STATE SIGNIFICANT DEVELOPMENT ASSESSMENT REPORT: St Ignatius College Riverview Senior School Campus Staged Development Application – Concept Proposal and Stage 1 Works 2-60 Riverview Street and Tambourine Bay Road, Riverview (SSD 7140)

Secretary’s Assessment Report Section 89H of the Environmental Planning and Assessment Act 1979

June 2016
# ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant</td>
<td>Willowtree Planning (on behalf of Trustees of the Jesuit Fathers)</td>
</tr>
<tr>
<td>CIV</td>
<td>Capital Investment Value</td>
</tr>
<tr>
<td>Department</td>
<td>Department of Planning and Environment</td>
</tr>
<tr>
<td>EIS</td>
<td>Environmental Impact Statement</td>
</tr>
<tr>
<td>EP&amp;A Act</td>
<td>Environmental Planning and Assessment Act 1979</td>
</tr>
<tr>
<td>EP&amp;A Regulation</td>
<td>Environmental Planning and Assessment Regulation 2000</td>
</tr>
<tr>
<td>EPI</td>
<td>Environmental Planning Instrument</td>
</tr>
<tr>
<td>LEP</td>
<td>Local Environmental Plan</td>
</tr>
<tr>
<td>MD SEPP</td>
<td>State Environmental Planning Policy (Major Development) 2005</td>
</tr>
<tr>
<td>Minister</td>
<td>Minister for Planning</td>
</tr>
<tr>
<td>PAC</td>
<td>Planning Assessment Commission</td>
</tr>
<tr>
<td>Regulation</td>
<td>Environmental Planning and Assessment Regulation 2000</td>
</tr>
<tr>
<td>RtS</td>
<td>Response to Submissions</td>
</tr>
<tr>
<td>Secretary</td>
<td>Secretary of the Department of Planning and Environment, or her delegate/nominee</td>
</tr>
<tr>
<td>SEPP</td>
<td>State Environmental Planning Policy</td>
</tr>
<tr>
<td>SEARs</td>
<td>Secretary’s Environmental Assessment Requirements</td>
</tr>
<tr>
<td>SRD SEPP</td>
<td>State Environmental Planning Policy (State and Regional Development) 2011</td>
</tr>
<tr>
<td>SSD</td>
<td>State Significant Development</td>
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</tbody>
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Cover Photograph: North-east extension - Stage 1 Therry Precinct (Source: applicant’s EIS)

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EXECUTIVE SUMMARY

This report is an assessment of a State significant development (SSD) application lodged by Willowtree Planning, on behalf of the Trustees of the Jesuit Fathers (the applicant). The application seeks approval for a concept proposal for the staged redevelopment of the St Ignatius College Riverview School campus at 2-60 Riverview Street and Tambourine Bay Road, Riverview (the site).

The application also seeks concurrent approval for the expansion and refurbishment of existing buildings in Stage 1 of the concept proposal. The concept proposal would not result in any increase in the current enrolment capacity or maximum staff numbers at the school.

The concept proposal has a capital investment value (CIV) of approximately $153 million and the Stage 1 development would generate 200 construction jobs.

The development is SSD under clause 15 of Schedule 1 to the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP), as it is a development for the purposes of an ‘educational establishment’ and has a CIV of more than $30 million. The Minister for Planning is the consent authority.

The Department publicly exhibited the application from 10 December 2015 to 7 February 2016, and received five submissions from public authorities and two public submissions. No issues were raised by the public authorities and the matters raised in the public submissions relate to traffic and car parking impacts.

The Department has assessed the merits of the proposal and considers the key issues associated with the project to be built form, traffic generation and event car parking.

The Department has reviewed the proposed built form and considers the proposed building envelopes are appropriate for the site and heritage setting and would not result in any adverse visual impacts on the surrounding area. Despite a non-compliance of the proposed building envelopes with the 9.5 m building height development standard in the Lane Cove Local Environmental Plan (LEP) 2009, the Department considers that strict compliance with the development standard is unreasonable in this instance given the existing buildings on the site also exceed the height development standard. The Department also considers that strict compliance with the height development standard would preclude improvements to the school and the ability to deliver on the objectives of the SP2 Infrastructure zone.

The proposed redevelopment would not result in any significant increase above the existing development traffic generation given there would be no increase in student population or staff numbers. The Department is therefore satisfied the proposed redevelopment would not create any adverse traffic impacts on the surrounding road network. The Department is also satisfied that the proposed redevelopment would continue to provide sufficient on-site car parking to satisfy the peak parking demands generated by the school.

The Department considers the application is consistent with the objects of the Environmental Planning & Assessment Act 1979 (the Act), including ecologically sustainable development, State Priorities and A Plan for Growing Sydney. The Department is satisfied that the proposed redevelopment would make a positive contribution to the operation of the school by consolidating the core school functions into readily identifiable activity precincts. The concept proposal would also deliver high quality learning and recreation facilities resulting in improved educational outcomes. The Department therefore considers the development would be in the public interest and recommends that the concept proposal and concurrent Stage 1 be approved, subject to conditions.
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1. BACKGROUND AND PROPOSED DEVELOPMENT

1.1 Background
Willowtree Planning, on behalf of the applicant, proposes the staged redevelopment of the St Ignatius College Riverview Senior School campus, located at 2-60 Riverview Street and Tambourine Bay Road, Riverview. The application also seeks approval for Stage 1 works in the Therry Precinct on the campus, comprising the expansion and refurbishment of existing buildings and associated landscaping.

St Ignatius College Riverview is a Catholic day and boarding school for boys, which caters for students in Year 7 to Year 12 across the Senior campus and the Regis campus (junior school). The proposed redevelopment works only relate to the senior school campus.

The school has an enrolment capacity of 1,640 students (including a maximum 365 boarders) and employs a maximum 320 staff (full-time and part-time). The senior school campus currently accommodates 1,400 students. The junior school campus currently contains 208 students. The proposed redevelopment does not seek to increase the student numbers beyond the enrolment capacity of 1,640 students or result in any increase in the maximum number of staff. The school is not currently subject to any restrictions on enrolment.

The applicant's concept proposal has been informed by the school’s own master plan, which provides a framework for the staged redevelopment of school over the next 30 years. Whilst the existing campus contains specific areas of learning, boarding, administration and recreation, the current layout of buildings and facilities lacks a defined structure, resulting in poor connectivity and amenity for school users. The key elements of the master plan include:
- creating identifiable activity precincts linked by clear and simple circulation;
- rationalising the car park, service and maintenance activities;
- consolidating staff and administration activities into the Main Building;
- consolidating the main playing field and support facilities;
- expanding and upgrading existing learning areas and recreation facilities;
- shortening the internal loop road to integrate learning areas with the wider campus; and
- creating new recreation space and opportunities for outdoor learning.

1.2 Site Description
The site is located in the suburb of Riverview approximately 1.3 km south of Lane Cove Town Centre, and 6 km north-west of the Sydney CBD within the Lane Cove Local Government Area. The site location is illustrated in Figures 1 and 2.

The site has an area of approximately 40 ha, including the junior school on the northern side of Riverview Street. The senior school campus has a primary frontage to Riverview Road to the north (550 m), and a secondary frontage to Tambourine Bay Road (270 m) to the east.

The topography varies significantly across the site with the highest location being the sporting fields in the north-western portion of the site at RL 48. The majority of the school buildings are located along the central ridge, which extends in a north-south direction and typically has elevations between RL 36 and RL 40.

There are several level areas used for playing fields, the largest of which is situated in the eastern part of the site at RL 17 and RL 25.

The site contains landscaped gardens, playing fields and a narrow band of vegetation adjoining the Lane Cove River to the south-east, south and west. The redevelopment works
would be generally confined to a footprint of existing built form, resulting in no direct impact on existing foreshore vegetation.
The senior school campus contains a variety of buildings and facilities ranging between one and four storeys, including: administration and teaching/classroom buildings; a chapel; boarding house; and sports facilities. There are numerous other one and two storey buildings scattered around the site interspersed with landscaping, playing fields, tennis courts and open grassed areas. The distance separation between the senior school buildings and the nearest residences in Tambourine Bay Road is approximately 280 m.

The school is also listed as an item of Local Heritage Significance under Lane Cove LEP 2009 for its Victorian buildings and cultural significance. There are a number of heritage items contained within the senior school campus, including but not limited to: the Main School Building; St Michael’s House; and the Dalton Memorial Chapel.

The existing vehicular access is via a two-way internal loop road around the main buildings at the centre of the senior school campus, which branches off to a range of buildings and facilities. It also provides two entry/exit points at Riverview Street. There are a total of 267 car spaces on the site, including six accessible car spaces. The grassed open space areas and playing fields are currently used for overflow parking during major events for approximately 800 vehicles.

The existing school layout is illustrated in Figure 3 and Figures 4 to 9 illustrate the local context.
**Figure 4** – Main vehicular entry at intersection of Tambourine Bay Road and Riverview Street  

**Figure 5** – View from northern boundary at Riverview Street  

**Figure 6** – View from Tambourine Bay Road  

**Figure 7** – Main Building from southeast  

**Figure 8** – From right to left: Dalton Chapel, St Michael’s House, Refractory and Main Building  

**Figure 9** – Therry Building
1.3 Project Description

The proposed State significant development application (SSD 7140) seeks approval for a concept proposal for the staged redevelopment of the St Ignatius College Riverview School campus on a ‘precinct by precinct’ basis over 30 years, comprising:

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

Concurrent approval is also sought for the expansion and refurbishment of the existing Therry Building in Stage 1 to create new learning facilities and associated landscaping.

Table 1 provides a summary of the development proposal’s key components.

<table>
<thead>
<tr>
<th>Key components</th>
<th>Concept Proposal</th>
<th>Stage 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional GFA</td>
<td>22,877 sqm (approx.)</td>
<td>2,870 sqm</td>
</tr>
<tr>
<td>Car parking</td>
<td>267</td>
<td>267</td>
</tr>
<tr>
<td>CIV</td>
<td>$153 million</td>
<td>$13 million</td>
</tr>
<tr>
<td>Number of Jobs</td>
<td>200 construction jobs (Stage 1)</td>
<td></td>
</tr>
</tbody>
</table>

The concept proposal would be constructed on a ‘precinct by precinct’ basis with the sequence of staging dependent on the school’s needs and funding requirements. The location of the various precincts is illustrated in Figure 10 and Table 2 provides a summary of the proposed works in each precinct.

Table 2: Proposed development works by precinct – concept proposal

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Summary of proposed works</th>
</tr>
</thead>
</table>
| Therry Precinct (Stage 1) | • Construction of new additions to the west, north and north-east of the existing Therry Building and O’Neil Wing;  
<p>|                           | • major refurbishment;                                                                    |
| Wallace Precinct          | • demolition of existing Wallace and Administration buildings;                             |
|                           | • construction of a new building to provide new learning opportunities for science, technology, engineering and mathematics;   |
|                           | • the new building would have a greater footprint in a similar location and one level higher than the existing building; |
| Food &amp; Beverage Precinct  | • construction of a new contemporary two storey building to the north of the existing Refractory building and west of St Michael’s House to replace the existing canteen; |
| Main Building Precinct    | • consolidate administration and staff areas into the Main Building                       |
|                           | • provide a new reception at ground floor;                                                 |
|                           | • locate staff areas on the top two levels and provide a connection to the ground level with a new enclosed stair attached to the northern façade; |
|                           | • the design of the new enclosed stair includes a light framed element addition to the facade; |
| St Michael’s House Precinct| • remove the recent northern additions and reinstate its original form for use as a heritage centre for the display and celebration of school’s provenance; |
|                           | • provide a landscape area to the north;                                                  |</p>
<table>
<thead>
<tr>
<th>Precinct</th>
<th>Summary of proposed works</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vaughan Precinct</td>
<td>• internal refurbishment of lower two levels to create better learning environment and connection between the levels;</td>
</tr>
<tr>
<td></td>
<td>• refurbish existing library and relocate administration facilities to the western end;</td>
</tr>
<tr>
<td></td>
<td>• connect learning areas with lower levels of Vaughan and new Wallace Building;</td>
</tr>
<tr>
<td>Boarding Precinct</td>
<td>• construct a new four level building to accommodate the existing boarders from the junior school;</td>
</tr>
<tr>
<td></td>
<td>• elevate the building on a podium to provide parking underneath;</td>
</tr>
<tr>
<td></td>
<td>• provide a landscape zone with a raised terrace courtyard;</td>
</tr>
<tr>
<td>Community Precinct</td>
<td>• construction of a new building with catering, function, maintenance and sports facilities;</td>
</tr>
<tr>
<td></td>
<td>• the new building would respond to the existing slope by providing parking and services at the bottom level and an integrated landscape zone;</td>
</tr>
<tr>
<td>Sports Precinct</td>
<td>• consolidate the main playing fields and support facilities by replacing the existing Father Mac grandstand with a new two level grandstand facility;</td>
</tr>
<tr>
<td>Recreation Courts Precinct</td>
<td>• create a level podium spanning the existing road and connecting to the sports and recreation fields as a series of landscaped terraces and stairs;</td>
</tr>
<tr>
<td></td>
<td>• the podium includes new basketball courts and provides a connection between the learning and recreation precincts;</td>
</tr>
<tr>
<td></td>
<td>• the area under the podium will provide for the reinstatement of any parking spaces lost through the redevelopment;</td>
</tr>
<tr>
<td>New Learning Precinct</td>
<td>• construction of a building over three to four levels providing new learning facilities.</td>
</tr>
</tbody>
</table>

**Figure 10 – Location of school precincts**

(source: applicant’s EIS)
The Stage 1 development would involve the following works:

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

The layout of the Stage 1 development is shown in Figure 11 (hatched area not subject to new works). A 3D view of the Stage 1 proposal is illustrated in Figures 12 to 14.
**Figure 12** – North-east addition to the existing O’Neil Wing  
(source: applicant’s EIS)

**Figure 13** – Northern façade – Therry Building  
(source: applicant’s EIS)
1.4 Project Need and Justification
The proposed concept proposal responds to the school’s need to improve the functioning and quality of facilities of the school by consolidating the core school functions into readily identifiable precincts. The proposal is justified on the basis that it would:
• provide new learning and recreation facilities, and contribute to a high quality experience, resulting in a positive impact on educational outcomes;
• deliver flexible learning spaces and opportunities for outdoor learning;
• provide better amenity for staff and students;
• support the strategic direction of the school to deliver a high standard of teaching and education;
• improve traffic and parking arrangements; and
• improve pedestrian circulation and remove potential conflicts with vehicle movements.

2. STATUTORY AND STRATEGIC CONTEXT

2.1. SEPP (State and Regional Development) 2011
The proposal is SSD as the development is for the purpose of an educational establishment with a capital investment value (CIV) in excess of $30 million in accordance with Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP). Therefore the Minister for Planning is the consent authority.

2.2. Delegated Authority
In accordance with the Minister’s delegation dated 16 February 2015, the Executive Director, Priority Projects Assessments can determine the application as Council has not objected to the proposal, no political disclosure statement has been made and less than 25 public submissions have been received objecting to the proposal.

2.3. Permissibility and Zoning
The site is zoned part SP2 Special Infrastructure under Lane Cove LEP 2009 (LEP 2009) (refer to Figure 15). The proposal is consistent with a definition of an ‘educational establishment’ under LEP 2009, and is permissible with consent in the SP2 zone.
The proposed development is consistent with the zone objectives as it would: provide facilities to support an existing school; and establish building envelopes for future development of school facilities that is compatible with the scale of development of the existing campus.

2.4. Environmental Planning Instruments

The Department’s consideration of relevant Environmental Planning Instruments (EPIs) (including SEPPs) is provided in Appendix B. The proposal is generally consistent with the relevant requirements of the EPIs. However, at a maximum height of 19.65 m it exceeds the maximum height limit of 9.5 m applying to the site under clause 4.3 in LEP 2009. The departure from the height development standard is addressed in Section 4.2 of this report.

2.5. Objects of the EP&A Act

Decisions made under the Act must have regard to its objects (refer to glossary at Appendix C), as set out in section 5 of the Environmental Planning and Assessment Act 1979 (the Act). The proposal complies with the objects of the Act as it would deliver facilities for educational purposes in an ecologically sustainable manner. The proposal promotes the social and economic welfare of the State through the orderly redevelopment of an existing school for social infrastructure.

2.6. Ecologically Sustainable Development

The Act adopts the definition of ecologically sustainable development (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:
(a) the precautionary principle,
(b) inter-generational equity,
(c) conservation of biological diversity and ecological integrity,
(d) improved valuation, pricing and incentive mechanisms.

The Department has considered the project in relation to the ESD principles. The Precautionary and Inter-generational Equity Principles have been applied in the decision making process via a thorough assessment of the environmental impacts of the project. The proposal is consistent with ESD principles as described in Section 6.12 of the applicant’s EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Regulation.

The applicant has also identified a range of ESD initiatives including measures that would aim to:
- use passive/natural ventilation to reduce energy demand;
- provide shade to external glazing;
- facilitate passive solar heating;
- use low energy lighting and control systems; and
- use low flow fixtures and fittings, rainwater harvesting, low water landscaping and drip irrigation.

The Stage 1 design currently achieves points equivalent to a 4 star rating considered ‘best practice’ as defined by the Green Building Council of Australia. Whilst the achievement of a 4 star rating is the applicant’s objective for the Stage 1 development, it would be subject to further detailed design requirements.

The Department is satisfied that the proposed sustainability initiatives would encourage ESD in accordance with the objects of the Act.

2.7. Secretary’s Environmental Assessment Requirements

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

2.8. Strategic Context

The Department considers that the proposal is appropriate for the site given it:
- is consistent with the State Priorities as it will provide better quality education facilities and services, and improve access to and participation in high quality education, which provides the foundations for long term social and economic success;
- is consistent with NSW Government’s A Plan for Growing Sydney to deliver school facilities supporting Sydney’s growing population, including the delivery of private school facilities;
- would provide for the ongoing delivery of essential school facilities in the Sydney metropolitan area;
- would provide additional social infrastructure which is important in maintaining Sydney’s competitive edge and standard of living into the future; and
- would provide an overall direct investment of $153 million in the local area, and create 200 construction jobs in Stage 1.

2.9. Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the Environmental Planning and Assessment Regulation 2000 (the Regulation) cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.
3. EXHIBITION CONSULTATION AND SUBMISSIONS

3.1. Exhibition

In accordance with section 89F of the Act and clause 83 of the Regulation, the application and accompanying information was made publicly available for at least 30 days following the date of first publication. The application was publicly exhibited from 10 December 2015 until 7 February 2016:

- on the Department’s website; and
- at the Department’s Information Centre and Lane Cove Council offices.

The Department advertised the public exhibition of the application on 9 December 2015 in the Sydney Morning Herald, Daily Telegraph and North Shore Times. Adjoining landholders, and relevant State and local government authorities were notified in writing.

The Department received five submissions from public authorities and two submissions from the general public (one in objection and one providing comments). A summary of the issues raised in the submissions is provided in the following sections.

3.2. Public Authority Submissions

Table 3: Public authority submissions

<table>
<thead>
<tr>
<th>Authority</th>
<th>Summary</th>
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<tbody>
<tr>
<td>Lane Cove Council</td>
<td>Council supports the proposal and recommends standard conditions of consent to protect residential amenity and ensure the future integration of Council services and infrastructure.</td>
</tr>
<tr>
<td>Transport for New South Wales (TfNSW)</td>
<td>TfNSW raised no objection to the proposal, and recommends a Construction Traffic Management Plan to minimise impacts on general traffic and bus services during construction.</td>
</tr>
<tr>
<td>Roads and Maritime Services (RMS)</td>
<td>RMS raised no objection to the proposal, and recommends a Traffic Management Plan to ensure appropriate measures are in place to minimise potential safety risks associated with construction traffic and school students.</td>
</tr>
<tr>
<td>Department of Primary Industries (DPI)</td>
<td>DPI raised no objection to the proposal, and recommends a condition requiring notification of DPI in the event of groundwater being encountered during construction.</td>
</tr>
<tr>
<td>Environment Protection Authority (EPA)</td>
<td>EPA raised no issues in relation to the proposal.</td>
</tr>
</tbody>
</table>

The Department has considered the conditions recommended by the government agencies and where relevant incorporated them into the recommended development consent.

3.3. General Public Submissions

Two submissions were received from the general public, one objecting to proposal and one providing general comments. Concerns were raised primarily in relation to traffic and parking impacts on the surrounding streets. The issues raised are summarised in Table 4.
Table 4: General Public Submissions

<table>
<thead>
<tr>
<th>Traffic and Parking</th>
<th>Issue Summary</th>
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<tbody>
<tr>
<td></td>
<td>• the validity of the traffic analysis is questioned as the weekend traffic survey was undertaken when several Riverview teams had a bye;</td>
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<td></td>
<td>• the sporting activities on a weekend including events not directly related to the school cause traffic congestion in the surrounding streets;</td>
</tr>
<tr>
<td></td>
<td>• the ability of grassed fields to provide parking during large events when it is raining;</td>
</tr>
<tr>
<td></td>
<td>• the reduced length of the internal loop road would increase the frequency of vehicles on surrounding streets;</td>
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<tr>
<td></td>
<td>• the increase in the number of events would adversely impact local traffic flow;</td>
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<tr>
<td></td>
<td>• the provision of on-site parking and dedicated bus parking for sporting events should be imposed as a condition of approval; and</td>
</tr>
<tr>
<td></td>
<td>• there should be a restriction on the number/type of events held at the school to minimise parking and traffic impacts and protect amenity of the residential area.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Visual Impact</th>
<th>Issue Summary</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• the proposed amenities facility at the lower end of Tambourine Bay Road would adversely impact the streetscape, and the outlook and enjoyment for residents; and</td>
</tr>
<tr>
<td></td>
<td>• the perceived loss of deciduous trees along eastern boundary.</td>
</tr>
</tbody>
</table>

The Department has fully considered the issues raised in the public submissions in its assessment of the application (refer to Section 4).

3.4. Applicant’s Response to Submissions

The applicant provided a response to the issues raised in submissions on 9 May 2016 (Appendix A), which also included additional information at the Department’s request in relation to the type of external events held on the school campus. The applicant’s Response to Submissions (RtS) was made publicly available on the Department’s website.

4. ASSESSMENT

4.1. Section 79C Evaluation

Table 5 identifies the matters for consideration under section 79C (refer to glossary at Appendix C) that apply to State significant development, in accordance with section 89H of the Act. The EIS has been prepared by the applicant to consider these matters and those required to be considered in the SEARs and in accordance with the requirements of section 78(8A) of the Act and Schedule 2 of the Regulation.

Table 5: Section 79C(1) Matters for Consideration

<table>
<thead>
<tr>
<th>Section 79C(1) Evaluation</th>
<th>Consideration</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)(i) any environmental planning instrument</td>
<td>Consideration of relevant EPIs has been undertaken in Appendix B. The proposed development satisfactorily complies.</td>
</tr>
<tr>
<td>(a)(ii) any proposed instrument</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>(a)(iii) any development control plan (DCP)</td>
<td>Clause 11 of the SRD SEPP provides that DCPs do not apply to SSD. Notwithstanding, the relevant DCP controls are addressed in Appendix B.</td>
</tr>
<tr>
<td>(a)(iia) any planning agreement</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>(a)(iv) the Regulation</td>
<td>The development application satisfactorily meets the relevant requirements of the Regulation, including the procedures relating to development applications (Part 6 of the Regulation), public participation procedures for SSDs and schedule 2 of the Regulation relating to environmental impact statements.</td>
</tr>
<tr>
<td>(a)(v) any coastal zone management plan</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>(b) the likely impacts of that development</td>
<td>The Department’s assessment has given appropriate consideration to the likely impacts of the proposed development. Refer to Section 4.2.</td>
</tr>
</tbody>
</table>
### Section 79C(1) Evaluation

<table>
<thead>
<tr>
<th>Consideration</th>
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<tbody>
<tr>
<td>(c) the suitability of the site for the development</td>
</tr>
<tr>
<td>Refer to Section 2.8.</td>
</tr>
<tr>
<td>(d) any submissions</td>
</tr>
<tr>
<td>Refer to Section 3 and 4.2.</td>
</tr>
<tr>
<td>(e) the public interest</td>
</tr>
<tr>
<td>Refer to Section 4.2</td>
</tr>
</tbody>
</table>

Biodiversity values exempt if:

- (a) On biodiversity certified land
- (b) Biobanking Statement exists

Not Applicable

### 4.2. Key Issues

The Department has considered the EIS, the issues raised in submissions and the applicant’s response to these issues in its assessment of the proposal. The Department considers the key environmental assessment issues for the application to be:

- built form;
- traffic generation; and
- car parking.

#### 4.2.1. Built Form

The application seeks approval for new building envelopes in seven of the 11 precincts identified in the school’s master plan. The remaining precincts largely consist of minor alterations to existing buildings or refurbishment works, including new linkages and podiums to improve circulation. The location of the precincts is illustrated in [Figure 10](#).

The proposed building envelope heights in six of the precincts subject to redevelopment would exceed the maximum building height control of 9.5 m under clause 4.3 in LEP 2009, by between 2 m and 10.15 m. Existing building heights across the Senior campus vary, with a maximum building height of 23.5 m.

Table 6 summarises the variation to the development standard for the proposed building envelopes within precincts that are subject to redevelopment in the concept proposal.

#### Table 6: Proposed building heights with precincts subject to redevelopment

<table>
<thead>
<tr>
<th>Precinct</th>
<th>Existing building heights within the precinct</th>
<th>Proposed Maximum Height</th>
<th>Additional Height</th>
<th>Variation above 9.5 m development standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>Therry (Stage 1)</td>
<td>Therry Building 10.55 m</td>
<td>13.95 m</td>
<td>+3.4 m</td>
<td>4.45 m</td>
</tr>
<tr>
<td></td>
<td>O’Neil Wing 13.7 m</td>
<td>16 m</td>
<td>+2.3 m</td>
<td>6.5 m</td>
</tr>
<tr>
<td>Wallace</td>
<td>15.65 m</td>
<td>19.65 m</td>
<td>+4 m</td>
<td>10.15 m</td>
</tr>
<tr>
<td>Boarding</td>
<td>12.75 m</td>
<td>15.75 m</td>
<td>+3 m</td>
<td>6.25 m</td>
</tr>
<tr>
<td>New Learning</td>
<td>8.5 m (St Johns House)</td>
<td>16 m</td>
<td>+7.5 m</td>
<td>6.5 m</td>
</tr>
<tr>
<td>Sports</td>
<td>6.5 m (Father Mac Pav.)</td>
<td>15 m</td>
<td>+8.5 m</td>
<td>5.5 m</td>
</tr>
<tr>
<td>New Community</td>
<td>Nil</td>
<td>11.5 m</td>
<td>+11.5 m</td>
<td>2 m</td>
</tr>
</tbody>
</table>
The redevelopment works involving internal refurbishment with no increase in building height would result in minimal impact on the existing built form of the school.

The six precincts where an exceedance of the 9.5 m height control is proposed are considered further in the Department’s assessment of the built form. The building envelope proposed for the Food and Beverage Precinct with a complying height is located adjacent to the St Michael’s House and it is consistent with the scale and depth of the adjoining development. It is also located within the vicinity of the exceptional, highly and moderately significant heritage buildings on the site and is of sympathetic scale to these significant buildings.

The remainder of the new building envelopes, except the Wallace Learning Precinct, are located within areas with little heritage significance and are generally separated from the exceptional, highly and moderately significant heritage buildings by the existing Vaughan Building. Further consideration of the built form impacts of the Wallace Learning Precinct on heritage are detailed in the following consideration of the building envelopes.

Whilst the endorsement of building envelopes in which future development would occur is sought for each of the precincts identified in Table 6, the detailed approval of Stage 1 for the expansion and refurbishment of existing buildings in the Therry Precinct is also sought concurrently.

No issues were raised by Council or the general public regarding the height, bulk and scale of future development.

The applicant relies on the provisions under clause 4.6 in LEP 2009, which provide for exceptions to a development standard, and has subsequently prepared a written request that seeks exemption to the development standard for building height. The applicant contends that the variation is only minor compared to the existing non-compliant buildings on the site. The applicant also contends the proposal would achieve the objectives of the development standard and is therefore unreasonable and unnecessary in the circumstance. Furthermore, the proposal is justified on environmental planning grounds in that it:

- represents a logical and co-ordinated development for the school;
- provides a good quality built form outcome for the site;
- responds to the site context and its intended function;
- results in no overshadowing, loss of privacy or detrimental impact on views or vistas on neighbouring properties; and
- is consistent with existing buildings on the site and the desired future character.

The Department’s merit assessment of the proposed building envelopes is provided below.

**Therry Learning Precinct (Stage 1)**

The applicant is seeking concept approval for the expansion of the existing Therry Building to create new learning and staff spaces. This would involve the expansion of the footprint to the north, to the west and to the north-east (the O’Neil Wing). Concurrent Stage 1 approval for the detailed design and construction of the extensions to both buildings is also sought (refer to Figure 16).
The maximum height of the Therry Building (as proposed) would be 13.95 m, with a resultant additional GFA of 1,850 sqm. The proposed height of the Therry Building would therefore exceed the 9.5 m building height development standard by 4.45 m (noting that the existing building already exceeds the standard by 1.05 m).

The maximum height of the O’Neil Wing (as proposed) would be 16 m, with a resultant additional GFA of 1,020 sqm. The proposed height of the O’Neil Wing extension would therefore exceed the 9.5 m building height development standard by 6.5 m (noting that the existing adjoining O’Neil Building already exceeds the standard by 4.2 m).

The Department’s assessment concludes the height, bulk and scale of the new development in the Therry Precinct is appropriate for the site as:

- it provides a better design outcome by expressing the new elements to read differently from the existing building fabric;
- it is designed to align with the floor levels of the existing building allowing for efficient circulation and equitable access;
- the additional height accommodates sloping roof elements, which incorporate highlight windows to maximise daylight access and provide better internal amenity;
- the additional shadow in the morning period at the winter solstice would not result in any unreasonable shadow impacts on the adjoining courtyard and open space;
- the new additions are centrally located within the existing built form and would not be readily visible when viewed from the surrounding area;
- there would be no amenity impacts on the surrounding area; and
- a number of the existing buildings on the site exceed the height control and the building extensions are consistent with the existing built form and character of the site.
Wallace Precinct

The applicant is seeking concept approval to replace the existing Wallace and Administration buildings with a new Science, Technology, Engineering and Mathematics building in a similar location. The new building would be five storeys (RL 51, or one storey higher than the existing building), resulting in an additional GFA of 2,365 sqm. The proposed building envelope is compatible with the height and scale of the existing Vaughan Building (RL 54.8) adjoining to its north and the Main Building (RL 57.7) to the south. The future building would not result in any adverse amenity or visual impacts on the surrounding area.

The envelope height is lower than the Main Building, which is identified as an exceptional contributory item to the heritage significance of the site, and generally confined to the footprint of the existing Wallace and Administration buildings. There would therefore be no resulting adverse impacts on the heritage significant elements of the site.

Boarding Precinct

The applicant is seeking concept approval to construct a new three storey boarding house elevated on a podium with a GFA of 5,000 sqm above a basement. It would be located in the open grassed area downslope of the existing boarding house building, which has a building height of 12.75 m. The future building would be orientated in a north-south direction to minimise its visual impact when viewed from Riverview Street. Whilst at 15.75 metres it would be taller than the existing boarding house, it would be of a comparable height when viewed from Riverview Street given it is located downslope of the existing boarding house. Given the generous distance separation of 40 m to the boundary at Riverview Street, the future building would not result in any adverse amenity impacts on the surrounding area.

New Learning Precinct

The applicant is seeking concept approval to construct a new four storey building with a GFA of 6,000 sqm adjacent to the Therry Building (Stage 1). The proposed building is centrally located and compatible with the height and scale of surrounding school buildings (existing and proposed). The future building would not result in any adverse amenity or visual impacts on the surrounding area.

Sports Precinct

The applicant is seeking concept approval to construct a new grandstand comprising two levels and GFA of 2,000 sqm. The new facility would be located on the lower side of the site adjacent to the eastern playing fields and would not result in any adverse amenity or visual impact on the surrounding area.

Community Precinct

The applicant is seeking concept approval to construct a three storey building with a GFA of up to 4,000 sqm between the Learning Precinct and the Boarding Precinct. The proposed building would have a large floorplate of approximately 2,925 sqm. However, the envelope would be a maximum two storeys in any location as the building envelope allows for a tiered building that steps down with the slope of the site in this location. The future building would be predominantly set within the slope with only a portion of each level protruding above the existing ground as well as the taller lift zone. The future building would therefore be generally consistent with the scale of the school buildings and would not result in any adverse amenity or visual impacts on the surrounding area.

The proposed building envelopes are illustrated in Figures 17 to 21 (taken from the applicant’s EIS).
The Department is satisfied that compliance with the building height development standard in LEP 2009 would be unreasonable and unnecessary, in that it would preclude improvements to the school and the ability to deliver on the objectives of the zone to support infrastructure development. Accordingly, the variation to the building height development standard would not raise any matter of significance for State or regional environmental planning. The Department is also of the opinion that there would be minimal public benefit in maintaining the development standard given that it would undermine the ability of the school to expand the learning and recreation facilities on the site.

The future buildings would be generally confined to the existing developed areas of the school resulting in minimal visual impact on the surrounding area. The proposal would not result in any adverse amenity impacts in terms of solar access, privacy impacts (visual and acoustic) or view loss to the neighbouring residential properties due to distance separation. The proposal is also acceptable in terms of its impact on the heritage significance of the site. The taller building envelopes facilitate a consolidated built footprint within the site to generally maintain a landscaped and heritage setting on the perimeter of the existing built footprint. The taller elements are also generally located on lower parts of the site, which ensure that the Main Building continues to be the most visually prominent building on the campus. The proposed building envelopes are of a comparable scale to the existing built form on the site. The Department is also satisfied there are sufficient environmental planning grounds to support the variation to the development standard. The Department’s assessment therefore concludes that the massing of the proposed building envelopes is appropriate for the site, including the Therry Precinct, within which the detailed proposal for Stage 1 is located.

### 4.2.2. Traffic Generation

The traffic impacts primarily relate to the school weekday operation and sporting activities on the weekend. The Traffic Impact Assessment (TIA) submitted with the EIS includes the results of traffic surveys to determine the existing traffic conditions at the key intersections surrounding the site (refer to Figure 22).

**Figure 22: Key intersections surrounding the site**

The traffic surveys indicate that the existing traffic flows during peak periods are generally consistent with the road classifications. Also, the key intersections operate satisfactorily...
under existing conditions, except at the intersection of River Road West/Fox Street, which operates at a poor level of service. However, all the traffic movements at this intersection operate at a satisfactory level of service, except for the right turn movements out of Fox Street on either side of River Road West. The applicant’s TIA concludes that the traffic conditions are not expected to change as there would be no increase in student population as a result of the proposed redevelopment.

The Department notes that no objection was raised by RMS in relation to traffic generation and impacts on the surrounding road network. Council also did not raise any concerns in relation to traffic generation.

The existing car parking and vehicular access arrangements would not change in Stage 1. The Department is therefore satisfied there would be no additional traffic impacts on the surrounding road network following the Stage 1 redevelopment. As no increase in student population or staff numbers is proposed as part of the concept proposal, the Department is also satisfied the development envisaged under the concept proposal would not result in any significant adverse traffic impacts on the surrounding road network.

Whilst concerns were raised in public submissions in relation to whether the applicant’s traffic survey accurately represents the traffic flows on surrounding streets, the applicant has advised that survey dates were chosen in consultation with Council to reflect the typical demands of the school each day. In this regard, the Department considers the TIA provides a satisfactory analysis of the existing traffic conditions on the surrounding road network.

Concern was also raised in relation to the traffic impact on the surrounding road network during major events conducted outside of normal school hours on the campus. The school currently hosts four major events on an annual basis, including the school fete and the Australian Schoolboy Rugby Championships, which are attended by a higher number of patrons compared to the typical school or sporting events held on the site. The school also undertakes smaller events outside school hours including: sport; music and drama rehearsals and performances; school community events; parent teacher events; open days; weddings and social gatherings; board meetings; and art related exhibitions. Whilst the events can change from year to year, the school has advised that no increase in the frequency or capacity of events is sought as part of the proposed concept proposal. The Department notes the major events are held outside typical school operating hours when the traffic demands generated by the school are not present.

The applicant advises that measures such as temporary parking restrictions, signage and traffic wardens have been adopted to manage vehicle access to/from and around the school during events held at the school. The school also has a communications management procedure in place, which includes a letterbox drop to inform local residents of upcoming events, including a telephone number to direct queries or complaints to the school’s facilities manager and car parking advice on its website. Notwithstanding, the Department considers that an event forecast schedule should be maintained in a publicly accessible location on the site, and surrounding residents notified if there are any changes to the event schedule. A condition to this effect is included in the recommended development consent.

Subject to the provision of an updated Traffic and Parking Management Plan for occasions where there are significant changes to the parking and access arrangements on the site, the Department is satisfied there would be no significant additional traffic impacts associated with major events following the redevelopment of the school. A condition to this effect is included in the recommended development consent.
4.2.3 Car Parking

The applicant’s TIA includes a parking assessment for the concept proposal, which considers the parking demand generated by the weekday operation of the school and the sporting facilities on a weekend. The school currently provides 267 car spaces in various locations around the site.

Based on the parking rates in the Lane Cove DCP (1 space per 2 staff members plus 1 space per 20 seats in assembly hall and 1 disabled space per 20 car spaces), the parking demand generated by the school requires a total of 188 car spaces on the site. As there would be no increase in staff numbers and the existing quantum of car spaces would be maintained on the site, the concept proposal would provide 79 car spaces in excess of Council’s car parking requirements. The results of vehicle demand surveys included in the applicant’s TIA also confirms that there is sufficient car parking available on the site to satisfy the peak demands generated by the school. The Department also notes that the existing student pick-up/drop-off parking and bus facilities would continue to be provided on the site.

The Department is therefore satisfied there would be sufficient parking provided on the site to cater for the demand generated by the school as there is no proposed increase in staff or student numbers.

The existing playing fields and open space areas are utilised for overflow parking, which can accommodate approximately 800 additional vehicles during major events (refer to Figure 23). The existing overflow parking spaces to be removed as part of the redevelopment would be replaced in alternative locations within the school to maintain sufficient overflow capacity during major events. The Department is satisfied that there would be sufficient parking provided on the site to cater for the demand generated during major events. A Traffic and Parking Management Plan would need to be provided with future applications and would need to demonstrate that adequate overflow areas have been identified to offset any loss as a result of future applications.

![Figure 23: Existing car parking arrangements](source: applicant’s EIS)
4.2.4 Other Matters

**Vehicular and Pedestrian Access**

The site is currently divided by an internal loop road, which restricts movement and the full utilisation of the campus (refer to Figure 23). As part of the concept proposal, the internal loop road would be reduced in length creating a shorter thoroughfare for buses, service vehicles and student pick-up/drop-off. The southern end of the loop road would be transformed into a pedestrian zone enabling vehicular access as required. The existing vehicular access to the site from the two access points at Riverview Street would be maintained. The Department considers the reduction in the length of the internal loop road would improve the connection to the learning spaces and reduce potential conflict between pedestrians and vehicles.

**Landscape Design**

The Landscape Master Plan submitted with the application focuses on providing accessible and integrated outdoor spaces, which provide a sense of place and encourage outdoor learning. The landscape design adopts a cohesive materiality suitable for the coastal environment such as timber, natural stones and pre-cast concrete, and includes seating, lighting and paving elements. The proposed landscaping in Stage 1 includes a mix of terraces and formal and informal recreation areas that respond to the topography and improve the sense of arrival and visual quality of the precinct (refer to Figure 24). The Department considers the new landscape regime would create high quality spaces and provide further opportunities for learning and socialising between students.

![Figure 24: Proposed landscaping (Stage 1)](source: applicant’s EIS)

**Heritage**

The site is listed as a heritage item under LEP 2009 for its Victorian institutional buildings and cultural significance. The existing school draft Conservation Management Strategy 2004 identifies a number of significant heritage elements on the site, including but not limited to: the Main Building and its quadrangle space; The Dalton Memorial Chapel; St Michael’s House; and the school’s setting on the Lane Cove River, which represents a major local landmark.
The applicant’s Heritage Impact Statement (HIS) submitted with the subject application concludes the redevelopment envisaged in the concept proposal would have a positive heritage impact by continuing the historical use of the site as an educational establishment. The HIS also concludes that the works in Stage 1 would not adversely impact the heritage significance of the site. The HIS recommends further assessment of heritage impacts at future development stages and the imposition of conditions in relation to archival photographic recording, materials and finishes and heritage interpretation. Conditions to this effect are included in the recommended development consent.

**Acoustic Amenity**

The applicant’s Acoustic Report established noise emission criteria in accordance with the *NSW Industrial Noise Policy (Environmental Protection Authority, 2000)* (INP) based on the unattended noise survey at two nearby residential locations.

**Operational Noise**

As there would be no increase in student numbers or expected change in traffic movements, the predominant operational noise emission would be due to mechanical equipment and plant. However, the specific design and equipment selection is currently not known and would be made at the detailed design stage. The applicant’s Acoustic Report concludes it would be feasible to comply with the INP for commonly used plant items such as air conditioners. It also concludes that any larger plant items can be made compliant with specific acoustic design and treatments. The applicant’s Acoustic Report also makes the point that compliance with the noise emission criteria for internal receivers (e.g. classrooms) in accordance with the INP would ensure compliance at the more distant residential receivers.

The Department is satisfied that, subject to the recommended conditions, any noise impacts associated with the mechanical plant in Stage 1 can be adequately mitigated and managed. The Department is further satisfied that the potential noise impacts associated with plant and equipment and new buildings/uses in future stages of the development can be addressed at the development application stage. Conditions to this effect are included in the recommended development consent.

**Construction Noise**

The predicted noise levels from most construction activities in Stage 1 generally comply with the established noise management level, except for demolition activities which may exceed noise management levels at the nearest sensitive residential receivers in Tambourine Bay Road. The Acoustic Report recommends the implementation of specific noise and vibration mitigation measures and a Construction Noise and Vibration Management Plan which would need to address all relevant requirements contained in the EPA *Interim Construction Noise Guideline*, including noise sources, residential receivers, mitigation measures and monitoring and reporting procedures.

The Department notes that the EPA raised no objection to the findings or recommendations in the applicant’s Acoustic Report. The Department is satisfied that, subject to the recommended conditions, any noise impacts associated with the demolition and construction works in Stage 1 can be adequately mitigated and managed.

**Tree Loss**

The subject application was accompanied by an Aborist Report, which identified 10 trees in the vicinity of the Stage 1 works in the Therry Precinct including a mix of Australian and native species. The proposal would result in the loss of seven of these trees to accommodate the expansion of the Therry Precinct.
The Department notes that replacement trees will be planted to compensate for the proposed loss of vegetation, and trees to be retained would be suitably protected during construction works.

The Department considers that the future DA for subsequent staged in the concept proposal (beyond Stage 1) should include an assessment of trees potentially affected by building works in the relevant stage. A condition to this effect is included in the recommended development consent.

Public Interest
The proposal is considered to be in the public interest as it would have benefits by:
• improving way-finding and legibility across the school campus;
• improving pedestrian and vehicular access outcomes for the site;
• providing a safe and secure environment for students, teachers and visitors;
• facilitate the continued operation of the education use and maintaining the heritage significance of the site;
• retaining the ‘open feel’ to the campus when viewed from the street;
• creating quality outdoor spaces;
• improving the landscape character and visual appearance of the school;
• improving the quality of recreation and sporting facilities;
• providing sufficient on-site car parking to minimise on-street parking demand;
• rationalising the service, catering, function and maintenance facilities; and
• preserving vegetation along the foreshore of the Lane Cove River.

5. CONCLUSION

The proposed redevelopment as envisaged in the concept proposal responds to the school’s need to improve the functioning and quality of facilities by consolidating the school’s core functions into readily identifiable activity precincts linked by simple and clear circulation. The proposal would also provide significant social and economic benefits including improved educational outcomes, improved sporting and recreation opportunities for students and increased investment in the local area.

There were no issues raised during the public exhibition period by government agencies, including Council, who indicated support for the proposal.

The Department is satisfied that the traffic and parking issues raised in the public submission have been adequately addressed by the applicant in the EIS and the RtS. The proposed redevelopment would not result in any increase in student population or staff numbers and there would be no additional traffic generated by the normal operation of the school. The Department is satisfied the development envisaged under the concept proposal would not result in any significant adverse traffic impacts on the surrounding road network. The proposed redevelopment would continue to provide sufficient car parking on the site to satisfy the peak demands generated by the school.

Despite the concept proposal building envelope non-compliances with the 9.5 m building height development standard in LEP 2009, the Department considers that strict compliance with the development standard is unreasonable in this instance given the existing buildings also exceed the height development standard, and there would be no amenity impacts to the surrounding area. The Department also considers that complying with the height development standard would preclude improvements to the school and the ability to deliver on the objectives of the zone to support infrastructure development.
The expansion and refurbishment works in Stage 1 would not result in any adverse amenity or visual impacts on the surrounding area. The massing of the indicative building envelopes for subsequent stages is appropriate for the site. The Department is satisfied that the any impacts can be adequately addressed at the detailed design stage to achieve acceptable levels of environmental performance.

The Department considers that the proposal would have acceptable impacts on heritage as the proposed envelopes are generally located away from the exceptional and highly significant heritage elements of the site. Where building envelopes are proposed in the vicinity of the significant elements of the site they are of a sympathetic scale and consistent with the scale of the existing and surrounding built form. The built form would need to be further considered with future application to ensure that the building are sympathetic to the character of the heritage significant elements of the site.

The Department is satisfied that the recommended conditions of consent ensure that the proposal would maintain the environmental and residential amenity of the surrounding environment. The Department therefore considers the development would be in the public interest and recommends that the staged State significant development application and concurrent Stage 1 be approved, subject to conditions.

6. RECOMMENDATION

In accordance with section 89E of the Environmental Planning and Assessment Act 1979, it is recommended that the Executive Director, Priority Projects Assessments:

(a) consider the findings and recommendations of this report;
(b) approve the State significant development application for the St Ignatius College Riverview School (SSD 7140), subject to conditions of consent set out in the attached instrument at Appendix D; and
(c) sign the attached development consent at Appendix D.

Prepared by: Thomas Mithen
Consultant Planner

Endorsed by: Approved by:

\[ Signature \]
12/06/2016
Karen Harragon
Director
Social and Other Infrastructure Assessments

David Gainsford
Executive Director
Priority Projects Assessments
APPENDIX A  RELEVANT SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment’s website as follows.

1. Environmental Assessment

2. Submissions

3. Applicant’s Response to Submissions
APPENDIX B CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENT(S) (INCLUDING DRAFT) AND DCP(S)

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

The aims of the SRD SEPP are to identify State significant development (SSD) and State significant infrastructure (SSI) and provide the necessary functions to joint regional planning panels to determine development applications.

The proposed development is SSD in accordance with s. 89C of the Environmental Planning and Assessment Act 1979 (EP&A Act) because it is development for the purpose of an educational establishment with a capital investment value (CIV) in excess of $30 million in accordance with Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011. Therefore the Minister for Planning is the consent authority.

State Environmental Planning Policy (Infrastructure) 2007

The aim of the Infrastructure SEPP is to facilitate the effective state wide delivery of infrastructure by providing greater flexibility in the location of infrastructure and service facilities, allowing the development of surplus government land, identifying relevant environmental assessment categories for development and relevant matters to be considered and providing for consultation with relevant public authorities.

Schedule 3 of the Infrastructure SEPP requires traffic generating development to be referred to the RMS. The proposal was referred to the RMS who raised no objection to the development.

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) is the primary environmental planning instrument guiding the remediation of contaminated land in NSW. SEPP 55 aims to:

- provide a state-wide planning approach to the remediation of contaminated land;
- identify when consent is required or not required for a remediation work;
- specify certain considerations that are relevant to applications for consent to carry out remediation work; and
- require that remediation work meet certain standards and notification requirements.

Clause 7 of SEPP 55 identifies that a consent authority must not consent to the carrying out of any development on land unless:

- it has considered whether the land is contaminated;
- if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out; and
- if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

SEPP 55 requires a consent authority to consider whether the land is contaminated, and if so, whether the land will be remediated before the land is used for the intended purpose. The applicant submitted a Preliminary Site Investigation (PSI) with the application. The PSI concludes the potential for contamination is low given the site has been used for school purposes for more than 100 years. However, the PSI also concludes there is potential for
contamination of filled areas associated with hazardous building materials or pesticide use. The results of a geo-technical investigation in the Stage 1 Therry Precinct found no obvious signs of contamination. The Department is satisfied that, in accordance with clause 7 of the SEPP, the investigations undertaken of the subject site demonstrate that the site can be made suitable for the continued use as an educational establishment.

**Lane Cove Local Environmental Plan 2009**

The development is consistent with the aims of the LEP 2009 in that it maintains protection of the foreshore adjoining the Lane Cove River, and provides improved school facilities to satisfy the educational needs of residents in the local area. Consideration of the relevant clauses of the LEP is provided in [Table 1](#).

### Table 1: Consideration of LEP 2009

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Complies</th>
<th>Department’s Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 4.3 Height of buildings</td>
<td>No</td>
<td>A maximum building height of 9.5 m applies to the site. The proposal exceeds the height development standard. The Department is satisfied that the development standards are unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify the contravention. The Department is satisfied that the proposed development would be in the public interest and it is consistent with the objectives of the standard and the objectives of the SP2 Infrastructure zone. See Section 4.2.2 of the report.</td>
</tr>
<tr>
<td>Clause 4.4 Floor Space Ratio</td>
<td>Yes</td>
<td>A maximum FSR of 0.5:1 applies to the site. The proposal would result in an FSR of 0.18:1.</td>
</tr>
<tr>
<td>Clause 4.6 Exceptions to development standards</td>
<td>Yes</td>
<td>The applicant has submitted a written request to seek a variation to the development standards, which provides a justification for the contravention. See Section 4.2.2 of the report for further details.</td>
</tr>
<tr>
<td>Clause 5.9 Preservation of trees or vegetation</td>
<td>Yes</td>
<td>The application was accompanied by an Arborist Report, which identified 10 trees in the vicinity of the Stage 1 works in the Therry Precinct including a mix of Australian and native species. The proposal would result in the loss of seven trees to accommodate the expansion of the Therry Precinct. The Department notes that replacement trees are recommended and trees to be retained would be suitably protected during construction. The Department considers that the future DA stages should include an assessment of trees potentially affected by building works in the relevant stage. A condition to this effect is included in the recommended development consent.</td>
</tr>
<tr>
<td>Clause 5.10 Heritage conservation</td>
<td>Yes</td>
<td>The site is listed as a heritage item under LEP 2009 for its Victorian institutional buildings and cultural significance. A draft Conservation Management Strategy undertaken by the applicant’s heritage consultant in 2004 identified the main quadrangle precinct as a significant component of the historic evolution of the larger Riverview site, and the buildings and setting on the Lane Cove River represent a major landmark. A heritage impact assessment submitted with the application concludes the redevelopment would not adversely impact the heritage significance of the school. The assessment recommends the assessment of heritage impact at future development stages, and conditions in relation to archival photographic recording, materials and finishes and heritage interpretation. The Department has included the recommendations in the development consent, where relevant.</td>
</tr>
</tbody>
</table>
Criteria | Complies | Department’s Assessment
--- | --- | ---
Clause 6.1A Earthworks | Yes | The applicant submitted a Geo-technical Investigation (GI) with the application, which includes a desktop study for the overall master plan and a specific investigation for the Stage 1 works in the Therry Precinct. The broad findings of the GI include:
- it would be expected that shallow pad or strip footings may be feasible and in existing filled areas bored piles may be required to penetrate to sandstone bedrock;
- excavation would be required for future works in some of the precincts and depending on location may be through filling, sandy clay and sandstone;
- the sandstone areas may require the use of rock hammers and/or rock saws; and
- the majority of the works are likely to be above the regional groundwater table and any seepage into most excavations is likely to be minor and readily controlled.

The particular findings relevant to Stage 1 include:
- borehole analysis in the vicinity of the Therry Precinct shows filling behind retaining walls overlying sandy clay and sandstone bedrock;
- ground water seepage was noted at 2 m depth;
- excavations would encounter fill, sandy clay and low strength sandstone and excavation should be achievable using conventional earthmoving equipment; and
- the bulk excavation level is expected to be well above the groundwater table.

The GI confirms there are no major impediments to the redevelopment of the site. The Department has included a geo-technical standard condition in the development consent.

Clause 6.4 Environment Protection land | Yes | The subject site includes a narrow band of vegetation along the Lane Cove River, which is identified as ‘environment protection land’. The applicant submitted an ecological and riparian assessment in relation to the aquatic and riparian environment along the foreshore. The proposed redevelopment works are generally located within the existing building footprint of the school and outside the identified ‘environment protection land’ along the foreshore. Subject to standard conditions in relation to erosion and sediment control and stormwater, the Department is satisfied there would be no adverse impacts on the foreshore or riparian land as a result of the proposed redevelopment works.

**Development Control Plan 2010**

It is noted that clause 11 of the State Environmental Planning Policy (State and Regional Development) 2011 provides that development control plans do not apply to SSD. Notwithstanding, consideration of relevant controls has been given in Table 2.

**Table 2:** Consideration of the relevant DCP

<table>
<thead>
<tr>
<th>DCP Provisions</th>
<th>Department’s Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part B.2 Public Domain</td>
<td>The proposal does not involve any public domain works outside the school boundary. Notwithstanding, the proposed works include furniture along the internal access road and landscaping to improve the pedestrian experience during major events. The Department is satisfied that the proposed redevelopment would contribute to the identity and enjoyment of the school for all users.</td>
</tr>
<tr>
<td>Part B4 View Sharing</td>
<td>The Department is satisfied there would be no impacts on existing views or vistas from the surrounding area as a result of the proposed redevelopment.</td>
</tr>
<tr>
<td>DCP Provisions</td>
<td>Department’s Assessment</td>
</tr>
<tr>
<td>----------------------</td>
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</tr>
<tr>
<td><strong>Part B.6</strong></td>
<td><strong>Environmental Management</strong></td>
</tr>
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<td></td>
<td>The proposal would not result in any shadow cast on major public spaces outside the school. The ESD initiatives have been addressed in <strong>Section 2.6</strong> of the report.</td>
</tr>
<tr>
<td><strong>Part B.8</strong></td>
<td><strong>Safety and Security</strong></td>
</tr>
<tr>
<td></td>
<td>The proposal would improve safety and security by providing readily identifiable activity precincts with better way finding and legibility through the campus. The shortening of the internal loop road would also remove the conflict between pedestrians and vehicles.</td>
</tr>
<tr>
<td><strong>Part B.9</strong></td>
<td><strong>Heritage</strong></td>
</tr>
<tr>
<td></td>
<td>The EIS was accompanied by a detailed assessment of the heritage impacts. The Department is satisfied the proposal would not have any adverse heritage impacts.</td>
</tr>
<tr>
<td><strong>Part F</strong></td>
<td><strong>Access and Mobility</strong></td>
</tr>
<tr>
<td></td>
<td>The applicant submitted a Disability Access Report with the application to assess the accessibility to the Learning Precinct, which comprises staged upgrades to Therry Building (Stage 1), O’Neil Wing, Vaughan Building, Wallace Building and Main Building. It concludes that compliance with the Disability Standards for education (2005) can be achieved. The accessibility assessment concludes the works in Stage 1 would satisfy the deemed to provisions and performance based solutions of Part D3 of the BCA in terms of accessible pathways, access between levels and the provision of accessible and ambulant facilities.</td>
</tr>
<tr>
<td><strong>Part H</strong></td>
<td><strong>Bushland Protection</strong></td>
</tr>
<tr>
<td><strong>Part I Bushland Map</strong></td>
<td>The site contains managed landscaped gardens and playing fields with a narrow band of vegetation along the foreshore with Lane Cove River. A small area of this vegetation is identified as on the Lane Cove Bushfire Prone Map as category 1 Bushfire Prone Vegetation. The applicant submitted a bushfire protection assessment with the application. The bushfire assessment concludes the proposed redevelopment works exceed the provision of Asset Protection Zones required by the Planning for Bushfire Protection Guidelines 2006, and due to the negligible level of bushfire risk posed by the unmanaged vegetation on the campus, there is no requirement to apply the bushfire construction standards to the new works. The Department is satisfied the potential bushfire risk has been adequately addressed.</td>
</tr>
<tr>
<td><strong>Part J</strong></td>
<td><strong>Landscape</strong></td>
</tr>
<tr>
<td></td>
<td>The Department considers the landscape design would create high quality spaces and provide further opportunities for learning and socialisation. See <strong>Section 4.2.4</strong>.</td>
</tr>
<tr>
<td><strong>Part O</strong></td>
<td><strong>Stormwater Management</strong></td>
</tr>
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<td></td>
<td>The application was accompanied by a stormwater management plan which has been designed to comply with Council’s controls. No issues were raised in relation to the proposed stormwater management measures</td>
</tr>
<tr>
<td><strong>Part Q</strong></td>
<td><strong>Waste Management and Minimisation</strong></td>
</tr>
<tr>
<td></td>
<td>The EIS was accompanied by a Waste Management Plan and a Construction Management Plan. The Department considers construction and operational waste management has been adequately addressed.</td>
</tr>
<tr>
<td><strong>Part R</strong></td>
<td><strong>Traffic, Transport and Parking</strong></td>
</tr>
<tr>
<td></td>
<td>The Department has undertaken an assessment of traffic and car parking in <strong>Section 4.2.1</strong> of this report. On the basis of this assessment, the Department is satisfied the proposal would have minimal impact on the surrounding road network. Also the car parking provision would address the demand generated by the proposal.</td>
</tr>
</tbody>
</table>
Ecologically Sustainable Development can be achieved through the implementation of:

(a) the precautionary principle - namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:
   (i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and
   (ii) an assessment of the risk-weighted consequences of various options,

(b) inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations,

(c) conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,

(d) improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:
   (i) polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,
   (ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,
   (iii) environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems. (Cl. 7(4) Schedule 2 of the Regulation)

Objects of the Act
(a) to encourage:
   (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,
   (ii) the promotion and co-ordination of the orderly and economic use and development of land,
   (iii) the protection, provision and co-ordination of communication and utility services,
   (iv) the provision of land for public purposes,
   (v) the provision and co-ordination of community services and facilities, and
   (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and
   (vii) ecologically sustainable development, and
   (viii) the provision and maintenance of affordable housing, and
(b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and
(c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

Section 79C Evaluation
(1) Matters for consideration—general
In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:
(a) the provisions of:
   (i) any environmental planning instrument, and
   (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
   (iii) any development control plan, and
   (iiiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and
   (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and
   (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),
   that apply to the land to which the development application relates,
(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,
(c) the suitability of the site for the development,
(d) any submissions made in accordance with this Act or the regulations,
(e) the public interest.

Note. See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.

Note. The consent authority is not required to take into consideration the likely impact of the development on biodiversity values if:
(a) the development is to be carried out on biodiversity certified land (within the meaning of Part 7AA of the Threatened Species Conservation Act 1995), or
(b) a biobanking statement has been issued in respect of the development under Part 7A of the Threatened Species Conservation Act 1995.
APPENDIX D  RECOMMENDED CONDITIONS OF CONSENT