtS, 2021)

2.2 Construction staging and ongoing school operations

Construction works associated with this application would be undertaken in one stage lasting 15 months.

2.3 Related development

The Applicant advises that early works at the site are to be undertaken under a separate assessment pathway outside of the SSD application. These enabling works would facilitate the ongoing use of the school during construction of the proposed upgrade and include:

- internal refurbishment of existing Building D.
- installation of two temporary portable classrooms to the Gladstone Avenue frontage.
- utility servicing upgrades and the requisite clearing of one tree within the site.

These works do not form part of the Department's consideration of the proposed upgrade.

To ensure adequate teaching spaces during construction, an additional seven temporary single-storey demountables would be installed at the site under a separate assessment pathway. These buildings would be removed from the site at the conclusion of construction when the new and upgraded buildings are serviceable.

3 Strategic context

It is anticipated that there will be a 21% growth in student numbers by 2031 across NSW compared to 2017. This means NSW schools will need to accommodate an extra 269,000 students, with 164,000 of these students in the public system. In response to the need for additional public education infrastructure as a result of increased demand, the NSW Department of Education is investing in the delivery of new schools and upgrading existing schools.

The Department considers that the proposal is appropriate for the site given it is consistent with the:

- Greater Sydney Region Plan, A Metropolis of Three Cities, as it proposes improved school facilities to meet the growing needs of Sydney.
- Greater Sydney Commission's North District Plan, as it would provide much needed school infrastructure conveniently located near existing public transport services and opportunities to co-share facilities with the local community.
- Transport for NSW's Future Transport Strategy 2056, as it would provide an improved educational facility in an accessible location and provide access to additional new employment opportunities close to public transport.
- State Infrastructure Strategy 2018 – 2038 Building the Momentum, as it proposes:
 - improved school facilities to support the growth in demand for student enrolments.
 - a school design to accommodate infrastructure and facility sharing with communities.
- Sydney's Cycling Future 2013, as it would promote and cater for bicycle use through the provision of end-of-trip facilities.

The proposal would also provide direct investment in the region of approximately \$54 million which would support 70 FTE construction jobs and six additional FTE operational jobs.

4 Statutory Context

4.1 State significance

The proposal is SSD under section of the 4.36 *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 (SRDP SEPP).

The Minister for Planning and Public Spaces is the consent authority under section 4.5 of the EP&A Act. In accordance with the Minister for Planning and Public Spaces 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.
- political disclosure statement has not been made by the Applicant.

4.2 Permissibility

The site is identified as being zoned for Infrastructure (SP2 Educational Establishment) under the Mosman LEP 2012. The proposed redevelopment of an existing educational establishment is permissible with consent. The proposal also includes shared use of some facilities for the community which would be ancillary to the use as an Educational Establishment and is also permissible with consent. Therefore, the Minister for Planning and Public Spaces or a delegate may determine the carrying out of the development.

4.3 Other approvals

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

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

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

4.4 Mandatory Matters for Consideration

4.4.1 Environmental Planning Instruments

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

The Department has assessed of the relevant EPIs in **Appendix B** and is satisfied the application is consistent with the requirements of the EPIs.

4.4.2 Objects of the EP&A Act

The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent / approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects. Therefore, in making an assessment, the objects should be considered to the extent they are relevant. A response to the objects of the EP&A Act is provided at **Table 2**.

Table 2 | Response to the objects of section 1.3 EP&A Act

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	The proposal involves alterations and additions to an existing high school to cater for demand in a growing urban area and the growth in NSW student numbers. The site remains suitable for the use as an educational establishment and its development would not negatively impact the economic welfare of the community, or the natural environment.
(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) (Section 4.4.3).
(c) to promote the orderly and economic use and development of land,	The proposal is an orderly and economic development and use of the land as it is consistent with the site's historical use as an educational establishment and would provide improved educational facilities to support demand in a growing inner urban area.
(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,	<p>The proposal would protect the environment, as detailed in Section 6 of this report.</p> <p>The proposal would not affect any protected or threatened species or vegetation communities.</p>

Objects of the EP&A Act	Consideration
	The proposal involves landscaping and planting that have the potential to provide new habitat opportunities.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	<p>The site contains two buildings of local heritage significance and forms part of a locally significant heritage area. The works proposed are contextually appropriate and suitable within the heritage setting (Section 6.4).</p> <p>An Aboriginal Cultural Heritage Assessment Report (ACHAR) was included in the EIS which identified the Aboriginal cultural heritage values of the site in consultation with Aboriginal communities and set out appropriate mitigation measures to protect these values (Section 6.4).</p>
(g) to promote good design and amenity of the built environment,	The proposed development has been designed to minimise potential amenity impacts whilst maximising its internal amenity and ensuring good design is achieved (Sections 6.2 and 6.4).
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The proposal would promote proper construction and maintenance of buildings subject to recommended conditions of consent.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the proposal, which included consultation with Council, other public authorities and consideration of their responses (Sections 5 and 6).
(i) to provide increased opportunity for community participation in environmental planning and assessment.	<p>The Department publicly exhibited the application, which included notifying adjoining landowners and displaying the proposal on the Department's website during the exhibition period.</p> <p>Issues raised in the submissions have been outlined in Section 5 considered in Section 6.</p>

4.4.3 Ecologically sustainable development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and

environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

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

The development proposes ESD initiatives and sustainability measures, including:

- a design that is responsive to the local climate conditions providing indoor environments that are thermally comfortable and provide access to fresh air and light.
- energy efficiency measures including LED lighting and efficient mechanical systems coupled with occupancy sensors.
- installation of a photovoltaic solar system to provide on site renewable energy.
- use of water conservation measures, such as highly efficient water fittings and fixtures and a rainwater tank to enable rainwater reuse for irrigation.

The Applicant is targeting an equivalent 4-Star Green Star (Australian Best Practice) rating which is in accordance with the suggested 4-Star Green Star rating in the Educational Facilities Standards and Guidelines (NSW Department of Education).

Government Architect NSW (GANSW) requested a more ambitious sustainability strategy be proposed for the site and requested additional detail regarding how the initiatives proposed would optimise the school's teaching approach. The Applicant's Response to Submissions (RtS) emphasises that the scheme would meet a 4-Star green star equivalency and best practice outcomes for daylight, natural ventilation and thermal performance.

The Department has considered the proposed development 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 proposed development.

To ensure a 4-Star Green Star Rating is achieved, the Department has recommended a condition that requires the Applicant register for a minimum 4-star Green Star rating with the Green Building Council Australia, or an alternative certification process as agreed by the Planning Secretary, prior to the commencement of building works.

Subject to this condition, the proposed development is consistent with ESD principles as described in Appendix A1 of the Applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

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

4.4.4 Environmental Planning and Assessment Regulation 2000

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

4.4.5 Planning Secretary's Environmental Assessment Requirements

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

4.4.6 Section 5.15(1) matters for consideration

Table 3 identifies the matters for consideration under section 4.15 of the EP&A Act that apply to SSD in accordance with section 4.40 of the EP&A Act. The table represents a summary for which additional information and consideration is provided for in relevant appendices or other sections of this report and EIS, referenced in the table.

Table 3 | Section 4.15(1) matters for consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of the relevant EPIs is provided in Appendix B .
(a)(ii) any proposed instrument	Satisfactorily complies. The Department's consideration of the relevant EPIs is provided in Appendix B .
(a)(iii) any development control plan (DCP)	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD.
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations <i>Refer Division 8 of the EP&A Regulation</i>	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	The impacts of the proposed development have been appropriately mitigated or conditioned (Section 6).
(c) the suitability of the site for the development	The site is suitable for the development as discussed throughout this report.
(d) any submissions	Consideration has been given to the submissions received during the exhibition period (Section 5).
(e) the public interest	The proposal is considered to be in the public interest (Section 7).

4.4.7 Biodiversity Conservation Act 2016

Under section 7.9(2) *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.

On 15 March 2021, the Environment, Energy and Science Group of the Department of Planning, Industry and Environment (formerly NSW Office of Environment and Heritage) (EESG) determined that the proposal would not be likely to have any significant impact on biodiversity values and that a biodiversity development assessment report (BDAR) is not required. The Department supported EESG's decision and on 18 March 2021 it was determined that the application is not required to be accompanied by a BDAR under section 7.9(2).

5 Engagement

5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from Thursday 8 April 2021 to Wednesday 5 May 2021 (28 days). The application was exhibited on the Department's website.

The Department notified adjoining landholders and relevant state and local government authorities in writing. Department representatives undertook a walk around the site to understand concerns raised by residents, particularly in relation to traffic and parking and provide an informed assessment of the development.

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

The Department has considered the comments raised in the public authority and public submissions during the assessment of the application (**Section 5** and **6**) and /or by way of recommended conditions in the instrument of consent at **Appendix C**.

5.2 Summary of submissions

During the exhibition period, the Department received a total of 13 submissions on the proposal, of which all were unique submissions. Of the submissions received, five were from public authorities, one was from Mosman Council (Council), and seven were from the members of the community. One submission supported the proposal, two submissions objected to the proposal and 10 submissions provided comments. The community members who made a submission live within 5km of the proposal.

A summary of the public authority submissions is provided in **Section 5.3** and a summary of the submissions received by members of the public is provided at **Section 5.4**. A copy of the submissions received may be viewed at the link provided in **Appendix A**.

5.3 Public authority submissions

A summary of the issues raised in the public authority submissions is provided at **Table 4**.

Table 4 | Summary of public authority submissions to the EIS exhibition

Public authority	Comment
Council	<ul style="list-style-type: none">Supported the proposal, noting positive public benefits and improved teaching and sporting facilities.Raised some concerns and recommendations in relation to bulk and scale, heritage, parking/traffic and tree protection, as follows:<ul style="list-style-type: none">Preference for two storey street frontage, with any upper levels setback from the street so as to not be highly visible.Proposed upper levels and sports court are inconsistent with the existing streetscape and may be seen to be setting a precedent.

	<ul style="list-style-type: none"> ○ Consideration should be given to providing underground facilities to reduce bulk and scale (i.e. underground parking). ○ Recommended archival recording of buildings proposed to be demolished be lodged with Council's Local History Library. ○ Recommended muted colours on windows facing Military Road with brighter colours facing away from Military Road. ○ Noted community concerns in relation to parking demand in the area that is attributed to the existing school and recommended provision of underground parking. ○ Recommended a disabled car parking space be provided on site. ○ Recommended increased end-of-trip facilities to improve mode split. ○ Supported a pedestrian crossing at the intersection of Gladstone Avenue and Avenue Road. ○ Requested a Construction Traffic Management Plan be submitted to Council for approval prior to commencing works. ○ Recommended tree protection measures be installed prior to commencing works.
Heritage NSW – Aboriginal Cultural Heritage	<ul style="list-style-type: none"> • Noted that the submitted Aboriginal Cultural Heritage Assessment Report (ACHAR) submitted was incomplete, noting: <ul style="list-style-type: none"> ○ consultation with Registered Aboriginal Parties was incomplete and comments from completed consultation must be collated and incorporated into ACHAR. ○ appendices were missing from the ACHAR. • Requested inclusion of methodology of the process where/if Aboriginal artefacts are identified during excavations.
TfNSW (including RMS)	<ul style="list-style-type: none"> • Raised concerns regarding the relocation of the stop line on Belmont Road approach to Military Road due to impacts upon traffic signal infrastructure and: <ul style="list-style-type: none"> ○ requested alternate measures for heavy vehicles be investigated. ○ advised if relocation is to proceed, a Traffic Signal Control infrastructure and intersection design proposal, supported by a comprehensive Traffic and Transport Assessment, should be submitted to TfNSW for review and approval. • Requested resubmission of swept path diagrams in DWG format for review. • Recommended a condition to provide bicycle parking and end-of-trip facilities in accordance with Australian Standard AS1742.9:2018 <i>Manual of Uniform Traffic Control Devices - Bicycle Facilities</i> and Cycling Aspects of Austroads Guides. • Requested the Traffic Impact Assessment (TIA) and Green Travel Plan (GTP) are updated to include accurate public transport information, including maps and bus pass eligibility. • Recommended a condition regarding the development of a GTP in consultation with TfNSW.

Environment, Energy and Science Group (EESG)	<ul style="list-style-type: none"> • Noted a Biodiversity Assessment Report Waiver was issued for the proposal on 15 March 2021. • Raised no concerns regarding flooding at the site.
Environment Protection Authority (EPA)	<ul style="list-style-type: none"> • Raised no concerns with the proposal.
Sydney Water	<ul style="list-style-type: none"> • Noted that potable water supplies and wastewater infrastructure are available to the site which may require augmentation. • A Section 73 application should be lodged with Sydney Water at the appropriate time.

5.4 Public submissions

The Department received seven submissions from members of the public during the exhibition. Of these submissions, two objected to the proposal, one supported the proposal and four provided comments. Key issues raised in the submissions received from the community included:

- operational traffic, including existing traffic issues in the area, need for additional of drop-off/pick-up areas to alleviate traffic flow issues and relocation of buses.
- impacts of increased construction traffic on traffic flows and parking, including reduction in on site staff parking during construction.
- preference for the revision of site staff parking, including increasing the number of spaces, relocating the parking underground at the site or at a walkable location, to provide additional open space for students.
- both support and concerns relating to the relocation of the site entry.
- Incorrect siting of the school including lack of sporting facilities, local traffic and parking issues with the location adjoining tourist areas and a shopping precinct.
- site is not viable in the long term and a more suitable site should be sought, for example at Middle Head.
- importance of the site to the area.
- additional community use of the facilities and access to and through the site out of school hours.
- school catchment area and frequency of students residing outside of the catchment area.
- errors in drawings and calculations provided.

5.5 Response to submissions

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

On 18 June 2021, the Applicant provided a Response to Submissions (RtS) (**Appendix A**) providing clarifications and additional information to address the issues raised during the exhibition of the proposal. The RtS included:

- corrections to some errors within the EIS.
- details of early works plans and approvals.
- revisions to the arboricultural report and traffic reports (including revisions to the assessment as well as surveys of year 12 students, GTP and construction traffic management plan).
- additional information with regards to the Aboriginal cultural heritage assessment, including an unexpected finds procedure and the incorporation of final consultation with Registered Aboriginal Parties.
- detail of design changes to the proposed scheme (including muted colours and increased consistency in building design features).

5.6 Submissions received in response to the RtS

The RtS was uploaded to the Department's website and referred to public authorities previously engaged on the proposed development.

Council, the EPA, EESG, Heritage NSW and TfNSW provided responses. EPA and EESG raised no further matters in relation to the proposed development and Heritage NSW was supportive of addressing remaining issues through recommended conditions.

Council acknowledged the Applicant's amendments to proposed end-of-trip facilities and willingness to work with Council to encourage cycling and minimising impacts of the proposed upgrade. However, Council indicated that the original issues raised (the overall height of the building, impact on streetscape and lack of off street parking facilities) required further consideration.

TfNSW provided a number of recommended conditions should the proposed development be approved, including conditions relating to:

- works remaining in the property boundary, including construction vehicles.
- TfNSW's endorsement of the Construction Traffic Management Plan and GTP.
- requirements for a Road Occupancy Licence should works impact traffic flows along Military Road.

The Department also received a supplementary submission from a member of the community. This submission raised concerns in relation to car parking for students and staff, over-shadowing along Keston Avenue, the implementation of the proposed GTP, tree clearing, construction traffic movements along Keston Avenue, construction hours and the consultation period associated with the proposed development.

The Department provided the supplementary submissions to the Applicant and considered the matters raised in all submissions, including supplementary advice and comments within its assessment (**Section 6**).

The Department considers the key issues associated with the proposal are:

- traffic and transport.
- built form and urban design.
- noise.

Each of these issues is discussed in **Section 6**. Other issues taken into consideration during the assessment of the application are discussed at **Section 6.4**. The Department's draft Notice of

Decision (**Appendix D**) addresses matters raised by members of the community in relation to the proposed upgrade.

6 Assessment

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

- traffic and transport.
- built form and urban design.
- noise.

Each of these issues is discussed in the following sections of this report. Other issues taken into consideration during the assessment of the application are discussed at **Section 6.4**.

6.1 Traffic and transport

The Applicant prepared a Traffic Impact Assessment (TIA) that assessed the existing and predicted traffic volumes associated with the construction and operation of the proposed development. The TIA also assessed the alternative modes of transport accessible to/from the site and the utilisation of these alternate transport modes.

The site is primarily accessed via Military Road, a Regional Road within the vicinity of the site that becomes a State Road at the intersection of Spit Road and Military Road (**Figure 15**). Military Road provides a connection between the Sydney CBD and the northern beaches. Council managed Local Roads provide access directly to the site and the surrounding suburbs.

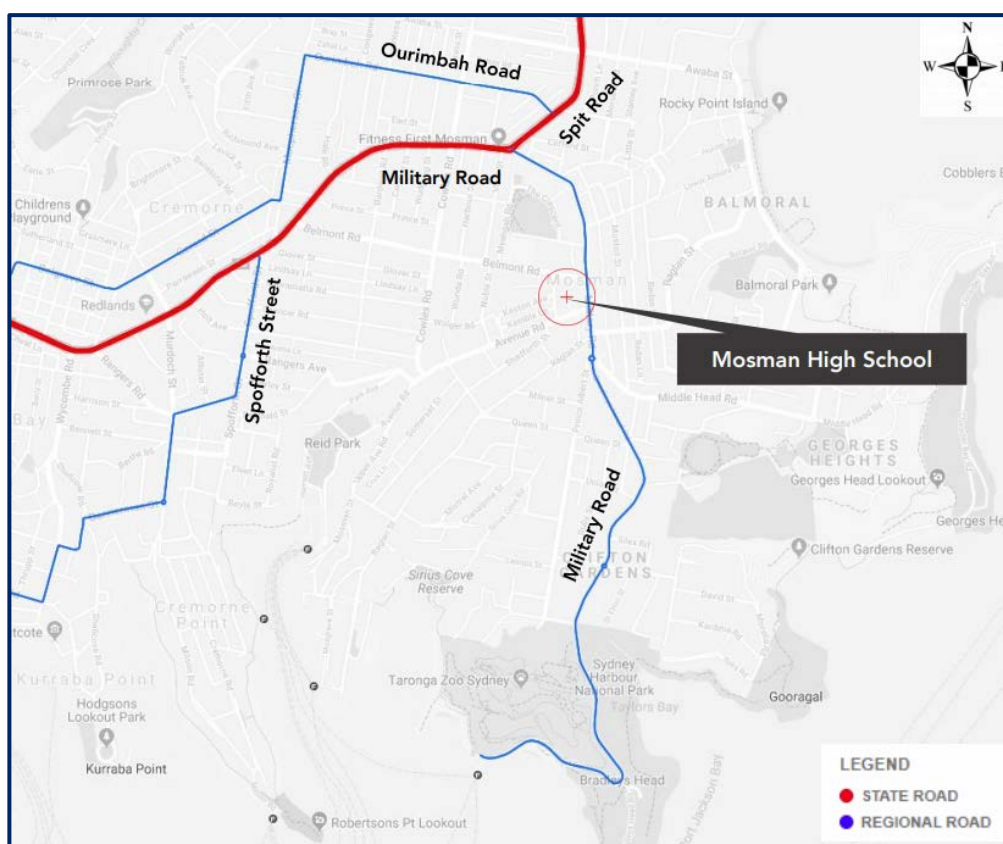


Figure 15 | Road Hierarchy (Source: Applicant's EIS, 2021)

Local bus services are located within a radius of 400m of the school and ferry services are located within 1600m. The site is well-served by active transport corridors with footpaths along all bounding roads. Raised pedestrian crossings are provided immediately adjacent to the school at the intersections of Military Road/Avenue Road and Belmont Road/Gladstone Avenue and there is a signalised crossing at the intersection of Military Road/Belmont Road. This infrastructure caters for pedestrian activity associated with the commercial area of Mosman as well as facilitating safe pedestrian movements across the road network to the site.

6.1.1 Operational traffic

Traffic surveys of the surrounding intersections were undertaken during AM and PM peak periods on 7 November 2019. Modelling of the performance of key intersections (**Figure 16**) was undertaken using the SIDRA modelling software package.

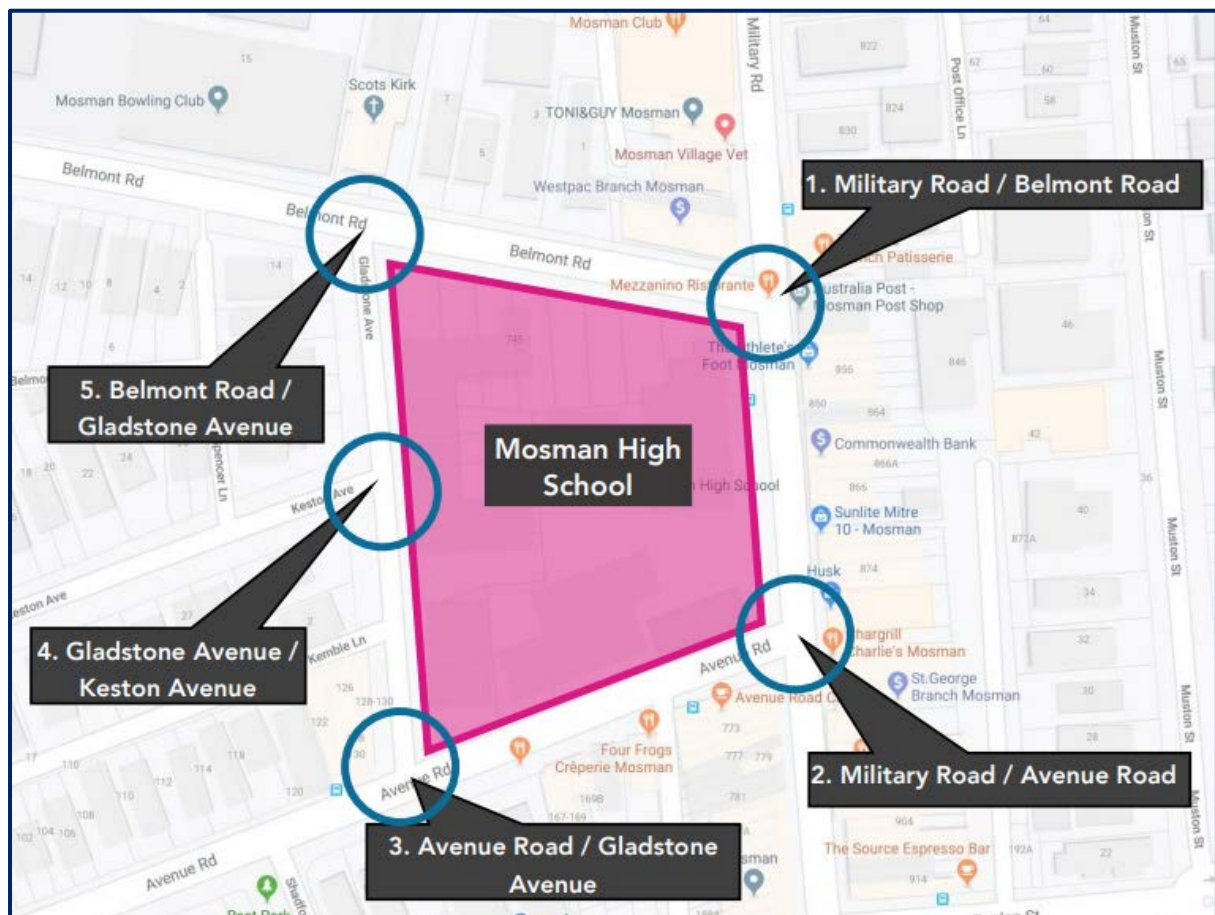


Figure 16 | Surveyed intersections (Source: Applicant's EIS, 2021)

Modelling results indicated that four out of the five intersections modelled were performing well (Level of Service (LoS) A), with additional capacity available. However, the intersection of Military Road/Avenue Road, was approaching capacity (LoS C).

To assess the potential increase in traffic as a result of the upgrade to the high school, forecast trip generation was established using the results of travel mode surveys (from 49% of the student cohort and excluding year 12) and staff. The results indicated that the majority of staff access the site by car (~72%) and 18.8% and 8% of students in the AM and PM peaks, respectively, travel to/from the site by car.

Based on the above averages, the TIA indicated that the proposed development, which would generate six additional FTE staff and 84 students at the site, would result in 15 additional trips in the AM peak and six in the PM peak. Based on the low traffic generation anticipated as a result of the proposed upgrade and the acceptable existing intersection performance, further modelling of the post-upgrade scenario was not undertaken by the Applicant.

Submissions received from Council and members of the community raised concerns in relation to traffic flow and congestion, particularly as a result of increased pick-up and drop-off. TfNSW did not make any comments about traffic congestion.

The Applicant's RtS highlighted that the proposed upgrade would not significantly increase the school population or teaching staff, and as such, would not result in a significant increase in traffic movements to the site.

The Department acknowledges the concerns raised by the community and Council in relation to traffic impacts. However, the Department recognises that the proposed upgrade would not significantly increase the intensity of use at the site. The Department notes that the TIA showed that nearby intersections are operating satisfactorily and the minor increase in traffic movements generated by the proposal would not have significant impact on those intersections. Measures proposed by the Applicant to reduce reliance on car-based travel to the site would also assist in further mitigating any increase in traffic movements to the site.

6.1.2 Public and active transport

The site is well connected to public transport services with numerous bus services operating along Military Road providing connectivity to the Sydney CBD and northern beaches. A number of school bus services are also provided at the site within a bus zone located on Gladstone Avenue. Buses presently queue outside of this bus zone in the afternoon which results in buses waiting in traffic lanes and associated congestion and safety issues. With an increase in student population, the Applicant is investigating amending the bus timetable or expanding the bus zone to improve the safety and congestion issues that are experienced.

A preliminary Green Travel Plan (GTP) was developed by the Applicant to promote active travel and transport opportunities for both staff and students. Proposed action items within the GTP included promoting the use of 'end-of-trip' facilities and existing bicycle parking, implementing a walking/cycling buddy scheme, providing bus timetables and converting two car parking spaces along the boundary of the school to car-share/ride-share spaces (pending Council approval).

TfNSW requested revisions to the traffic assessment and GTP to reflect accurate public transport information. Council and TfNSW also raised concerns in relation to insufficient bicycle parking and end-of-trip facilities on the site having regard to Australian Standards.

In its RtS, the Applicant noted comments made by TfNSW and Council, reviewed measures that would assist in decreasing the reliance on private vehicles to the site, including the employment of a travel plan coordinator to implement and monitor the GTP and provided a commitment to enforce the school catchment boundary more strictly. To address issues raised in relation to bicycle parking, the Applicant increased the number of student bicycle parking spaces (30-40 to 60) and included six bicycle spaces and end-of-trip facilities for staff as part of the upgrade.

The Applicant acknowledged the bus queuing along Gladstone Avenue. However, indicated that the proposed development was predominantly an asset replacement project which would not further

exacerbate the issue. Notwithstanding this, the Applicant has initiated discussions with TfNSW and the bus operator to review the timetabling and/or potentially extend the existing bus zone.

The Department is supportive of the proposed increase in bicycle parking and the inclusion of end-of-trip facilities at the site as well as the implementation of other measures to encourage sustainable transport modes to assist in alleviating any impacts in the increase in staff and students. The Department has recommended conditions requiring the Applicant to prepare and implement a School Transport Plan (STP) that would incorporate the proposed sustainable transport measures discussed above and set out in the preliminary GTP.

The Department notes the minor increase in staff and student population associated with the proposed upgrade and accepts that the minor increase would not likely impact bus queueing. The Department is supportive of the ongoing review of the existing bus queueing along Gladstone Avenue.

6.1.3 Operational parking

The existing high school contains 33 car parking spaces as well as a small area dedicated to motorbike parking. No accessible car parking spaces are currently provided at the school and no changes to the number of car parking spaces are proposed as part of the proposed upgrade. In the EIS, the Applicant proposed the use of an existing on-street accessible space for use by the school.

Council and members of the community raised concerns in relation to parking in the local area and recommended the investigation of underground parking. Council did not support the utilisation of the on-street disabled car parking space and recommended one be provided within the bounds of the site.

In response to Council's comment in addition to the Department's request for further information, the Applicant noted the on-street accessible car space had been removed and requested Council reinstate the disabled car park.

The Department acknowledges the concerns raised regarding the level of parking on site and impacts upon on-street parking in the vicinity of the site. The Department accepts that the site is highly constrained, and the proposal involves a minor increase in students and staff on the site. The Department is satisfied that the Applicant proposes measures to encourage a modal shift at the site in order to minimise impacts of the proposal on parking within the local road network.

The Department notes there is no longer an accessible car space within close proximity to the high school. As such, the Department requires an accessible car space be provided at the school and has recommended at least one disabled car parking space per 100 car spaces be installed at the site in accordance with Disability (Access to Premises – Buildings) Standards 2010.

6.1.4 Construction traffic and parking

The Applicant anticipates up to 25 construction vehicles sized up to a 19m articulated vehicle would access the site during construction hours (**Table 1**). Vehicles would access the site via Military Road and then turn right into Belmont Road and into a proposed works zone or would continue to turn left into Gladstone Avenue and left into the site carpark from Gladstone Avenue.

The Applicant has proposed the installation of a work zone during the construction works to be located along Belmont Road, a Local Road. The work zone would be approximately 45 metres long and utilise the existing parking spaces (six car parking spaces and three taxi zone spaces) on the southern edge of Belmont Road. The taxi zone would be relocated to the opposite side of Belmont

Road. It is proposed that traffic controllers would be present at both ends of the work zone to guide vehicles into and out of the area and site. The Applicant acknowledges these changes would require approval from TfNSW and Council.

Swept path analyses were undertaken to ensure vehicle routes would be accessible to the required vehicles. In order to facilitate the movements, a number of alterations and management measures would be required to the surrounding parking and road markings to facilitate entry and exit routes as follows:

- removal of a parking space on Avenue Road.
- removal of both a car parking and motorbike parking space on Military Road.
- relocation of the stop line on Belmont Road at its intersection with Military Road.
- relocation of the taxi rank on Belmont Road.
- provision of traffic controllers at the Belmont Road/Gladstone Avenue intersection.

Similarly to the work zone, these changes would require approval.

The on site staff car park would be closed and used for construction activities for the duration of construction. No replacement parking is proposed for school staff. Similarly, no on site parking is proposed for construction workers. The Applicant proposes to encourage construction workers, as well as operational teaching and administrative staff to car-pool where possible and utilise public transport services within the vicinity of the site.

TfNSW requested detailed swept path drawings of construction vehicles and recommended investigation into alternatives to relocating the stop line on Belmont Road. If it could not be avoided, TfNSW advised that a design proposal must be submitted to TfNSW for approval. Both Council and TfNSW requested that the Construction Traffic Management Plan be submitted for endorsement and approval prior to the commencement of works at the site.

In response to feedback received from TfNSW, the Applicant's RtS advised that it no longer proposes to relocate the stop line on Belmont Road. Instead, a revised construction program is proposed to reduce impacts upon both Local and State Roads. The revised program proposes to disperse construction vehicles more broadly to reduce confined impacts that would result in greater disruptions to traffic flow. The Applicant acknowledged the request of both Council and TfNSW regarding the Construction Traffic Management Plan and committed to work with both agencies to establish a construction program and routes that is acceptable for all users.

TfNSW comments on the RtS highlighted future approval requirements, including requisite endorsement of the Construction Traffic Management Plan.

The Department commends the Applicant on revising construction works plans to minimise potential impacts associated with relocating the stop line on Belmont Road and also supports the development and finalisation of the Construction Traffic Management Plan in conjunction with Council and TfNSW. The Department has recommended conditions to this effect.

In addition, noting the concerns raised in relation to parking in the area, the Department has recommended a condition requiring the Applicant to prepare a Construction Transportation Strategy to detail the provision of sufficient parking facilities or other travel arrangements for construction workers and operational staff.

6.1.5 Traffic and transport assessment summary

With the implementation of the Applicant's commitments and the Department's recommended conditions of approval, the Department considers operational transport impacts would be negligible and construction impacts manageable.

6.2 Built form and urban design

The proposed development seeks to construct a new building (Building G) along the north-western boundary of the site, comprising a part three / part four storey building plus lift overrun and multi-court rooftop enclosure. The Applicant has indicated that Building G has been planned and designed to respond directly to the existing heritage buildings (Buildings A and D) on the site and the surrounding local heritage conservation area. The setback of the new building would align with Building A along the Military Road frontage, and the setback of Building D along Belmont Road.

The proposed development would have a maximum building height of 15.86m and a gross floor area of 4,089sqm. The top of the rooftop fenced multi-court area would extend the building to a total height of 24.26m. The site is not subject to any building height control nor floor space ratio control under the Mosman LEP 2012. A photomontage of the proposed building is shown in **Figure 17**.



Figure 17 | Overall building height in the context of Military Road (Applicant's RtS, 2021)

The street facades would exhibit a layered approach proceeding from 'rough' brickwork at the base to 'smooth' metal cladding at the top (**Figure 18**). Pop-out windows or varying colours would accentuate the façade and the Applicant has indicated these have been designed to reflect the colour palette of native flora and the historical Military Road streetscape (**Figure 19**).

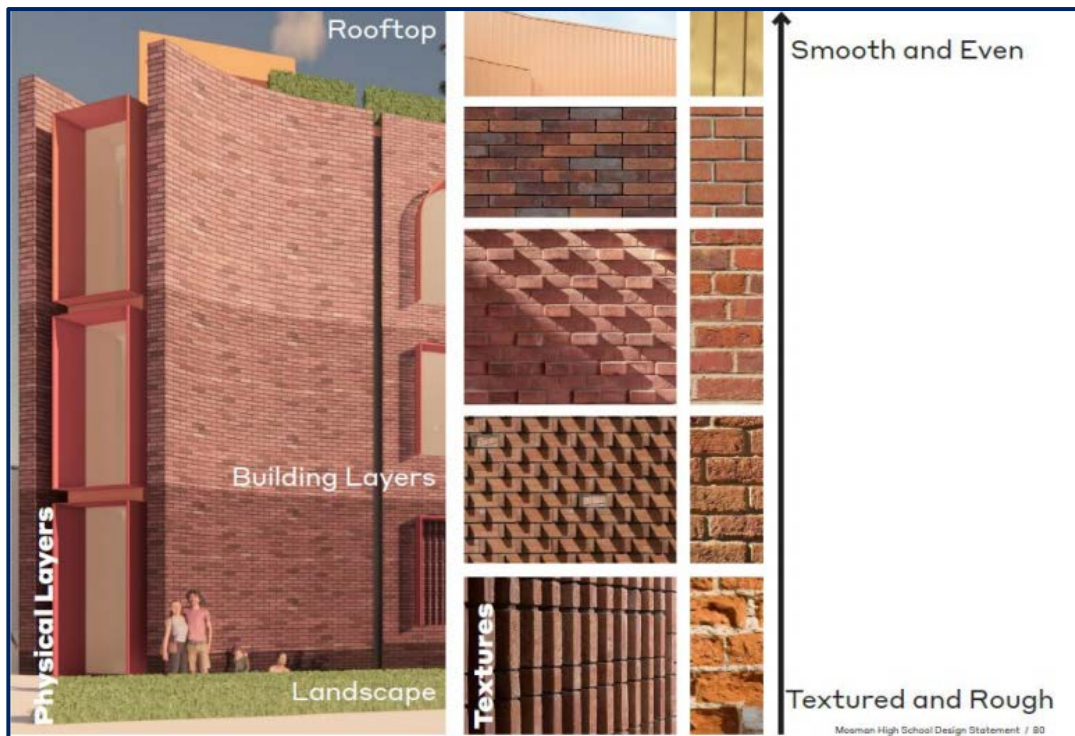


Figure 18 | Proposed building façade and materials and finishes (Source: Applicant's EIS, 2021)



Figure 19 | Pop-out windows (Source: Applicant's EIS, 2021)

Whilst Council generally supported the proposal, concerns were raised with regards to the built form and the design of the proposal, noting it would be inconsistent with the existing character of the area and with adjacent land uses. A similar view was expressed by Government Architect NSW (GANSW), noting the roof structure and stair core would obstruct sightlines along the east side of Military Road. Council noted that any additional height beyond 11m along Military Road is typically set back to not impose on vistas within the Mosman Junction Heritage Conservation Area. As such, Council

recommended the revision of the upper levels of the building to 'tie-in' with the local setting. This was similarly expressed by GANSW.

In addition, Council requested the pop-out windows along Military Road be provided in a subdued palette to not impose upon the surroundings, with brighter colours supported along the other building facades. GANSW supported the pop-out windows generally, but requested that the design and façade of the windows (i.e. height, colour, size) take a more muted approach to achieve a balance between the intended playful quality and the civic presence of the school.

The Applicant's RtS responded to the issues raised in submissions and included amendments to some aspects of the building design to reduce the impact on the surrounding heritage setting. The Applicant confirmed that the street frontage of the new building has been designed to directly respond to the height of the parapet of the existing heritage building at the Military Road frontage (Building A). The fourth storey would be recessed from the street frontage to reduce its visibility. Further, the Applicant considered that the demolition of Building C and part of Building E would increase views into the site and reduce building bulk at the site.

The RtS also emphasised that the rooftop play court area is an important aspect of the upgrade to improve the outdoor space ratio for the students of the high school. The netting proposed has been selected as it is visually permeable and recessive, minimising visual impacts to sightlines. With regards to the stair core, the Applicant confirmed this has been designed to minimise impacts as far as practicable through material choice (metal cladding) that would visually recede, reflecting the sky and maximising roof space.

The Applicant acknowledged concerns raised in relation to the proposed building height. However, the Applicant considered that the upgrade of the site would prolong the longevity of use of the site as a school, which would provide for a continued anchoring presence within the Military Road Heritage Conservation Area. To further alleviate concerns, the Applicant undertook an assessment of the building heights within the immediate streetscape and noted a number of buildings exceeding two storeys. Furthermore, the Applicant did not consider that a deviation in building height at this site would set a precedent for future development due to its size and its use as a school. The Applicant re-emphasised the outcomes of the visual assessment undertaken from key vantage points along Military Road with the overall impact of the recessed upper levels and transparent fencing being considered acceptable.

To address concerns raised by both Council and GANSW, the RtS included revised muted colours of the pop-out windows to decrease the intensity of the window features, whilst still retaining the overall colour scheme. Additionally, the window sizes have been rationalised to enhance consistency as well as buildability.

GANSW was supportive of the revised window features and external colour selection included in the RtS and recommended a revised external materials and finishes schedule be prepared that clearly illustrates the desaturation of colours utilised with increased height.

The Department acknowledges the concerns raised by Council and considers that the revisions made by the Applicant in the RtS would improve the overall development and its presence within a locally significant heritage area. Noting that there is no prescribed height control for the site, the Department considers the proposed upgrade would minimise adverse amenity impacts and loss of public views as a result of the setbacks and recessed upper storeys, alignment with existing structures on the site and the materials proposed.

Noting the concerns raised by Council, the Department has recommended that the detailed design of the rooftop facilities, including materials selection for enclosing the space, be finalised in consultation with Council. The Department has recommended that the detailed design minimises the visual impacts of the proposed upgrade upon the surrounding Military Road Heritage Conservation Area.

Overall, the Department acknowledges the need for the upgrade to provide significantly improved facilities for staff and students, including new teaching facilities and rooftop multi-sport/open space, and the constraints of the site. The Department supports the proposal and considers that the proposed built form is acceptable having regard to the above comments.

6.3 Noise

A Noise Impact Assessment (NIA) was prepared as part of the EIS. The NIA identified sensitive receivers to be the residential areas adjoining the site to the north, west and south, in addition to the commercial precinct along Military Road, a place of worship and active recreation areas (**Figure 20**).



Figure 20 | Surrounding land uses / receivers (Source: Applicants EIS, 2021)

Attended and unattended noise monitoring was undertaken to establish background noise levels (**Figure 21**).



Figure 21 | Monitoring locations (Source: Applicants EIS, 2021)

Measured average background noise levels based on longer term unattended monitoring are shown in **Table 5**.

Table 5 | Measured average background noise levels

Location	Period	Time of day	Rating Background Level (RBL) $L_{A90, 15min}$ dB
L1 Corner of Military Road and Belmont Road (Representing residential areas immediately east of the site i.e. Military Road)	Day	7am – 6pm	58
	Evening	6pm – 10pm	51
	Night	10pm – 7am	36
L2 Gladstone Avenue approaching Belmont Avenue (Representing residential areas west and north of the site)	Day	7am – 6pm	44
	Evening	6pm – 10pm	40
	Night	10pm – 7am	35

6.3.1 Construction Noise

The Interim Construction Noise Guideline (ICNG) (EPA, 2009) outlines the process for establishing “noise affected” and “highly noise affected” noise management levels (NML) to minimise construction noise impacts on sensitive receivers. The “noise affected” level is the point above which there may be community reaction to noise. The highly noise affected level represents the point above which there may be strong community reaction to noise.

For residences, the NML (noise affected) during standard construction hours (Monday to Friday 7am to 6pm and Saturday 8am to 1pm) is calculated to be the background noise level (Rating Background Level) plus 10 decibels (dB). Using this, the NIA determined that NML (noise affected) for sensitive receivers near to location L1 is 68 LAeq(15min) and 54 LAeq(15min) for receivers near to location L2. The highly noise affected level, as established by the ICNG, is 75 dB(A). The ICNG also establishes NMLs for other sensitive land uses based on the principle that the characteristic activities at various land uses should not be unduly disturbed by construction. For places of worship, when in use, the internal NML is 45dB(A) and for active recreation areas, when in use, the external NML is 65db(A).

As a construction program had not been fully defined, the NIA included a preliminary construction noise assessment based on typical plant and machinery anticipated to be utilised. The preliminary assessment concluded that noise associated with anticipated construction works during standard daytime hours would exceed the highly noise affected NML of 75 dB(A). The NIA indicated that compliance could be achieved with appropriate mitigation measures, including shielding.

The Applicant acknowledges the emergence of construction noise above the NML. To address construction noise impacts, the Applicant proposes to implement reasonable and feasible work practices to minimise noise intrusion where possible. Additionally, the Applicant highlights the requirement to inform all potentially impacted residents of the nature of the works, expected noise levels and duration as well as contact details for site representatives.

EPA did not make any comments in relation to construction impacts.

Following exhibition of the EIS, the Department requested additional detail in relation to noise mitigation measures to be implemented to minimise noise levels at sensitive receivers surrounding the site. Additionally, the Department requested detail of the subsequent noise levels that would be experienced at sensitive receivers with the inclusion of mitigation measures.

The Applicant accepted that aspects of construction would result in sensitive receivers being highly noise affected and acknowledged that all feasible and reasonable mitigation measures would be implemented as required by the ICNG.

The Department acknowledges the close proximity of sensitive receivers to the site and the difficulties associated with managing noise generated by the proposed works, particularly relating to construction. Whilst construction is short-term, the works have the potential to generate significant disturbance to the nearby sensitive receivers.

The Department requires noise generated by the proposed works are appropriately managed to ensure that impacts are minimised or mitigated. As such, the Department has recommended conditions of consent requiring the Applicant to undertake construction between the hours of 7am and 6pm Monday to Friday and 7:30am to 3:30pm Saturday consistent with Council's standard hours of construction. In addition, recommended conditions require that noisy works be restricted to 9am to 12pm Monday to Friday, 2pm to 5pm Monday to Friday and 9am to 12pm Saturday.

The Department has also recommended the Applicant:

- implement respite periods for noise generating works that exceed the highly noise affected threshold or generate noise with annoying or intrusive characteristics.
- ensure mechanical plant and machinery selection complies with operational noise requirements.

With the implementation of the Applicant's engagement strategy with adjoining sensitive receivers, and the implementation of the recommended conditions, the Department is satisfied that construction works can be managed and minimised where possible.

6.3.2 Operational Noise

The NIA also assessed noise impacts as a result of operations. This identified the main sources of noise from the proposal would be from students playing outside and on the rooftop play area, use of the hall, mechanical plant and equipment, and public address system.

Based on the existing background noise conditions, the NIA found that acceptable noise levels from operation of the school would be achieved subject to:

- appropriate location, design and attenuation of mechanical equipment and public address systems.
- design of the building in accordance with standards specified in the report.
- closure of doors and windows during use of the hall at night time.
- use of the rooftop multi-purpose court/open space only during daytime hours.

EPA did not raise any concerns regarding operational noise impacts.

The Department has considered the findings of the NIA and concludes that the proposal would not unreasonably impact on the acoustic amenity of surrounding occupants subject to conditions. The Department has recommended the following conditions:

- prior to the installation of mechanical plant and equipment, a detailed assessment must be undertaken by a suitably qualified person demonstrating compliance with the noise criteria identified in the NIA.
- operational noise must not exceed the noise criteria identified in the NIA.
- the Applicant must undertake short term noise monitoring within two months following commencement of use. Any exceedances of the noise criteria identified during the noise monitoring must be addressed through additional noise attenuation measures.
- an Out of Hours Event Management Plan must be prepared for events involving over 100 patrons.

6.4 Other issues

The Department's consideration of other issues is provided at **Table 6**.

Table 6 | Other issues

Issue	Findings	Department's conclusion and recommended condition(s)
Heritage	A Heritage Impact Assessment and Historical Archaeological Assessment were prepared as part of the EIS to assess the impacts of the proposal upon the existing heritage buildings at the site (Buildings A and D), in the immediate vicinity of the Military Road Conservation Area and to consider the potential impacts upon historical archaeology as a result of the proposed upgrade works.	The Department notes that archival recording of the buildings to be demolished is proposed and has recommended a condition to ensure this occurs prior to demolition. Additionally, the Department notes and supports the views of Council and the adjustments made by the Applicant in muting the colours of the window frames, particularly along Military Road.
	The assessments noted that the site was not listed on the State Heritage Register nor in the immediate vicinity of any State Heritage Items. However, they noted that it is adjacent to the locally significant Military Road Heritage Conservation Area. The site was considered to contain archaeological relics relating to the late nineteenth century residential dwellings along various frontages of the site as well as well relics from the 1883 development of the school.	In support of Council's position, the Department has recommended the Applicant undertake archival recording of Buildings B and C prior to any demolition works. Once recorded, this detail must be lodged with Council's Local History Library.
	The Applicant confirmed there would be no impact upon the existing heritage buildings at the site as a result of demolition of Buildings B and C. The partial demolition and alterations to Building E are considered by the Applicant to have a positive heritage	To ensure the potential for archaeological relics at the site is appropriately quantified and managed, the Department supports the recommendations of Heritage NSW and has included conditions, including the engagement of suitably qualified and experienced professionals to undertake works, that appropriate documentation of any archaeological salvage works be prepared and the implementation of an unexpected finds procedure.

impact on the setting and surrounds of heritage listed Building A.

The construction of Building G would match the setbacks of the heritage buildings on the site. This would result in greater setbacks from the property boundaries than those from the existing building to be demolished, providing an improved heritage response at the site.

With regards to archaeological relics, the assessments concluded that previous works at the site would have removed much of the remains. However, potential remained for archaeological material to still be present, particularly in the areas of works. As such, the proposed works were considered to have impacts upon works of moderate to high archaeological potential.

To ensure the works would be undertaken to minimise impacts to relics where possible, a research design methodology for archaeological investigations was submitted to guide investigations prior to undertaking construction. These excavation works would be overseen by a suitably qualified archaeologist.

Council raised no objection to the proposed works within the local Heritage Conservation Area. However, Council requested that archival recording of the buildings proposed to be demolished be undertaken and recommended the colours of the windows facing Military Road be more muted.

Heritage NSW noted the potential for the site to contain archaeological relics and provided recommendations to ensure that works would be undertaken in accordance with relevant guidelines and the research design proposed by the Applicant.

Tree removal and planting

An Arboricultural Impact Assessment Report was included in the EIS that assessed the health, condition and stability of trees at the site and the viability for retention within the context of the proposed development.

With the commitments of the Applicant in conjunction with the recommended conditions, the Department considers any impacts of the proposed upgrade upon heritage or potential archaeological deposits to be manageable.

The Department has considered the comments received from GANSW and information provided by the Applicant. The Department is supportive of the additional tree canopy coverage proposed for the site. Whilst the proposed coverage does not meet the

**Aboriginal
Cultural
Heritage**

Of the 76 existing trees on the site, 13 trees were identified of high retention value, 56 with medium retention value and seven with low retention value. None of the trees of high retention value would be removed as part of the proposed development. However, a total of 20 trees, 15 of medium retention value and five of low retention value, would be removed to enable works to proceed.

The Applicant proposes to plant 34 trees at the site, increasing the overall canopy cover from 21.2% to 24.6%.

GANSW noted the target canopy cover for the site to be 30%, with the proposal indicating a reduced coverage following completion of works. As such, GANSW recommended the coverage be increased to 28%, which would more closely approach the target, acknowledging the constraints of the site.

In the RtS, the Applicant considered the target for the site to be 25%, being located within an urban residential and light commercial area. As such, the Applicant considered the target canopy cover for the site to be 25%. The RtS also noted the need for circulation and activity spaces and considered the increase in tree canopy coverage to be sufficient.

An Aboriginal Cultural Heritage Assessment Report (ACHAR) was included with the EIS and finalised as part of the RtS.

The ACHAR considered whether works associated with the proposed upgrade that would have the potential to impact upon Aboriginal items of significance. These works included cut and fill works due to the construction of new buildings and associated foundations as well as demolition works and subsurface excavations for delivery of services.

The results of the investigations undertaken indicated that no Aboriginal objects or sites are likely to be impacted by the works as the majority of the site is presently covered in

draft guidelines as noted by GANSW, it is acknowledged that this is primarily because of the constraints of the site and the proposed works have been designed to minimise clearing and maximise planting.

The Department has recommended a revised Landscape Plan be prepared that demonstrates that the proposed canopy cover has been achieved. In addition, to ensure that retained trees are appropriately protected, the Department has also recommended conditions including the engagement of a qualified arborist to monitor works and installation/removal tree protection structures.

With the implementation of the Applicant's planting strategy and the recommended conditions, the Department is supportive of the landscaping and tree removal proposed.

The Department has considered the findings and recommendations of the ACHAR and the advice provided by Heritage NSW. In accordance with Heritage NSW's advice, the Department has recommended a condition that requires the implementation of an unexpected finds protocol.

The Department considers that the proposed upgrade can be undertaken with negligible impacts upon Aboriginal Cultural Heritage.

buildings and/or concrete, with high levels of disturbance across the site.

Based on consultation with the Aboriginal community, findings of the survey and anticipated impacts of the works, the ACHAR recommended the implementation of an unexpected finds procedures and training of all contractors.

Comments received from Heritage NSW advised that the ACHAR revised as part of the RtS was considered adequate. However, Heritage NSW noted that there were discrepancies in the Unexpected Finds Procedures proposed and recommended inclusion of the complete procedure as part of any approval granted to the proposed development.

Social Impacts

The EIS included a Social Impact Assessment that considered the existing operation of the school facilities and its benefit to the community. The assessment highlighted the use of the facilities by community groups that enhanced the integration of the school with the community.

The Department has considered the merits of the proposal and concludes the site is appropriate for its continued primary use as a high school.

The Department is satisfied that the proposal would have positive social impacts as it would meet the educational needs of the area.

The Applicant provided a commitment that the school would remain available to community groups both during construction and operation, noting that once upgraded, available facilities would be improved.

Whilst the submission of a community member indicated the site was only minimally provided for community use, the Applicant has indicated the proposal would include community use of facilities after hours on weekdays and on the weekends.

A submission received from a member of the local community indicated that there was limited use available to the community of the school facilities. The Applicant highlighted that out of hours use would be determined via an operational management plan.

The Department has recommended conditions that the out-of-hours operation of the site be undertaken in accordance with an Out of Hours Event Management Plan to ensure community use of the site has a negligible impact upon the surrounding sensitive receivers.

View loss and visual amenity

The EIS included an Architectural Design Statement that considered the visual impacts and potential view loss associated with the proposed upgrade.

With the site being located on a natural ridge, falling towards the east and west, the potential impacts of the proposal increase in building height would be minimised. Taller buildings to

Noting the constraints of the site and the need for improved facilities, the Department recognises that, whilst a portion of some views may be impacted by the proposed upgrade, the broader panoramic view as seen from residential properties would remain.

Hazardous materials

the north, with views to the Sydney CBD and Sydney Opera House would be unlikely to be impacted by the proposed works. Ocean views from Raglan Street would not be impacted. However, limited apartments within 114 Avenue Road may be impacted with units with views above the existing Building E ridgeline and below the proposed new building being impacted.

Given the distance between the residential unit buildings and the proposed new building, the assessment found that only a portion of a broader panoramic view that would be impacted and the proportion of the intrusion into the view is considered minimal.

An assessment of the visual impacts of the proposed upgrade upon key vantage points within the immediate surrounds of Mosman was also included as part of the EIS. The assessment of the impacts upon key views was focussed upon the proposed new building.

The impacts on views ranged from marginal-low to moderate-high, the latter being the view looking south-west along Military Road towards the site. The impacts upon this view are a direct result of the larger scale of the proposed building compared to the existing buildings, in addition to the increased presence of the proposed building along the frontage of the Military Road/Belmont Road corner.

The assessment noted that the retention of existing street trees and boundary vegetation (where possible) and proposed setbacks and architectural features would minimise any impact upon general amenity.

The Applicant undertook a limited Asbestos and Hazardous Materials Pre-Demolition Survey of the aspects of the site to be demolished including Buildings B, C and part of Building E, as well as the amenities block and elevated walkway. Asbestos and hazardous materials were identified or suspected to be present across these areas.

To ensure that any impacts upon view loss and visual amenity within the immediate surrounds are minimised where possible, the Department has recommended the final selection of the enclosure materials be undertaken in consultation with Council and that materials minimise impacts where practicable.

Noting the constraints of the site and the need for the proposed upgrade, the Department supports the proposal and considers works to be in the public interest.

The Department acknowledges the difficulties in assessing all hazardous materials whilst a site is operational. Notwithstanding this, the Department notes that demolition works would likely impact upon hazardous materials and these should be quantified, handled and disposed of accordingly. As such, the Department has recommended a number of conditions in relation to managing

The report recommended:

- any asbestos containing material or synthetic material fibres impacted by demolition be removed from the site by an appropriately qualified and licensed professional.
- an occupational hygienist be engaged to monitor any airborne asbestos fibres along the boundary of works and within the site, particularly when works are occurring parallel to existing operations.
- areas containing lead dust and lead based paint be managed in accordance with Australian Standards.
- all metal light fittings within areas to be demolished be assumed to contain polychlorinated biphenyls and removed prior to demolition/refurbishment in accordance with Department of Occupational Health, Safety and Welfare (1993) *Safe Handling of PCB in Fluorescent Light Capacitors* and with the *Polychlorinated Biphenyls Management Plan*, Revised Edition April 2003 as well as any additional guidance available from SafeWork NSW.
- all ozone depleting substances that are likely to be disturbed be removed prior to any demolition, refurbishment or construction works.

hazardous materials present within buildings to be demolished or refurbished at the site and engaging appropriately qualified professionals to ensure safe removal and disposal of these materials.

The recommended conditions require a register of hazardous materials be prepared and validated by an occupational hygienist prior to demolition and that works be undertaken in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and in consultation with SafeWork NSW (where asbestos waste is to be handled and/or disposed of).

With the implementation of the recommendations of the Applicant's preliminary pre-demolition survey and the recommended conditions, the Department concludes hazardous materials would be managed appropriately.

Contamination The Applicant undertook a Preliminary Site Investigation (PSI) followed by a Detailed Site Investigation (DSI) as part of the EIS. The Investigations indicated the site had been utilised as a school since at least 1903 and identified areas on site requiring further investigation as result of historical use of pesticides and lead contamination. As such, five boreholes were installed to enable detailed investigation of future building locations.

Sampling undertaken indicated contaminants of concern were generally below reportable levels and detectable concentrations of heavy metals were reported at most locations to be below assessment criteria (excluding a minor exceedance of

The Department has considered the findings of the site investigations and the recommendations of the RAP. The RAP provides recommendations for supplementary investigations associated with the quality of fill material within the site and requires these works be undertaken in advance of the remediation works.

The Department requires that these supplementary investigations be undertaken prior to construction and excavation works to ensure the site remains safe for its ongoing use. As such, the Department has recommended the engagement of a NSW EPA-accredited Site Auditor to provide advice throughout the duration of works and that site investigations

ecological criteria for copper at one location).

Polycyclic aromatic hydrocarbons were detectable at two locations, with one of these locations also reporting exceedances of Benzo(a)pyrene toxicity equivalency factor.

During site investigations, areas of fill were seen across the site, with no odours or staining observed. A fragment of asbestos containing material was encountered and removed. Samples of fill reported contamination above human health assessment criteria for benzo(a)pyrene toxicity equivalency factor and above ecological assessment criteria for copper and benzo(a) pyrene. Pavement would remain in these areas, reducing the potential for exposure. Additionally, the concentrations detected were not considered to pose unacceptable risks to construction workers, should pavement be disturbed.

The investigations concluded the site can be made suitable for the proposed development in accordance with State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55).

A Remedial Action Plan (RAP) was developed to mitigate potential risks from ACM in fill and manage unexpected finds of contamination. The RAP recommended excavation and off-site disposal of asbestos containing material and contaminated materials, noting some areas of the site would remain in-situ being undisturbed and/or subject to encapsulation. Where asbestos would remain below a cover layer, an Environmental Management Plan would be implemented to ensure integrity of the layer and to ensure the site remains suitable for its ongoing use.

The Applicant considered that with implementation of an RAP, contamination risks can be mitigated to render the site suitable for its proposed use in accordance with SEPP 55.

be undertaken to confirm the full nature and extent of contamination within the area of the proposed works. Additionally, the RAP is to be reviewed following supplementary investigations to ensure it accurately reflects the outcomes of the investigations.

By accurately quantifying potential contamination at the site in addition to the implementation of the RAP, the Department concludes the site can remain operational and be made suitable for its intended use.

Stormwater

A civil works package was prepared as part of the EIS to address changes to drainage at the site as a result of the proposed upgrade. The works included both an in-ground stormwater system and an above-ground stormwater system. This also included a review of roof collection area of the proposed new building and the existing management of stormwater across the site.

Reviews of the site indicated the site would benefit by the implementation of a site wide reuse system. As such, roof drainage for the site was designed to cater for the 1:100 year flood and the management of site landscaped and paved areas was developed for the 1:20 year event.

New rainwater tanks would be installed to collect roof water that would be discharged to an in-ground rainwater tank in the central courtyard for non-potable use. Rainwater collected would be utilised for landscaping purposes only. No reuse for other non-potable applications, such as toilet flushing would form part of the proposed development due to risks associated with maintenance and infection control.

Rainfall from outdoor play areas, including the proposed rooftop play space would be discharged to the local stormwater drainage network along with any discharges from rainwater tank overflows.

The Department has recommended conditions requiring works be undertaken in accordance with designs proposed and that the stormwater management system be designed to comply with applicable Australian Standards and industry best practice guidelines.

The Department is satisfied that stormwater would be managed across the site with the proposed civil works.

7 Evaluation

The Department has reviewed the information provided by the Applicant and assessed the merits of the proposal, taking into consideration advice from the public authorities, including Council. Issues raised in public submissions 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 North District Plan. The proposal would provide much needed improved and expanded school infrastructure located near existing public transport and includes opportunities to co-share facilities with the community.

The proposal is suitable for the site and the impacts of the proposal are considered satisfactory on balance in the context of the benefits for the local community and the highly constrained nature of the site. The form, scale and design of the proposed alterations and additions to existing buildings and proposed new buildings are appropriate for the site and its context. The proposed built form would be respectful of the existing heritage items on and surrounding the site. Traffic, noise and other matters have been appropriately addressed through amendments and commitments of the Applicant as well as the Department's recommended conditions of consent.

Construction impacts have been considered, including the need to accommodate students during construction. Appropriate mitigation measures have been proposed.

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

- provision of updated educational facilities to meet the needs of a growing area.
- investment of \$54 million to deliver approximately 70 new FTE construction jobs and six FTE operational jobs.

8 Recommendation

It is recommended that the Director, Social and Infrastructure Assessments, 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 SSD-10465.
- **signs** the attached development consent (see **Appendix C**).

Prepared by:



Rebecca Sommer
Principal Planning Officer
Social and Infrastructure Assessments

Recommended by:



Jason Maslen
Team Leader
School Infrastructure Assessments

9 Determination

The recommendation is **Adopted** by:

A handwritten signature in black ink, appearing to read 'KH', with a long horizontal line extending to the right.

Karen Harragon
Director
Social and Infrastructure Assessments

Appendices

Appendix A –Relevant supporting information

1. Environmental Impact Statement

<https://www.planningportal.nsw.gov.au/major-projects/project/34286>

2. Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/34286>

3. Applicant's Response to Submissions and supplementary information

<https://www.planningportal.nsw.gov.au/major-projects/project/34286>

Appendix B – Statutory considerations

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

To satisfy the requirements of section 4.15(a)(i) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), this report includes references to the provisions of the EPIs that govern the carrying out of the project and have been taken into consideration in the Department's environmental assessment.

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

- State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP).
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP).
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55).
- Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP).
- Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP).
- Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) (Draft Education SEPP)
- Mosman Local Environmental Plan (LEP) 2012.

COMPLIANCE WITH CONTROLS

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

The aims of this SEPP are to identify state significant development (SSD) and state significant infrastructure and confer the necessary functions to joint regional planning panels to determine development applications.

An assessment of the development against the relevant considerations of the SRD SEPP is provided in **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:	The proposed development is permissible with development consent. The proposal is for alterations and additions to an existing school with a capital investment value (CIV) in	Yes

- (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.
- excess of \$20 million, under clause 15(2) of Schedule 1 of the SRD SEPP.

State Environmental Planning Policy (Infrastructure) 2007

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

An assessment of the development against the relevant considerations of the Infrastructure SEPP is provided in **Table B2**.

Table B2 | Consideration of the relevant provisions of Infrastructure SEPP

Clause(s)	Consideration and comment
CI 44 - 45 Development likely to affect an electricity transmission or distribution network	The development is located within the vicinity of an electricity transmission or distribution network. In accordance with the Infrastructure SEPP, the development was referred to the relevant electricity supply authority for comment. No comments were received, and it can be assumed that no objections are raised.
101 – 104 Development in or adjacent to road corridors and road reservations	<p>The proposed development does not alter the existing vehicular access points into the site.</p> <p>The Department has consulted with TfNSW as relevant roads authority for the classified road network and Council as the roads authority for the non-classified road network. No objections were raised in relation to traffic access points or congestion.</p> <p>The Department considered potential traffic impacts at Section 6 and is satisfied the development would not have a significant impact on the surrounding road network.</p>

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

The Education SEPP aims to simplify and standardise the approval process for child care centres, schools, TAFEs and universities while minimising impacts on surrounding areas and improving the quality of the facilities. The Education SEPP includes planning rules for where these developments can be built, which development standards can apply and constructions 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 any other EPI under which the consent is granted. The site of the proposed upgrade does not have a height control limit or floor space ratio control under Mosman Local Environment Plan 2012.

Clause 57 of the Education SEPP requires traffic generating development that involve addition of 50 or more students to be referred to the Road and Maritime Services. The Application was referred to TfNSW (incorporating Road and Maritime Services) 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. An assessment of the development against the design principles is provided in **Table B3**.

Table B3 | Consideration of the Design Quality Principles

Design Principles	Response
Principle 1 - Context, built form and landscape	<p>The proposal provides good aspect for the learning areas and would increase the amount of outdoor level play areas to the school. Tree removal has been minimised and tree planting has been maximised to soften the appearance of the site and provide canopy cover.</p> <p>The proposed new building has been designed to be compatible with the character of the surrounding area and to minimise adverse amenity impacts and loss of public views through building setbacks, recessed upper storeys and appropriate use of materials and colours.</p>
Principle 2 - Sustainable, efficient and durable	<p>The proposal includes ecologically sustainable development measures (Section 4.4.3). The materials chosen are durable and require low maintenance.</p> <p>Bicycle parking is to be increased on site and measures are proposed to encourage sustainable travel modes.</p>
Principle 3 - Accessible and inclusive	<p>The proposal has been designed to be accessible and inclusive through the provision of lifts and accessible paths of travel would</p>

	<p>be provided from the proposed new entrance off Belmore Road to the school buildings.</p> <p>The location of the school hall would allow the hall to be easily accessed by the community after school hours and on weekends.</p>
Principle 4 - Health and Safety	The design of the new building would provide a safe and secure school environment. The proposal has considered Crime Prevention Through Environmental Design principles. The proposal would clearly delineate the pedestrian entrances into the school to allow the management of visitors to the sites.
Principle 5 - 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 new building seeks to maximise natural light and ventilation to the indoor areas of the school, while the landscaping and covered outdoor areas would provide shaded areas for students and staff use.</p>
Principle 6 - Whole of life, flexible, adaptable	The proposed new building would allow for long term flexibility through the provision of flexible formal and informal learning areas to adapt to future learning requirements.
Principle 7 - Aesthetics	The proposal would achieve a high standard architectural design and would be compatible with the character of the area. The proposed new entrance to Belmore Road would provide a sense of arrival.

State Environmental Planning Policy No. 55 - Remediation of Land

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

As detailed at **Section 6.4**, the Department is satisfied that the Applicant has adequately demonstrated that the sites are suitable, subject to remediation, for the ongoing use as an educational establishment as required by SEPP 55. The Department has recommended conditions to ensure existing hazardous materials and contamination is appropriately managed.

Draft State Environmental Planning Policy (Remediation of Land)

The Draft Remediation SEPP will 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 require all remediation work carried out without development consent to be reviewed and certified by a certified contaminated land consultant.

Remediation work is to be categorised based on the scale, risk and complexity of the work. Environmental management plans relating to post-remediation management of sites including the ongoing operation, maintenance and management of on-site remediation measures (such as a containment cell) are to be provided to Council.

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

Draft State Environmental Planning Policy (Environment)

The Draft Environment SEPP is a consolidated SEPP which proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. Once adopted, the Draft Environment SEPP will replace seven existing SEPPs. The proposed SEPP will provide a consistent level of environmental protection to that which is currently delivered under the existing SEPPs. Where existing provisions are outdated, no longer relevant or duplicated by other parts of the planning system, they will be repealed.

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

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

The Draft Education SEPP will retain the overarching objectives of the Education SEPP to facilitate the effective delivery of educational establishments and child care facilities across the State.

The provisions of the Draft Education SEPP aim to improve the operation, efficiency and usability of the Education SEPP and to streamline the planning pathway for schools, TAFEs and universities that seek to build new facilities and improve existing ones. The exhibited Explanation of Intended Effects (EIE) also proposes changes to the requirements that need to be met for an application to be SSD.

The Department is satisfied that the proposal will be consistent with the objectives of the Draft Education SEPP and continues to meet the requirements for SSD in accordance with the EIE.

Mosman Local Environmental Plan 2012

The Mosman Local Environment Plan 2012 (Mosman LEP 2012) aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the Mosman Local Government Area. The Mosman LEP 2012 also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the Mosman LEP 2012 and those matters raised by Council in its assessment of the development (**Section 5**). Consideration of the relevant clauses of the MLEP is provided in **Table B4**.

Table B4 | Consideration of the Mosman LEP 2012

Mosman LEP 2012	Department Comment/Assessment
Land Use Table	The site is zoned SP2 Infrastructure (Educational Establishment). Educational establishments are permissible with consent in the SP2 'Educational Establishment' zone.
Clause 4.3 Height of Buildings	The site is not subject to a height of building control.
Clause 4.4 Floor Space Ratio	The site is not subject to a floor space ratio control.
Clause 5.10 Heritage conservation	<p>The site is listed as a local heritage item (No. 1161) with Buildings A and D listed as buildings on heritage value on the site. The eastern portion of the site is also located in the included in the 'Military Road Heritage Conservation Area' (C7). Two other conservation areas known as 'Keston Avenue' (C4), and 'Shadforth Street' (C10) are also in proximity to the site.</p> <p>The Department considers that the proposal would be sympathetic to the heritage significance of Buildings A and D on the site and the surrounding heritage conservation area. This is addressed further in Section 6.4.</p>

Other policies

In accordance with clause 11 of the SRD SEPP, Development Control Plans do not apply to SSD. However, the objectives of relevant controls under the Mosman Open Space and Infrastructure Development Control Plan 2012, where relevant, have been considered in **Section 6**.

Appendix C – Recommended instrument of consent

<https://www.planningportal.nsw.gov.au/major-projects/project/34286>

Appendix D – Community Views for Draft Notice of Decision

Issue	Consideration
<p><i>Operational traffic</i></p> <ul style="list-style-type: none"> existing traffic issues in the area. need for additional of drop-off/pick-up areas and relocation of buses. adequacy of end-of-trip facilities. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department assessed the operational impacts of the proposed upgrade upon the existing traffic in the area. The operational traffic impacts of the increase in staff (six) and students (88) were considered to have a negligible impact upon the existing traffic and parking in the area. As the proposed development is predominantly an upgrade of the existing school facilities, while acknowledging the queuing associated with the bus bays along Gladstone Avenue, the Department did not consider the proposed upgrade would further exacerbate bus queuing. While outside of the scope of the Department's assessment, the Department noted the Applicant had initiated discussions with TfNSW to review bus timetabling and potentially extend the bus bay and was supportive of this initiative. Upon review of comments received during the exhibition of the EIS, the Applicant reviewed the bicycle parking provisions and the on site end-of-trip facilities and increased both aspects to assist with encouraging a transport mode shift to the site. The Department was supportive of the increase in provided bicycle parks and end-of-trip facilities as well as the implementation of other measures to encourage less reliance on private vehicles. <p><i>Conditions</i> Conditions include:</p> <ul style="list-style-type: none"> provision of at least six staff and 60 student bicycle parking spaces and preparation and implementation of a School Transport Plan (STP) that would incorporate and monitor sustainable transport measures.
<p><i>Operational parking</i></p> <ul style="list-style-type: none"> adequacy of on site staff parking. relocation of on site parking underground or at a walkable location. disabled car parking space on site. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> As part of its assessment of the changes to parking requirements at the site, the Department considered the adequacy of on site staff parking in relation to the increase in staff proposed as part of the proposed upgrade. As the proposed upgrade would not significantly increase the school population or teaching staff, the Department did not consider there would be a significant change in traffic movements, nor parking requirements. The Department acknowledged the concerns raised by the community and Council in relation to the level of parking on site as well as the impacts upon on-street parking in the vicinity. However, the Department recognises that the proposed upgrade would not significantly increase the intensity of use at the site and that the site is highly constrained. In considering the concerns raised in relation to the provision of an accessible car space, the Department noted there was no disabled car space within close proximity to the high school. As such, the Department required an accessible car space be provided at the school in accordance with Disability (Access to Premises – Buildings) Standards 2010. <p><i>Conditions</i> Conditions include:</p> <ul style="list-style-type: none"> provision of at least one disabled car parking space per 100 car spaces be installed at the site in accordance with Disability (Access to Premises – Buildings) Standards 2010.

Issue	Consideration
<p><i>Construction traffic and parking</i></p> <ul style="list-style-type: none"> • <i>impacts of construction traffic on existing traffic flows and local parking.</i> • <i>recommended Construction Traffic Management Plan be approved prior to commencement.</i> 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The construction of the proposed upgrade is anticipated to take a period of up to 15 months and it is anticipated that 25 construction vehicles, sized up to a 19 metre articulated vehicle, would access the site per day during construction hours. • In noting the short-term nature of construction, the Department acknowledged there would be some changes to traffic flow. However, the establishment of a 'Works Zone' on Belmont Road and vehicles arriving within construction hours would alleviate some of this inconvenience. • The Department has required the Applicant to establish a strategy to outline sufficient parking provisions for both construction workers and operational staff during construction works to minimise impacts upon the surrounding community. <p><i>Conditions</i> Conditions include:</p> <ul style="list-style-type: none"> • preparation of a Construction Traffic Management Plan as well as a Construction Transportation Strategy to detail the provision of sufficient parking facilities or other travel arrangements for construction workers and operational staff.
<p><i>Bulk and scale</i></p> <ul style="list-style-type: none"> • <i>two-storey street frontage preferred.</i> • <i>inconsistencies with existing streetscape, particularly the upper levels and colours selected.</i> 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The Department considered the proposed upgrade of the Mosman High School in conjunction with the constraints posed by the existing site as well as the need for improved and expanded educational facilities. • While noting the increased height of the proposed building along Military Road, there is no prescribed height control for the site. Additionally, the Department considered the Applicant achieved a balance between the need for expanded facilities with minimal impact upon the surrounds by recessing upper levels of the building and providing transparent materials around the rooftop outdoor space. • Further, the muted colour scheme of the pop-out windows proposed as part of the Applicant's Response to Submissions (RtS) were supported by the Department and would improve the overall development and its presence within a locally significant heritage area. <p><i>Conditions</i> Conditions include:</p> <ul style="list-style-type: none"> • consultation with Council on the detailed design of the rooftop area and selection of materials for enclosing the area with selected materials minimising the visual impact upon the surrounding Military Road Heritage Conservation Area.
<p><i>Heritage</i></p> <ul style="list-style-type: none"> • <i>recommended archival recording of buildings to be demolished.</i> 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The Department considered the local heritage significance of buildings within the site, including those remaining and those to be demolished, as well as the presence of the site adjoining the locally listed Military Road Heritage Conservation Area. • The Department considered the buildings to be demolished to not be of heritage significance. However, the Department noted their presence within the site. As such, the Department supported the views of Council and recommended that archival recording of the buildings to be demolished be undertaken prior to demolition. <p><i>Conditions</i> Conditions include:</p> <ul style="list-style-type: none"> • archival recording of Buildings B and C prior to any demolition works.

Issue	Consideration
<p><i>Tree protection</i></p> <ul style="list-style-type: none"> recommended tree protection measures be installed prior to commencement. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department considered the Arboricultural Impact Assessment Report provide with the EIS and the proposed amendments to landscaping provided within the RtS. Of the 76 existing trees on the site, 13 trees were identified of high retention value, 56 with medium retention value and seven with low retention value. None of the trees of high retention value would be removed as part of the proposed development. However, a total of 20 trees, 15 of medium retention value and five of low retention value, would be removed to enable works to proceed. Noting the high level of tree retention proposed for the site, the Department agreed with the comments made by Council in relation to the installation of appropriate tree protection measures prior to the commencement of works. <p><i>Conditions</i> <i>Conditions include:</i></p> <ul style="list-style-type: none"> engagement of a qualified arborist to monitor works and installation/removal tree protection structures.
<p><i>Siting</i></p> <ul style="list-style-type: none"> siting of a school at this location. importance of site. location of site entrance. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department considered the proposed upgrade of the Mosman High School in conjunction with the constraints posed by the existing site as well as the need for improved and expanded educational facilities. As the site presently provides the infrastructure for a high school and the proposed upgrade would result in only a minor change to staff and student population, the site was considered to remain sufficient and appropriate for its use. The Department undertook a site walkover to observe the presence of the site within the local landscape and acknowledged the importance of the school at this location. The Department did not consider the relocation of the site entrance to result in any significant impacts upon the operation of the site. The Department supported the ongoing use of the site as a high school and supported the proposed upgrades to improve ongoing use.
<p><i>Community use</i></p> <ul style="list-style-type: none"> access through the site and use of the site out of school hours. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department considered the existing operation of the school facilities and its benefit to the community. The Applicant highlighted the site is utilised by community groups and this enhanced the integration of the school site within the community. Whilst a community member indicated the site was only minimally provided for community use, the Applicant indicated the use of the site would be open to the community after hours on weekdays and on the weekends. As the site would be under construction and then an operational school site, access through the site by the community is not a planning consideration and should be discussed with the Applicant. <p><i>Conditions</i> <i>Conditions include:</i></p> <ul style="list-style-type: none"> development of an Out of Hours Event Management Plan to indicate community uses of the site and ensure out of hours use of the site would have a negligible impact upon the surrounding sensitive receivers.
<p><i>School catchment area</i></p> <ul style="list-style-type: none"> frequency of students residing outside of the catchment area. 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> The Department notes that public schools in NSW have an enrolment boundary that provides guidance on the area serviced by the school and provides a delineated area where enrolment will be guaranteed. In its assessment of access to the site, the Department noted that there were a number of bus routes utilised by students to access the site that would indicate residence outside of this catchment. While this is not directly a planning consideration, the potential traffic impacts were considered. The Department assessed the operational impacts of the proposed upgrade upon the existing traffic in the area and considered the increase in staff (six) and students (88) would have a negligible impact upon the existing traffic and parking in the area. The Department supported the commitment of the Applicant to enforce the school catchment boundary more strictly into the future.

Issue	Consideration
Errors in EIS	<p data-bbox="571 275 695 297"><i>Assessment</i></p> <ul data-bbox="632 302 1437 499" style="list-style-type: none"> <li data-bbox="632 302 1437 376">• The Department, Council and members of the community noted a number of errors within the exhibited documentation provided as part of the exhibited materials in relation to the proposed upgrade. <li data-bbox="632 376 1437 427">• The Department sought clarification on these errors as part of the request for RtS as well as in subsequent Requests for Information. <li data-bbox="632 427 1437 499">• The Department considered only the correct information as part of its assessment that concluded the proposed upgrade would be suitable for the site and would be in the public interest.