NSW GOVERNMENT

St Aloysius' College Redevelopment

State Significant Development Assessment (SSD 8669)

July 2019

Cover photo

Artist's impression of northern elevation of Main Campus (Source: Applicant's Response to Submissions, 2019)

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
AIA	Arboricultural Impact Assessment
Applicant	St Aloysius' College Limited
BAM	Biodiversity Assessment Method
BC Act	*Biodiversity Conservation Act 2006*
BCA	Building Code of Australia
BDAR	Biodiversity Development Assessment Report
CAR	Character Assessment Report
CIV	Capital Investment Value
Consent	Development Consent
Council	North Sydney Council
CMP	Construction Management Plan
CNVMP	Construction Noise Vibration Management Plan
CTMP	Construction Traffic Management Plan
DCP	Development Control Plan
Department	Department of Planning, Industry and Environment
Draft Environment SEPP	Draft State Environmental Planning Policy (Environment)
Draft Remediation SEPP	Draft State Environmental Planning Policy (Remediation of Land)
DSI	Detailed Site Investigation
Education SEPP	State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
EESG	Environment, Energy and Science Group of the Department of Planning, Industry and Environment (former NSW Office of Environment and Heritage)
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999*
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
GTP	Green Travel Plan
HAA	Historical Archaeological Assessment
Heritage Division	Heritage Division of the Department of Premier and Cabinet (former Heritage Division of the Office of Environment and Heritage)
HIS	Heritage Impact Statement

ICNG	Interim Construction Noise Guideline
IMP	Infrastructure Management Plan
Infrastructure SEPP	State Environmental Planning Policy (Infrastructure) 2007
LCD	Landscape Concept Design
Minister	Minister for Planning and Public Spaces
NCC	National Construction Code
NIA	Noise Impact Assessment
NML	Noise Management Level
NPI	Noise Policy for Industry
NSDCP	North Sydney Development Control Plan 2013
NSLEP	North Sydney Local Environmental Plan 2013
OHEMP	Out of Hours Event Management Plan
OTAMP	Operational Transport and Access Management Plan
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
PSI	Preliminary Site Investigation
RAP	Remedial Action Plan
RSE	Road Safety Evaluation
RtS	Response to Submissions
SAR	Solar Analysis Report
SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SEPP 55	State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
SMR	Stormwater Management Report
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
Sydney Harbour SREP	Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
TAIA	Traffic and Accessibility Impact Assessment
TfNSW	Transport for NSW
TfNSW(RMS)	Transport for NSW (Roads and Maritime Services) (formerly Roads and Maritime Services)
TPMP	Traffic and Parking Management Plan
TPZ	Tree Protection Zone
VAR	Visual Assessment Report

Executive Summary

This report provides an assessment of a state significant development (SSD) application for a staged redevelopment of St Aloysius' College located in Kirribilli (SSD 8669). The Applicant is St Aloysius' College Limited (the Applicant) and the proposal is located within the North Sydney local government area.

Introduction

St Aloysius' College extends across three campuses in Kirribilli, including St Aloysius' Junior School (Junior Campus) located at 29 Burton Street, St Aloysius' Senior School (Senior Campus) located at 1-5 Jeffreys Street, and St Aloysius' Middle School (Main Campus) located at 47 Upper Pitt Street.

The application seeks approval for a Concept Proposal and detailed Stage 1 works including:

- Concept Proposal for the staged redevelopment of the Junior, Senior and Main campuses including partial demolition, refurbishment and alterations and additions to existing buildings to provide new teaching and learning spaces and new multi-purpose / sports facilities.
- detailed Stage 1 works at the Senior and Main campuses comprising:
    - alterations and a ground floor addition to the Wyalla building on the Senior Campus and internal refurbishment and upgrades to existing teaching and learning facilities.
    - the demolition and rebuild of the north-east wing building on the Main Campus, construction of a new infill building in the existing quadrangle, and associated refurbishment of north wing, south wing, great hall and chapel.

The Concept Proposal has a capital investment value (CIV) of $70 million and would generate 407 construction jobs, whereas the Stage 1 works would have a CIV of $62.5 million and would generate 372 construction jobs. The proposal is SSD under clause 15(2) of the State and Environmental Planning Policy (State and Regional Development) 2011, as it is development for the purpose of an educational establishment, comprising alterations or additions to an existing school, with a CIV of more than $20 million.

Community engagement

The SSD application and Environmental Impact Statement (EIS) were publicly exhibited between 27 April 2018 and 28 May 2018. The Department of Planning, Industry and Environment (the Department) received a total of 89 submissions, including six from public authorities, one from Council, 80 from the public and two from local community groups. Of these submissions, 78 public submissions, the two local community group submissions and Council's submission raised objections to the proposal. Two further submissions were received following the exhibition period. Representatives of the Department attended a meeting with concerned residents and members of the Milson Precinct on 23 May 2018 and also visited the site to provide an informed assessment of the development.

The key issues raised in the submissions included the impact of the proposal on neighbouring properties through overshadowing, noise and view loss, increased traffic congestion and road safety, lack of parking and drop-off / pick-up zones, construction impacts, built form, and heritage.

The Applicant's Response to Submissions (RtS), submitted on 13 December 2018, and supplementary information addressed the key issues raised in the submissions and queries raised by the Department. The RtS and supplementary information included modifications to the height of the proposed building on the Main

Campus to retain views, a concept lighting design for the proposed rooftop terrace at the Main Campus and updated specialist reports including additional visual impact analyses and arboricultural investigations.

Two public submissions and six submissions from public authorities, including one from Council, were received in response to the Applicant's RtS.

Assessment summary and conclusion

The Department identified built form and urban design, environmental and residential amenity, and traffic and parking as the key issues for assessment. The Department has considered the merits of the proposal in accordance with relevant matters under Section 4.15(1) and the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the principles of ecologically sustainable development (ESD), and issues raised in all submissions as well as the Applicant's response to these.

The Department's assessment of the project concludes that:

- the proposed built form and scale is acceptable in the context of the existing development on the three campuses, the medium to high density form and scale of surrounding development, and site constraints.
- the proposal would have acceptable impacts with regard to operational noise, views, overshadowing and privacy, and acceptable traffic and parking impacts recognising that the proposal does not involve an increase in student numbers and does not alter existing access arrangements.
- appropriate mitigation measures have been proposed to minimise construction impacts on surrounding residential properties.
- conditions have been recommended to minimise the impacts of the use of the rooftop terrace and ensure that relevant matters are considered in future detailed development applications for the concept only works at the Junior Campus.
- it is consistent with the objects of the EP&A Act including ESD, The Greater Sydney Regional Plan: A Metropolis of Three Cities and the Greater Sydney Commission's North District Plan.
- the site is suitable for the proposed development and would provide significantly improved school facilities and contemporary teaching and learning facilities that would improve educational outcomes.

The Department is satisfied that the key issues have been appropriately addressed by the Applicant or have been taken into account through recommended conditions of consent. The Department therefore concludes that the proposal is in the public interest and is approvable subject to conditions.

The application is being referred to the Independent Planning Commission as more than 25 objections have been received in relation to the application and an objection was received from North Sydney Council.

Supporting details

Built form and urban design

The Applicant has argued that whilst the proposed built form would exceed the height limits for the three campuses set out in the North Sydney Local Environmental Plan 2013 (NSLEP), the proposed building height and scale would be appropriate within the context of the existing built form on and surrounding each campus. The Department agrees that the proposed built form is appropriate in the context of the existing and surrounding built form and in consideration of the site constraints and benefits associated with the proposed upgrade to school facilities.

The Department acknowledges that the Junior and Senior campuses contain locally listed buildings and that all three campuses are within proximity to nearby locally listed buildings and heritage conservation areas. The Department is satisfied that the proposed built form would not detract from the values of heritage buildings on or

surrounding the three campuses as it would not significantly alter the existing layout of the three campuses or interrupt the pattern of development in the surrounding area. In addition, the proposed materials and finishes appropriately reflect the contemporary nature of the new built form whilst respecting the varied character of surrounding development.

The Applicant provided information in its RtS and supplementary information to demonstrate that existing significant trees on the three campuses and surrounding land would be retained and protected during works. The retention of these trees, along the planting of new landscaping, would ensure that the proposal is consistent with the landscaped urban character of the area. The Department has recommended conditions to require the provision of appropriate tree protection during works, satisfactory replacement planting / landscaping and subsequent ongoing management.

Environmental and residential amenity

The Applicant's assessment concluded that the proposal would have acceptable environmental and residential amenity impacts including as a result of construction noise, operational noise, view loss, overshadowing, light spill and privacy. The Applicant's RtS and supplementary information included the submission of amended plans which reduced the height of the proposed building on the Main Campus so as to minimise impacts on view loss to adjoining properties. A lighting concept design for the rooftop terrace on the Main Campus and additional specialist reports were also provided including additional view analyses and further consideration of construction and operational noise impacts.

The Department recognises the significance of existing iconic views available to properties surrounding the Main Campus and the potential for impacts to these views as well as to wider residential amenity as a result of construction activities and school operations, particularly use of the rooftop terrace at the Main Campus. The Department has considered the Applicant's assessment, concerns raised in the submissions and undertaken its own assessment including of view impacts having regard to the established planning principles. Overall, the Department is satisfied that the impacts of the proposal would be acceptable.

The Department has recommended a number of conditions to minimise the impacts of the proposal, including to limit the height of structures to minimise impacts on views, require screening on windows to limit impacts on privacy, and to manage construction and operation of the development to minimise noise impacts. Operational noise management conditions include a limit on the number and duration of events on the rooftop terrace on the Main Campus, as well as limits to sound amplification and the implementation of a six month trial period for events to confirm the effectiveness of these measures.

Traffic and parking

The Applicant's assessment set out in the EIS and updated in the RtS and supplementary information concluded that traffic and parking impacts during construction and operations would be acceptable subject to appropriate construction management arrangements and as the proposal would not result in an increase in student or staff numbers.

The Department considered the Applicant's assessment, concerns raised in the public and Council submissions and the advice of the Department's independent traffic consultant. The Department has concluded that the proposal would have acceptable impacts given the highly accessible nature of the three campuses, the proposed lack of increase in student or staff numbers and existing parking restrictions imposed across Kirribilli. The Department has recommended conditions to mitigate the impacts of the proposal, including to:

- require a number of construction management documents to be prepared prior to the commencement of works, including a Road Safety Evaluation, Construction Traffic Management Plan and Construction Worker Transportation Strategy.
- impose a limit on the student and staff numbers at the school to reflect the assumption of no student growth incorporated into the Applicant's assessment.
- require a number of operational management documents to be prepared and implemented, including a Green Travel Plan, Operational Transport and Assessment Management Plan and Out of Hours Event Management Plan.

Contents

1. Introduction

This report provides an assessment of a state significant development (SSD) application for a staged redevelopment of St Aloysius' College in Kirribilli. St Aloysius' College Limited (the Applicant) seeks approval of a Concept Proposal and detailed Stage 1 works to redevelop the school, to provide new and enhanced teaching and learning spaces, new multi-purpose / sports facilities, improved circulation and ancillary facilities.

1.1 Site description

St Aloysius' College extends across three campuses in Kirribilli, including:

- St Aloysius' Junior School (Junior Campus) located at 29 Burton Street.
- St Aloysius' Senior School (Senior Campus) located at 1-5 Jeffreys Street.
- St Aloysius' Middle School (Main Campus) located at 47 Upper Pitt Street.

All three campuses are located within the North Sydney local government area (LGA).

The locations of the three campuses are shown in **Figure 1**.

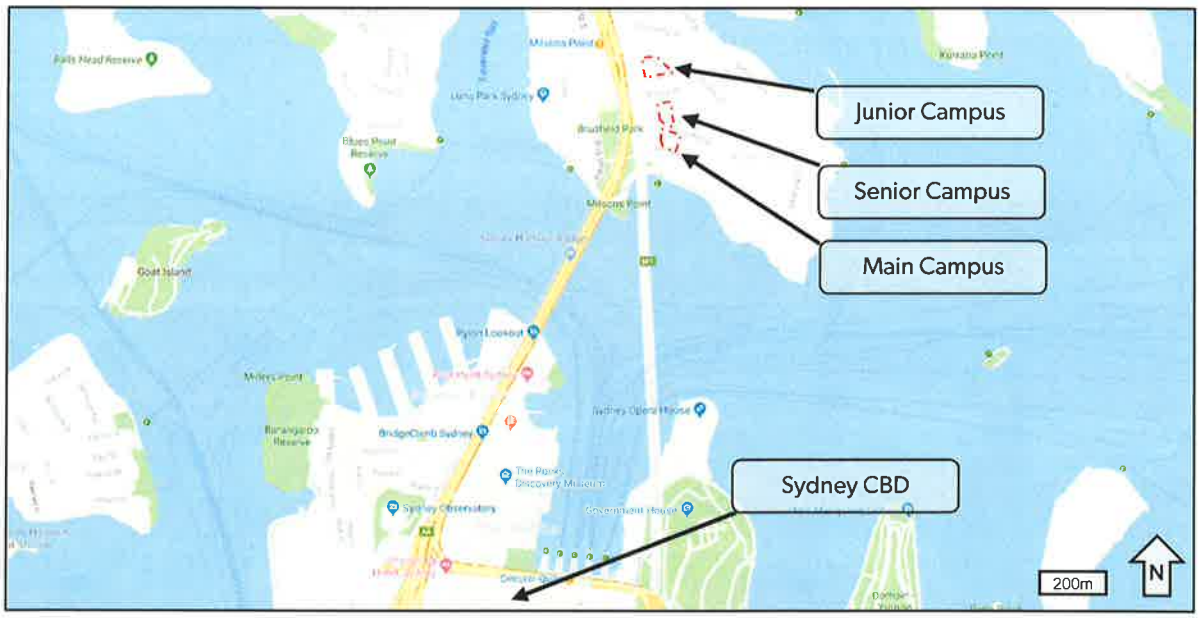


Figure 1 | Location of the three St Aloysius' College campuses within Kirribilli (Source: Google Maps 2019)

The Applicant provided a history of the establishment of St Aloysius' College in Kirribilli, including available development consent details. This is available at Appendix A.

St Aloysius' College currently employs 339 staff (176 equivalent full time) and accommodates 1244 students, including 328 on the Junior Campus and 926 across the Senior and Main campuses.

The three campuses are located within 400 metres of Milsons Point train station, Jeffrey Street Wharf and Milsons Point Wharf. The 269 bus route runs along Kirribilli Avenue and Broughton Street, and additional bus routes are accessible from Milsons Point Station.

A description of the conditions of each of the campuses and their surrounds is below.

1.1.1 Junior Campus

The Junior Campus is legally described as Lot 1 DP830667 and is approximately 4335 square metres in area. The Campus is bounded by Burton Street to the north, Crescent Place to the east, Bligh Street to the south and Humphrey Place to the west.

The Junior Campus accommodates students in Years 3 to 6 and includes general and specialist learning spaces, library, chapel and general-purpose rooms. The existing school buildings are located on the western and northern portions of the Campus. The main school entrance is located on Burton Street adjacent to the original school building, which is listed in the North Sydney Local Environmental Plan 2013 (NSLEP) as an item of local heritage significance. The existing buildings are two storeys in height, except for the tower of the original school building which extends to three storeys. Play space and sports facilities, including a basketball court and cricket nets, are located on the eastern portion of the Campus. On site car parking is located in the building undercroft in the south-west corner of the Campus with access off Humphrey Place.

Kirribilli village centre is located to the west and north-west of the Campus, with commercial and community uses located on the western side of Humphrey Place and northern side of Burton Street. The Church by the Bridge is located to the west, and Kirribilli Neighbourhood Centre is located to the south of the Campus. The remaining surrounding land contains terrace and semi-detached housing, with rear access garages fronting onto the southern side of Bligh Street and eastern side of Crescent Place.

A number of immediately surrounding properties are listed in the NSLEP as items of local heritage significance. Land to the east of the site, on the opposite side of Crescent Place, is also included in the Careening Cove Heritage Conservation Area.

An aerial view of the Campus and surrounds is included in **Figure 2**.

Figure 2 | Aerial view of existing Junior Campus (Source: Nearmap 2019)

1.1.2 Senior Campus

The Senior Campus is legally described as Lot 101 DP1108496 and is approximately 3421 square metres in area. The Campus has frontage to Jeffrey Street to the west and Upper Pitt Street to the south. The Campus also has a partial frontage to Robertson Lane to the east, with a public footpath running along the remainder of the eastern boundary which provides access between Robertson Lane and Upper Pitt Street.

The Senior Campus accommodates Years 11 and 12 and includes learning spaces / teaching facilities, an indoor basketball court, cricket nets, indoor swimming pool and gymnasium. The school buildings are located along the northern and eastern boundaries of the Campus and range from two to four storeys in height. The centrally located building, known as 'Wyalla', is listed in the NSLEP as an item of local heritage significance. On site parking is located on the roof of the northernmost building with access off Robertson Lane.

The St Aloysius' College Main Campus is located immediately to the south of the Senior Campus, on the southern side of Upper Pitt Street. A raised pedestrian bridge connects the two school campuses. The land surrounding the remainder of the Senior Campus is developed and used for residential purposes. Terrace and semi-detached housing are located on the western side of Jeffreys Street and multi-storey residential flat buildings to the north and east of the Campus.

A number of immediately surrounding properties are listed in the NSLEP as items of local heritage significance.

An aerial view of the Campus and surrounds is included in **Figure 3**.

Figure 3 | Aerial view of existing Senior Campus (Source: Nearmap 2019)

1.1.3 Main Campus

The Main Campus is legally described as Lot 10 DP880841 and is approximately 4054 square metres in area. The Campus has frontages to Upper Pitt Street to the north, Jeffreys Street to the west, and Kirribilli Avenue to the south.

The Main Campus accommodates Years 7 to 10 and provides shared school facilities. The Campus contains general teaching and learning facilities, administration offices, library, chapel, drama theatre, playhouse, art centre, hall and function rooms. The Campus buildings are located along the northern, western and southern boundaries. A ground floor quadrangle is located in the centre of these buildings and extends to the eastern boundary. The buildings range from three to nine storeys across the Campus, which slopes from north-east to south-west.

The St Aloysius' College Senior Campus is located immediately to the north of the Main Campus, on the northern side of Upper Pitt Street. A raised pedestrian bridge connects the two campuses. The Sydney Harbour Foreshore / Broughton Street Lookout reserve is to the south-west of the site. The remaining surrounding land is developed and used for residential purposes with a mix of terrace and semi-detached dwellings, converted mansion houses and multi-storey residential flat buildings.

A number of immediately surrounding properties are listed in the NSLEP as items of local heritage significance, including "Craiglea" an Italianate mansion incorporated into an apartment development immediately east of the Campus. Land to the west of the Campus, on the opposite side of Jeffreys Street, is included in the Jeffreys Street Heritage Conservation Area and land to the south-east of the Campus is included in the Kirribilli Heritage Conservation Area.

An aerial view of the Campus and surrounds is included in **Figure 4**.

Figure 4 | Aerial view of existing Main Campus (Source: Nearmap 2019)

2. Project

2.1 Key Components and features

The key components and features of the proposal, as refined in the Response to Submissions (RtS), are provided in **Table 1** and are shown in **Figures 5** to **18**.

Table 1 | Main components of the project

Aspect	Description
Project Summary	Concept Proposal and Stage 1 works for the redevelopment of St Aloysius' College including: • Concept Proposal for the staged redevelopment of the Junior, Senior and Main campuses including partial demolition, refurbishment and alterations and additions to existing buildings to provide new teaching and learning spaces and new multi-purpose / sports facilities. • detailed Stage 1 works at the Senior and Main campuses comprising: o alterations and a ground floor addition to the Wyalla building on the Senior Campus and internal refurbishment and upgrades to existing teaching and learning facilities. o the demolition and rebuild of the north-east wing building on the Main Campus, construction of a new infill building in the existing quadrangle, and associated refurbishment of north wing, south wing, great hall and chapel.
Built form - concept only	• Second storey and subterranean additions to Junior Campus.
Built form – concept and Stage 1	• Ground floor addition to the Wyalla building on the Senior Campus. • Demolition of the existing four storey north-east wing building on the Main Campus along with the removal of an existing lift shaft and rooftop plant. • Construction of replacement four storey north-east wing building on the Main Campus along with a new infill building in the existing quadrangle and single storey extension to level five of the north wing. A new lift shaft would also be constructed and rooftop plant installed.
Site area	• Junior Campus: approximately 4335 square metres. • Senior Campus: approximately 3421 square metres. • Main Campus: approximately 4054 square metres.
Gross floor area (GFA)	• Junior Campus: Existing - 1992 square metres. Proposed - 3577 square metres. • Senior Campus: Existing - 4230 square metres. Proposed - 4353 square metres. • Main Campus: Existing - 10,373 square metres. Proposed -13,480 square metres.
Uses	• School (years three to 12) with ancillary community use.
Access	• Junior Campus: Existing vehicular access to undercroft parking from Humphrey Place. Main pedestrian access from Burton Street.

	• Senior Campus: Existing vehicular access to parking and loading from Robertson Lane. Pedestrian access from Jeffreys Street and Upper Pitt Street. • Main Campus: Existing vehicular access for servicing and loading off Upper Pitt Street and Jeffreys Street. Pedestrian access from existing Upper Pitt Street entrance and new Jeffreys Street entrance.
Car parking	• Existing parking to be retained (i.e. no additional parking is to be provided) including: o 10 existing spaces on the Junior Campus. o 14 existing spaces including one disabled space and two motorbike spaces on the Senior Campus.
Bike parking	• 10 bicycle lockers and two visitor bicycle racks to be retained on the Senior Campus.
Public domain and landscaping	• Junior Campus: Additional planting around the perimeter of site. • Senior Campus: New landscaping adjoining the addition to the Wyalla building. • Main Campus: Removal of four trees along the eastern boundary and provision of a replacement landscaped courtyard and landscaped areas on the rooftop terrace.
Hours of operation	• Core school activities: 8:30am to 3:30pm Monday to Friday. • Extra-curricular school activities consistent with existing operations: Monday to Saturday up 10pm (New Year's Eve events extend to 12:30am). • Non-school activities, including community and religious activities: Monday to Saturday consistent with existing operations up to 10pm.
Jobs	• 407 construction jobs (concept) and 372 construction jobs (Stage 1 works).
CIV	• Concept proposal: $70 million and Stage 1 $62.5 million.

2.2 Physical layout and design

2.2.1 Junior Campus Works (Concept only)

Proposed works at the Junior Campus include the construction of an extra storey above the existing two storey building fronting onto Humphrey Place to provide new teaching / learning spaces. A new subterranean multi-purpose / sports facility is also proposed in the south-eastern corner of the site, with landscape and play areas reinstated above and around the proposed structure. The application only seeks concept approval for these works. See **Figures 5** to **7**.

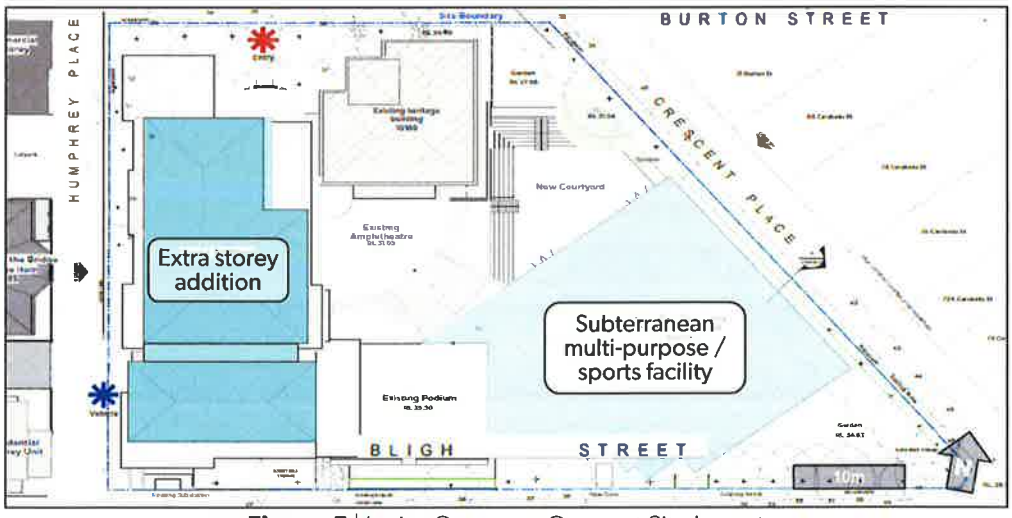


Figure 5 | Junior Campus – Concept Site Layout
(Source: Applicant's Environmental Impact Statement (EIS) 2018)

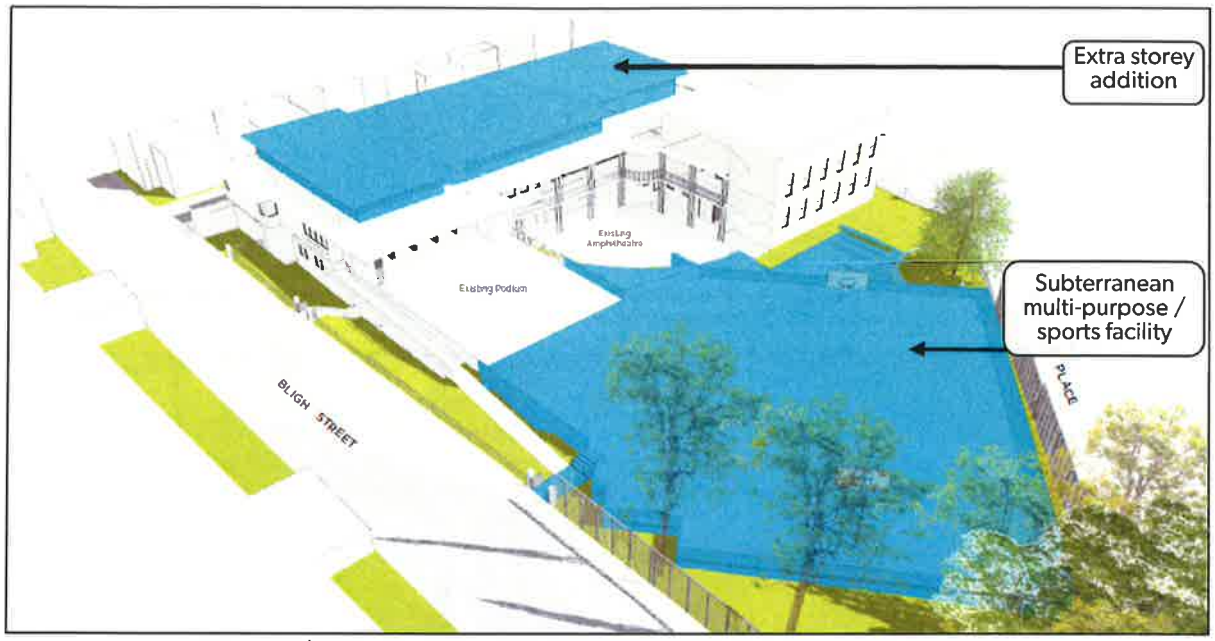


Figure 6 | Junior Campus – Concept Render (Source: Applicant's EIS 2018)

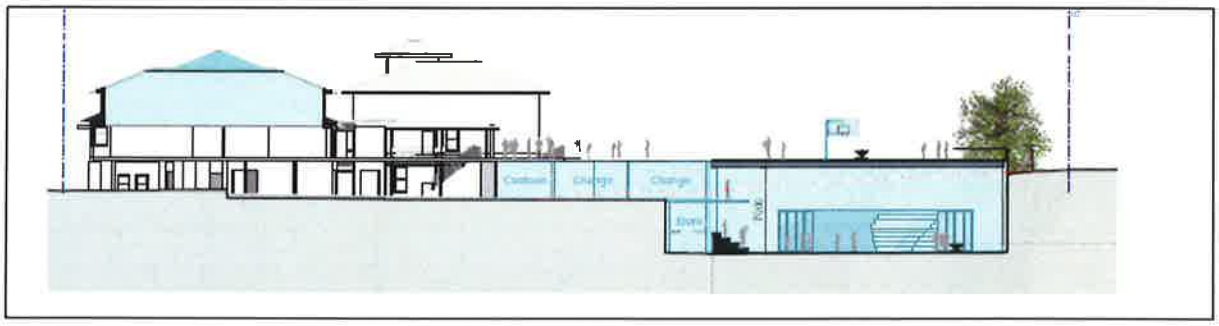


Figure 7 | Junior Campus – Concept Section (Source: Applicant's EIS 2018)

2.2.2 Senior Campus Works

Works at the Senior Campus include a largely single storey addition and minor alterations to the eastern elevation of the Wyalla building adjacent to the Robertson Lane footpath. This, in conjunction with the refurbishment of the existing building, would provide enlarged and improved teaching / learning spaces. The application seeks concept and Stage 1 approval for these works. See **Figures 8** to **10**.

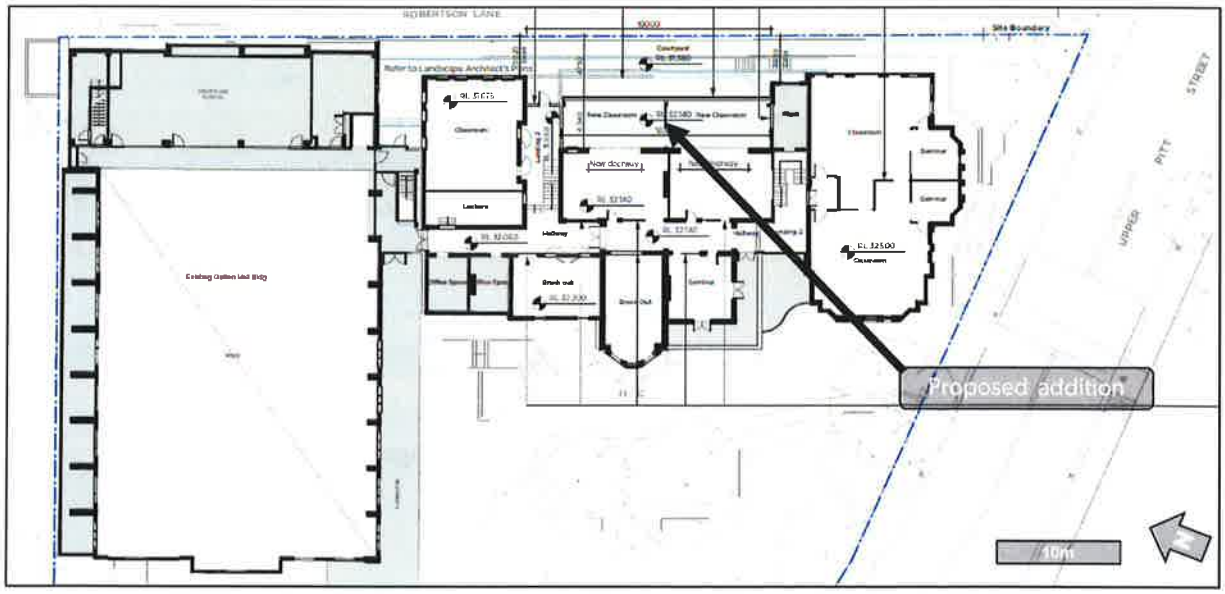


Figure 8 | Senior Campus – Proposed Site Layout (Source: Applicant's EIS 2018)

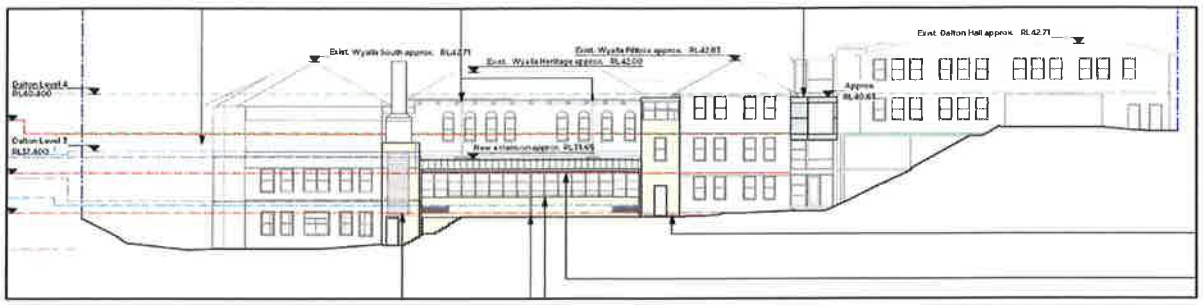


Figure 9 | Senior Campus – Proposed Eastern Elevation (Source: Applicant's EIS 2018)

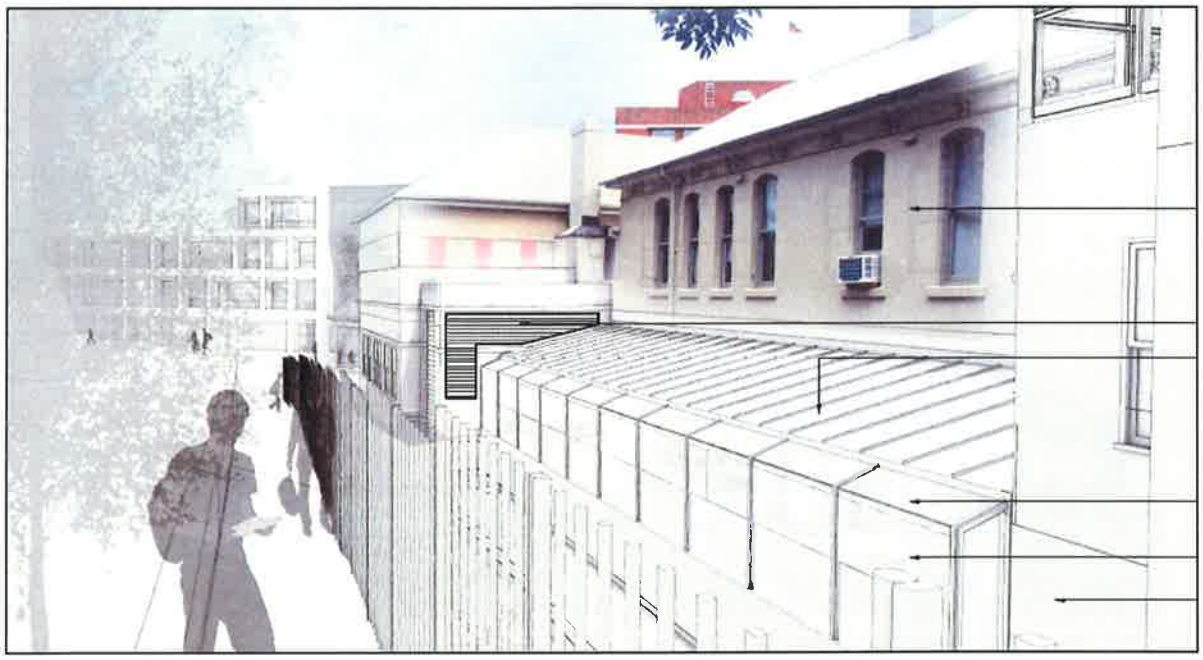


Figure 10 | Senior Campus – Proposed Render (Source: Applicant's EIS 2018)

2.2.3 Main Campus Works

Works at the Main Campus include the demolition of the north-east wing building and construction of a replacement building, along with a new three storey addition with roof terrace within the adjoining quadrangle. A single storey addition would also be made to level five of the north wing building and the remaining internal spaces of the existing buildings would be reconfigured and refurbished.

Overall, the proposal would provide:

- improved administrative and staff facilities.
- enlarged and improved general and specialist teaching / learning facilities.
- improved three storey circulation space providing better connectivity throughout the Campus.
- new multi-purpose rooftop terrace providing outdoor learning facilities and passive and active play space, along with an indoor multi-purpose room. This room and the outdoor areas of the rooftop terrace would be used for out of hours events.

As part of these works, two new openings would be made to the southern and western facades to provide light and views to the new circulation space.

The application seeks concept and Stage 1 approval for these works. See **Figures 11** to **18**.

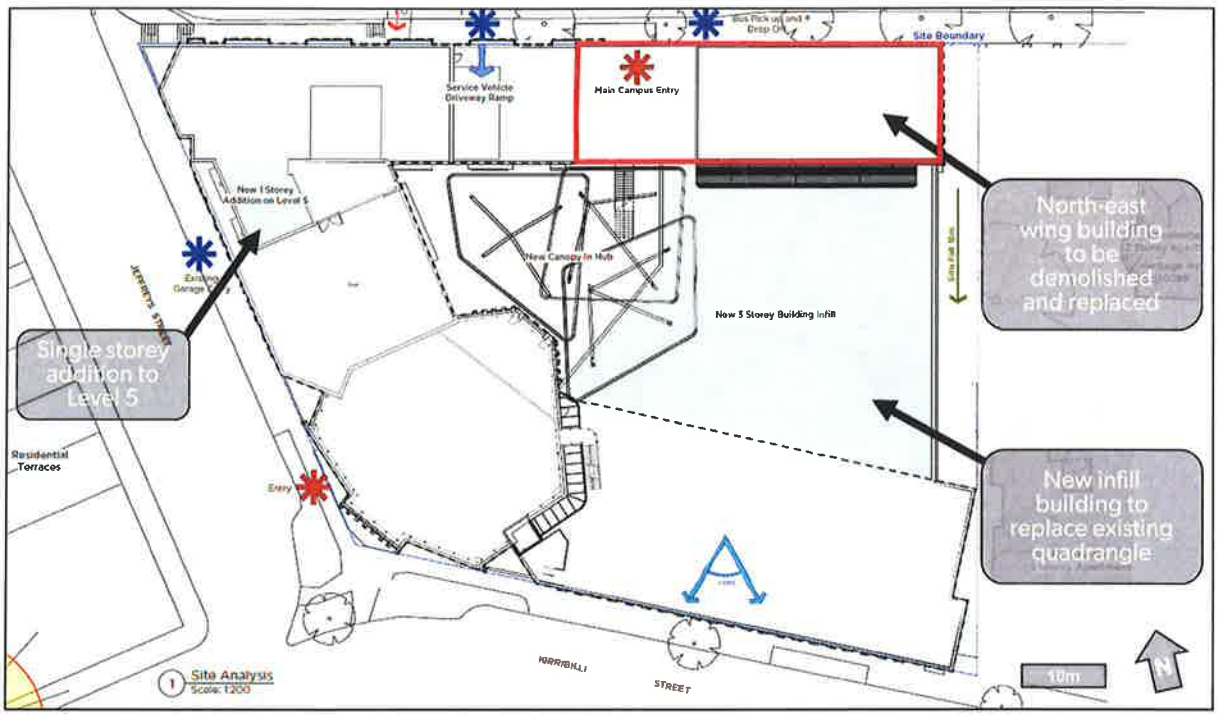


Figure 11 | Main Campus – Proposed Site Layout (Source: Applicant's EIS 2018)

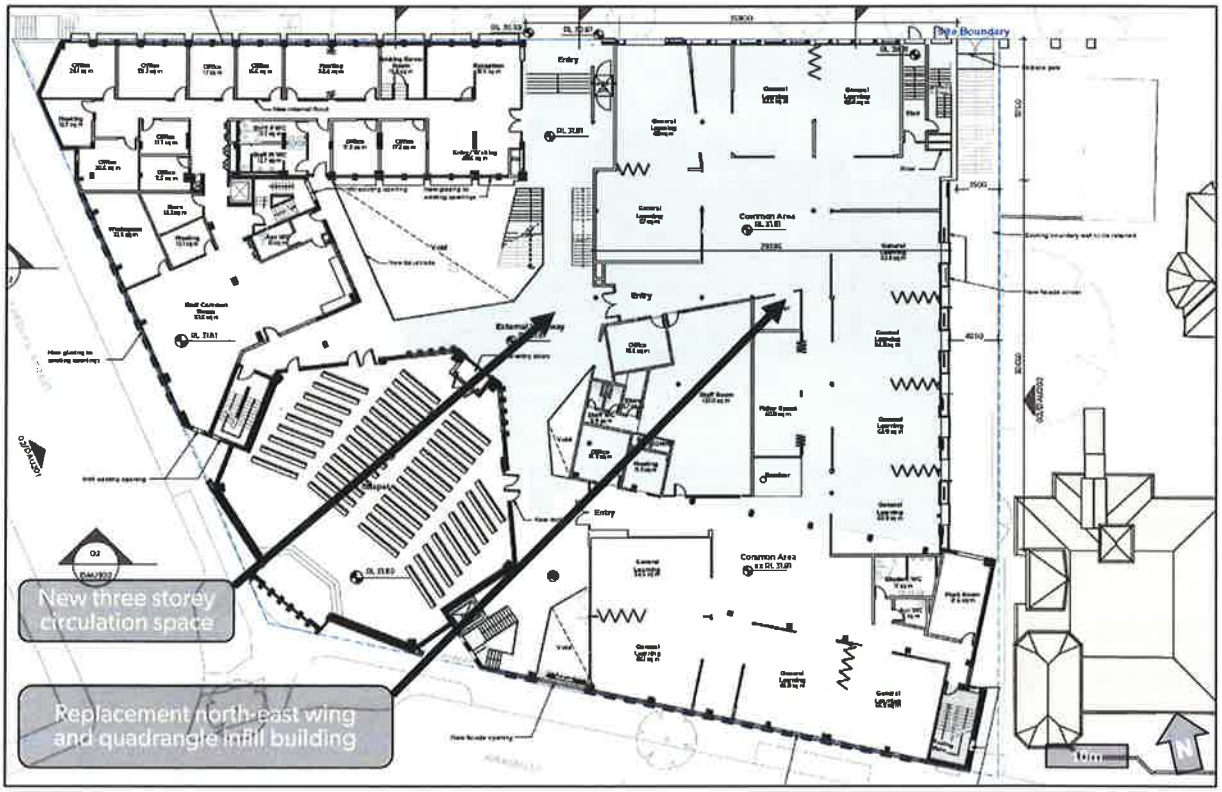


Figure 12 | Main Campus – Proposed Level 1 Layout (Source: Applicant's EIS 2018)

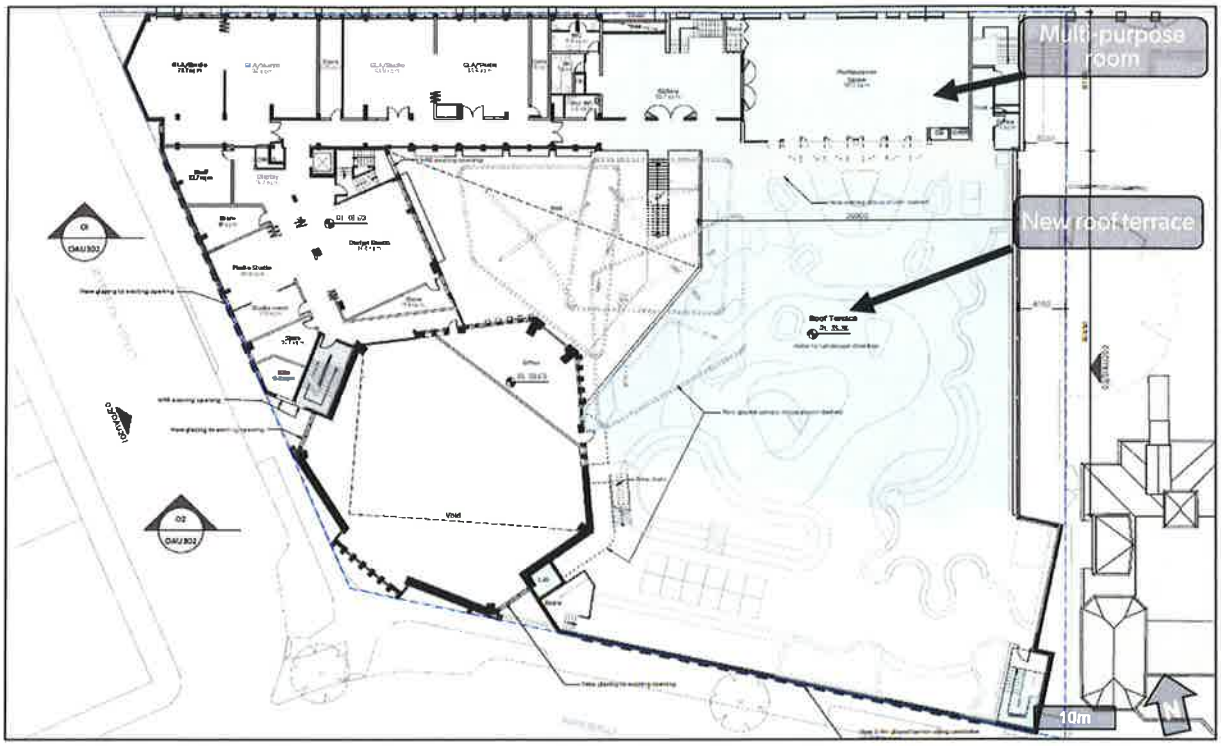


Figure 13 | Main Campus – Proposed Level 3 (Roof Terrace) Layout (Source: Applicant's EIS 2018)

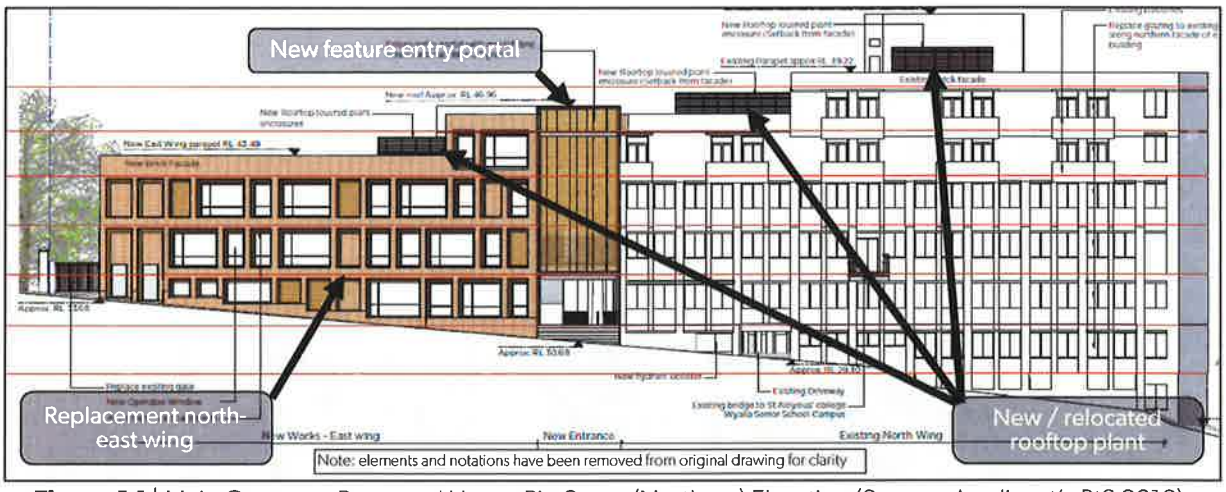


Figure 14 | Main Campus – Proposed Upper Pitt Street (Northern) Elevation (Source: Applicant's RtS 2018)

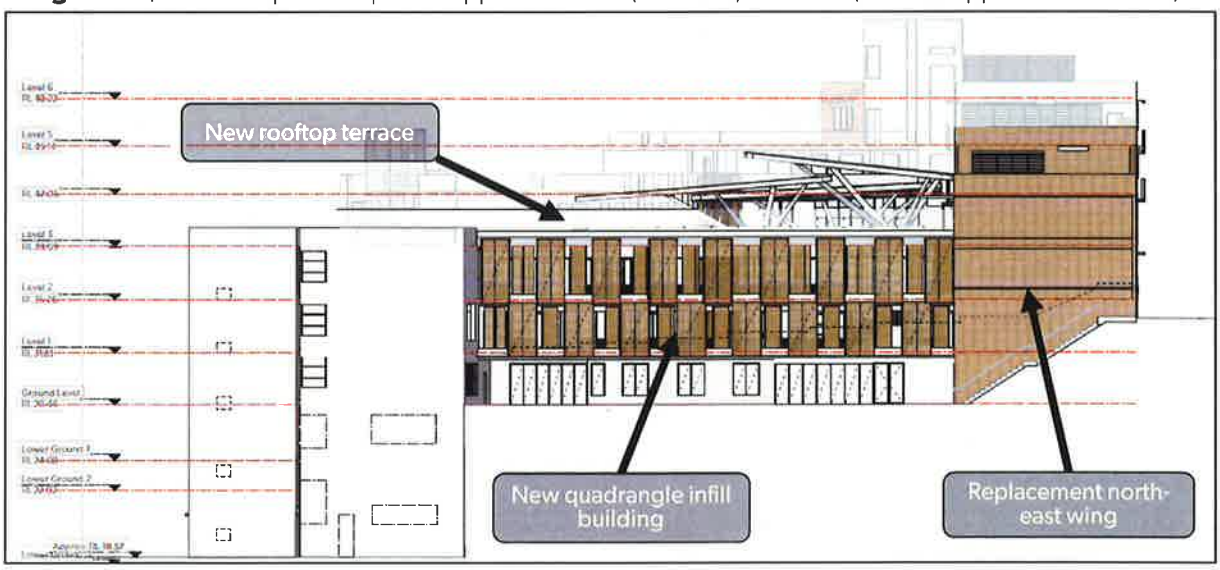


Figure 15 | Main Campus – Proposed Eastern Elevation (Source: Applicant's RtS 2018)

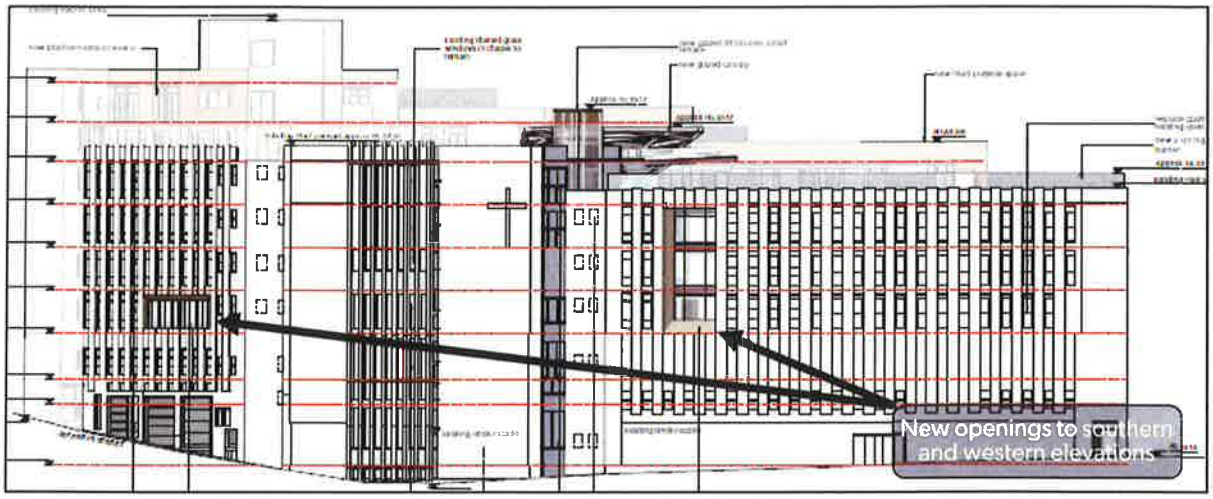


Figure 16 | Main Campus – Proposed Southern Elevation (Source: Applicant's EIS 2018)

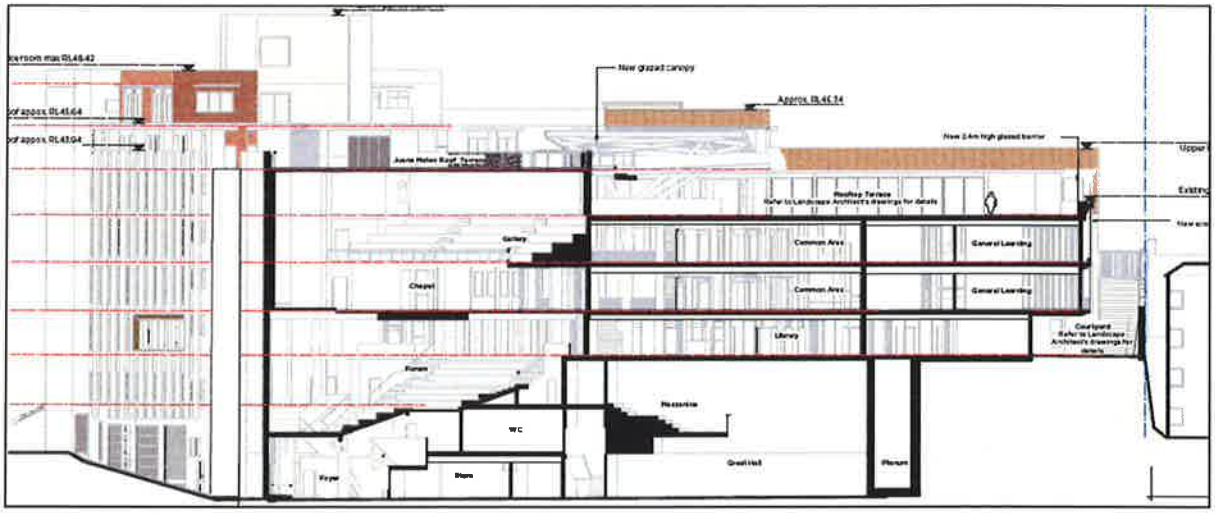


Figure 17 | Main Campus – Proposed Section looking northward (Source: Applicant's EIS 2018)

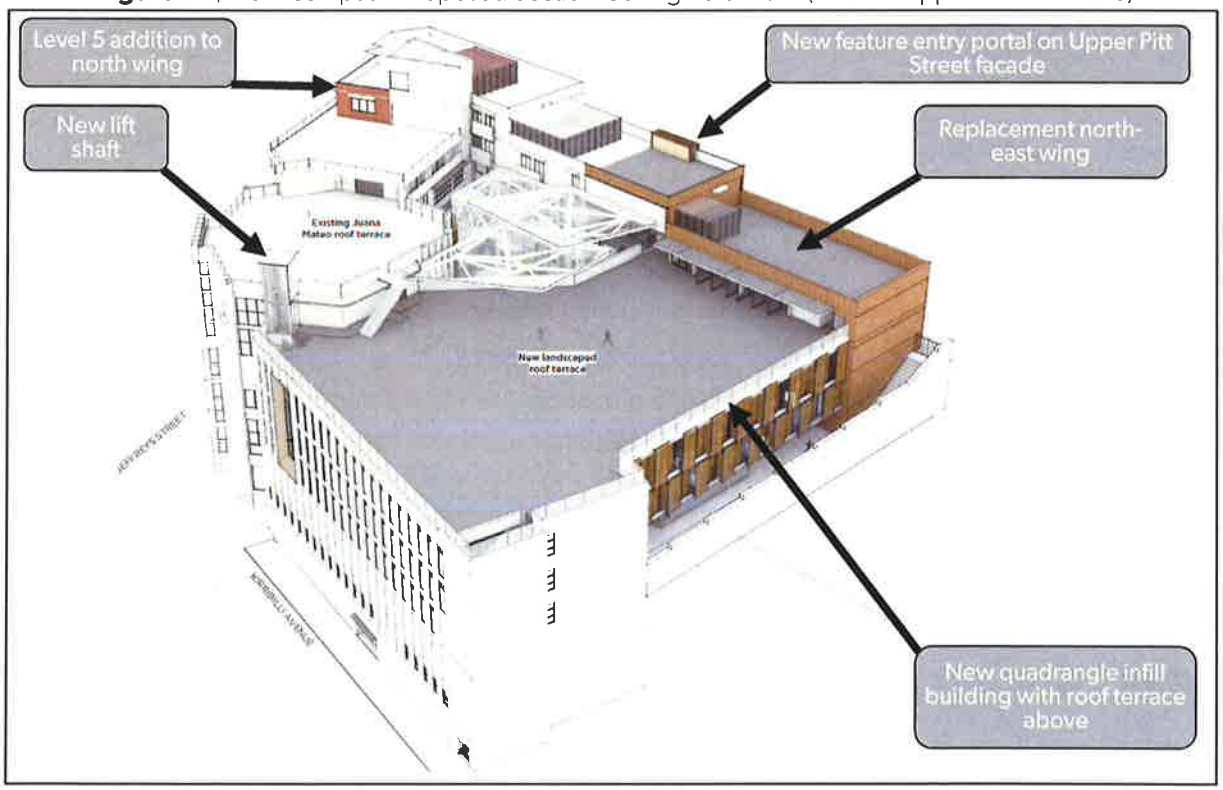


Figure 18 | Main Campus – Proposed Render (Source: Applicant's RtS 2018)

2.3 Uses and activities

The proposal involves the continued use of the three campuses as a school catering to years three to 12 during the hours of 8:30am to 3:30pm. School-related uses would continue outside of these hours and on weekends (up to 10pm, except for New Year's Eve which would extend to 12:30am for extra-curricular activities, including sporting events, parent evenings and school performances. Extra-curricular activities include:

- class reunions on a Friday or Saturday night.
- College New Year's Eve event.
- staff social events including Christmas party during daylight hours.
- parent events held on the chapel terrace and in the quadrangle but are likely to move to the rooftop terrace.
- father and son BBQ.

The school facilities would also continue to be available for community use. The existing and anticipated uses are outlined in the EIS and RtS are summarised in **Table 2**.

Table 2 | Existing and proposed community and non-school uses

Campus	Facility	Existing / Proposed Use	Frequency (average)
Junior	Basketball court (existing)	North Sydney Basketball Association	Weekly
Junior	Pedro Arrupe Room and surrounds (existing)	State and Federal government elections Neighbouring church group After school care	As required Weekly Daily
Senior	Classrooms (existing)	Musical group External organisations for meetings	Weekly Once per term
Senior	Dalton Hall Courts and Pool (existing)	Sport associations and nearby schools	Daily
Main	Juana Mateo Room (existing)	Jesuit / religious / other events	One to two times per term
Main	Chapel (existing)	Baptisms Weddings Funerals Musical societies	Once per month Three to five per year One to two per year One to two per year
Main	Chapel Terrace (existing)	Events held by the Society of Jesuits Hire to external groups	Two to four per year Ten per year
Main	Rooftop Terrace (proposed)	Music recitals / drama productions Filming of events on harbour Hire to external groups	10 per year As required 10 events per year

2.4 Timing

The Applicant proposes to deliver the project over two stages. Stage 1 comprises the works to the Main and Senior campuses and form part of the detailed proposals included this this application. Stage 2 comprises the works to the Junior Campus.

The Stage 1 works would also be phased to allow the ongoing operation of the school as follows:

- Phase 1 - Senior Campus - staged refurbishment of Wyalla building and partial demolition, excavation and construction of the single storey addition.
- Phase 2a - Main Campus - staged works including:

- demolition of the north-east wing building, excavation and construction of the replacement four storey north-east wing building.
- minor demolition, excavation and construction of the new four storey infill building within the existing quadrangle.
- refurbishment of the remaining north wing building, south wing building, great hall and chapel.

- Phase 2b - Senior Campus – completion of staged refurbishment of Wyalla building.

The EIS indicates that the Stage 1 works would be undertaken over an approximate period of up to seven years. The Stage 2 works are subject to the lodgement and approval of a future detailed development application. The EIS anticipates that the entire concept plan, including the Stage 2 works, would be completed within 20 years.

3. Strategic Context

3.1. Project need and justification

The Applicant has identified the need for a staged redevelopment and upgrade of the school to enable it to continue to achieve its purpose as a Catholic, Jesuit school. The Applicant states that the proposed redevelopment is required to provide school facilities that are:

- of a quality standard.
- educationally-relevant and functional.
- aesthetically pleasing.
- appropriate to honouring Jesuit educational traditions and the contemporary needs of school-aged male learners.

3.1 Strategic Context

The Department of Planning, Industry and Environment (the Department) considers that the proposal is appropriate for the site given:

- it is consistent with The Greater Sydney Plan: A Metropolis of Three Cities, as it proposes improved school facilities within a central mixed-use walkable location.
- it is consistent with the State Infrastructure Strategy 2018 – 2038: Building the Momentum, as it proposes investment in the non-government school sector to provide modern learning environments for students and to continue to accommodate infrastructure and facilities sharing with communities.
- it is consistent with the NSW Future Transport Strategy 2056, as it supports the ongoing provision of a modern educational facility in a highly accessible location.
- it is consistent with the vision outlined in the Greater Sydney Commission's North District Plan, as it would support the provision of services and social infrastructure to meet people's changing needs.
- it is consistent with Sydney's Cycling Future 2013, as it would promote and cater for bicycle use through the provision of end-of-trip facilities.
- the Concept Proposal has a capital investment value (CIV) of $70 million and would generate 407 construction jobs. The Stage 1 works have a CIV of $62.5 million and would generate 372 construction jobs.

4. Statutory Context

4.1 State significant development

The proposal is SSD under section 4.36 (development declared SSD) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), as defined under clause 15(2) of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP), as it is development for the purpose of an educational establishment, comprising alterations or additions to an existing school, with a CIV of more than $20 million.

4.2 Consent Authority

In accordance with Clause 8A of the SRD SEPP and section 4.5 of the EP&A Act, the Independent Planning Commission is the consent authority as North Sydney Council (Council) has made an objection and more than 25 public objections were received.

4.3 Permissibility

The Junior Campus, the Main Campus and the southern part of the Senior Campus, are identified as being located within the SP2 Infrastructure (Educational Establishment) zone under the NSLEP. The northern part of the Senior Campus is identified as being within the R2 Low Density Residential zone.

An educational establishment is permissible with consent within the SP2 Infrastructure (Educational Establishment) zone. An educational establishment is also permissible within the R2 Low Density Residential zone by virtue of Clause 35(1) of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP). Therefore, the Independent Planning Commission may determine the carrying out of the development.

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 taken into account in the assessment of the project.

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

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 3**.

Table 3 | Response to the objects of section 1.3 of the EP&A Act

Objects of the EP&A Act		Consideration
(a)	to promote the social and economic welfare of the community and a better environment by the proper management, development	The proposal involves the upgrade and improvement of an existing school in a central well-connected location.

	and conservation of the State's natural and other resources	The site is well-established, and its redevelopment would not negatively impact the economic welfare of the community, nor 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) (see **Section 4.4.3**).
(c)	to promote the orderly and economic use and development of land,	The proposal would be an orderly and economic use and development of the land as the proposal provides for the improvement of an existing educational facility on a site owned by the Applicant.
(d)	to promote the delivery and maintenance of affordable housing,	Not applicable.
(e)	to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The site is currently fully developed as a school and its redevelopment would not impact on the natural environment or the conservation of threatened species or habitats.
(f)	to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposal involves both works to, and works within the setting of, buildings of local heritage significance. The existing heritage building affected by the works would be sensitively refurbished and the new built form would sit comfortably within the heritage context of the three campuses and surrounding areas.
(g)	to promote good design and amenity of the built environment,	The proposed internal reconfiguration works have been designed to make best use of existing buildings while providing modern flexible learning facilities. Proposed new building elements respect the existing built form, while providing a contemporary architectural style. The scale and massing of the new building elements minimise impacts on the amenity of the surrounding properties and are respectful to the character of the area.
(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 (see **Section 5.1**) which included consultation with Council and other public authorities and consideration of their responses (see **Sections 5.3** and **5.4**).
(j)	to provide increased opportunity for community participation in environmental planning and aspsessment.	The Department publicly exhibited the proposal (see **Section 5.1**), which included notifying adjoining landowners, placing a notice in a newspaper and displaying the proposal on the Department's website and at Council during the exhibition period.

4.4.3 Ecologically sustainable development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

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

The development proposes ESD initiatives and sustainability measures, including:

- the upgrade and adaptation of existing buildings to provide a modern flexible educational facility in a central accessible location.
- re-use or recycling of a minimum of 90 per cent of construction waste generated by the development.
- installation of additional landscaping, including at roof level.
- adoption of a natural ventilation strategy, with mechanically assisted natural ventilation used to reduce the use of active cooling systems.
- use of low energy lighting and control systems, including sensors and timer operating systems.
- implementation of water conservation measures, including highly efficient water fittings and fixtures.
- implementation of a system to educate occupants about the building performance and how it is influenced by occupant behaviour.

The Applicant is targeting measures to achieve equivalency to a 4-Star Green Star rating for the works at the Junior and Main campuses. A schedule setting out the proposed measures to achieve the credits required to achieve a 4-Star Green Star rating was included in Appendix 26 of the EIS.

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 that the ESD measures are achieved, it is recommended that conditions be included in relation to works at the Main Campus which require:

- the appointment of a suitably qualified Green Star Accredited Professional to monitor the detailed design to ensure that all the ESD measures set out in Appendix 26 of the EIS are incorporated.
- evidence to be provided from a suitably qualified Green Star Accredited Professional that the ESD measures set out in Appendix 26 of the EIS have been incorporated into the design prior to the commencement of construction.
- evidence to be provided from a suitably qualified Green Star Accredited Professional that the ESD measures set out in Appendix 26 of the EIS have been implemented in the works prior to the issue of an occupation certificate for the final stage of works.

Conditions are also recommended that require:

- a future detailed development application for the Stage 2 works at the Junior Campus to demonstrate how ESD principles have been incorporated into the proposal.
- details to be provided of appropriate ESD measures to be incorporated in works at the Senior Campus prior to the commencement of those works.

Subject to these conditions, the proposed development would be consistent with ESD principles as described in Section 8.6 and Appendix 26 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 would encourage ESD, in accordance with the objects of the EP&A Act.

4.4.4 Environmental Planning and Assessment Regulation 2000

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

4.4.5 Planning Secretary's Environmental Assessment Requirements

On 28 August 2017, the Department notified the Applicant of the Planning Secretary's Environmental Assessment Requirements (SEARs) for the SSD application. The EIS is compliant with the SEARs and is sufficient to enable an adequate consideration and assessment of the proposal for determination purposes.

4.4.6 Section 4.15(1) matters for consideration

Table 4 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 **Section 6** (Assessment) and relevant appendices or other sections of this report and EIS, referenced in the table.

Table 4 | Section 4.15(1) matters for consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	The application satisfactorily complies with the relevant EPIs. The Department's consideration of the relevant EPIs is provided in **Appendix B** of this report.
(a)(ii) any proposed instrument	The application satisfactorily complies with the relevant draft EPIs (see **Appendix B**).
(a)(iii) any development control plan (DCP)	Under Clause 11 of the SRD SEPP, development control plans (DCPs) do not apply to SSD. Notwithstanding this clause, consideration has been given to relevant DCPs at **Appendix B**.
(a)(iiia) any planning agreement	Not applicable.
(a)(iv) the regulations *Refer Division 8 of the EP&A Regulation*	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(a)(v) any coastal zone management plan	Not applicable.
(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 proposal can / have been appropriately mitigated or conditioned (see **Section 6**).
(c) the suitability of the site for the development	The site is suitable for the development as discussed in **Sections 3** and **6** of this report.

(d) any submissions	Consideration has been given to the submissions received during the exhibition period. See **Sections 5** and **6** of this report.
(e) the public interest	Refer to **Section 6** of this report.

4.4.7 Biodiversity Conservation Act 2016

The proposed works are not likely to have a significant impact on biodiversity values. On 26 September 2018 the Environment, Energy and Science Group of the Department of Planning, Industry and Environment (former NSW Office of Environment and Heritage) (EESG) determined that the proposed development would be not 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 27 September 2018 determined that the application is not required to be accompanied by a BDAR under section 7.9(2) of the *Biodiversity Conservation Act 2006* (BC Act).

5. Engagement

5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 27 April 2018 to 28 May 2018. The application was exhibited on the Department's website, at the NSW Service Centre and at the Council's office.

The Department placed a public exhibition notice in the Mosman Daily on 26 April 2018 and notified adjoining landholders and relevant state and local government authorities in writing. Representatives of the Department also attended a meeting with concerned residents and members of the Milson Precinct on 23 May 2018. The Department representatives visited the site to provide an informed assessment of the development.

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

5.2 Summary of submissions

The Department received a total of 89 submissions, comprising six submissions from public authorities, one from Council, 80 submissions from the public and two from community organisations. Of these submissions, 78 public submissions, the two local community group submissions and Council's submission raised objections to the proposal. A summary of the issues raised in the submissions is provided in **Sections 5.3** and **5.4** and copies of the submissions may be viewed at **Appendix A**.

5.3 Public authority submissions

A summary of the issues raised in the public authority submissions is provided at **Table 5** below and copies of the submissions may be viewed at **Appendix A**.

Table 5 | Summary of public authority submissions to the EIS exhibition

Council
Council raised the following objections to the proposal and made the following comments: • The proposal would increase the potential for greater enrolments resulting in an increase in students and staff. • The proposal's failure to provide parking and drop-off / pick-up areas would exacerbate existing traffic and parking problems in Kirribilli. • The lack of open space would increase the school's use of Bradfield Park exacerbating existing concerns regarding maintenance and equitable access to the local community. • The impacts of the proposal would be amplified given the cumulative impact of the proposal and expansion proposals at Loreto Kirribilli. • The EIS has not given consideration to the design quality principles for schools within the Education SEPP. • The EIS includes insufficient information to determine the proposal's compliance with the building height limitations set out in the NSLEP.

- The proposal involves a significant amount of demolition and excavation. The Applicant should ensure that appropriate measures are implemented to maintain ground stability and prevent water flows to neighbouring properties.
- A detailed lighting plan and reflectivity assessment should be submitted in support of the proposal.
- The proposal is non-compliant with the maximum site coverage and minimum landscape area controls set out in the North Sydney Development Control Plan 2013 (NSDCP). The Applicant should provide additional areas of deep soil landscaping or prepare strategies to allow students to access bona fide landscape areas across the various St Aloysius' College campuses.
- The proposed works zone within Upper Pitt Street is not supported as it would replace existing drop-off / pick-up zones.
- More detailed construction management plans should be prepared in conjunction with the redevelopment proposal at Loreto Kirribilli.
- The proposal should achieve equitable access across the three campuses, including through the provision of:
    - an automatic sliding door to the main entrance of the Main Campus.
    - the provision of a lift, appropriately designed circulation spaces and accessible sanitary facilities on the Senior Campus, including the Wyalla building.
- Main Campus:
    - The existing building is incongruous in the Kirribilli locality with sheer walls and minimal setbacks and landscaping.
    - The proposed building is inconsistent with the desired built form for educational establishments prescribed in the NSDCP and is incompatible with the density of the locality.
    - The proposal is contrary to the aim of plan and building height objectives of the NSLEP having regard to the proposed the building height and density of development.
    - The proposal is likely to significantly impact solar access to neighbouring properties, particularly 88 Kirribilli Avenue.
    - Hour by hour shadow diagrams should be submitted as part of the EIS including three dimensional suns eye view diagrams.
    - The Applicant should confirm if any shading structures are proposed on the roof terrace which would increase shadowing of neighbouring properties.
    - Use of the proposed rooftop terrace has the potential to significantly impact neighbouring properties, particularly 88 Kirribilli Avenue, by way of noise and loss of privacy. Strict controls should be placed on its use to avoid any such impacts.
    - Concern is held that the proposal would result in loss of high amenity views to neighbouring properties, particularly 88 Kirribilli Avenue. The Applicant should undertake view impact analyses from this property.
    - The Applicant should ensure that the view impact assessment considers any required structural support to the glazed barrier around, and shade structures on, the proposed rooftop terrace.

Ausgrid

Ausgrid raised no objections to the proposal and had no further comment to make.

Environment Protection Authority (EPA)

The EPA advised that it is not the regulatory authority for the proposal and therefore had no comments to make in relation to the proposal.

Heritage Division of the Department of Premier and Cabinet (former Heritage Division of the Office of Environment and Heritage) (Heritage Division)

The Heritage Division provided the following comments:

- The three campuses are not listed in the State Heritage Register, but do contain local heritage items in the NSLEP. They are also in the vicinity of several other listed items and adjoins two heritage conservation areas.
- The recommendation in the EIS to implement an Unexpected Finds Procedure is considered appropriate.

Environment, Energy and Science Group of the Department of Planning, Industry and Environment (former NSW Office of Environment and Heritage) (EESG)

EESG provided the following comments:

- The EIS does not address the BC Act through the preparation of a BDAR or request for a BDAR waiver.
- The incorporation of a part green or cool roof is supported.
- The consideration of flood risk in the EIS is acceptable.

Transport for NSW (Roads and Maritime Services) (former Roads and Maritime Services) (TfNSW(RMS))

TfNSW(RMS) provided the following comments / recommended conditions:

- The site is within the broad area under investigation for the Western Harbour Tunnel and Beaches Link motorway projects, however there is no approved proposal which requires part of the site for road purposes.
- A construction traffic management plan should be prepared for the development.
- A road occupancy licence must be obtained for any works that may impact on traffic flows at nearby traffic signal sites.
- All works and signage associated with the proposal should be at no cost to TfNSW(RMS).

Transport for NSW (TfNSW)

TfNSW provided the following comments / recommended conditions:

- The preliminary construction management plan does not detail that pedestrian and cycling movements would be considered when construction is taking place.
- The proposal should include the provision of additional bicycle parking on the site.
- The proposal must not impede bus operations along Carabella Street.
- A Traffic and Parking Management Plan (TPMP), Road Safety Evaluation (RSE), service vehicle management plan, Construction Traffic Management Plan (CTMP), and Green Travel Plan (GTP) be prepared for site.

5.4 Public submissions

A summary of the issues raised in the public submissions is provided at **Table 6** below and copies of the submissions may be viewed at **Appendix A**.

Table 6 | Summary of the public submissions to the proposal

Issue	Proportion of submissions
Lack of parking	68%
Traffic congestion	59%
Lack of, and inconsistency in, information provided in the EIS	51%
Operational noise	48%
Tree removal and lack of landscaping	49%
Construction noise, traffic and timeframes	43%
Lack of drop-off / pick-up areas	39%
Height, scale and setbacks of proposed buildings	40%
Lack of, poor quality and inaccuracy of consultation	34%
Visual appearance / impact of proposed buildings	28%
Extent and impacts of excavation	26%
Loss of views	24%
Use of public infrastructure with no public benefit	23%
Failure to comply with LEP and DCP requirements	21%
Failure to consider alternative options / other land available	21%
Overshadowing	20%
Heritage impacts	20%
Lack of open space for students	18%
Amenity impacts, including from lighting and loss of privacy	18%
Impacts on property values	5%

Two public submissions were also received outside of the exhibition period, which raised similar issues to those summarised above.

5.4.1 Community organisation submissions

A summary of the issues raised in the two community organisation submissions is provided at **Table 6** below and copies of the submissions may be viewed at **Appendix A**.

Table 7 | Summary of the public submissions to the proposal

North Shore Historical Society
The North Shore Historical Society raised the following objections in relation to the proposal: • The proposed addition to the Wyalla building on the Senior Campus would be unsympathetic to the existing Italianate style building. • The addition would impact the eastern elevation of the building which remains intact, unlike the other elevations which have been unsympathetically altered in previous development stages. • Removal of wall masonry and the eight double hung timber windows would destroy the integrity of the elevation and diminish the heritage value of the entire building.

Milson Precinct

The Milson Precinct raised the following objections in relation to the proposal:

- The application is lacking in detail and contains inconsistencies.
- The Applicant has failed to adequately consult the community on the proposal and offers no benefits to the community.
- The proposal does not comply with NSLEP and NSDCP provisions, including with regard to parking, setbacks and landscaping.
- The EIS fails to consider the cumulative impacts of the proposal and works proposed at Loreto Kirribilli.
- The lack of open space for students proposed would continue reliance on use of Bradfield Park by students which is not in the interests of the local community.
- The EIS has failed to consider other options to cater for the needs of the school, including other properties owned by St Aloysius' College in Kirribilli and Willoughby.
- The proposal fails to provide adequate parking and would adversely affect traffic congestion and road safety.
- The proposal would remove existing trees which would be detrimental to the character and amenity of the neighbourhood.
- The proposal would impact views of adjoining properties and fails to provide certified view analyses and night montages.
- The EIS does not include a lighting plan and details of structural supports to the glazed balustrade around the roof terrace.
- The EIS does not define the expected 'natural growth' in student numbers.
- The concept plans for the Junior Campus allow no consideration of the extent of excavation, building heights, solar loss and tree loss.
- The proposed use of the multi-purpose / sports facility on the Junior Campus by the entire St Aloysius' College would worsen noise and other impacts.
- The extensive amount of excavation proposed would have significant noise and vibration impacts to surrounding neighbours.

5.5 Response to Submissions

Following the exhibition of the application, the Department placed copies of all submissions received on its website and requested the Applicant to provide a response to the issues raised in the submissions and matters raised following the Department's preliminary review of the EIS.

On 13 December 2018, the Applicant provided a RtS on the issues raised during the exhibition of the proposal. A copy of this is provided at **Appendix A**. The RtS included amended plans for the proposal which:

- clarified that existing trees along Bligh Street and Crescent Place are to be retained and included two new replacement trees to be planted along the Crescent Place frontage of the Junior Campus.
- detailed minor amendments and additional details for works on the Senior Campus.
- in relation to the Main Campus:
    - lowered the height of the replacement north-east wing building (except for the proposed feature entry portal) from RL43.49 metres to RL43.22 metres so that it would not exceed the height of the existing building.
    - clarified that the roof over the north-east wing replacement building would be non-trafficable.
    - provided further details of the treatment of the façade of the eastern elevation.

In addition to the above amendments, further information was provided in support of the application in consideration of the comments made in the submissions and issues raised by the Department, including:

- an updated Visual Assessment Report (VAR) which:
    - provided additional analyses of impacts of views from surrounding properties.
    - an explanation of the rationale used for the selection of properties analysed.
    - confirmed that all relevant aspects, including proposed glazing and landscaping, had been considered in the assessment.
- a Preliminary GTP.
- a Lighting Design Concept (LDC) for the proposed rooftop terrace on the Main Campus.
- engineering design for structural support to the balustrade around the rooftop terrace.
- Character Assessment Report for the Main Campus.
- updated arboricultural report including root mapping investigations in relation to tree 60 adjacent to the Main Campus.
- additional information in relation to compliance with the Education SEPP.
- confirmation of:
    - existing and proposed community uses of the school. The information provided indicated that in addition to normal daytime school use, the proposed use of the rooftop terrace would be similar to the existing use of the quadrangle, except that it would allow for an increase in the capacity of events and the inclusion of externally-hired events. Proposed uses include:
        - one Saturday night (7pm to 10pm) school-related parent event per year catering for around 1180 people.
        - one Friday night school-related father and son BBQ (6pm to 9pm) per year catering for up to 400 people.
        - one school-related New Year's Eve event (5pm to 12:30am) per year catering for up to 1180 people (concurrent use of the chapel terrace for this event would accommodate 1500 people overall).
        - up to 10 music recitals / drama productions (7pm to 9pm) on Thursdays, Fridays or Saturdays per year in the multi-purpose room facing onto on the roof terrace catering for up to 50-100 people.
        - up to 10 weekend (Thursday to Saturday) non-school related externally-hired events per year catering for up to 300 people.
    - proposed bicycle parking provision and end-of-trip facilities.
    - existing car parking provision across the three campuses as well as an existing arrangement for the use of 17 car parking spaces on the site of the Star of the Sea Catholic Church at 44 Willoughby Street.
    - existing student and staff numbers at the school.
    - that the intention of the proposed development is not to achieve a material increase in student numbers but to provide improved learning and teaching facilities for existing students.
- revised or addendum specialist reports where these were required to respond to issued raised in the submissions, clarify inconsistencies or incorporate the above amendments and further studies.

On 21 December 2018, the Applicant provided additional information for inclusion as part of the RtS. This included a Detailed Site Investigation (DSI) and Remedial Action Plan (RAP) prepared in relation to the three St Aloysius' College campuses.

The RtS was referred to relevant public authorities for comment and placed on the Department's website. An additional six submissions were received from public authorities and two public submission were received. Given that the submissions (both public authority and public) were received outside the statutory community participation period, the Department has not placed these on the website. The Department reviewed all submissions and requested the Applicant to respond to the additional matters raised in these submissions. Notwithstanding this, a summary of the issues raised in the public authority submissions is provided at **Table 8**.

Table 8 | Summary of public authority submissions to the RtS

Council
Council confirmed its objection and advised that it considered that the RtS did not adequately respond to Council's concerns. Council particularly noted its concerns with regard to: • traffic congestion and reliance on off site parking and drop-off / pick-up facilities, particularly given the Applicant's continued advice that the proposal does not envisage an increase an increase in student numbers even though the proposal would provide significantly enlarged facilities and the site is not subject to a cap on students. • cumulative impacts of the proposed development and the proposed redevelopment of Loreto Kirribilli in close proximity to the site.
EPA
The EPA advised that it has no role in routinely reviewing contaminated land reports or remedial actions plans for SSD projects and therefore had no further comments to make in relation to the application.
Heritage Division
The Heritage Division confirmed that it had no further issues or concerns in relation to state heritage matters.
EESG
EESG made the following comments / recommendations: • that planting be undertaken at a ratio greater than one to one in consideration of mitigation the urban heat island effect and advanced size species be planted in place of trees to retained. • replacement planting be of local native provenance species to improve biodiversity given that the Powerful Owl and Grey-headed Flying Fox have been recorded in the vicinity. • artificial nest boxes be provided on site to enhance native fauna habitat on the site.
TfNSW(RMS)
TfNSW(RMS) confirmed that it had no objections in relation to the application and referenced the recommended conditions provided in its submission to exhibition of the EIS.
TfNSW
TfNSW advised that it had no further comments to make in relation to the application.

The additional public submission advised that the Applicant's RtS did not address or respond to concerns raised in relation to environmental impacts on the property immediately to the east of the site. The Department has considered the comments and concerns raised in its assessment (see **Section 6**).

6. Assessment

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

- built form and urban design.
- environmental and residential amenity.
- traffic and parking.

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

6.1 Built form and urban design

6.1.1 Height and scale

The three campuses are not subject to floor space ratios but are subject to height limits under the NSLEP as follows:

- the Junior Campus is subject to an 8.5 metre height limit.
- the northern part of the Senior Campus is subject to an 8.5 metre height limit and southern part subject to a 12 metre height limit.
- the Main Campus is subject to a 12 metre height limit.

See **Figure 19** for an extract of the Height of Buildings Map from the NSLEP.

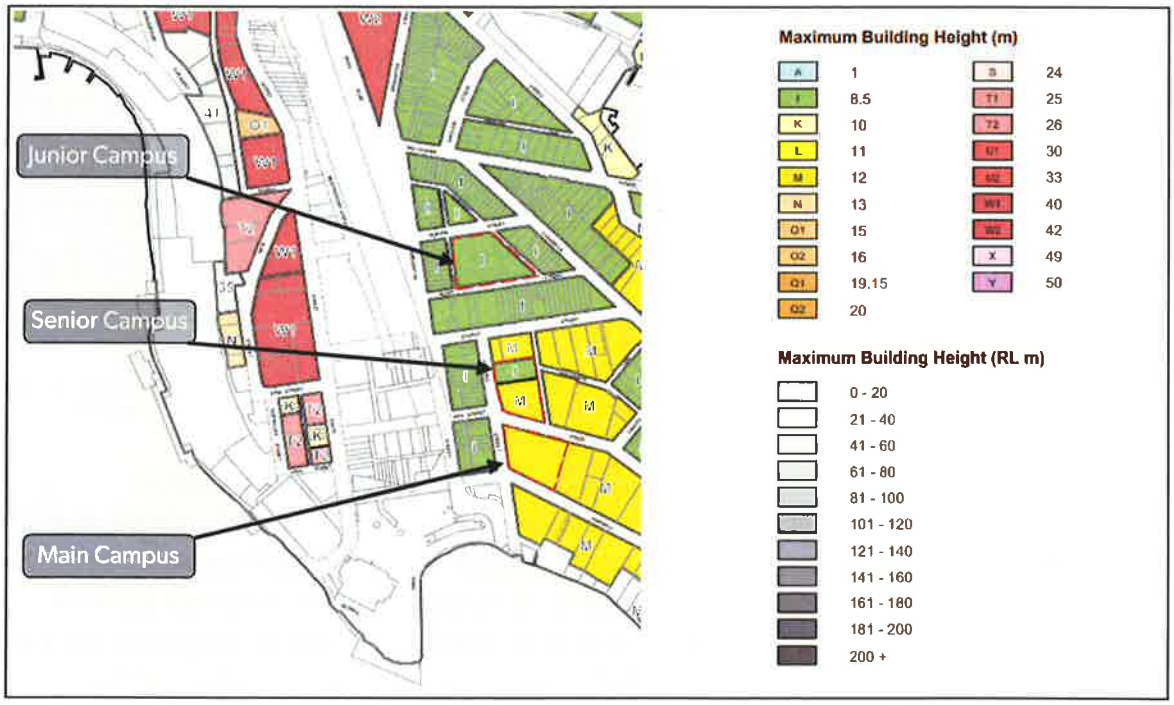


Figure 19 | Extract from NSLEP Height of Buildings Map (Source: www.legislation.nsw.gov.au 2019)

Concept Proposal

The proposed building envelope above the existing building on the western boundary of the Junior Campus would exceed the maximum height limit as it would extend to a maximum of 12 metres in height. The proposed development on the Main Campus would also exceed the maximum height limit as the proposed replacement north-east wing and quadrant infill building on would extend to 16.28 metres in height. The proposed single

storey addition to the Wyalla building on the Senior Campus would comply with the maximum height limit. The proposed building heights at the Junior and Main campuses are shown in in **Figures 20** and **21**.

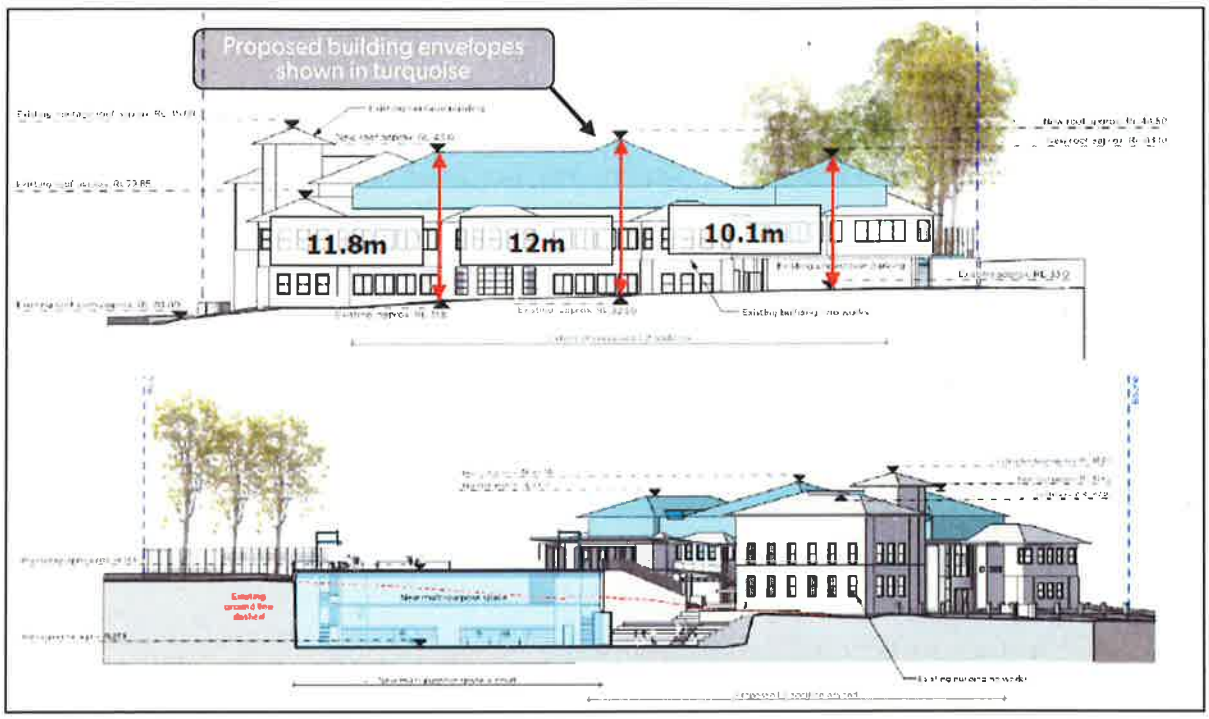


Figure 20 | Proposed building envelope heights at the Junior Campus (Source: Applicant's EIS 2018)

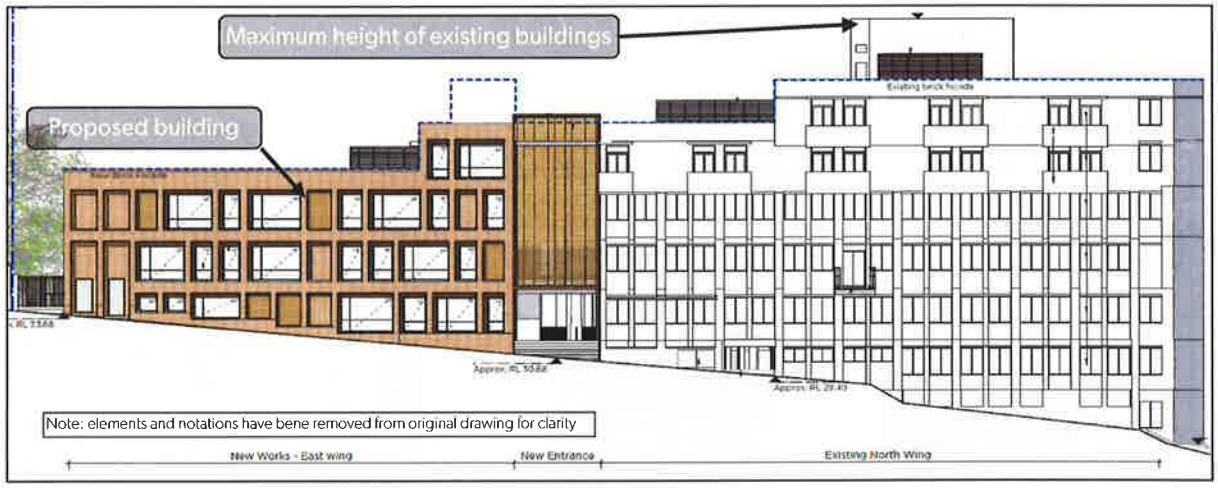


Figure 21 | Northern elevation of the replacement north-east wing building on the Main Campus (Source: Applicant's RtS 2018)

Clause 4.6 of the NSLEP provides flexibility in the application of development standards if it can be demonstrated that compliance is unreasonable and unnecessary and there is sufficient planning justification for contravention of the development standard. In addition, clause 42 of the Education SEPP stipulates that "Development consent may be granted for development for the purpose of a school that is state significant development even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted". As the provisions of the Education SEPP apply to this proposal, the building height development standard does not apply in this circumstance and the merit or otherwise of the proposal should be considered in assessing whether the built form is appropriate for the site.

Despite the provisions of the Education SEPP, the Applicant provided justification for exceeding the height limit in the form of clause 4.6 variation statements.

The Applicant advised that compliance with the development standard is unreasonable or unnecessary in the circumstances of the application on the following basis:

- the maximum height limits do not reflect the existing maximum building heights.
- space is limited on the campuses and the proposed development is required to make efficient use of the campuses and to achieve the objectives of the school.
- the proposal responds to the local topography and height of existing development around the campuses.
- the proposed built form is appropriate given the campuses location within a medium to high density area.

Building height, scale and setbacks, and related impacts on neighbourhood character, privacy, solar access and views, were raised as concerns both in the public and Council submissions. The Applicant responded to the comments made and provided updated a clause 4.6 variation statements in its RtS.

The Department has considered the concerns raised in the submissions and information provided by the Applicant. The Department concludes that the height and scale of the built form would be acceptable on the following basis:

- in the case of the Junior Campus, the building envelopes would not exceed the height of the tower of the original school building on the Campus, and would be similar in height to the two storey section of that building (see **Figure 1**).
- the Junior Campus is located immediately adjacent to the Kirribilli village centre which has higher density development with a mixture of two to three storey buildings, and the proposed building envelopes would be well setback from the adjoining properties given that the Campus is surrounded by streets on all four boundaries.
- the proposed building on the Main Campus would not exceed the maximum height of the existing buildings and the height profile of the existing north-east wing building. Whilst the proposed feature entry portal shown on the plans submitted with the EIS and RtS would exceed the height profile of the existing north-east wing building, the Department has recommended a condition requiring the submission of amended plans requiring the feature entry to be reduced in height to match the existing building (see **Section 6.2.2**).
- the area surrounding the Main Campus is characterised by medium and high density development with varying building heights, many of which significantly exceeds the height of the proposed building.
- the proposed built form would not result in unacceptable impacts on privacy, solar access and views (see **Section 6.2**).
- the proposal would make efficient use of the constrained campuses to provide improved educational facilities.

Overall, the Department concludes that the proposed bulk and scale is appropriate having regard to the surrounding development and site constraints. The Department notes the benefits associated with the proposed upgrade to the school facilities and considers the proposed height exceedances have been justified in terms of the objectives of the development standard and can be supported.

The Department has also considered the layout of the new built form and is satisfied that it is appropriate as it would complement the existing built from across the three campuses and would not interrupt the general pattern of development on and around the campuses.

Further detailed consideration of the proposals at the Senior and Main campuses is given below.

Stage 1 works

The Department considered height of the proposed buildings on the Main Campus in detail under the Concept Proposal and concluded that the proposed height was acceptable in context of the site. Particular concerns

raised in the public submissions raised the need for greater front and side setbacks for these buildings in order to provide greater separation between buildings and improved visual relief. Council also raised particular concerns in relation to the proposed quadrant infill building as it would infill the existing airspace that exists between two five storey buildings. Council concluded that the resultant built form would be incompatible with the density of the locality and would be contrary to the provisions of the NSLEP.

The Department acknowledges the comments made in the public and Council submissions regarding the desire for the provision of increased front and side building setbacks on the Main Campus. The Department however recognises that requiring greater setbacks than what currently exist would be unreasonable given that the proposal is consistent with the existing longstanding built form on the Campus.

Having regard to the proposed addition on the Senior Campus, the Department notes that the addition would be single storey in scale, be located behind the existing two storey Wyalla building, be in a slightly sunken position adjacent to the Robinson Lane footpath and would be significantly lower than the surrounding development. On this basis, the Department considers that the height and scale of the proposed addition would be appropriate.

Overall the Department considers that the height and scale of the built form proposed in the Stage 1 works would be acceptable.

6.1.2 Heritage

As detailed in **Section 1.1**, the original school house on the Junior Campus and the Wyalla building on the Senior Campus are listed as items of local heritage significance. In addition, all three campuses are in proximity of items of local heritage significance and heritage conservation areas, including:

- the Careening Cove Heritage Conservation Area located to the east of the Junior Campus.
- the Jeffreys Street Heritage Conservation Area located to the west of the Senior and Main campuses.
- the Kirribilli Heritage Conservation Area located to the south-east of the Main Campus.

Concept Proposal

The EIS included Heritage Impact Statements (HIS) in relation to the three campuses. These concluded that the proposed site layout and detailed building designs would be compatible with the heritage significant buildings on and surrounding the campuses. The HISs noted that the:

- proposal would minimise adverse impacts on significant views to and from heritage items in the immediate area, views to the adjoining conservation areas and views along streets within the immediate Kirribilli area and to Sydney Harbour.
- scale, bulk, and location of the proposed built form are acceptable in heritage terms as they would not visually dominate the listed items on the Junior and Senior campuses or other heritage items surrounding the three campuses.

Concerns regarding the appearance and visual impact of the proposal in the context of the surrounding heritage items were raised in approximately 20 per cent of the public submissions. Particular concerns were raised in the public submissions in relation to the appropriateness of the proposed materials and colours for the proposed buildings on the Main Campus having regard to the adjoining heritage items.

The North Shore Historical Society raised concerns that the addition to the Wyalla building on the Senior Campus would be unsympathetic to the existing Italianate style building. Council did not raise any specific heritage concerns but did raise objections in relation to the inappropriateness of the building character in the context of the Kirribilli locality. The Heritage Division noted that the proposals did not involve works within the curtilage of an item on the State Heritage Register but did involve works to, and within proximity of, listed items of local heritage significance.

As detailed in **Section 6.1.1**, the Department has concluded that the bulk and scale of the proposed built form would be appropriate having regard to the existing built form on and surrounding the three campuses. The Department further concludes that the proposed built form would not be detrimental to the heritage values of the three campuses and the surrounding area as it would:

- not visually dominate the original school house on the Junior Campus, the Wyalla building on the Senior Campus and other listed items on land surrounding the three campuses.
- not interrupt the existing layout of the three campuses or significantly alter the pattern of development in the area.
- generally maintain existing views to and from heritage items and the nearby heritage conservation areas.

The EIS did not include detailed elevations of the proposed addition to the Junior Campus as consideration of design would form part of a future detailed Stage 2 development application. The Department has recommended conditions that require detailed elevations and a HIS that considers the appropriateness of the design of the proposed buildings to be included in a future Stage 2 detailed development application.

Further consideration of the detailed design of the works at the Senior and Main campuses is given below.

Stage 1 works

An addendum HIS was included in the RtS in response to the comments made in the submissions in relation to the proposed addition to the Wyalla building on the Senior Campus. This:

- acknowledged that the proposed works to the Wyalla building included the removal of windows from the eastern elevation which would have an adverse impact on original building fabric.
- noted the mitigating circumstances for works to the Wyalla building including that the:
    - rear of the building is not generally visible from the public domain. As such, the proposal does not alter the understanding of the early building and particularly the primary elevation and its open corner setting.
    - new openings would be limited to the outer edges of the outermost windows and be limited to the same height as the existing lintel.
    - new structures would clearly read as a contemporary addition, allowing the overall form of the building and the upper windows of the eastern elevation to be retained.
- recommended that the original portions of the Wyalla building be protected as much as possible, materials be salvaged where appropriate, the building be recorded before works and that the building's history be taught to staff, students and visitors.

The Department has considered the comments made in the submissions and information provided by the Applicant in relation to the Stage 1 works. The Department concludes that the proposed addition to the Senior Campus is appropriate on the following basis:

- the addition to the Wyalla building would be subservient to the main building and would be clearly contemporary in design which would distinguish between the original fabric and new addition.
- appropriate mitigation measures have been set out which would preserve the remaining original elements of the Wyalla building, provide for recording of the building prior to works and salvage of materials where possible and appropriate.
- the proposed works would provide for improved educational facilities at the Campus through the adaptive reuse of the existing heritage building.

The Department also concludes that the proposed works at the Main Campus would be acceptable as they would not significantly alter the setting of the adjoining heritage items or the integrity of nearby conservation areas as:

- the replacement north-east wing building would generally replicate the existing built form on site and the quadrant infill building would not extend beyond the footprint of the existing north-east wing and southern wing buildings on site. Consequently, they would not significantly alter the surrounding streetscapes.
- the design of the building works would be respectful to the existing buildings on site and surrounding development (see **Section 6.1.3**), including the proposed eastern elevation which would respect the character of the adjoining listed item (Craiglea) through use of an articulated façade with muted tones that would be recessive within the context of the adjoining end walls of the replacement north-east wing and southern wing buildings.
- views along the surrounding streets and to the Sydney Harbour would not be interrupted.

The Department has recommended conditions to give effect to the mitigation measures proposed in the HISs, including photographic recording prior to works, preparation of an interpretation plan and salvage of material from the building.

6.1.3 Materials and finishes

Concept Proposal

The EIS did not include detailed elevations of the proposed built form at the Junior Campus as consideration of the design would form part of a future detailed Stage 2 development application. The Department considers that the design and treatment of the elevations of the proposed built form would be assessed under a future development application for the Stage 2 works. The Department has therefore recommended conditions that require detailed elevations and a design statement to be included in a future Stage 2 detailed development application.

Detailed elevations were provided of the proposed works at the Senior and Main campuses. These are considered below.

Stage 1 works

The Applicant's EIS included an architectural design statement in relation to the design of the proposed building works at the Senior and Main campuses. This provided the following explanation of the proposed design:

- the addition to the Wyalla building on the Senior Campus comprises a simple structure featuring a glazed facade and skillion roof. The proposed design would retain the decorative eaves and corbelling of the original building.
- the exterior architectural approach for the works at the Main Campus is formal and composed, it is contemporary and responds to the urban surroundings of the site. The goal is to create a strong identity for the Upper Pitt Street elevation that is grounded, elegant and timeless. The new building facade would take on the rhythm of the existing façade and is characterised by proportioned metal framed portals carved from the solidity of the complimentary brick facade. Complimenting the grounded Upper Pitt Street facade, the eastern elevation would provide a lighter expression that opens the building to its surrounds whilst light screens provide visual privacy.

As detailed in **Section 6.1.2**, concerns were raised in the public submissions in relation to appropriateness of the proposed materials and colours for the proposed buildings on the Main Campus. One submission also raised concerns that the proposal did not include the recladding of the existing building which is highly visible in the local area and from Sydney Harbour and the Sydney Harbour Bridge.

Council raised concerns regarding the inappropriate design of the proposed building on the Main Campus, including that the building would be incongruous in the locality with an imposing vertical street wall and lack of landscape relief.

The Applicant responded to the comments made following exhibition of the EIS in its RtS. This included a Character Assessment Report in relation to the Main Campus. The CAR concluded that:

- the proposal does not change the existing streetscapes and setbacks which are compatible with the Kirribilli neighbourhood local character which incorporates narrow streets with limited landscaping and minimum front boundary setbacks.
- the proposed street facade would be predominantly constructed of brick which would be compatible with the local character and is articulated with new openings and a vertical feature entry portal which is consistent with the vertical rhythm of built form of existing high rise residential buildings.
- the proposal respects its neighbours by maintaining the visual access to the harbour.
- the proposed rooftop landscaping would be compatible with the Craiglea rooftop landscape design while screening and vegetation would provide privacy and contribute to celebration of the harbour lifestyle.

Council did not make any specific comments in relation to the Character Assessment Report in its response to the Applicant's RtS. Council did however reiterate its overall objection to the proposal and advised that the RtS did not adequately respond to the concerns raised in its submission.

The Department has considered the comments made in the public and Council submissions along with the information provided by the Applicant. The Department concludes that the design of the proposed building works on the Main Campus would be acceptable on the following basis:

- the proposed north-east wing replacement / quadrant infill building would respect the existing character of the buildings on the Campus through the use of similar form and materials while doing so in a contemporary manner which reflects the era of the addition and varied character of the surrounding development.
- the two new openings to the southern and western elevations of the existing building have been designed to relate to existing window grid and would not significantly alter the design or character of the building.
- whilst the concerns raised in relation to upgrade of the external treatment of the existing building are acknowledged, the matter does not form part of the application and is not within the scope of the Department's consideration.

The Department also concludes that the design of the proposed addition to the Wyalla building on the Senior Campus would be acceptable. The simple contemporary nature of the addition would clearly distinguish the new addition from the original building and be respectful to the original building.

The Department notes that the proposed external materials are of a non-combustible material in accordance with the National Construction Code (NCC). Notwithstanding this, in light of concerns evident in the broader community regarding building cladding, the Department has recommended a standard condition requiring the Principal Certifying Authority to be satisfied that the proposed external materials comply with the NCC prior to the issue of a Construction Certificate or Occupation Certificate.

6.1.4 Tree removal and landscaping

Concept Proposal

The EIS included information on the proposed tree removal and landscaping, including a Landscape Concept Design (LCD) for all three campuses and an Arboricultural Impact Assessment (AIA) for the Main Campus. These detailed that:

- no tree removal is required for the works at the Junior Campus, including the proposed subterranean multi-purpose / sports facility, but that further investigations would be necessary to determine the tree protection measures required for trees around the boundary of the Campus.
- no tree removal is required for the works at the Senior Campus.
- all existing vegetation along the eastern boundary of the Main Campus, including four trees (including a Sweet Pittosporum (*Pittosporum undulatum*), Leyland Cypress (*x Cupressocyparis leylandii*), Orange

Jessamine (*Murraya paniculate*) and Metrosideros Species) would be removed to accommodate the proposed north-east wing replacement and quadrangle infill building.

- a Liquidambar (*Liquidambar styraciflua*) on land immediately adjoining the Main Campus, at 49 Upper Pitt Street would be retained however the AIA noted that:
    - the proposed works would result in a major encroachment (over 10 percent) of the tree protection zone (TPZ).
    - normally a major encroachment would require the tree to be removed, however the solid stone bedrock and rock boundary wall appears to have formed an effective barrier to any significant structural roots encroaching onto the Main Campus.
    - detailed root mapping is required to determine whether there is any encroachment onto the Main Campus, including through drainage holes in the rock wall. If structural roots were found, the TPZ of the tree would have to remain undisturbed which would require changes to the proposed development.

A plan showing the trees to be retained / further investigated on the Junior Campus is shown in **Figure 22**. Images of the vegetation along the eastern boundary of the Main Campus is shown in **Figure 23**.

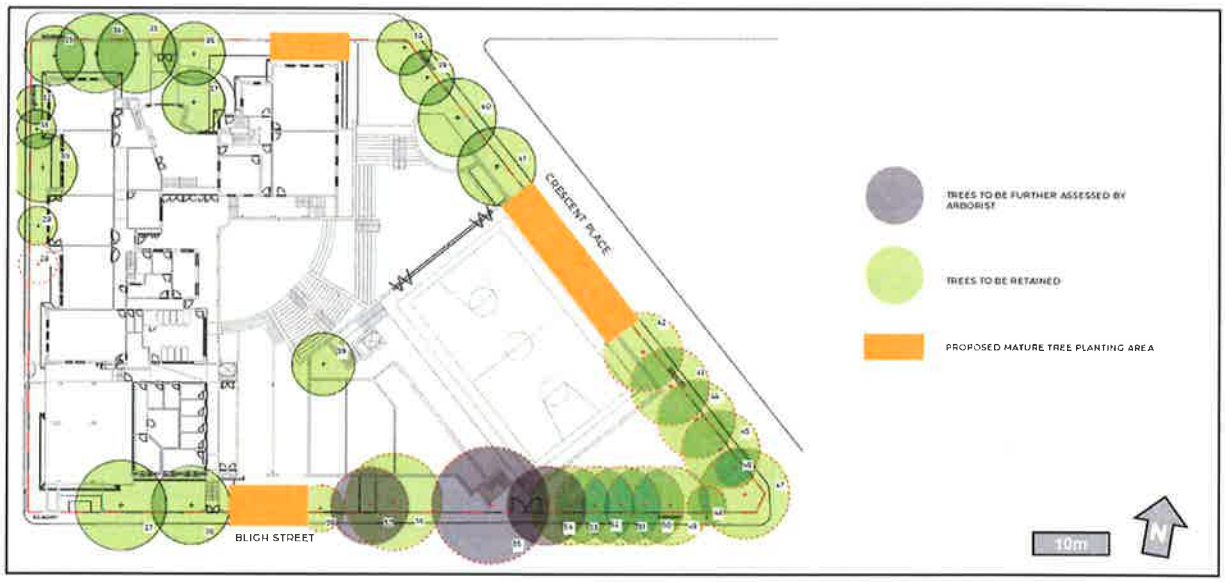


Figure 22 | Existing trees on the Junior Campus (Source: Applicant's EIS 2018)

Figure 23 | Existing trees on eastern boundary of Main Campus (Source: Applicant's EIS 2018)

Proposed landscaping set out in the LCD included:

- five trees are to be planted to fill existing gaps along the street frontages of the Junior Campus, along with a row of shrubs along the street frontages in the south-eastern corner to provide additional screening of the Campus.
- a grass and fern garden to be planted adjacent to the proposed addition to the Wyalla building on the Senior Campus.
- a hanging garden to be provided in the sunken courtyard along the eastern boundary of the Main Campus adjacent to 49 Upper Pitt Street, with creepers to be planted in elevated plant boxes with trellis.
- raised fern gardens and tree planting to be provided along with raised sitting areas and play space on the rooftop terrace of the Main Campus. Trees to be planted along the eastern boundary of the terrace would be deciduous while trees adjacent to the north-east and western wing buildings would be evergreen.

The proposed landscaping concept for the Junior Campus is shown in **Figure 24**, Senior Campus is shown in **Figure 25** and Main Campus in **Figures 26** and **27**.

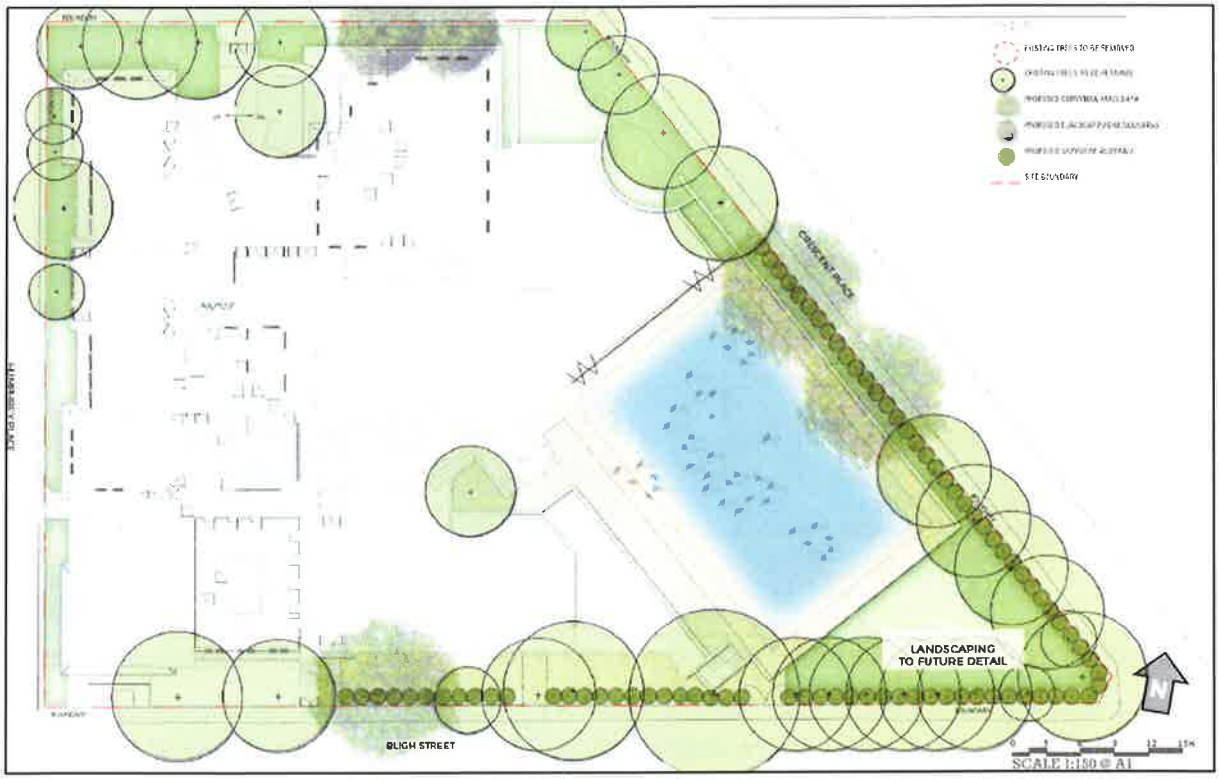


Figure 24 | Proposed landscaping concept for the Junior Campus (Source: Applicant's EIS 2018)

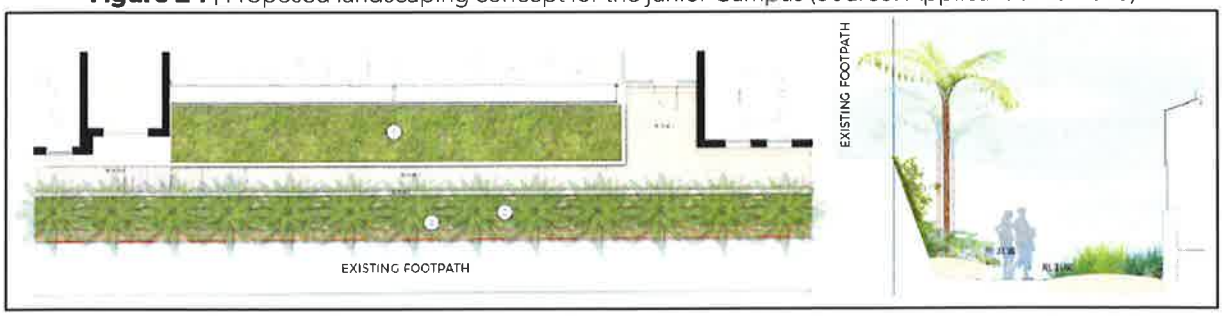


Figure 25 | Proposed landscaping concept for the Senior Campus (Source: Applicant's EIS 2018)

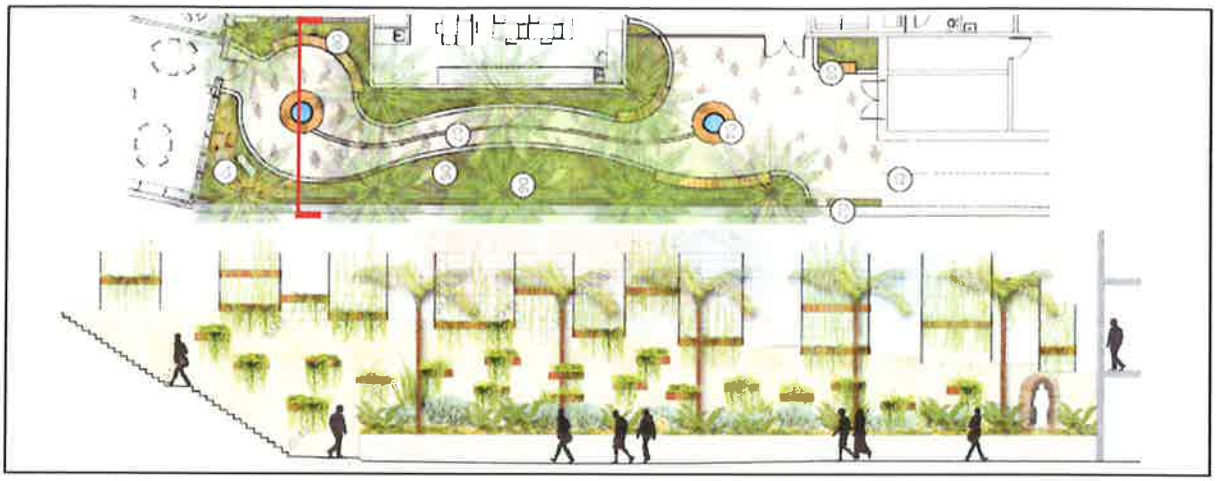


Figure 26 | Proposed hanging courtyard garden concept at the Main Campus (Source: Applicant's EIS 2018)

Figure 27 | Proposed landscape concept for rooftop terrace at the Main Campus (Source: Applicant's EIS 2018)

Concerns regarding proposed tree removal and the overall lack of proposed landscaping were raised in the public submissions. Particular concerns were raised in relation to inconsistencies in information in relation to the retention of trees on the Junior Campus and the impact of the proposed works on the Liquidambar and general screen planting adjacent to the Main Campus.

Council also raised concerns regarding the extent of proposed landscaping, including the proposal's failure to meet minimum landscape coverage requirements in the NSDCP. Council recommended that the proposal be amended to incorporate deeper soil landscaping. In its submission to the EIS, EESG supported the proposed provision of a partial green or cool roof at the Main Campus.

Following exhibition of the EIS, the Department required the Applicant to clarify the extent of tree removal proposed at the Junior Campus. The Applicant responded to the comments made in the submissions in its RtS by confirming that all trees along the street frontages of the Junior Campus would be retained. The Applicant also responded to Council's comments by advising that the three campuses are located in a highly dense urban environment, do not currently comply with Council's site coverage and minimum landscape area controls, and that the proposal would result in improved landscaping across all three campuses.

The Department has considered the concerns raised in the public and Council submissions and the information provided by the Applicant. The Department recognises that the proposal would retain all existing trees on the Junior Campus, retain the Liquidambar adjacent to the Main Campus and would provide improved landscaping across all three campuses. Overall, the Department is satisfied that the concept landscaping would be acceptable given the constraints of the three campuses, ensure that the quality of landscaping is improved overall and provide appropriate screen planting.

To ensure that the existing trees on the Junior Campus are to be retained, the Department has recommended a condition requiring an arboricultural impact assessment to be submitted with the future detailed Stage 2 application, including detailed root mapping that demonstrates that the proposed works would not detrimentally impact the long term health of the existing trees on the Campus. A further condition has been recommended requiring a detailed landscape plan to be provided setting out the species, pot sizes and size at maturity of plantings.

Further consideration of tree removal and landscaping at the Senior and Main campuses is also given below.

Stage 1 works

Given the comments made in the AIA in relation to the Liquidambar adjacent to the Main Campus, the Department required the Applicant to undertake detailed root mapping to confirm the impacts of the proposal on the tree.

The Applicant provided a report setting out the findings of the detailed root mapping in its RtS. This identified one root (approximately 60 millimetres in diameter) emanating from the Liquidambar which encroached onto the Main Campus. The report however concluded that severance of the root would not be significantly detrimental to the health and stability of the tree as the severance would be located outside of the structural root zone of the tree and given the relatively small size of the root, overall stability provided by the retaining wall to the remainder of the root system and lack of any other intrusion into the TPZ of the tree.

In response to the RtS, EESG recommended that landscaping incorporate:

- advanced size species in place of trees to retained.
- planting of local provenance to improve biodiversity given that the Powerful Owl and Grey-headed Flying Fox have been recorded in the vicinity.
- artificial nest boxes to enhance native fauna habitat on the site.

Following a request by the Department, further information to confirm the impacts of the proposal on the canopy of the Liquidambar adjacent to the Main Campus was provided. The Applicant submitted a letter and plan from Applicant's arborist which advised:

- pruning of between 14.6 per cent and 21.9 per cent of the canopy would be required to accommodate the proposed building and construction scaffolding.
- pruning to this extent would be acceptable in this instance as Liquidambar is an exotic deciduous species that is widely considered to be well suited for reduction pruning due to their branching structure, tolerance of pruning and vigorous growth.
- the proposed works would have a minimal impact on the life expectancy, ongoing heath or amenity of the tree, considering its species, branching structure, maturity, size and current health status, along with the minimal impact to roots by the proposal.

On the basis of the information provided, the Department is satisfied that the proposal would retain the Liquidambar adjacent to the Main Campus subject to implementation of robust tree protection measures.

With regard to the proposed landscaping at the Main Campus, the Department notes the extent of elevated planting proposed along 49 Upper Pitt Street and recognises the importance of this in providing a landscape screen to the adjoining property and in ensuring successful growth and long term viability of the planting. In recognition of this, and the overall concept nature of the landscape plans provided in the EIS, the Department has recommended conditions in relation to the Stage 1 works at the Senior and Main campuses requiring:

- detailed landscape plans to be submitted prior to the commencement of works which:
    - detail the species, pot sizes and size at maturity of plantings.
    - incorporate the recommendations of EESG.
    - detail the proposed supporting structures for the elevated planting along the eastern boundary of the Main Campus, ensuring that the structures are located on, and can be easily maintained from within, the subject site.
    - ensure compliance with the recommendations regarding the limitation on the height of trees on the rooftop terrace at the Main Campus in order to protect private views as set out in **Section 6.2.2**).
- a landscape management plan which sets out arrangements for the ongoing maintenance of landscaping, including specific measures to ensure long-term success of the elevated planting along the eastern boundary of the Main Campus.

The Department has also recommended a condition requiring the provision of tree protection to the Liquidambar adjacent to the Main Campus which is to be retained.

On the basis of the above comments, it is considered that the proposal would maintain the landscaped urban character of the locality, would improve the appearance of the Senior and Main campuses and provide satisfactory screen planting to adjoining residential properties.

6.2 Environmental and residential amenity

6.2.1 Noise

The proposed development has the potential to cause adverse noise and vibration impacts on surrounding properties during construction and operation as a result of construction activities and ongoing student activities, use of the rooftop terrace and plant and equipment.

The EIS included a Noise Impact Assessment (NIA) which was updated in the RtS and again following comments made by the Department. The NIA considered the potential impacts of on site noise and vibration sources on residential receivers adjacent to the three campuses. Attended and unattended noise monitoring was undertaken to quantify the existing acoustic environment at the site and near to the sensitive receiver locations.

Noise monitoring was undertaken at three locations, including one at the Junior Campus and two at the Main Campus, as shown in **Figure 28**. Noise monitoring was not undertaken at the Senior Campus as major construction works, which would have affected any results, were being undertaken at the time of the assessment on the immediately adjoining residential property. The results of the nearby monitoring location on the Main Campus were considered appropriate to set background noise levels for the receivers nearby to the Senior Campus.

Figure 28 | Location of noise monitoring locations (Source: Applicant's RtS 2018)

The monitoring identified that the existing ambient noise levels differed significantly according to the receiver's location in terms of distance, height and direct line of sight to the northern end of the Sydney Harbour Bridge which is a source of significant traffic noise. As this would influence the determination of the applicable noise criteria, the NIA identified two categories of receivers reflecting those exposed to the existing high ambient noise levels (Residential 2) and those exposed to lower ambient noise levels due to shielding offered by the existing large buildings including those on the Main Campus (Residential 1). See **Figure 29** for the location and category of the existing receivers adjoining the Main and Senior campuses.

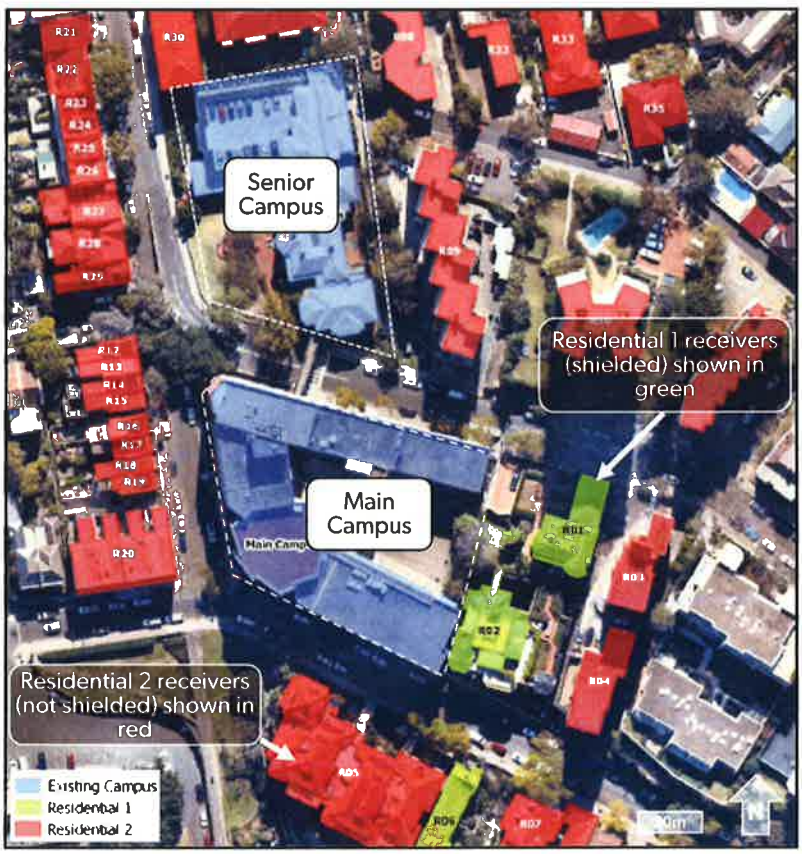


Figure 29 | Classification of receivers adjacent to the Main Campus (Source: Applicant's updated NIA 2019)

Construction Impacts - Concept Proposal

Construction impacts for the Concept Proposal were considered in the NIA for the three campuses, however Concept Proposals do not permit construction. Consideration of the detailed construction methodologies and associated noise impacts and mitigation measures for the proposed works at the Junior Campus would therefore be undertaken as part of a future Stage 2 detailed development application. The Department has recommended a condition requiring a detailed assessment of noise construction impacts to be submitted as part of a future Stage 2 detailed development application.

Consideration of construction noise impacts for the Stage 1 works at the Senior and Main campuses is given below.

Construction Impacts - Stage 1 works

The NIA considered the potential impacts of construction works in consideration of the Interim Construction Noise Guideline (DECCW, 2009) (ICNG) which outlines the process of establishing noise management levels (NMLs) to minimise construction noise impacts on sensitive receivers. The NIA determined NMLs for the sensitive receivers adjoining the Senior and Main campuses based on the measured background noise levels. These are shown in **Table 9**.

Table 9 | Construction Noise Management Levels

Receiver	Noise Affected Level (decibels)	Highly Noise Affected (decibels)
Residential 1	55	75
Residential 2	68	75

The NMLs only relate to standard hours set out in the ICNG as works are only proposed during these hours which include:

- 7am to 6pm Monday to Friday.
- 8am to 1pm Saturday.
- No works on Sunday.

The assessment then modelled the predicted noise levels having regard to the worst case construction activities and plant and equipment likely to be used during the construction phase of the proposed development. The results of the modelling are shown in **Figures 30** and **31**.

Receiver ID	Address	Worst-Case Predicted LAeq(15 minute) Noise Level (dBA)	
		S.01 (Breaker)	S.02 (Excavator)
R01	49 Upper Pitt St	87	75
R02	88 Kirribilli Ave	91	79
R03	49A Upper Pitt St	80	68
R03	49A Upper Pitt St	78	66
R04	49B Upper Pitt St	77	65
R05	51-53 Kirribilli Ave	60	48
R06	55 Kirribilli Ave	63	51
R07	50-58 Upper Pitt St	55	43
R07	59 Kirribilli Ave	55	43
R07	59 Kirribilli Ave	57	45
R08	35 Fitzroy St	58	46
R09	48 Upper Pitt St	78	66
R10	59 Kirribilli Ave	79	67
R11	2 Parkes St	79	67
R12	32 Jeffreys St	51	39
R13	30 Jeffreys St	52	40
R14	28 Jeffreys St	54	42
R15	26 Jeffreys St	53	41
R16	24 Jeffreys St	55	43
R17	22 Jeffreys St	56	44
R18	20 Jeffreys St	54	42
R19	18 Jeffreys St	53	41
R20	48 Kirribilli Ave	58	46
R21	58 Jeffreys St	51	39
R22	54 Jeffreys St	52	40
R23	50 Jeffreys St	52	40
R24	48 Jeffreys St	52	40
R25	46 Jeffreys St	52	40
R26	44 Jeffreys St	50	38
R27	40 Jeffreys St	51	39
R27	42 Jeffreys St	51	39
R28	38 Jeffreys St	51	39
R29	36 Jeffreys St	52	40
R30	31 Fitzroy St	50	38
R31	33 Fitzroy St	52	40
R32	37 Fitzroy St	52	40
R33	37A Fitzroy St	59	47
R34	39 Fitzroy St	58	46
R35	1 Robertson Ln	62	50

Noise levels 1 to 10 dBA above NML: - Impacts would typically be marginal to minor

Noise levels 11 to 20 dBA above NML: - Impacts would typically be moderate

Noise levels >20dBA above NML: - Impacts would typically be high

Figure 30 | Predicted worst case construction noise levels from works at the Main Campus (Source: Applicant's updated NIA 2019)

Receiver ID	Address	Worst-Case Predicted LAeq(15 minute) Noise Level (dBA)	
		S.01 (Rock-Breaker)	S.02 (Excavator)
R01	49 Upper Pitt St	74	62
R02	88 Kirribilli Ave	58	46
R03	49A Upper Pitt St	76	63
R03	49A Upper Pitt St	66	54
R04	49B Upper Pitt St	56	44
R05	51-53 Kirribilli Ave	53	41
R06	55 Kirribilli Ave	51	39
R07	50-58 Upper Pitt St	51	39
R07	59 Kirribilli Ave	47	35
R07	59 Kirribilli Ave	51	39
R08	35 Fitzroy St	84	72
R09	48 Upper Pitt St	91	79
R10	59 Kirribilli Ave	71	59
R11	2 Parkes St	66	56
R12	32 Jeffreys St	59	47
R13	30 Jeffreys St	61	49
R14	28 Jeffreys St	61	49
R15	26 Jeffreys St	57	45
R16	24 Jeffreys St	57	45
R17	22 Jeffreys St	55	43
R18	20 Jeffreys St	52	40
R19	18 Jeffreys St	52	40
R20	48 Kirribilli Ave	55	43
R21	58 Jeffreys St	53	41
R22	54 Jeffreys St	55	43
R23	50 Jeffreys St	57	45
R24	48 Jeffreys St	57	45
R25	46 Jeffreys St	57	45
R26	44 Jeffreys St	57	45
R27	40 Jeffreys St	57	45
R27	42 Jeffreys St	57	45
R28	38 Jeffreys St	59	47
R29	36 Jeffreys St	61	49
R30	31 Fitzroy St	57	45
R31	33 Fitzroy St	66	54
R32	37 Fitzroy St	78	66
R33	37A Fitzroy St	57	45
R34	39 Fitzroy St	55	43
R35	1 Robertson Ln	53	41

Noise levels 1 to 10 dBA above NML - Impacts would typically be marginal to minor

Noise levels 11 to 20 dBA above NML - Impacts would typically be moderate

Noise levels >20dBA above NML - Impacts would typically be high

Figure 31 | Predicted worst case construction noise levels from works at the Senior Campus (Source: Applicant's updated NIA 2019)

The modelling found that noise affected levels would likely be exceeded at a number of nearby sensitive receivers and that there would be periods where properties are highly noise affected. The assessment however indicated that this would be the worst case scenario and noise levels would be lower than predicted at the most-exposed receiver. To minimise impacts, the NIA recommended that a detailed Construction Noise and Vibration Management Plan (CNVMP) be prepared prior to the commencement of works detailing appropriate mitigation measures such as:

- selection of low-noise construction equipment and work methods.
- maximising separation of noisy plant and adjoining sensitive receivers.
- localised shielding of noise equipment.
- minimising consecutive works in the same location.
- providing respite periods from highly noisy activities.

Concerns regarding construction noise were raised in the public submissions along with the length of, and general disruption caused by, construction activities. The EPA did not provide any comments in relation to the application and Council did not raise any specific concerns in relation to construction noise impacts.

The Department required the Applicant to address a number of queries in relation to the NIA following the exhibition of the EIS and during the Department's assessment. This included the need to address the National Policy for Industry (EPA, 2017) (NPI) and additional details in relation to the assessment of impacts to receivers adjoining the Senior Campus. The Applicant addressed these queries through the submission of an updated NIA in the RtS and a further updated NIA during the Department's assessment of the proposal. In addition, the Applicant provided further information in relation to the impacts of the proposal on staff and students during construction works. The Applicant advised that the following measures would be implemented to minimise impacts on staff and students:

- the most disruptive activities, such as demolition, would be timed to coincide with the beginning of school holiday periods.
- works would be phased in a way which enables the relocation of teaching facilities across the three campuses so that they could be located away from noisy work areas.

The Department has considered the comments made in the public submissions and information provided by the Applicant including in the NIA. The Department acknowledges that a development within an established urban environment would likely result in noise impacts and as such, considers that all reasonable measures should be implemented to minimise and manage these impacts.

The Department considers that the Applicant's recommendations for the preparation of a CVNMP to set out proposed mitigations, and for works only to be undertaken within standard hours under the ICGN would assist in mitigating the impacts of the proposed works. To further mitigate impacts, the Department recommends the following additional measures to minimise and manage impacts:

- restriction of noisy works to the following hours:
    - 9am to 12pm Monday to Friday.
    - 2pm to 5pm Monday to Friday.
    - 9am to 12pm Saturday.
- implementation of respite periods, where construction works generate particularly annoying or intrusive noise (as per the ICNG).
- construction vehicles only to arrive to the work sites within the permitted construction hours.

The Department recognises the concerns raised in the public submissions in relation to the length of construction works which extend over a period of up to seven years. The Department however notes that a large component of the works involves the internal refurbishment of the existing buildings which would have less visible and audible impacts on surrounding residents. In this regard, the RtS indicates that the external works would extend for two years. Phasing of these works should give consideration to opportunities to minimise impacts surrounding residents, particularly to the east and north of the Main Campus.

The Department has recommended conditions to give effect to the above requirements. On this basis, the Department considers that the construction noise impacts of the Stage 1 works would be acceptable.

Operational Noise - Concept Proposal

The NIA considered the operational noise impacts of the Concept Proposal against the relevant provisions of the NPI. The NIA considered that potential operational noise impacts associated with the Concept Proposal included:

- the reorientation of the existing outdoor basketball court within the grounds of the Junior Campus.

- use of the new subterranean multi-purpose / sports facility on the Junior Campus.
- a minor increase to the building envelope and associated plant and equipment (air conditioner condenser units) at the Senior Campus.
- student activities and out of hours events on the proposed rooftop terrace at the Main Campus.
- the new façade openings on the Kirribilli Avenue and Jeffreys Street façades of the Main Campus.
- new mechanical plant and equipment on the Main Campus.

The NIA determined project noise trigger levels to assess the potential impacts to sensitive receivers, with different levels set to reflect the two categories of receivers identified above according to exposure to high ambient traffic noise. The project noise trigger levels are detailed in **Figure 32**.

Receiver Type	Time of Day	Recommended Amenity Noise Level (dBA)	Measured Noise Level (dBA)		Project Noise Trigger Levels LAeq(15minute) (dBA)	
			RBL	LAeq(period)	Intrusiveness	Amenity[1,2]
Residential 1	Day	60	45	55	**50**	58
	Evening	50	43	48	**48**	48
	Night	45	37	44	**42**	43
Residential 2	Day	60	58	62	63	**58**
	Evening	50	56	60	61	**48[3]**
	Night	45	47	57	52	**45[3]**

Note 1: The project amenity noise levels have been converted to 15 minute levels by adding 3 dB in accordance with the NPfI.

Note 2: The recommended amenity noise levels have been reduced by 5 dB to give the project amenity noise levels due to future sources of industrial noise potentially being built in the area.

Note 3: The NPfI notes that where the existing traffic noise level is 10 dB or more above the recommended amenity noise level, then the High Traffic project amenity noise level is the existing traffic L_{Aeq} minus 15 dB.

Figure 32 | Project noise trigger levels (Source: Applicant's updated NIA 2019)

The NIA then modelled the predicted operational noise levels from fixed mechanical plant at sensitive receivers and assessed these against the above project noise trigger levels. The NIA demonstrated that the project noise trigger levels could be met subject to detailed assessment when specific plant is selected and the following mitigation measures:

- installation of enclosures for chillers located on rooftops including discharge attenuators.
- attenuators to be installed in all air handling units along with acoustic rated louvres for mechanical plant rooms.
- attenuators to be installed on all ventilation and exhaust fans.

Overall, the NIA determined that the proposed development at the Junior Campus and Senior campuses would have acceptable operational noise impacts as the change in noise levels due to the proposed development would be minor or could be appropriately mitigated. The NIA also concluded that the more significant development proposed at the Main Campus would have acceptable operational noise impacts subject to recommended mitigation measures, including the installation of an acoustic barrier (in the form of a glazed balustrade) around the rooftop terrace. Further consideration of the operational noise impacts at the Senior and Main campuses, particularly from proposed activities on the rooftop terrace, is given as part of the assessment of the Stage 1 works below.

Impacts associated with future changes to operations associated with the proposed concept works at the Junior Campus were not considered as these would be assessed as part of a future detailed Stage 2 development application. The Department has recommended a condition requiring a noise impact assessment to be

submitted as part of a future Stage 2 detailed development application. This would enable potential impacts to be considered at that stage.

Operational Noise - Stage 1 works

The NIA included modelling to predict operational noise levels from student activities and out of hours events on the rooftop terrace. This used specific criteria having regard to the Noise Guide for Local Government (EPA, 2013) and similar outdoor event assessments undertaken in Sydney. The criteria are shown in **Table 10**.

Table 10 | Project noise trigger levels (Source: Applicant's updated NIA 2019)

Receiver category	Student Activities (daytime background noise levels + 5 decibels)	Daytime and evening out of hours activities (evening background noise levels + 5 decibels)	Night time out of hours activities (night time background noise levels (decibels))
Residential 1	50	48	37
Residential 2	63	61	47

The NIA then used a computer model to predict operational noise levels at sensitive receivers surrounding the Main Campus in consideration of the existing topography and built environment. This drew on existing noise levels determined through monitoring undertaken of the use of the existing quadrangle during student breaks (i.e. before school, recess and lunch breaks). The model included several scenarios including with no acoustic barrier around the rooftop terrace and with either a 1.8 metre high barrier or 2.1 metre high barrier. The results of the modelling are shown in **Figures 33** and **34**.

Receiver ID[1]	Criteria[2]	Existing location $L_{Aeq,15min}$ (dB)[3]	Rooftop, No Barrier $L_{Aeq,15min}$ (dB)	Rooftop, 1.8m Barrier $L_{Aeq,15min}$ (dB)	Rooftop, 2.1m Barrier $L_{Aeq,15min}$ (dB)
R01	50	66	68	64	63
R02	50	70	62	56	55
R03	63	58	62	61	61
R03	63	59	63	63	62
R04	63	62	66	61	61
R05	63	41	59	53	52
R06	50	41	53	49	48
R07	63	38	53	48	48
R07	63	37	52	48	47
R08	63	45	54	51	51
R09	63	57	62	62	62
R10	63	58	62	62	62
R11	63	57	60	60	60
R12	63	33	38	37	37
R13	63	34	38	38	38
R14	63	35	39	39	39
R15	63	34	40	40	40
R16	63	38	41	41	41
R17	63	40	42	42	42
R18	63	35	43	43	43
R19	63	36	43	43	43
R20	63	40	50	45	44

Figure 33 | Predicted noise levels at sensitive receivers from student activity on rooftop terrace (Source: Applicant's updated NIA 2019)

Receiver ID[1]	Criteria[2]	Rooftop, No Barrier $L_{Aeq,15min}$ (dB)	Rooftop, 1.8m Barrier $L_{Aeq,15min}$ (dB)	Rooftop, 2.1m Barrier $L_{Aeq,15min}$ (dB)
R01	48	70	65	65
R02	48	64	59	58
R03[1]	61	64	63	63
R03	61	65	65	64
R04	61	67	63	62
R05	61	61	55	55
R06	48	55	51	51
R07[1]	61	55	51	50
R07	61	54	50	49
R08	61	56	53	53
R09	61	64	64	64
R10	61	64	64	64
R11	61	62	62	62
R12	61	39	38	38
R13	61	40	40	40
R14	61	41	40	40
R15	61	41	40	40
R16	61	43	43	43
R17	61	44	44	44
R18	61	41	41	41
R19	61	42	41	41
R20	61	52	47	46

Figure 34 | Predicted noise levels at sensitive receivers from out of hours events on rooftop terrace (Source: Applicant's updated NIA 2019)

The modelling identified that predicted noise levels would exceed the applicable criteria for receptors R01 and R04 in the case of student activities and R01-R04, R06, R09-R11 for out of hours events. The NIA however noted that in the case of student activities, the predicted noise level would still be lower than the existing noise levels due to the relocation of the activities from the ground level quadrangle to a raised elevation with an acoustic barrier.

The NIA also noted that whilst noise monitoring was not undertaken in relation to out of hours events in the quadrangle (as out of hours events are not generally held in the quadrangle), monitoring was undertaken during a school disco held inside the Main Campus buildings. This identified noise levels of 74 decibels at R01 and R02 which would exceed the predicted noise levels from events on the rooftop terrace. The NIA further noted that the modelling incorporated a maximum 2.1 metre high noise barrier whereas the proposal includes a 2.4 metre high barrier which would ensure that even lower noise levels are experienced by these sensitive receivers.

A number of public submissions raised concerns that the NIA had not considered the hard surfaces proposed on the rooftop terrace on the Main Campus in its assessment of potential noise impacts of the development. The EPA and Council did not make any specific comments in relation operational noise in their submissions following exhibition of the EIS.

The RtS confirmed that the NIA had considered the entire rooftop terrace as a hard surface as a worse-case scenario and noted that any areas of soft landscaping would reduce noise levels below those assessed. A further updated NIA was provided following further queries from the Department in relation to consideration of operational noise impacts.

The Department has considered the findings and recommendations in the NIA and the comments made in the public submissions. The Department acknowledges the high level of concern raised by the submitters and in recognition of this, Department representatives visited the site to better understand the proximity of the

proposed development to the adjoining sensitive receivers, including the immediately adjoining property at 49 Upper Pitt Street / 88 Kirribilli Avenue.

The Department concludes that the noise impacts of the proposed school-related use during standard hours can be appropriately managed subject to appropriate conditions. The Department has recommended conditions of consent requiring:

- evidence be provided prior to the commencement of construction that demonstrates that noise associated with plant and equipment would not exceed the project specific noise levels identified in the NIA.
- noise monitoring to verify that operational noise levels do not exceed the project specific noise levels identified in the NIA.
- the provision of further noise attenuating measures should noise monitoring identify exceedance of the project specific noise levels identified in the NIA.

The Department recognises the potential for noise impacts as a result of increased out of hours events at the Main Campus due to the increased capacity and amenity offered by the rooftop terrace, its raised open position and the proximity of it to sensitive receivers. As detailed in **Section 5.5**, the RtS indicates that 13 out of hours events would be held on the rooftop terrace per year and 10 events would be held within the adjoining multi-purpose room. To ensure that the potential impacts from the use of the rooftop terrace can be effectively monitored and ensure that an evaluation of the management practices can occur, the Department recommends the establishment of a trial period of six months. Should there be no substantiated complaints or compliance actions during the trial period basis, the out of hours activities may continue to operate (subject to an application being lodged to the Department) on the rooftop terrace. The Department has recommended conditions to this effect.

In order to minimise noise impacts, the Department also considers that it would be appropriate to:

- limit the frequency of events to minimise the potential noise and disturbance to residents as set out in the RtS.
- prohibit sound amplification for the purpose of announcement, amplification of school bell, broadcast, playing of music on the rooftop terrace.
- require the south-facing doors on the multi-purpose room facing onto the roof terrace remain closed during any out of hours music recitals / drama productions.
- require the preparation of Out of Hours Event Management Plans (OHEMP) for events catering for over 100 people which be required to include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of an acoustic management plan.

The Department has recommended conditions in relation to the above matters.

In addition, the Department raised concerns in relation to the location of the BBQ area and table tennis table on the eastern edge of the terrace and the potential noise impacts on residents of 49 Upper Pitt Street which adjoins the Campus. To further minimise the potential of noise impacts to the immediately adjoining sensitive receivers, the Department has recommended a condition requiring the relocation of the BBQ area and table tennis table away from the eastern edge of the terrace and the extension of the adjoining raised garden in their place.

On the basis of the above comments, the Department considers that the Stage 1 works would have acceptable operational noise impacts and that appropriate mitigation measures and safeguards have been recommended.

6.2.2 View impacts

Concept Proposal

The EIS considered the potential impacts of the proposal on view loss and included a VAR in relation to the Main Campus.

View loss caused by the proposed development was raised as a concern in the public submissions and by Council. These principally related to the impacts of the proposed development of the Main Campus, however a number also related to the Junior Campus.

The Department is satisfied that the proposed works at the Junior Campus would not have significant impacts on existing important views as the multi-purpose / sports facility would be largely belowground and the addition above the school building along the western boundary of the Campus would be adjacent to existing similar scale development. Nonetheless, the Department has recommended a condition that a future Stage 2 detailed development application include an assessment of the amenity impacts of the proposal, including view loss.

The Department also has also concluded that the single storey addition to the Senior Campus would not have detrimental impacts on views as it would be positioned below the existing Wyalla building on the site and the multi-storey residential apartment building adjacent to the site.

On the basis of the comments, the Department is satisfied that the proposed works at the Junior and Senior campuses would have acceptable impacts on views. Detailed consideration of the view impacts of the proposed works at the Main Campus is given below.

Stage 1 works

As detailed above, the Department considers that the single storey addition to the Senior Campus proposed in the Stage 1 works would not have detrimental impact on views.

The proposed Stage 1 works at the Main Campus, including the replacement north-east wing and quadrangle infill building, have the potential to impact on iconic views currently enjoyed by the occupiers of the surrounding developments of the Sydney Opera House, Circular Quay, Sydney Harbour and Sydney Harbour Bridge. The proximity of the site and view lines from adjoining developments to the Sydney Opera House, Circular Quay, Sydney Harbour and Sydney Harbour Bridge are shown in **Figures 35** and **36**.

Figure 35 | Proximity of the Main Campus to Sydney Harbour (Source: Nearmap 2019)

Figure 36 | Potential private views impacted by proposed works at the Main Campus (Source: Nearmap 2019)

A VAR was included in the EIS and updated in the RtS which considered the impacts of the proposed development on the existing views from adjoining developments as well as key public locations. This report used a 3D model to generate photomontages of the proposed development to illustrate the impact of proposed development of existing views.

The VAR included a detailed assessment of the impact of the view loss from private properties in accordance with the methodology set out in Environmental Impact Assessment Practice Note EIA-N04: Guideline for landscape character and visual impact assessment (Roads and Maritime Services, 2013). This measured the impacts of the proposal having regard to sensitivity, being the sensitivity of a landscape character zone or view and its capacity to absorb change, and magnitude, being the measurement of the scale, form and character of a development proposal when compared to the existing condition.

The VAR included analyses of view impacts from a selected number of apartments where the impact was likely to be high and which were representative of other apartments or levels in the same building. The VAR noted that the proposed development would be most likely to affect views from apartment buildings immediately north of the Main Campus, including 48 and 50-58 Upper Pitt Street, and immediately to the east of the Main Campus, including 49 Upper Pitt Street / 88 Kirribilli Avenue and 49B Upper Pitt Street. An overview of the properties and views potentially impacted, and view analyses undertaken, is shown in **Figure 37**. A summary of the relevant view analyses from the VAR is included in **Appendix C**.

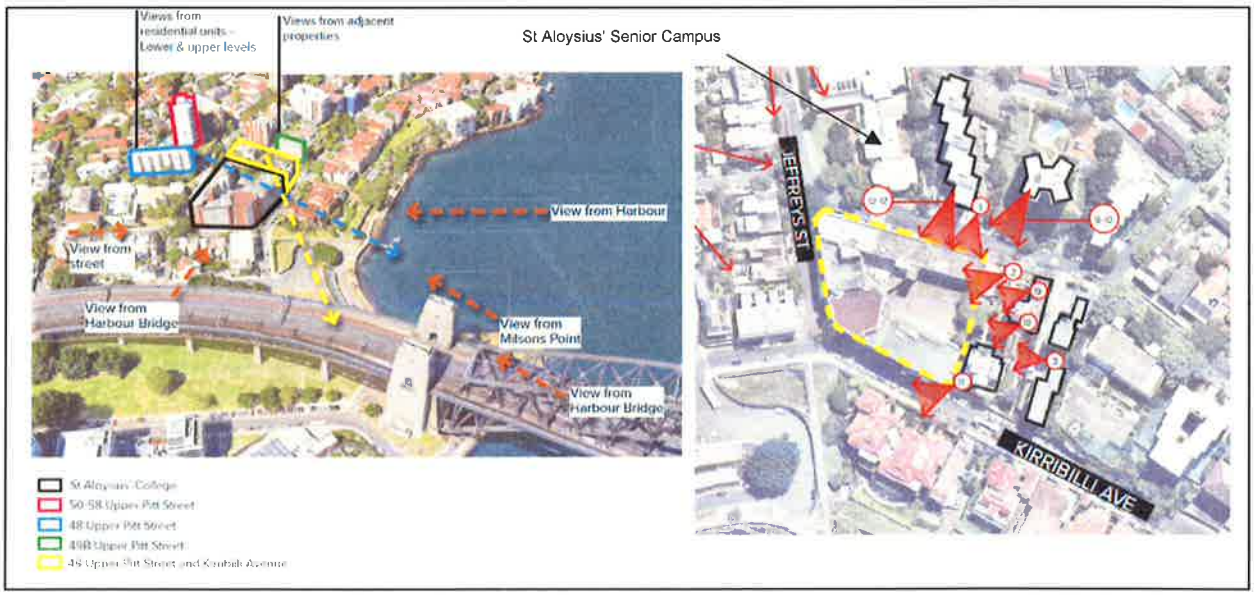


Figure 37 | Overview of view analyses undertaken in Applicant's VAR (Source: Applicant's RtS 2018)

Overall, the VAR concluded that the proposal would have negligible to moderate impacts on views of the adjoining properties, and in many cases would have a positive impact through the clearing, modification and removal of existing visual obstructions.

The EIS also included a high-level assessment of the impacts against the planning principles established by the Land and Environment Court in the judgement of *Tenacity Consulting v Warringah [2004] NSWLEC 140 (Principles of view sharing: the impact on neighbours)* (Tenacity). The principles adopt a four-step approach to analysing the impact of view loss including the following:

- step one: assessment of the views to be affected (water views / iconic views / whole views).
- step two: from which part of the property are the views obtained (the expectation to retain side views and sitting views is often unrealistic).
- step three: extent of the impact (impact on living areas is more significant than bedrooms and view loss should be expressed quantitatively as negligible, minor, moderate, severe or devastating).
- step four: reasonableness of the proposal that is causing the impact (compliance with development controls is considered more reasonable and alternate proposal should be considered).

The principles use five categories to define the impacts including negligible (barely perceivable), minor (minor loss of tree, sky and water view), moderate (some loss of tree, sky and distant water view), severe (high impact on tree, sky and water view) and devastating (total loss of view).

Having regard to the Tenacity principles, the EIS concluded:

- the proposal would not contribute to further unacceptable loss of views including water, land-water interfaces, whole views or scenic items, and overall would primarily retain the existing outlook.
- the existing views are largely retained by the proposal and it is not anticipated that additional unacceptable view loss would result from the proposed development.
- extent of the view loss could be considered to be low to moderate using the qualitative ratings recommended in Tenacity.
- overall, the proposal is reasonable in the circumstances as the proposed replacement building would not exceed the height of the existing building and would result in acceptable view impacts.

View loss caused by the proposed works at the Main Campus was raised as a concern in a number of submissions, including from owners or occupiers of 48 Upper Pitt Street, 49 Upper Pitt Street / 88 Kirribilli Avenue, and properties located further east or north of the Campus. Specific concerns raised or comments made in the submissions included:

- the visual representations and assessments included in the EIS are:
    - misleading and inaccurate.
    - do not reflect all views available, particularly where a different perspective is not obscured by trees.
    - do not appropriately reflect the colour or opaque nature of the proposed lift shaft to the rooftop terrace.
    - have not been certified as being true and correct.
- the plans show inconsistent information in relation to proposed building heights and do not detail heights of proposed plant enclosures.
- the increased building height and new rooftop terrace lift shaft, balustrade, shade canopies and tree plantings would impact on iconic views of the harbor from the surrounding properties. This would particularly be the case for levels two and three of 48 Upper Pitt Street.
- the proposed building height, including the feature entry portal, should be kept to the existing levels and the glazed balustrade around the roof terrace should be setback from the outer wall of the building to maintain existing views.
- the balustrade on the replacement north-east wing building should be made of glass instead of brick to compensate for loss of views resulting from the proposed works.

- the shade structures and mature planting on the rooftop terrace should be kept below the view lines from the sitting positions in all third floor apartments at 48 Upper Pitt St.

The Applicant responded to the comments made in the public submissions as well as comments made by the Department in its RtS. The RtS included:

- amended architectural plans showing a reduction in the height of the replacement north-east wing building (except for the proposed entry feature) to match the height of the existing building.
- amended architectural plans showing corrected heights.
- additional architectural plans providing a section through the Main Campus, Upper Pitt Street and 48 Upper Pitt Street.
- details of the proposed structural supports for the glazed balustrade around the rooftop terrace which confirmed that the supports would not extend above the height of the existing building parapet.
- an updated VAR which:
    - provided additional analyses of impacts of views from surrounding properties.
    - an explanation of the rationale used for the selection of properties analysed and justification for how these represented the most affected properties.
    - confirmed that all relevant aspects, including proposed glazing and landscaping, had been considered in the assessment.

In addition, the Applicant provided additional information in relation to consideration of visual impacts from the installation and use of cranes during the construction works. The Applicant advised that:

- the use of cranes on site would be confirmed as part of the finalisation of the detailed Construction Management Plan (CMP) but that their use would be minimised in order to reduce impacts on surrounding properties.
- the type of crane likely to be used would be a Hammer-Head Crane or Luffing Tower Crane and which would have the ability to lift up to 1.4 tonnes and have a radius reach of up to 60 metres.
- cranes would likely be located within the proposed indicative work zones identified in the preliminary CTMP (see **Figure 47** in **Section 6.3.2**).
- the use of cranes would be temporary and would not have any permanent impacts on views of surrounding properties.
- the use of cranes would be subject to approval from Council.

The Department has considered the information provided in the EIS and RtS as well as the comments made in the public submissions, assessed the views currently enjoyed by surrounding residents having regard to the Tenacity steps, and undertaken a site visit to better understand potential impacts. Photos taken at the inspection, including from apartments surrounding the site, are included at **Appendix D**.

The Department considers that the proposal has the greatest potential to impact views from properties to the north and east of the Main Campus due to their close proximity to the site and their iconic views across the Campus to the Sydney Opera House, Circular Quay, Sydney Harbour and Sydney Harbour Bridge. The affected properties include:

- 48 Upper Pitt Street.
- 50-58 Upper Pitt Street.
- 49 Upper Pitt Street / 88 Kirribilli Avenue.

Particular elements of the proposed works at the Main Campus that have the potential to impact on views include:

- any increase in height of the replacement north-east wing building above that of the existing building, including the feature entry portal.
- plant and equipment on the roof of the replacement north-east wing building or existing northern wing building.
- landscaping and structures on the rooftop terrace, including the lift shaft, glazed balustrade, shade structures, basketball hoop and tree planting.

The proposed northern elevation of the proposed replacement building is shown in **Figure 38** which depicts the height of the proposed building in context of the profile of the existing building.

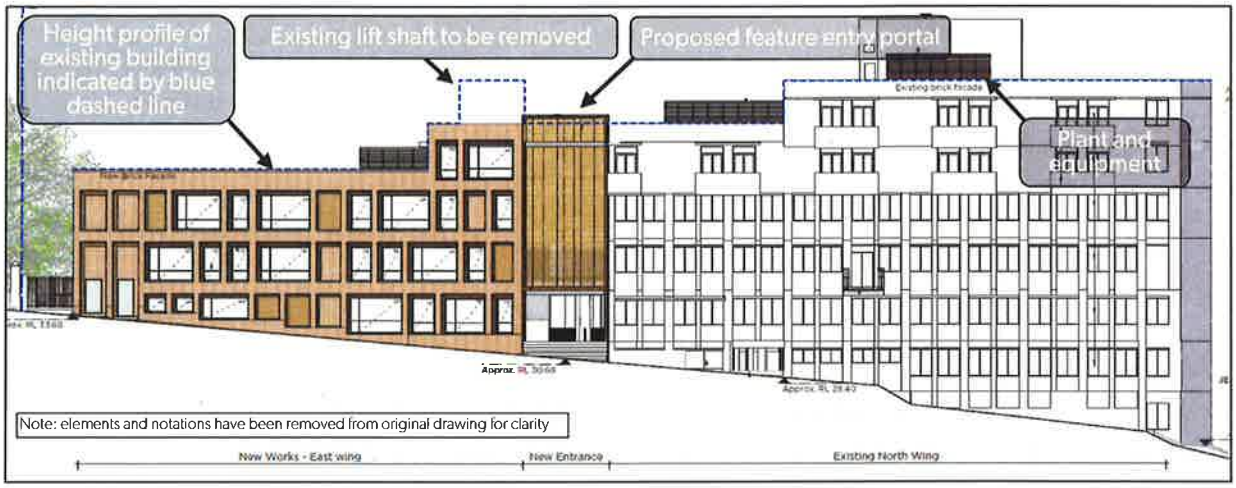


Figure 38 | Northern elevation of the replacement north-east wing building (Source: Applicant's RtS 2018)

The Department has included its consideration of the Tenacity steps for these properties in **Table 11**.

Table 11 | Assessment of private view impacts against Tenacity principles

Property	View	View Type	Department's Assessment
48 Upper Pitt Street	Iconic - Sydney Opera House, Circular Quay, cityscape and Sydney Harbour Bridge.	Across front boundary. From external balcony adjacent to living area. Standing (1.6 metres from floor level). Full or partial views depending on position and level.	Ground / level one – no impact as there are no existing views at these lower elevations. Level two – no loss to water or Sydney Opera House views at this elevation. Some minor loss to lower portions of cityscape and Sydney Harbour Bridge (arch or northern abutment depending on position) views due to the raised feature entry portal and plant enclosures. However, some views would be reinstated to cityscape or Sydney Harbour Bridge (arch and northern abutment) depending on position as a result of the removal of the existing stairwell. Overall impact considered to be **minor**. Level three – minor loss of water views and lower portion of Sydney Harbour Bridge (deck or northern abutment depending on position) due to feature entry portal, plant enclosures and glazed balustrade around the rooftop terrace. However, some views would be reinstated to

			cityscape and Sydney Harbour Bridge as a result of the removal of the existing stairwell. Overall impact considered to be **minor**. Level four – minor loss of water views due to glazed balustrade around the rooftop terrace. However, some views would be reinstated to water, cityscape and Sydney Harbour Bridge (deck or northern abutment) depending on position as a result of the removal of the existing stairwell. Overall impact considered to be **minor**. Level five and above – very minor loss of water views due to new rooftop terrace lift shaft and glazed balustrade. However, there would be a notable reinstatement of water views depending on position as a result of removal of existing stairwell. Overall impact considered to be **negligible**.
50-58 Upper Pitt Street	Iconic - Sydney Opera House, Circular Quay, cityscape and Sydney Harbour Bridge.	Across front boundary. From external balcony adjacent to living area. Standing (1.6 metres from floor level).	Raised garden – no loss to water, Sydney Opera House or cityscape views due to the location of the property to the east of the Main Campus. Minor loss of views to lower portions of Sydney Harbour Bridge due to the proposed rooftop terrace lift shaft and glazed balustrade. However, a minor reinstatement of the northern abutment of the Sydney Harbour Bridge. Overall impact considered to be **negligible**. Level one and above – very minor impacts to water views at lower levels due to proposed rooftop terrace lift shaft and glazed balustrade. Overall impact considered to be **negligible**.
49 Upper Pitt Street	Iconic - Sydney Opera House, Circular Quay, cityscape and Sydney Harbour Bridge.	Across rear boundary (from external balcony). Across side boundary (from Juliet balcony adjacent to hallway). Standing (1.6 metres from floor level).	Rear balcony - ground level – no loss to water, Sydney Opera House or cityscape views due to the location of the property to the east of the Main Campus. Moderate loss of views to lower portions of northern abutment of Sydney Harbour Bridge due to the proposed rooftop terrace glazed balustrade. Minor loss of sky views to the west due to proposed tree planting on rooftop terrace. Overall impact considered to be **minor**. Rear balcony – level one – no loss to water, Sydney Opera House or cityscape views due to

			the location of the property to the east of the Main Campus. Minor loss of views to lower portions of northern abutment of Sydney Harbour Bridge due to the proposed rooftop terrace glazed balustrade. Overall impact considered to be **negligible**. Juliet balcony – side elevation - level one - no loss to water, Sydney Opera House or cityscape views due to the location of the property to the east of the Main Campus. Negligible loss of views to the Sydney Harbour Bridge. However, minor reinstatement of view to sky due to removal of the existing stairwell. Overall impact considered to be **negligible**.
88 Kirribilli Avenue	Iconic - Sydney Opera House, Circular Quay, cityscape and Sydney Harbour Bridge.	Across front boundary. Standing (1.6 metres from floor level).	No loss to water, Sydney Opera House, cityscape or Sydney Harbour Bridge views due to the location of the property to the east of the Main Campus. Negligible loss of views to the sky. Overall impact considered to be **negligible**.

The fourth Tenacity step in considering the view impacts relate to the reasonableness of the impact with consideration of compliance with the development controls. Whilst the height of the proposed development exceeds the local development standard, the proposed replacement north-east wing building would not exceed the maximum height of the existing building and would not exceed the existing height profile of the existing building except for the feature entry portal and plant enclosures. Strict application of the height and control is not therefore considered reasonable in this instance.

Overall, the Department considers that the proposal has been designed to be sympathetic to existing views and is a reasonable response in consideration of view sharing. Notwithstanding that the assessment in **Table 11** finds that the proposal would not have significant impacts on views to the properties to immediately north of the site, the Department does consider that there is opportunity to further limit impacts on existing views. It is considered that the feature entry portal could be reduced in height to match the height of the existing building, as requested in the public submissions, without compromising the design objective of the feature or building overall. The Department has recommended a condition requiring amended elevations to be prepared prior to the commencement of construction to show the modification of feature entry portal so that it does not exceed the height of the existing building. This would reduce the height of the feature entry portal by 0.62 metres.

In addition, whilst it is recognised that the proposed plant enclosures (see **Figure 38**) would also extend above the existing height profile of the building and therefore impact views, the proposal would remove an existing large stairwell at the rear of the north-east wing building that would reinstate views. To minimise the impact of the plant enclosures on private views, the Department has a recommended condition requiring information to be submitted prior to the commencement of construction to demonstrate that the footprint and height of the proposed plant enclosures on level four and five have been designed to the minimum extent possible to contain the plant and equipment necessary to service the building.

The Department notes the concerns raised in the public submissions in relation to the impact of the rooftop terrace shade canopies, tree plantings and balustrade on views. The Department is satisfied that impact of these structures would be minimal to views from properties at 48 and 50-58 Upper Pitt Street provided:

- all structures (including permanent and temporary structures) and plantings (at maturity) are kept below a plane drawn from the top of the southern parapet of the replacement north-east wing building and the top of the existing parapet of the southern elevation of the south-eastern wing building. See **Figures 39** and **40**.
- the proposed glazed balustrade around the perimeter of the rooftop terrace is frameless and the structural supports do not extend above the existing parapet of southern elevation of the south-eastern wing building as proposed in the RtS.
- the glazed balustrade is low iron glass to maximise transparency.

The Department has recommended conditions to give effect to these requirements.

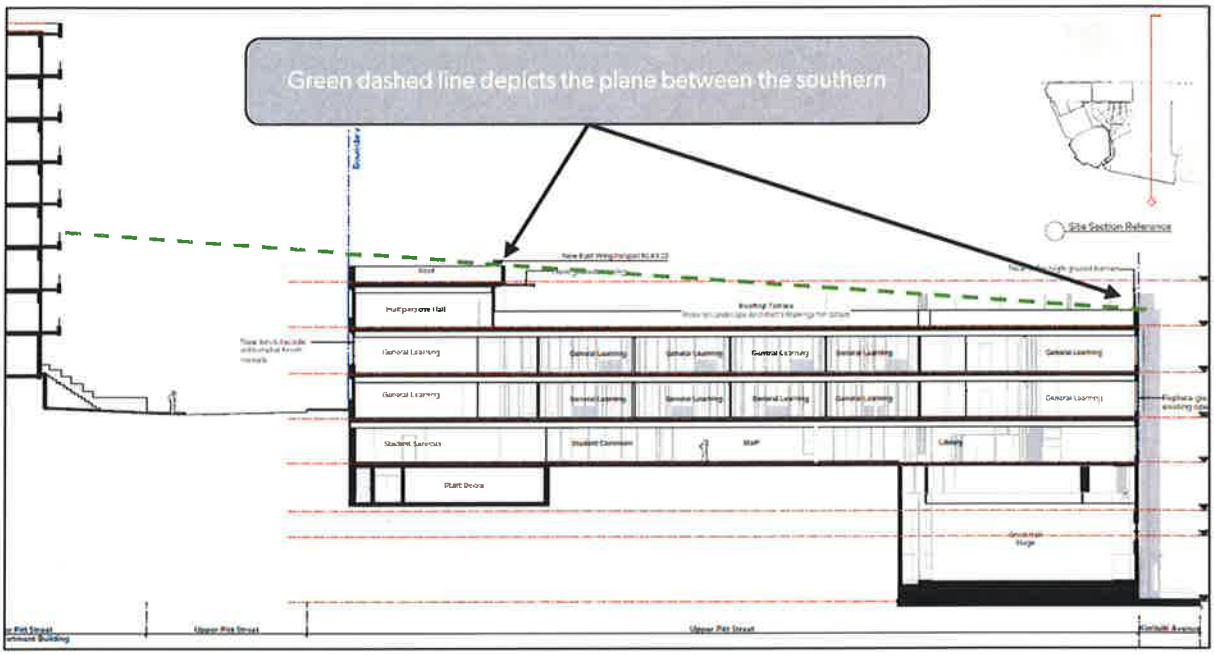


Figure 39 | Section showing the Main Campus building and 48 Upper Pitt Street (Source: Applicant's RtS 2018)

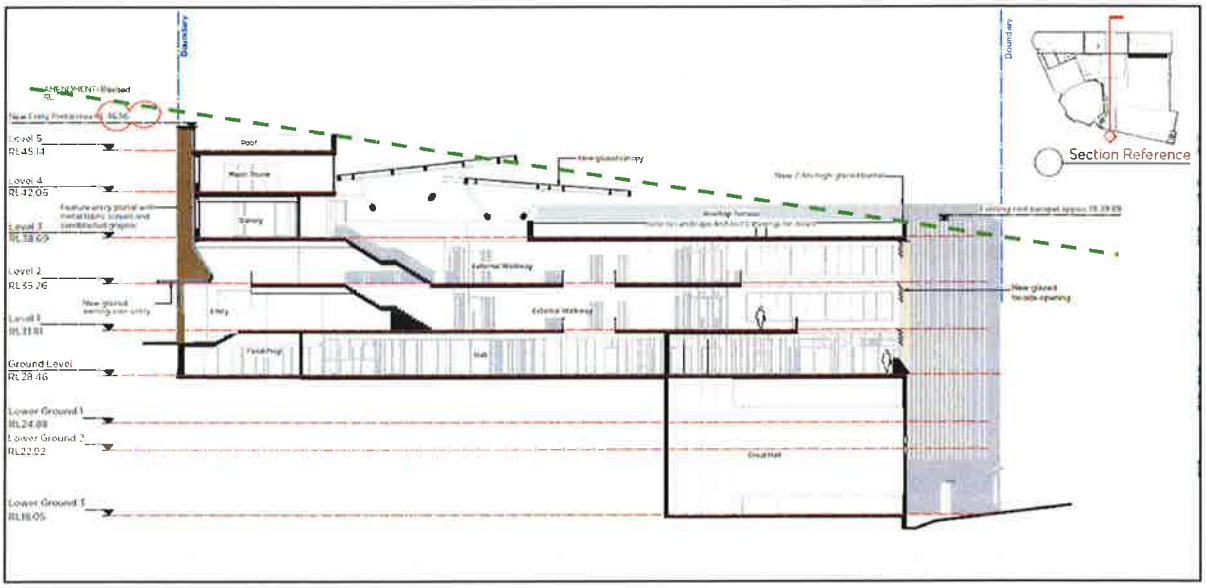


Figure 40 | Section through the Main Campus building (Source: Applicant's RtS 2018)

On the basis of the above comments and the Tenacity assessment set out in **Table 11**, the Department concludes that the view loss analysis undertaken is satisfactory and it has been adequately demonstrated that view loss impacts would be acceptable. The Department also concludes the proposed built form, as modified by the recommended conditions, is considered to be reasonable and appropriate in its context, consistent with step four of the established Tenacity planning principles.

6.2.3 Solar access

Concept Proposal

The EIS included shadow diagrams for the June Winter Solstice and March / September Equinox for the proposed works at all three campuses. These indicated that the:

- proposed works at the Junior Campus, including the addition to the school building along the western boundary of the site, would not result in additional shadowing of private residential land due to the orientation of the Junior Campus and location of roads abutting all the boundaries of the Campus. Whilst the proposal would result in minimal additional shadowing of properties on the western side of Humphrey Lane, this would only occur at 9am and would only partially affect non-residential windows in the Church by the Bridge.
- proposed works at the Senior Campus would not result in additional shadowing due to the largely single storey nature of the extension to the Wyalla building and multi-storey scale of adjoining buildings.
- the quadrangle infill building and associated rooftop structures at the Main Campus would result in:
    - minor additional shadowing of private residential land to the west and south-west in the morning, however this would not affect existing windows and would only affect a very small area of private open space of one property.
    - minimal additional shadowing of the harbour foreshore reserve.
    - additional shadowing of adjoining private residential land to the east of the site, including 49 Upper Pitt Street and 88 Kirribilli Avenue in the afternoon.

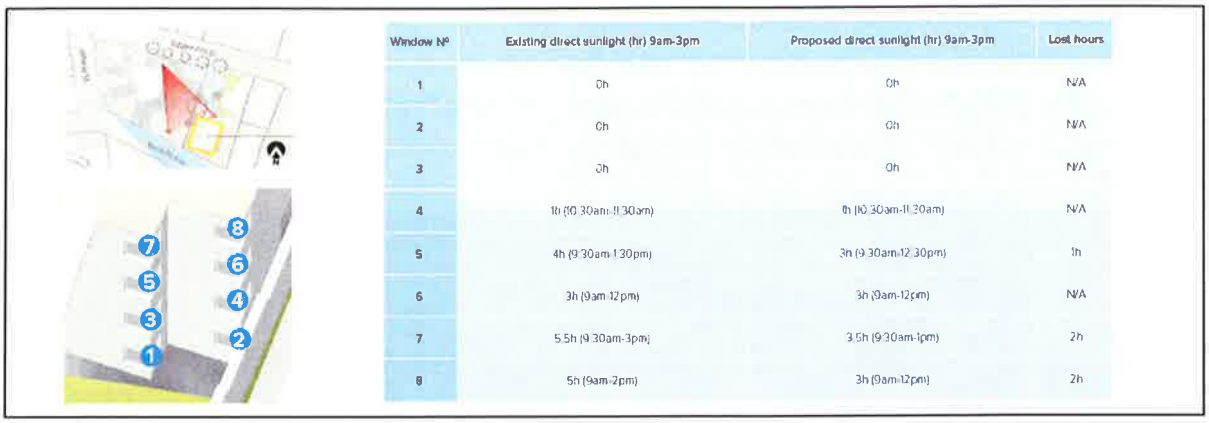
Overshadowing impacts were raised in the public submissions, with submissions specifically relating to the Junior Campus and Main Campus. Council raised concerns in its submission to the EIS in relation to impacts on solar access as a result of works at the Main Campus, particularly to 88 Kirribilli Avenue. Council noted that hour by hour shadow diagrams should be submitted as part of the EIS and that confirmation should be provided that structures on the rooftop terrace have been considered in the shadowing diagrams.
The Applicant responded to the comments made in its RtS, noting that hour by hour shadowing diagrams had been provided in the EIS, that all structures have been considered and that the impacts overall would be acceptable.

The Department has considered the comments made in the submissions and information provided in the EIS and RtS. The Department is satisfied that additional overshadowing created by the concept building envelopes at the Junior Campus and proposed single storey addition to the Senior Campus would be minimal and would not result in adverse impacts. The Department has recommended conditions requiring a detailed assessment of solar access impacts to be submitted with a future Stage 2 detailed application for works at the Junior Campus.

Further consideration of the view impacts of the proposed works at the Main Campus is provided below.

Stage 1 works

Given the extent of additional shadowing of land to the east of the Main Campus, the EIS included plan and elevational hour by hour shadow diagrams for 49 Upper Pitt Street and 88 Kirribilli Avenue. The EIS also included a Solar Analysis Report (SAR) which assessed the impacts on 88 Kirribilli Avenue. The results of the SAR are summarised in **Figure 41**.



Window Nº	Existing direct sunlight (hr) 9am-3pm	Proposed direct sunlight (hr) 9am-3pm	Lost hours
1	0h	0h	N/A
2	0h	0h	N/A
3	0h	0h	N/A
4	1h (10.30am-11.30am)	1h (10.30am-11.30am)	N/A
5	4h (9.30am-1.30pm)	3h (9.30am-12.30pm)	1h
6	3h (9am-12pm)	3h (9am-12pm)	N/A
7	5.5h (9.30am-3pm)	3.5h (9.30am-1pm)	2h
8	5h (9am-2pm)	3h (9am-12pm)	2h

Figure 41 | Overshadowing impacts on windows to 88 Kirribilli Avenue (Source: Applicant's EIS 2018)

The shadow diagrams indicated that the proposal would have minimal additional shadowing of 49 Upper Pitt Street at 4pm on the June Winter Solstice. The SAR determined that the proposal would result in a maximum of two additional hours shadowing of two windows of 88 Kirribilli Avenue in the late afternoon. The SAR noted that these apartments would still enjoy three hours of daylight on the Winter Solstice which exceeds the minimum two hours required in the Apartment Design Guide (Department of Planning and Environment, 2015).

The Department is satisfied that the Applicant has demonstrated that the overshadowing impacts on 88 Kirribilli Avenue are acceptable given the constraints of the site due to the topography and the maintenance of at least three hours of daylight to the windows affected by the proposal.

6.2.4 Light spill

Concept Proposal

Concerns were raised in the public submissions in relation to the impacts of lighting on the proposed rooftop terrace on the Main Campus. Council in its submission to the EIS requested that a detailed lighting plan be submitted to demonstrate that the proposal would comply with Australian Standard AS/NZS4282 'Control of the obtrusive effects of outdoor lighting'.

The Department is satisfied that lighting to be installed at the Junior and Senior campuses could be designed such that it would have minimal adverse impacts. The Department has recommended conditions requiring a detailed assessment of lighting impacts to be submitted with a future Stage 2 detailed application for works at the Junior Campus.

Further consideration of the lighting impacts of the proposed works at the Senior and Main Campus is provided below.

Stage 1 works

The Applicant provided a LCD for the rooftop terrace in the RtS in response to the comments made in the public and Council submissions and queries raised by the Department. The proposed concept design adopted the following in order to minimise impacts on surrounding properties:

- low level lighting.
- avoidance of floodlights.
- low-glare luminaires with glare shields.
- a dimming control system to reduce the intensity of light.

Overall the design incorporates recessed low glare lighting which is integrated into handrails / steps / planter boxes with higher elevation down lighting to be provided in conjunction with proposed structures including the basketball hoop and trees. The design incorporates the stepping down of lighting levels from the more shielded end of the terrace at its northern end, to the more exposed areas of the terrace at its southern end which is

adjacent to the harbour and more visible to surrounding properties. The design also includes preset lighting modes which set lighting levels according to the time of day / night and level of use. A security mode maintains minimal lighting during the night when the terrace is unused, with these levels increased when motion sensors are triggered. An image of the lighting design during general student evening / night time use is shown in **Figure 42**.

Figure 42 | Photomontage of LDC for rooftop terrace (Source: Applicant's RtS 2018)

The Department recognises that lighting of the terrace has the potential to impact on the surrounding residential properties that would overlook the terrace. The Department is satisfied that the Applicant has appropriately incorporated necessary design approaches to lighting of the terrace in consideration of the potential impact on surrounding residents.

The Department has recommended a condition requiring a detailed lighting plan to be prepared prior to commencement of construction that specifies the proposed lighting to be installed and demonstrates that the proposal would comply with AS/NZS4282. The Department has also recommended conditions requiring the preparation of a lighting management plan to set out the management arrangements for the control of lighting, including timing of different lighting modes, and maintenance. Additional conditions are recommended in relation to the installation of the lighting in accordance with the final lighting plan and implementation of the lighting management plan.

In addition, to minimise any glare from, and the overall visual impact of the rooftop terrace to surrounding properties, particularly those elevated above the site, the Department has recommended a condition that the hardsurfaces of the rooftop terrace be made from non-reflective materials with muted tones.

Having regard to the Senior Campus, the Department has recommended conditions requiring all external lighting comply with AS/NZS4282. On this basis, it is considered that the Stage 1 works at the Senior Campus would have minimal impacts on the amenity of surrounding properties.

6.2.5 Privacy

Concept Proposal

Concerns were raised in the public submissions with regard to the impact of the proposal on the privacy of surrounding residential properties, particularly as a result of the proposed addition to the Junior Campus and quadrangle infill building and rooftop terrace on the Main Campus.

Consideration of privacy impacts of works to the Junior Campus would occur in a future development application for those works and the Department has recommended a condition that requires a detailed assessment of privacy impacts to be included in a future Stage 2 detailed application. Notwithstanding this, the Department notes that any privacy impacts of the works at the Junior Campus would most be caused by the proposed upper level addition to the building along the western boundary of the Campus. The Department is satisfied that the design of the addition (particularly the careful positioning of windows) and / or inclusion of mitigation measures (such as privacy screens) could satisfactorily minimise impacts on the privacy of surrounding properties. In addition, it is recognised that the scope of impacts would be limited due to the setback distances provided between the building addition and the adjoining residential properties due to the Campus being surrounded by roads on all boundaries.

Further consideration of the privacy impacts of the proposed works at the Senior and Main Campus is provided below.

Stage 1 works

The Department considers that the proposed single storey addition at the Senior Campus would not have any significant privacy impacts as the addition would be positioned at a lower level than the adjoining multi-storey residential apartment building and would not therefore offer direct views into adjoining apartments.

In response to the concerns raised in the submissions and queries form the Department with regard to the Main Campus, the Applicant in its RtS:

- provided additional detail in relation to the treatment of the eastern façade of the proposed replacement north-east wing / quadrangle infill building. The Applicant advised that fixed metal fabric mesh screens would be installed over the proposed Juliette balcony doors and slidable metal fabric mesh screens would be installed over the remainder of the façade with 50 per cent of the overall façade being openable.
- advised that the location of the rooftop terrace behind and below the replacement north-east wing and existing northern wing building meant that there would not be any new views from the rooftop terrace into the adjoining residential properties to the north.
- advised that raised planting beds along the eastern side of the rooftop terrace would prevent views into 49 Upper Pitt Street / 88 Kirribilli Avenue and adjoining properties.

The eastern elevation of the replacement north-east wing / quadrangle infill building which faces onto the residential property at 49 Upper Pitt Street / 88 Kirribilli Avenue is shown in **Figure 43**. A plan of the landscape concept for the rooftop terrace is shown in **Figure 44**.

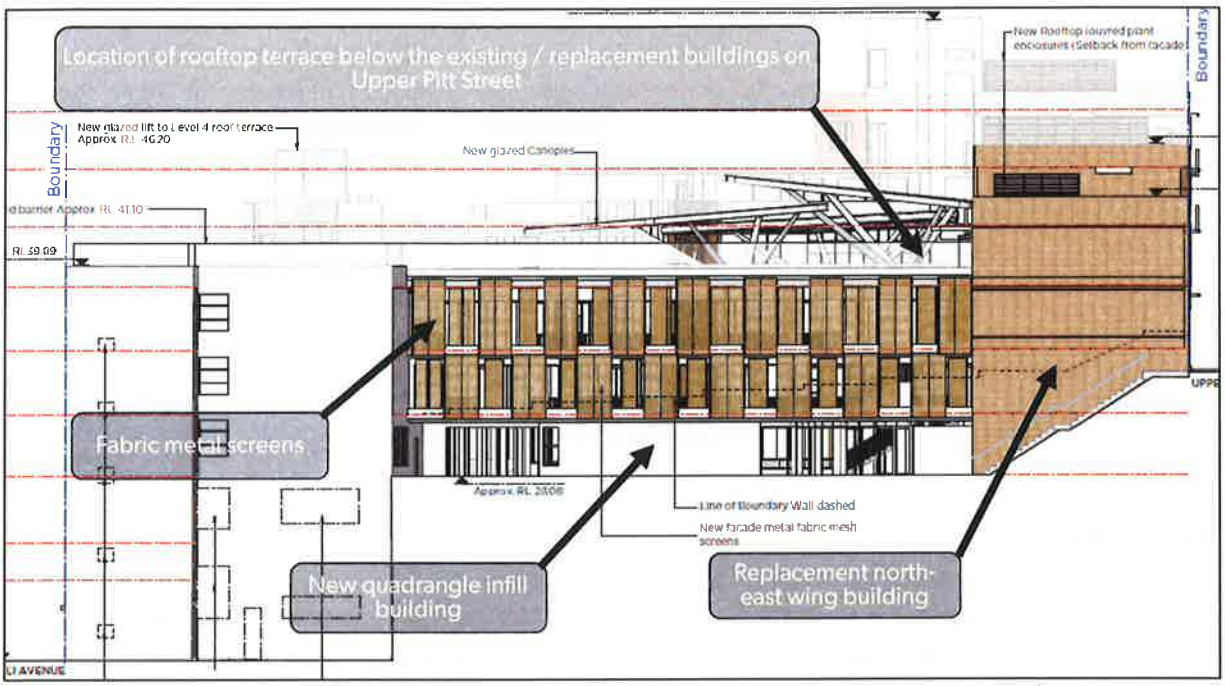


Figure 43 | Eastern elevation of the Main Campus (Source: Applicant's RtS 2018)

Figure 44 | Proposed landscape concept for rooftop terrace at the Main Campus (Source: Applicant's EIS 2018)

The Department has considered the concerns raised in the public submissions and information provided by the Applicant in the EIS and RtS. The Department notes the Applicant's comments in relation to the lack of views from the rooftop terrace to residential properties to the north due to the higher building line along Upper Street. The Department also notes the Applicant's comments in relation to the raised garden bed along the eastern side of the rooftop terrace. However, as detailed in **Section 6.2.1**, the Department raised concerns in relation to the proximity of the BBQ area and table tennis table to the eastern edge of the terrace and potential impacts on noise and privacy to residents of 49 Upper Pitt Street / 88 Kirribilli Avenue which adjoins the site. To protect the privacy of the adjoining properties, the Department has recommended a condition requiring the relocation of the BBQ area and table tennis table away from the eastern edge of the terrace and the extension of the adjoining raised garden in their place.

A similar concern is held in relation to the access path to, and small landing within, the open stairwell in the south-east corner of the rooftop terrace (see **Figure 44**). These areas would allow for access close to the eastern parapet of the building and would offer views down onto balconies of 88 Kirribilli Avenue which sit immediately east and below the rooftop terrace. To avoid these direct views, the Department has recommended a condition requiring the stairwell access to be moved to the western side of the stairwell, the raised garden extended to replace the former access path and access to be prevented to the eastern half of the landing within the stairwell.

In addition, whilst the Department recognises that the proposed screens on the eastern façade of the Main Campus would restrict views over to the properties to the east, concern is held by the Department that 50 per cent of the façade would be openable. The Department considers that an alternative approach to the openable screens should be considered, such as the use of hinged screens rather than sliding screens. This could allow the screens to open up to a 45 degree angle to the window plane, allowing views to the south-east while restricting views to the east towards 49 Upper Street. The Department has recommended a condition requiring the final eastern elevation façade treatment and screening design to be prepared having regard to these comments prior to the commencement of works on the Main Campus.

On the basis of the above comments, the Department considers that the proposal would have a minimal impact and protect the privacy of surrounding residential properties.

6.3 Traffic and parking

6.3.1 Existing conditions

The three campuses are surrounded by a network of local streets which connect the Kirribilli peninsula either side of the Sydney Harbour Bridge / Bradfield Highway. Access into the suburb is generally from the north via Broughton Street to the east and Alfred Street to the west of the Sydney Harbour Bridge / Bradfield Highway.

The main frontage of the Junior Campus is to Burton Street which is a two-way road with parking along limited sections of both sides of the street. A five-space morning and afternoon no parking area is located at the front of the school entrance for the drop-off / pick up of students on school days. The Junior Campus also has frontage to:

- Humphrey Place, which is a one-way north-south road with parking along limited sections of the eastern side of the street.
- Bligh Street, which is a one-way east-west road with parking along limited sections of the southern side of the street.
- Crescent Place, which is a one-way north-south road with parking along limited sections of the eastern side of the street.

On site car parking is provided for 10 spaces in the building undercroft in the south-west corner of the Junior Campus, with access off Humphrey Place.

The main entrance to the Senior Campus is from Upper Pitt Street which is a two-way road with parking available on both sides of the street. Morning and afternoon no parking areas are located on both sides of the street adjacent to the school entrance for the drop-off / pick up of students on school days. The Senior Campus also has frontage to Jeffreys Street, which has parking on limited sections on both sides, and Robertson Lane, which is a two-way (single lane) road with parking on its eastern side. A 14 space on site car park and 10 bicycle parking lockers and two visitor parking spaces are located on the roof of the main building on the Senior Campus with access off Robertson Lane.

The primary frontage to the Main Campus is also to Upper Pitt Street. The Main Campus also has frontage to Jeffreys Street which is a one-way north-south street and Kirribilli Avenue which is two-way street. Both these streets have parking on both sides.

The streets surrounding the three campuses are subject to 50 kilometre per hour speed limits except during school drop-off / pick-up times when they are subject to a 40 kilometre per hour school zone speed limit. On street parking surrounding all three campuses is generally restricted to one or two hours on Mondays to Fridays or Mondays to Sundays except for holders of a residential parking permit.

Kirribilli is a highly accessible location, with all three campuses being located within 400 metres of Milsons Point train station, Jeffrey Street Wharf and Milsons Point Wharf. The 269 bus route runs along Kirribilli Avenue and Broughton Street, and additional bus routes are accessible from Milsons Point Station.

A Traffic and Accessibility Impact Assessment (TAIA) was included in the EIS which incorporated a survey of the existing travel mode of students and staff across the three campuses. This found that:

- a high proportion of students (more than 70 per cent) in years six to 12 travel by public transport in the morning.
- the greatest percentage of students travelling to school by car were in years three to five at the Junior Campus.
- the share of students travelling home from school by public transport was higher in the afternoon, indicating that a portion of the morning car-based trips were multi-purpose trips with students travelling with their parents while on their way to work.
- a majority of staff travel to and from the three campuses by private car, with 69 percent travelling to the Junior Campus by car and 54% travelling to the Senior and Main campuses by car.

See **Figure 45** for the results of the travel mode share for students across all three campuses.

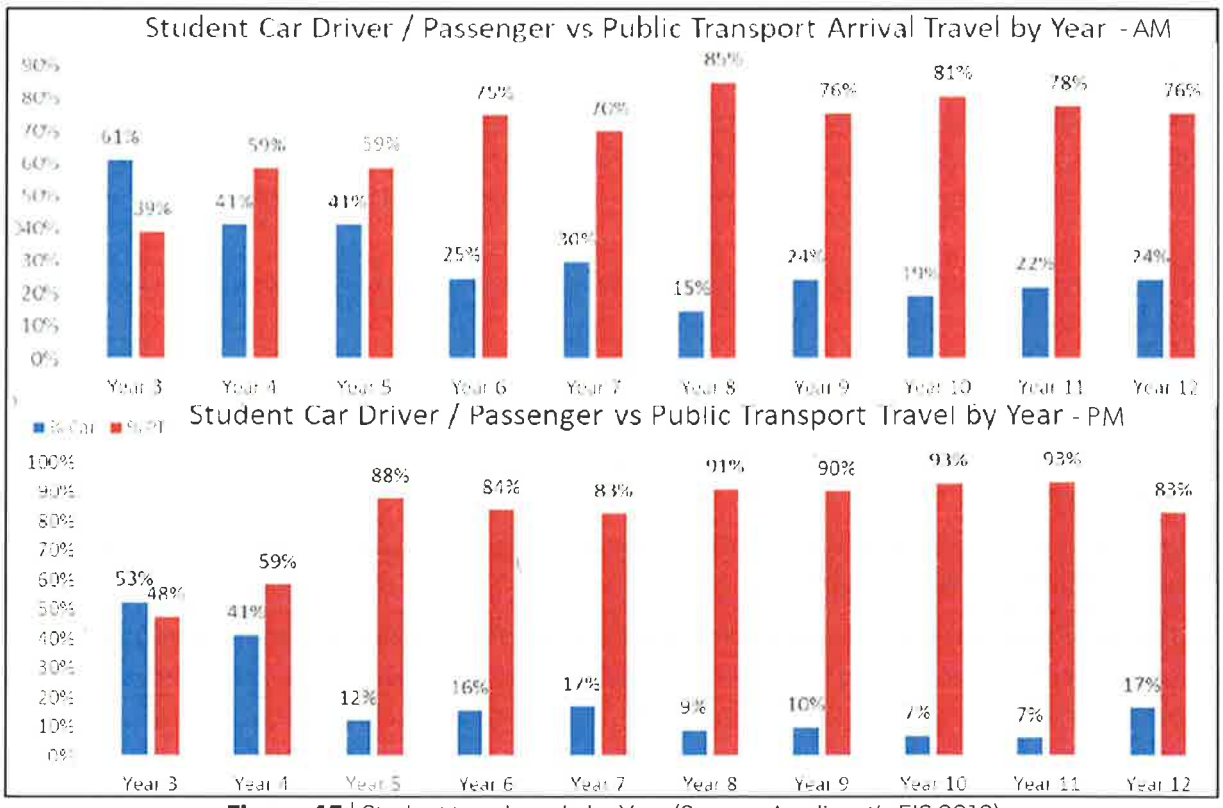


Figure 45 | Student travel mode by Year (Source: Applicant's EIS 2018)

Based on the results of the mode share survey, the TAIA then estimated the following number of car trips to / from the three campuses in the morning and afternoon peaks:

- 85 'car driver' trips.
- three student 'car driver' trips.
- 117 student 'car passenger' trips.

- two staff 'car passenger' trips.

Given Council's objection to the proposal on traffic grounds and the concerns raised in the public submissions, the Department engaged an independent traffic consultant, Bitzios Consulting, to review the traffic impacts of the proposal. The report by Bitzios Consulting is provided at **Appendix E**.

The Department's traffic consultant noted that the EIS and RtS did not include information to quantify the existing traffic situation, including existing performance and any issues with capacity. It was recommended that the Applicant provide additional information in this regard.

A copy of the Department's traffic consultant's report was provided to the Applicant. In response to the report, the Applicant provided an addendum TAIA. This included an assessment of performance of the surrounding road network through a SIDRA analysis of key intersections in proximity to the site as shown in **Figure 46**.

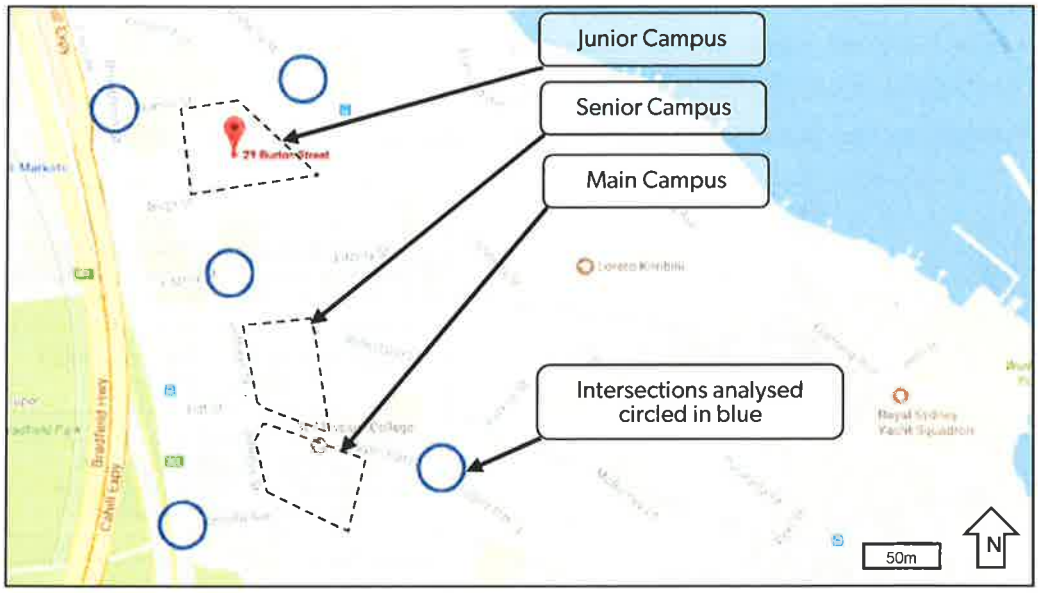


Figure 46 | Intersections assessed in SIDRA Analysis (Source: Applicant's further information 2019)

The analyses indicated that all five intersections perform at a level of service of 'A' which indicates good operation and has spare capacity.

6.3.2 Construction traffic and parking

Concept Proposal

Full details of the construction management arrangements for the concept only works at the Junior Campus were not provided as these would be set out in a future Stage 2 detailed development application for those works. The Department however is satisfied that satisfactory construction arrangements could be implemented to minimise impacts from construction traffic and parking. The Junior Campus is surrounded by roads on all four boundaries and has direct access to Broughton Street which provides access to the Motorway network via Sydney Harbour Bridge / Bradfield Highway. The Department has recommended a condition which requires an assessment of construction traffic impacts and a preliminary CTMP to be submitted with a future Stage 2 detailed development application.

Consideration of construction traffic and parking impacts of works at the Senior and Main campuses is detailed below.

Stage 1 works

A Preliminary CTMP was included in the RtS which outlined the proposed construction management arrangements for the Stage 1 works at the Senior and Main campuses. The construction arrangements for the Stage 1 works envisage:

- site accommodation and materials layout for the Senior Campus to be sited on the rooftop car park with possible work zones located immediately east of the car park on Jeffreys Street and adjacent to the pedestrian walkway at the southern end of the Campus on Upper Pitt Street.
- site accommodation and materials layout for the Main Campus to be located within the quadrangle with a possible work zone with overhead hoarding on Upper Street adjacent to the north-east wing building. Following demolition, the site accommodation would be relocated to the overhead hoarding above the Upper Pitt Street work zone.
- additional possible work zones on Jeffreys Street and Kirribilli Avenue adjacent to the Main Campus.
- a tower crane would be used at the Main Campus to transfer materials onto the site, with mobile cranes also used intermittently throughout the construction program.

A plan showing the location of the indicative construction arrangements is provided in **Figure 47**.

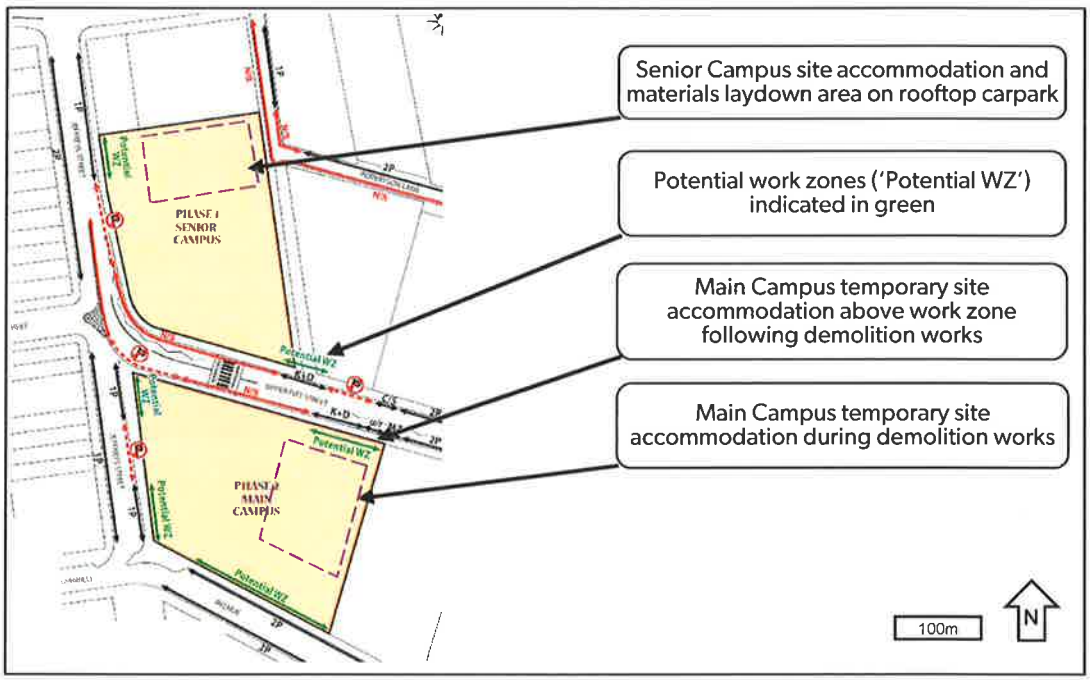


Figure 47 | Indicative site accommodation, layout areas and work zones for Stage 1 works (Source: Applicant's EIS 2018)

The Preliminary CTMP also envisaged that:

- demolition and excavated soil would be loaded onto 8.8 metre or less medium rigid trucks.
- materials, including concrete, would be delivered within the site or from works zones where possible using small and medium rigid trucks and would be stored entirely within the campuses.
- traffic controllers would be in place at all times during movements and a site manager would coordinate work so that two deliveries do not occur at the same time unless it can be safely accommodated.
- work zones would be subject to Council consent - where these affect existing drop-off / pick-up zones, alternative arrangements would be made to provide replacement drop-off / pick-up facilities.
- all external public footpaths would remain open and all neighbouring accesses would be maintained at all times with seven days' notice provided to adjoining property owners prior to any temporary traffic control measures.

- the site manager would liaise with any nearby construction sites to ensure appropriate management arrangements are in place.
- no on site parking would be available for building contractor staff. The high availability of public transport and lack of on site parking would encourage use of public transport and minimise traffic and parking impacts.

The Preliminary CTMP included an estimate of construction vehicle movements for the various stages of construction. These included:

- Senior Campus – average peak of 15 truck movements per day.
- Main Campus – average peak of 40 truck movements per day.
- major concrete pours would run over four to six hours with eight trucks per hour / 40-50 truck movements per day, while small pours would have similar per hour truck movements but run over two to four hours.

The indicative construction vehicle routes are shown in **Figure 48** and generally access the two campuses from the Sydney Harbour Bridge / Bradfield Highway via Broughton Street / Alfred Street South, Fitzroy Street, Carrabella Street, Parkes Street and Jeffreys Street.

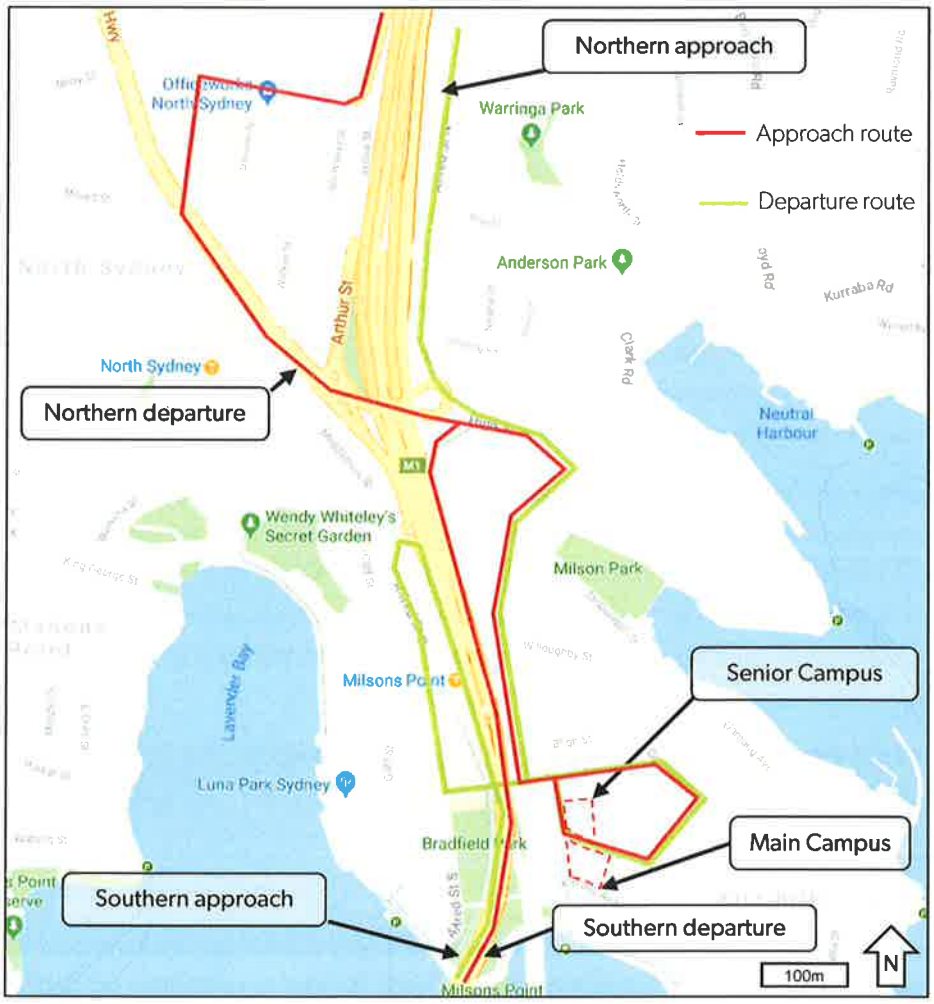


Figure 48 | Indicative construction vehicle routes (Source: Google Maps 2019)

Construction traffic and parking was raised as concerns in the public submissions, particularly the number of truck movements and the impact of these on congestion and road safety, as well as parking by construction workers increasing existing significant demand for parking on local streets. The cumulative impacts of the proposal and other major construction works in the area, particularly at Loreto Kirribilli, was also raised as a concern.

In its submission following exhibition of the EIS, Council raised concerns regarding the proposed works zone within Upper Pitt Street as it would replace the existing drop-off / pick-up zones and there are no feasible alternative locations on the northern side of Upper Pitt Street. It also advised that work zones in Kirribilli Avenue would not be not ideal as they would involve longer access routes through residential areas. Council recommended that detailed construction management plans be prepared in conjunction with the redevelopment proposal at Loreto Kirribilli.

TfNSW recommended that a RSE and CTMP be prepared and that pedestrian and cycling movements during construction be considered. The Department also required the Applicant to respond to a number of matters raised by the independent traffic consultant in relation to consideration of construction impacts which raised similar issues to those raised by TfNSW.

The Applicant provided a response in its RtS to the comments made in the public submissions and by public agencies. The response included a preliminary CTMP and addendum TAIA and advised that the Applicant would accept conditions of consent requiring a RSE to be prepared prior to the commencement of the Stage 1 works.

The Department has reviewed the Preliminary CTMP and considered the comments made in the public and Council submissions and the Department's traffic consultant's report. The Department recognises that a development within an established urban environment would likely result in construction traffic impacts and as such, considers that all reasonable measures should be implemented to minimise and manage these impacts. In this regard, the Department has recommended a condition requiring the preparation of a detailed CTMP prior to commencement of works which would be informed by the RSE recommended by TfNSW and the Department's traffic consultant.

Given the potential for cumulative impacts, the Department has also recommended that the detailed CTMP considers other construction projects in Kirribilli underway at the same time as the proposed works and make appropriate arrangements to mitigate any cumulative impacts. In addition, given the potential for work zones to impact on existing drop-off / pick-up zones, the Department has recommended that the detailed CTMP also ensure ongoing provision of the existing number of drop-off / pick-up spaces during works.

Given the lack of construction parking available on site, the Department has also recommended a condition requiring the preparation of a Construction Worker Transportation Strategy prior to commencement of works. This would be required to include the provision of sufficient parking (likely to off site) and / or other detailed arrangements to minimise parking demand from construction workers on and around the site and implementation of associated management arrangements to monitor and manage any construction parking issues that occur.

Overall, with the implementation of these measures, the Department is satisfied that construction traffic can be adequately managed during construction of the Stage 1 works.

6.3.3 Operational traffic

Concept Proposal

Given that any traffic impacts associated with the proposed increase in school facilities (and potential increase in student numbers) are anticipated to occur as a result of the Stage 1 works, consideration of operational traffic impacts is detailed below. A future Stage 2 detailed development application would also include a detailed traffic impact assessment for further consideration.

Stage 1 works

The TAIA concluded that the proposal would not result in an increase in traffic on the basis that the proposed redevelopment would not result in any net increase in student or staff numbers at the school. Consequently, the TAIA did not include a detailed analysis or modelling of impacts to the local road network.

Traffic congestion and road safety were raised as concerns in 54 public submissions. Specific concerns raised included:

- the proposal would worsen congestion in local streets due to an increased number of parents dropping off / picking-up students and staff driving to the school.
- there would be a further reduction to road safety as a result of an increased number of students walking on the narrow footpaths and across the many intersections from Milsons Point train station / bus stops.
- the proposal's lack of enlarged drop-off / pick up zones or the provision of such a facility on site would increase the use of local streets which reduces on road safety and inconveniences residents.

In its submission following the exhibition of the EIS, Council advised that the proposal allowed for the potential for the school to take on more enrolments and increase the school's student and staff population. Consequently, the proposal's failure to provide additional parking and on site drop-off / pick-up areas would exacerbate existing traffic and parking problems in Kirribilli.

With regard to operational traffic considerations, TfNSW(RMS) did not raise any concerns in relation to the proposal and TfNSW recommended the preparation of a RSE, TPMP, and GTP.

Following the exhibition of the EIS, the Department required the Applicant to respond to a number of matters raised by the independent traffic consultant and in its preliminary assessment of the application, including confirmation of the anticipated increase in student and staff numbers resulting from the proposed redevelopment of the school and appropriate consideration of this in the TAIA.

The Applicant responded to the comments made and included an addendum TAIA in its RtS. Overall, the RtS and addendum TAIA restated that the intention of the project is not to increase the number of students or staff and that the proposal would not change any external existing access arrangements or paths of travel to the three campuses. On that basis, whilst the addendum TAIA did provide further information in relation to a number of matters raised in the submissions and by the Department, it did not include:

- any consideration of potential increased traffic generation or demand on public transport services as a result of the proposal.
- a RSE but it was noted that one could be required by condition which would allow any existing road safety issues to be considered and addressed in consultation with Council.

TfNSW(RMS) and TfNSW reviewed the RtS and confirmed that they had no objection to the proposal and no further comments to make. Council challenged the Applicant's position that the proposed redevelopment of the school would not result in an increase in student or staff numbers given the considerable extent of new teaching areas to be provided. Council also reiterated its objection to the proposal on the basis of the impact on traffic congestion and parking, and the cumulative impacts of this and the proposed redevelopment of Loreto Kirribilli.

The Department's traffic consultant also reviewed the RtS along with the EIS. In addition to the matters raised in **Section 6.3.1**, the consultant recommended:

- further information be provided in relation to the potential traffic impacts of new non-school events proposed on the rooftop terrace at the Main Campus.
- that a cap be placed on student numbers to maintain the existing number of students at the school to ensure that the assumptions incorporated into the TAIA are realised.

- a RSE and TPMP be prepared to inform the management of existing and future operations.

As discussed in **Section 6.3.1**, the Applicant provided an addendum TAIA following consideration of the Department's traffic consultant's report. The addendum TAIA included:

- a review of the new events proposed on the rooftop terrace and any increases in capacity for existing events moved to the rooftop terrace.
- results of on street parking demand survey undertaken in the evening period between 4pm and 10pm on a weekday.
- a review of on street parking restrictions in the streets surrounding the three campuses.

The survey locations and existing parking restrictions are shown in **Figure 49**.

Figure 49 | On street parking demand survey locations and parking restrictions (Source: Applicant's further information 2019)

The addendum TAIA concluded:

- at times when evening events are expected to commence, demand for on street parking within convenient walking distance to the Main Campus is generally high (between 68% and 87%) and would serve as a deterrent for private vehicle use by visitors during existing / future evening events.
- all locations except for a small number close to retail areas on Broughton Street include a resident parking scheme in place which generally restricts parking to a two hour time except for residents with a parking permit.
- overall, the only change in events are proposed to occur during late evening periods and during such times when existing resident parking schemes operate providing limited opportunity for visitors to travel by car and park in the area. Further, any traffic which may be generated during these late evening periods would be during periods of when the road network has greater capacity than during typical road network peaks.

The Department has considered the concerns raised in the public submissions and by Council, comments made by public agencies, information provided by the Applicant and the advice of the Department's traffic consultant. The Department recognises Council's concerns with regard to the potential for the proposed redevelopment to allow for an increase in student numbers. Given the strong reliance of the TAIA on there being no increase in student and staff numbers, the Department considers that the imposition of a cap on student numbers is warranted. Imposition of a such cap would ensure that the assumptions of the TAIA (and EIS as a whole) are

realised and impacts are not increased. Therefore, on the basis that the RtS advises that the school currently accommodates 1244 students and employs 176 equivalent full time staff, the Department has recommended a condition stating that the school must accommodate a maximum of 1244 students and employs 176 equivalent full time staff in total across the three campuses.

Whilst the Department recognises Council's and the community's desire for the provision of on site drop-off / pick-up facilities, the constraints of the three campuses, existing high levels of public transport use and lack of increase in student numbers means that requiring such facilities to be provided would not be reasonable. However, in order to improve management and minimise impacts of the existing and ongoing school operations, the Department has recommended conditions requiring the preparation of a RSE and Operational Transport and Access Management Plan (OTAMP) (to be informed by the RSE) for the school operations across all three campuses. This must be done in consultation with Council as recommended by TfNSW and the Department's traffic consultant. The Department has also recommended a condition that the OTAMP be updated as part of a future Stage 2 detailed development application.

Overall, with the implementation of these measures, including the cap on the existing student numbers at the school, the Department is satisfied that the impacts of the proposal as a result of operational traffic would be acceptable.

6.3.4 Operational car parking

Concept Proposal

The TAIA included a survey of existing car parking demand in the streets surrounding the three campuses. The location of the surveys is shown in **Figure 50**.

Figure 50 | Location of parking survey locations (Applicant's EIS 2018)

The surveys were undertaken from 7am to 9am and 2pm to 5:30pm to give a view of existing residential parking demand, indicated by demand at 7am prior to the arrival of staff and students, and school demand, indicated by changes to demand around school commencement and ending times. The survey indicated:

- total availability of 568 on street parking spaces, with only 36 (6.8 percent) of these not being subject to time restrictions.

- there was very little change in demand observed in the morning hours of 7am to 9am indicating minimal demand originating from the school.
- there was a decrease in overall demand (30 spaces) between 3:30 and 4:30 indicating there may be some short-term school-related demand in the afternoon considering that the majority of spaces in the survey area are time restricted.
- overall any residual demand for school-related all day parking must be located outside of the survey area.

The lack of parking across the three campuses was raised as a concern in the public submissions and by Council. TfNSW recommended that bicycle parking and end-of-trip facilities be improved to encourage non-car based travel to the school.

Following the exhibition of the EIS, the Department required the Applicant to provide additional information in relation to the parking arrangements, including confirmation of existing on site parking provision across the three campuses and an evaluation of the proposal against the parking requirements of the NSDCP.

Additional information was provided in the RtS which included an addendum TAIA. As stated in **Section 6.3.3** above, the addendum TAIA confirmed that the proposal does not involve an increase in student or staff numbers. The TAIA also confirmed the existing parking provision and provided an assessment of the proposal against the maximum parking requirements of the NSDCP, advising:

- in addition to the on site parking provision as detailed in **Section 6.3.1**, an existing agreement allows for the use of 17 car parking spaces within the Star of the Sea Catholic Church at Willoughby Street, Kirribilli by St Aloysius' College.
- applying the NSDCP rate of one parking space per six staff, based on current equivalent full time staff numbers of 176, the school would require 30 on site parking spaces. As 43 parking spaces (41 general vehicle and 2 motorcycle spaces) are available, the school has an excess of 13 parking spaces on site.
- notwithstanding the exceedance with NSDCP parking requirements, the likelihood of on street parking by students and staff at the school is limited by the existence of parking restrictions on streets surrounding the three campuses.

Is response to the RtS, Council reiterated its objection to the proposal including in relation to traffic and parking impacts.

As set out in **Section 6.3.3**, the Department has recommended a condition which imposes a cap on student numbers at the school. This means that the proposal would not result in an increased parking demand across the three campuses and would not therefore have an increased impact on parking on local streets.

Recognising the concerns raised in relation to the impacts of the existing school operations, the Department has recommended a condition requiring the preparation of a detailed GTP for the school to further reduce reliance on car based travel to the school and an OTAMP to manage overall transport arrangements for, and minimise transport impacts of, the school. Given the extended and staged nature of the works across the school and major changes to the facilities provided across the three campuses, the Department has required that the initial GTP and OTAMP be prepared prior to the occupation of the Senior Campus (Stage 1) building works and then updated prior to the occupation of the Main Campus (Stage 1) building. A further recommended condition also requires a preliminary updated GTP and OTAMP be provided with a future Stage 2 detailed development application for the Junior Campus (concept only) works.

Further consideration of parking impacts related to out of hours use at the Main Campus proposed as part of the Stage 1 works is provided below.

Stage 1 works

The Department recognises that there is potential for parking impacts as a result of increased out of hours school, community or commercially-hired events at the Main Campus due to the increased capacity and amenity offered by the rooftop terrace.

As discussed in **Section 6.2.1**, the Department has recommended the establishment of a trial period of six months to confirm that the potential parking impacts from the use of the rooftop terrace can be effectively monitored and ensure that an evaluation of the management practices can occur. In addition, the Department has recommended conditions which limit the use of the rooftop terrace to the activities set out in the RtS as summarised in **Section 5.5**. This would limit out of hours events to a maximum of 23 events a year.

On the basis of the above comments, the Department considers that any parking impacts can be adequately managed. As set out in **Section 6.2.1**, the Department has recommended conditions requiring the preparation of OHEMPs for events catering for over 100 people to be held on the rooftop terrace. The Department has recommended that OHEMPs include measures to encourage non-vehicular travel to the school and promote the use of alternate travel modes (i.e. public transport) along with measures to minimise localised traffic and parking impacts. This would include the provision of information to guests on the limited parking available on and near to the site, and the need to minimise impacts on local residents.

On the basis of the above comments, the Department considers that the proposal would have acceptable impacts on parking in local streets.

6.3.5 Operational bicycle parking and end-of-trip facilities

Concept Proposal

Travel mode surveys undertaken as part of the TAIA submitted with the EIS identified very low levels of students or staff travelling to the three campuses by bicycle. The TAIA noted that this was considered to be reflective of the steep topography and lack of specific bicycle facilities or routes in the immediately surrounding area.

Following exhibition of the EIS, the Department required the Applicant to clarify the extent of bicycle parking and end-of-trip facilities to be provided as part of the proposal. As noted in **Section 6.3.4**, in its submissions to the EIS and RtS, TfNSW recommended that bicycle parking and end-of-trip facilities be improved to encourage non-car based travel to the school.

In the RtS, the Applicant clarified that the proposal includes the retention of 10 existing bicycle storage lockers and two visitor bicycle racks located on the Senior Campus. In addition, the RtS and subsequent further information confirmed that end-of-trip facilities would be available in the form of shower facilities and change rooms at the Senior Campus.

The NSDCP does not specify requirements for bicycle parking or end-of-trip facilities for schools and states that proposals would be assessed on merit. The TAIA noted that the retention of the existing bicycle parking facilities would more than adequately cater for the expected demand generated by the proposal given the existing very low number of bicycle trips to the site and as the proposal does not involve an increase in student or staff numbers.

The Department has considered the information provided by the Applicant and comments made by TfNSW. The Department is satisfied that the Applicant has demonstrated that adequate bicycle parking and end-of-trip facilities would be provided on site, recognising the existing low levels of cycling to the three campuses and that the proposal does not involve an increase in student or staff numbers.

Stage 1 works

The Department has recommended a condition requiring the provision of the installation of signage to bicycle parking and end-of-trip facilities prior to the occupation of the Main Campus (Stage 1) building works.

6.4 Other Issues

The Department's consideration of other issues is provided at **Table 12**.

Table 12 | Department's assessment of other issues

Issue	Discussion	Findings / Recommended Conditions
Contamination	A Preliminary Site investigation (PSI) was submitted with the EIS for the concept and Stage 1 works which included a desktop review of the history of the site and limited soil sampling. The PSI: • identified potential sources of contamination across the three campuses including previous demolition and an underground storage tank at the Main Campus. • confirmed the presence of impacted fill at all three campuses and exceedances of marine water and drinking water contaminant criteria. • noted that the existing sites were largely capped (i.e. built upon) but would be exposed during works and would therefore require management. • concluded that further investigations were required in relation to fill material on the site. • noted that it was not known if groundwater contamination was a site specific issue or broader regional issue. The EIS was referred to EPA which advised that it was not the regulatory authority for the proposal and therefore had no comments to make. Following exhibition of the EIS, the Department required the Applicant to prepare a DSI as recommended in the PSI and prepare a RAP if required as a result of the outcomes of the DSI. The Applicant included a DSI and RAP in the RtS covering the concept and Stage 1 works across all three campuses. The DSI: • included additional soil sampling which focused on the areas of disturbance and	Concept Proposal The Department has reviewed the PSI, DSI and RAP (as revised) and is satisfied that the Applicant has adequately demonstrated that the site is suitable, subject to remediation, for the continued use as a school as required by State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55). Further consideration of specific contamination mitigation measures would be given in the Stage 2 detailed development application for the concept works at the Junior Campus. Stage 1 works The Department has recommended a condition to require a Site Audit Report and Section A Site Audit Statement to be issued prior to the occupation of the buildings proposed in the Stage 1 works to verify the suitability of the site. The Applicant's recommendation for an unexpected finds protocol is accepted by way of a recommended condition to manage any unexpected contamination found during works on site, including of asbestos containing materials. This would provide for appropriate management and remediation of the site if unexpected contamination is found under the direction of an EPA accredited site auditor. The Department has also recommended a condition requiring the Applicant to undertake works in accordance with

generally confirmed the outcomes of sampling undertaken as part of the PSI.

- did not include additional groundwater investigations on the basis that the proposed development would not disturb groundwater or preclude future investigations.
- confirmed that fill material is the main known contamination risk present but noted this is largely capped which limits the potential of exposure. It noted that the area of open space on the Senior Campus is not capped and that management would be required to limit future potential exposure to the material.
- the underground storage tank is located approximately 20 metres from the area of disturbance on the Main Campus and is not likely to be impacted by the proposed development.
- asbestos containing materials were not observed but the potential for this to be found during demolition works remains.
- concluded that a RAP was required for the site and that with remediation, the three campuses would be suitable for the ongoing use for educational purposes.

The RAP:

- was limited to soil remediation as the DSI did not identify the need for groundwater remediation.
- concluded that the appropriate method of dealing with contaminated fill was disposal off site in accordance with applicable EPA regulations.
- identified procedures for the identification, classification and storage of contaminated fill prior to removal from the site.
- included a preliminary unexpected finds protocol to guide management of any unidentified contamination if encountered.

The RtS was referred to the EPA which confirmed that it was not the regulatory authority for the proposal and therefore had no comments to make in relation to the proposal.

Protection of the Environment Operations (Waste) Regulation 2014 and consult with SafeWork NSW if any asbestos waste is to be handled and / or disposed of.

	Following submission of the RtS, the Department requested further information from the Applicant in relation to the decision not to undertake further investigation of groundwater contamination. In response, the Applicant provided a revised PSI, DSI and RAP which considered the groundwater contamination on the site. These reports noted that no groundwater point sources related to the contamination were identified on the three campuses. It was concluded that whilst the groundwater contamination was present, it was unlikely to make the site unsuitable for the ongoing use as a school and would not pose an unacceptable risk to users. It was noted that there would be minor disturbance to groundwater during construction works but that appropriate procedures, including for dewatering, would appropriately address the issue.	
Vibration	The NIA considered the potential vibration causing activities to occur as part of the construction works and safe working distances required to avoid cosmetic damage to buildings or exceeding human comfort levels. This found that careful selection of equipment and construction methodology would ensure that safe working distances are be breached.	Concept Proposal The Department has considered the information provided in the EIS and RtS and is satisfied that the Applicant has demonstrated that appropriate mitigation measures could be implemented to minimise impacts. Further consideration would be given to the potential vibration impacts at the Junior Campus in a future Stage 2 detailed development application. The Department has recommended a condition that requires a future Stage 2 detailed development application to include a detailed assessment of potential vibration impacts. Stage 1 works The Department is satisfied that the Stage 1 works would not result in unreasonable impact on the users of the site and the surrounding residential developments subject to the following recommended conditions: • dilapidation surveys being undertaken prior to the

		commencement of works and after completion of building works. • a detailed CNVMP be prepared prior to the commencement of works which would set out vibration mitigation measures to be implemented during construction work to achieve compliance with the ICNG.
Biodiversity	The EIS did not include a BDAR or a BDAR waiver required for SSD applications under section 7.9 of the BC Act. Accordingly, EESG and the Department required the Applicant to address this following the exhibition of the EIS. The Applicant requested a BDAR waiver under section 7.9(2) of the BC Act on 3 September 2018. On 26 September 2018, EESG determined that the proposed development would be not likely to have any significant impact on biodiversity values and that a BDAR is not required. The Department supported EESG's decision and issued a waiver on 27 September 2018.	The Department is satisfied that the proposed development is acceptable and would not adversely impact on the biodiversity of the site and surrounding land. The proposal includes new landscaping across the three campuses. The Department has recommended conditions which would require this to incorporate planting of local provenance and that nesting boxes be provided that would improve habitat for local fauna on the site. This would assist in improving the biodiversity of the area.
Excavation and sediment, erosion and dust control	The EIS included a Preliminary CMP, Geotechnical Interpretive Report and Stormwater Management Reports (SMR) in relation to the concept proposal and Stage 1 works. The proposed development includes excavation for the proposed subterranean multi-purpose hall / sports facility at the Junior Campus (concept only) of approximately nine metres and foundation works at the Main Campus (Stage 1). The above documents examined geological conditions and potential excavation techniques and recommended: • procedures to reduce vibration impacts and impact on rock stability. • management measures for groundwater seepage and dewatering. • pre-construction dilapidation surveys. • sediment and dust control measures.	Concept Proposal The Department is satisfied that the Applicant has demonstrated that appropriate measures could be implemented to minimise impacts. Further consideration would be given to the concept works on the Junior Campus in a future Stage 2 detailed development application. The Department has recommended conditions that require a future Stage 2 detailed development application to include a detailed geotechnical report along with proposed dust sediment and control measures. Stage 1 works The Department accepts the mitigation measures recommended by the Applicant and recommends that detailed construction management

	• options for basement and foundation design, structural support requirements and drainage.	plans be prepared for the Stage 1 works prior to the commencement of construction on the Senior and Main campuses. These shall include all reasonable measures to prevent adverse impacts on surrounding landowners and the environment. The Department has also recommended conditions requiring construction management measures, including those required to achieve dust minimisation and erosion and sediment control, to be implemented throughout construction of the Stage 1 works.
Stormwater, drainage and flooding	The SMRs included in the EIS considered the flooding potential of the three campuses and drainage requirements for the proposed development. The SMRs noted that the Junior Campus is not mapped within the one per cent Annual Exceedance Probability but that the Senior and Main Campus are mapped as being subject to minimal flood depths (0.00 to 0.15 metres) in the one per cent Annual Exceedance Probability and the Probable Maximum Flood. The SMRs also noted that stormwater could be adequately accommodated within the local drainage system. In its submissions to the EIS, EESG advised that the flood information presented in the SMRs was satisfactory and that the flood risk is acceptable.	Concept Proposal The Department is satisfied that the flood risk is acceptable and the three campuses can be drained to the existing local drainage system. The Department has recommended conditions that require a future Stage 2 detailed development application for the Junior Campus works to include stormwater management plans. Stage 1 works The Department has also recommended a condition requiring the design and implementation of a stormwater management system for the Stage 1 works in accordance with relevant standards and guidelines.
Utilities	The EIS included an Infrastructure Management Plan (IMP) which considered the capacity of existing utilities infrastructure to accommodate the increased demand resulting from the proposed development across all three campuses. The IMP concluded that existing water, sewerage, gas, electricity and communications services are available and have capacity to accommodate the proposed development subject to appropriate augmentation in accordance with the requirements of the suppliers.	Concept Proposal The Department has considered the IMP submitted with the EIS and is satisfied that the required utilities are available to the three campuses. The Department has also recommended that a future Stage 2 detailed development application for the Junior Campus works address existing capacity and any augmentation requirements. Stage 1 works

	Ausgrid offered no objections to the proposal in its submission to the exhibition of the EIS.	The Department has recommended conditions to require utilities to be connected prior to the occupation of the Stage 1 works subject to the requirements of the relevant supply bodies.
Indigenous and non-indigenous archaeology	A Historical Archaeological Assessment (HAA) was included in the EIS. This found that the three campuses have nil to low potential for indigenous or non-indigenous archaeological remains. Consequently, the HAA concluded that there was limited potential for heritage values to be impacted by the proposal. The HAA however recommended the preparation and implementation of an unexpected finds procedure should archaeological remains be found. The Heritage Division noted the outcomes of the HAA and supported the preparation of an unexpected finds procedure. EESG did not make any comments or raise concerns in relation to Aboriginal cultural heritage.	Concept Proposal The Department has reviewed the HAA and comments provided by the Heritage Division and EESG. The Department is satisfied that the proposal would have minimal impacts on indigenous and non-indigenous archaeology. The Department has recommended that a future Stage 2 detailed development application for the Junior Campus works include a Heritage Impact Statement and HAA where relevant. Stage 1 works The Department has recommended conditions which require the preparation and implementation unexpected finds procedures for the Stage 1 works. This would ensure that appropriate actions are taken to protect any unexpected finds of historic artefacts or remains.
Social impacts	The EIS included consideration of the social impacts of the proposed development. This concluded that the proposal would have positive social benefits as it would provide improved high quality educational facilities in the area and contribute to the broader social infrastructure of the locality.	The Department has considered the assessment undertaken as part of the EIS and is satisfied that the proposal would have a positive social impact. The proposal would meet the educational needs of an inner urban area and would not displace any existing community facilities as the school would continue operations during the redevelopment. The redeveloped school would also continue to offer community use of the school facilities after hours on weekdays and potentially on the weekends. As discussed above, the Department has recommended conditions requiring the preparation of an OHEMP and

		conditions limiting the hours of use of the school facilities. These measures would ensure that any potential land use conflicts would be appropriately managed.
Accessibility	Council made a number of comments in relation to the need to improve accessibility to the existing areas of the school that are to be refurbished.	Concept Proposal The Department has recommended a condition that a future Stage 2 detailed development application for the Junior Campus works include a disability access review to consider the access requirements of the detailed design of those works. Stage 1 works The Department has recommended a condition which requires the Stage 1 works to be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA.
Wind tunnel effects	The potential wind tunnel effects of the proposed works at the Main Campus was raised as a concern in the public submissions. Concerns were particularly raised in relation to the land immediately east of the Campus at 49 Upper Street / 88 Kirribilli Avenue.	The Department acknowledges the concerns raised and has considered the potential impacts of the proposal on wind conditions. The Department recognises that the proposed works at the Main Campus involve the replacement of the existing north-east wing building and infilling of the existing quadrangle. The north-east wing building would be a maximum of four storeys in height (excluding the limited subterranean basement) and the quadrangle infill building would be a maximum of three levels in height (excluding the roof terrace). The Department also notes that the proposal does not involve the creation of a new extensive non-articulated façade. On this basis, the Department considers that the proposal would not involve the construction of a new building of a height, scale or configuration that is

		likely to give rise to adverse wind tunnel effects.
Deficiencies in pre-application consultation and EIS documentation	A large number of public submissions raised concerns regarding inadequate and inaccurate consultation undertaken by the Applicant prior to lodging the application. Concerns were also raised in relation to inconsistencies in the information provided in the EIS documentation. In response to the comments made in the public submissions, the Applicant confirmed that pre-application consultation included two formal community information sessions, a meeting with residents of 48 Upper Pitt Street and 49 Upper Pitt Street, and presentations to the Milsons Point Precinct and Council. The Applicant also addressed inconsistencies in the EIS in its RtS.	The Department is satisfied that the Applicant has undertaken pre-application consultation with the local community. The EIS has since been formally exhibited in accordance with the EP&A Act. The Department is also satisfied that the EIS as modified in the RtS has addressed all requirements of the SEARs for the project.
Lack of open space for students	Concerns were raised in the public submissions that the three campuses provide inadequate open space and recreational facilities for students. As a result, the school relies heavily on Bradfield Park which detrimentally impacts on the enjoyment of the park by local residents and increases maintenance costs to Council. Council also raised the issue and recommended that if additional landscaping could not be provided within the three campuses, bona fide access should be arranged for students to landscape areas across the range of St Aloysius' College campuses in Sydney. In response to the comments made, the Applicant noted that the school is located in a dense inner city suburb and that the proposal would provide new open space and recreational facilities to students at the Junior and Main campuses.	The Department acknowledges the issues raised by the public submitters and by Council. The Department however recognises that the use of nearby public open space by students of the school is an existing issue which would not be exacerbated by the proposal as it does not involve an increase in students (which has been reinforced by a recommended condition imposing a cap on student numbers as set out in **Section 6.3.3**). Notwithstanding the existing nature of the issue, the Department has recommended a condition which requires an Open Space and Recreation Management Plan to be prepared in consultation with Council prior to the occupation of the Stage 1 works at the Senior Campus. This should set out the open space needs and facilities available to the school and arrangements for use nearby public facilities for recreation within school hours or formal use outside of normal school hours.

6.5 Public interest

On balance, the Department is satisfied that the proposal would be in the public interest. The proposal would benefit the community as it would provide significantly improved school facilities and provide contemporary teaching and learning facilities with adaptable and collaborative learning spaces that would improve educational outcomes. In addition, the Concept Proposal would result in direct investment in the area of $70 million and generate 407 construction jobs, while the Stage 1 works would result in direct investment in the area of $62.5 million and generate 372 construction jobs. Overall, it is considered that the proposal would have acceptable environmental impacts subject to recommended conditions of consent.

6.6 Summary of Department's consideration of submissions

A summary of the Department's consideration of the issues raised in submissions is provided at **Table 13**.

Table 13 | Department's consideration of key issues raised in submissions

Issue Raised	Department's Consideration
Built form and design	The Department considers that the built form proposed across the three campuses is appropriate in the context of the three sites and the surrounding development. The Department has recommended conditions requiring the design of the additions to the Junior Campus to be detailed in a future Stage 2 detailed development application and is satisfied that the design of building additions at the Senior and Main campuses is appropriate (see **Section 6.1**).
Noise and vibration	The Department concludes that noise and vibration impacts from the construction and operation of the proposed development can be adequately mitigated or managed through the recommended conditions of consent set out in this report (see **Sections 6.2.1** and **6.4**).
View loss	The Department concludes that, subject to recommended conditions of consent set out in this report, view loss from the proposed development is reasonable from affected neighbouring properties (see **Section 6.2.2**).
Overshadowing	The Department concludes that overshadowing impacts of the proposed development are reasonable and that acceptable levels of amenity would be maintained to affected neighbouring properties (see **Section 6.2.3**).
Light spill	The Department considers that, subject to recommended conditions of consent set out in this report, that appropriate measures have been proposed to minimise nuisance and amenity impacts from lighting (see **Section 6.2.4**)
Privacy	The Department considers that, subject to recommended conditions of consent set out in this report, the privacy impacts of the proposed development would be acceptable (see **Section 6.2.5**).
Traffic and parking	The Department considers that the proposed development's construction traffic and parking impacts can be adequately managed through the recommended conditions of consent. Operational traffic impacts are considered to be acceptable as no increase in student or staffing numbers is proposed as part of the proposed development. The Department has recommended conditions of consent to address

	potential traffic and parking issues associated with out of hours events and provide better overall management of traffic and parking on site to reduce existing operational traffic issues raised by the public and community. Overall, the Department concludes that the construction and operational impacts of the proposed development are acceptable (see **Section 6.3**).
Trees and landscaping	The Department considers that the Applicant has adequately demonstrated that the existing trees around the Junior Campus and Liquidambar tree adjacent to the Main Campus would be retained and that the proposal, subject to conditions of consent, would not impact the long term health of the trees. The Department also considers that the proposal provides improved landscaping across the three campuses which would make a positive contribution to the amenity of the area (See **Section 6.1.4**).
Lack of open space for students	The Department has considered the concerns raised in relation to the level of open space across the three campuses and use of Bradfield Park by students. The Department has recommended a condition requiring the preparation of an Open Space and Recreation Management Plan in consultation with Council to consider the open space needs and impacts of the school (see **Section 6.4**).
Accessibility	The Department has recommended conditions that require a disability access review to be submitted with a future Stage 2 detailed development application for the Junior Campus works and the Stage 1 works to be designed and constructed to provide access and facilities for people with a disability in accordance with the BCA (see **Section 6.4**).
Deficiencies in pre-application consultation and EIS documentation	The Department has considered the concerns raised in relation to consultation undertaken by the Applicant prior to lodging the application and inconsistencies in the EIS documentation. The Department is satisfied that the Applicant has undertaken pre-application consultation with the local community and that the EIS as modified in the RtS has addressed all requirements of the SEARs for the project.

7. Evaluation

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

The Department considers the key issues to be built form and urban design, environmental and residential amenity, and traffic and parking.

The Department has concluded that the proposed built form and scale is acceptable in the context of the existing development on the three campuses, the medium to high density and scale form of surrounding development, and the site constraints. The proposal would also have acceptable impacts with regard to operational noise, views, overshadowing and privacy, and would have acceptable traffic and parking impacts recognising that the proposal does not involve an increase in student numbers and does not alter existing access arrangements.

The Department considers that appropriate mitigation measures have been proposed to minimise construction impacts on surrounding residential properties and put in place controls to minimise the impacts of the use of the rooftop terrace. Conditions have also been recommended to ensure that relevant matters are considered in a future Stage 2 detailed development application for the Junior Campus.

The Department considers that the proposal is in the public interest as it would provide benefit for the community by delivering contemporary teaching and learning facilities with adaptable and collaborative learning spaces to improve educational outcomes. The Concept Proposal would also generate 407 construction jobs and Stage 1 works would generate 372 construction jobs.

Overall, the Department concludes the impacts of the development are acceptable and can be appropriately mitigated through the implementation of the recommended conditions of consent.

The application is referred to the Independent Planning Commission as Council has objected to the proposal and more than 25 public objections have been received in response to the exhibition of the application. The Department considers the proposal is approvable, subject to the conditions of consent outlined within this report. This assessment report is hereby presented to the Independent Planning Commission for determination.

Prepared By:

Jason Masien
Senior Planning Officer
Social and Infrastructure Assessments

Recommended by:

Andrew Beattie
Team Leader
School Infrastructure Assessments

Recommended by:

David Gainsford 3/7/19.
Executive Director
Infrastructure Assessments

Appendices

Appendix A - List of Documents

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

1. Environmental Impact Statement
https://www.planningportal.nsw.gov.au/major-projects/project/10081

2. Submissions
https://www.planningportal.nsw.gov.au/major-projects/project/10081

3. Applicant's Response to Submissions and additional information
https://www.planningportal.nsw.gov.au/major-projects/project/10081

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 of Planning, Industry and Environment's (the Department) environmental assessment.

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

- State Environmental Planning Policy (State & 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)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour SREP)
- North Sydney Local Environmental Plan 2013 (NSLEP).

Compliance with Controls

SRD SEPP

Table B1 | SRD SEPP compliance table

Relevant Sections	Consideration and Comments	Complies
3 Aims of Policy The aims of this Policy are as follows: (a) to identify development that is State significant development	The proposed development is identified as state significant development (SSD).	Yes
8 Declaration of State significant development: section 4.36 (1) Development is declared to be State significant development for the purposes of the Act if: (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2.	The proposal is SSD in accordance with section 4.36 of the EP&A Act because it is development for the purpose of an educational establishment with a capital investment value (CIV) in excess of $20 million, under clause 15(2) (educational establishments) of Schedule 1 of SRD SEPP.	Yes

Infrastructure SEPP

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

Sections 27 – 32 of the Infrastructure SEPP were repealed on 1 September 2017 with the introduction of the Education SEPP, which is addressed below.

Education SEPP

The Education SEPP commenced on 1 September 2017 and 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 proposed school buildings would exceed the permissible height limit of 8.5 metres and 12 metres allowable under NSLEP. The Department notes that the height exceedance is permitted under clause 42 and that the Applicant has provided justification for contravening the development standards. The Department's consideration of the variations to the development standards is addressed in **Section 6** of this report and in the consideration of the NSLEP below.

Clause 57 of the Education SEPP requires traffic generating development that involve the addition of 50 or more students to be referred to the Transport for NSW (Roads and Maritime Services) (former Roads and Maritime Services) (TfNSW(RMS)). While the application does not involve an increase in the numbers, the application was referred to TfNSW(RMS) and its comments are summarised in **Section 5.3** of this report.

Clause 35(6)(a) requires that the design quality of the development should 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 B2**.

Table B2 | Consideration of the Design Quality Principles

Design Principles	Response
Principle 1 - context, built form and landscape	The proposed development has been designed to make better use of the existing school facilities through the reconfiguration and refurbishment of buildings and make better use of space where possible across the existing three campuses. While the proposed new building elements exceed the maximum height limits in the NSLEP, the proposed buildings do not exceed the existing maximum building heights on site and are not inconsistent with surrounding development. Existing significant landscape features, including significant trees, are to be maintained and new landscaping and outdoor facilities are to be provided.
Principle 2 - sustainable, efficient and durable	The proposed development has been designed with consideration of ecologically sustainable development (ESD) principles in mind. The development includes the upgrade and adaptation of existing buildings to meet the modern needs of the school along with the recycling of construction waste, use of natural ventilation and energy efficient lighting & water systems. The Applicant is targeting measures to achieve equivalency to a 4-Star Green Star rating for works at the Junior and Main campuses.

	Bicycle parking is currently available on site and end-of-trip facilities are to be provided. A green travel plan has been submitted which encourages sustainable travel modes. The Department has recommended conditions requiring the development to be designed and constructed to incorporate the ESD measures set out in the EIS.
Principle 3 - accessible and inclusive	The proposed development has been designed to improve accessibility to the existing buildings, particularly on the Main Campus which includes a new three storey circulation spine providing equitable access. An access design statement was submitted with the EIS which detailed considerations for the detailed in design for achievement with equitable access in the Stage 1 works on the Senior and Main campuses. The Department has recommended conditions to require the submission of a Disability Access Review as part of a future Stage 2 detailed development application for the concept only works at the Junior Campus. The Department has also recommended a condition which requires the Stage 1 works to be designed and constructed in accordance with the Building Code of Australia (BCA).
Principle 4 - health and safety	The proposal has given consideration to Crime Prevention Through Environmental Design principles. The three campuses are currently well secured and designed to provide a clear delineation between public and private space.
Principle 5 - amenity	The proposal provides for significantly improved internal and external learning places for both formal and informal educational opportunities. The proposal seeks to maximise natural light and ventilation to the indoor areas of the school, while the landscaping and covered outdoor areas provide ample shaded areas for students and staff use.
Principle 6 - whole of life, flexible, adaptable	The proposal involves the comprehensive refurbishment and adaptation of the existing buildings across the three campuses. The proposal allows for long term flexibility through the provision of flexible formal and informal learning areas to maximise opportunities as technology changes.
Principle 7 - aesthetics	The proposed addition at the Senior Campus would be small in scale compared to the existing built form on the site as well as surrounding development. The addition would not therefore be visually intrusive. The addition would be contemporary in style so as to clearly distinguish between the original and new elements of the building. The proposed building works at the Main Campus respect the height and design of the existing buildings on site while applying a contemporary approach having regard to the development surrounding the Campus.

SEPP 55

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The Environmental Impact Statement (EIS) included a Preliminary Site Investigation while the Response to Submissions (RtS) included a Detailed Site Investigation and Remediation Action Plan. As detailed in **Section 6.4**, the Department is satisfied that the Applicant has adequately demonstrated that the site is suitable, subject to remediation, for the continued use as an educational establishment as required by SEPP 55.

Draft Remediation SEPP

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 will require all remediation work that is to carried out without development consent, to be reviewed and certified by a certified contaminated land consultant, categorise remediation work based on the scale, risk and complexity of the work and require environmental management plans relating to post-remediation management of sites or ongoing operation, maintenance and management of on-site remediation measures (such as a containment cell) to be provided to Council.

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

Draft Environment SEPP

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

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

Sydney Harbour SREP

The Sydney Harbour SREP provides planning principles for development within the Sydney Harbour catchment. The site is located within the Sydney Harbour Catchment area. Relevant planning principles for land within the Sydney Harbour Catchment include:

- development that is visible from the waterways or foreshores is to maintain, protect and enhance the unique visual qualities of Sydney Harbour.
- development is to improve the water quality of urban run-off, reduce the quantity and frequency of urban run-off, prevent the risk of increased flooding and conserve water.

The proposal is consistent with the relevant planning principals of the Sydney Harbour SREP and would not have any significant adverse impact on the Sydney Harbour Catchment as:

- the alterations and additions to the Main Campus would not significantly alter the design or visual appearance of the building from the harbour.
- the proposal would provide appropriate drainage and water conservation measures.

North Sydney Local Environmental Plan 2013 (NSLEP)

The NSLEP aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the North Sydney local government area. The NSLEP

also aims to promote development that is appropriate to its context and enhances the amenity of the North Sydney community and environment.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the NSLEP and those matters raised by Council in its assessment of the development (refer to **Section 5**). The Department concludes the development is consistent with the relevant provisions of the NSLEP. Consideration of the relevant clauses of the NSLEP is provided in **Table B3**.

Table B3 | Consideration of the NSLEP

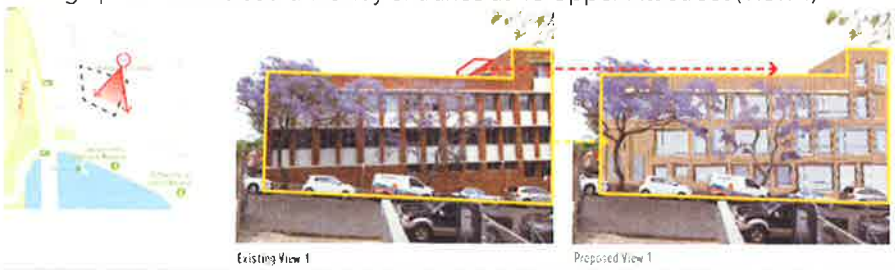
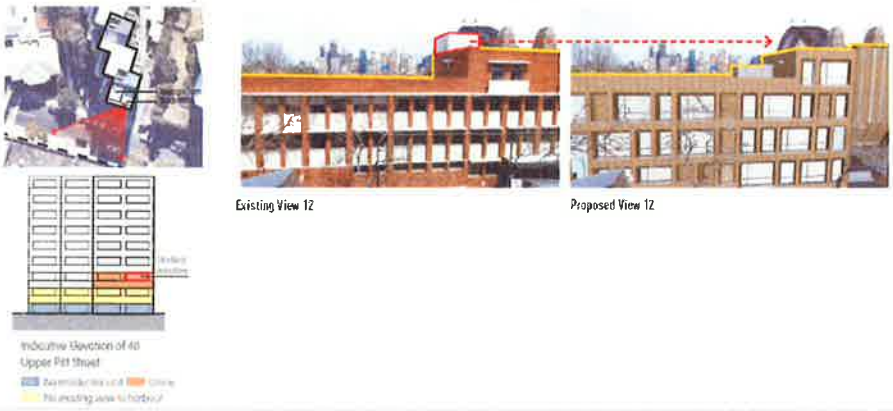
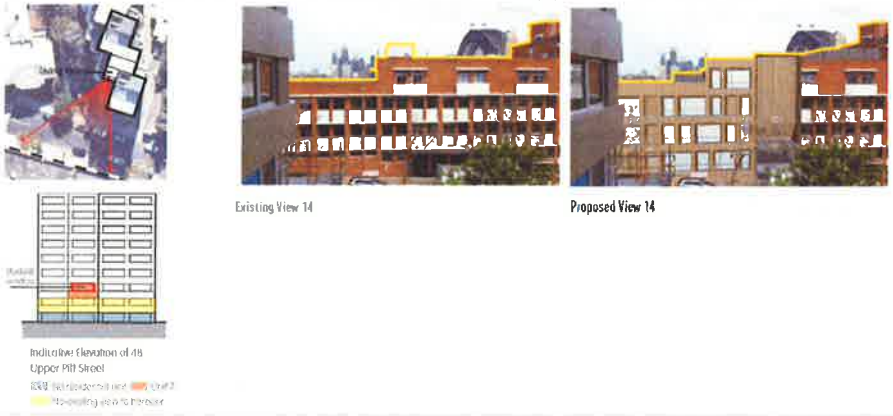
Clause	Matter	Department Comment/Assessment
Clause 2.3	Zone objectives	The proposal is consistent with the objective of the SP2 Infrastructure zone to provide for infrastructure and related uses. The proposal is consistent with the objective of the R2 Low Density Residential zone to enable other land uses that provide facilities or services to meet the day to day needs of residents.
Clause 4.3	Height of buildings	The maximum height of buildings permitted on the Junior Campus and northern part of the Senior Campus is 8.5 metres. The maximum height over the remainder of the Senior Campus and the Main Campus is 12 metres. The objectives of this control include to ensure that buildings are compatible with the height and scale of the surrounding buildings, avoid view loss, maintain solar access and privacy, minimise adverse impacts on the scenic quality of the harbour. The concept proposal for the Junior Campus includes a maximum height of building on the of 12 metres which exceeds the permissible height of 8.5 metres. The Stage 1 works for the Main Campus includes a maximum height of 16.28 which exceeds the maximum permissible height of 12 metres. The merit of this exceedance is considered below.
Clause 4.6	Exception to development standards	As detailed above, proposal includes a variation to clause 4.3 Height of Buildings. Pursuant to clause 42 of the Education SEPP, the Applicant is not restricted by development standards contained in the NSLEP. Notwithstanding this, the Applicant has submitted Clause 4.6 Variation Statements justifying the proposed departure. The Department notes that the contravention of the development standard does not raise any matters of significance for state or regional environmental planning. Additionally, the Department considers that there is minimal public benefit in maintaining the development standard noting that the proposed buildings would not exceed the height of existing buildings, that strict compliance would result in a larger building footprint, loss of equitable access

		and lack of landscaping. Therefore, the Department considers the variation acceptable.
Clause 5.10	Heritage	The Junior and Senior campuses contain buildings of local heritage significance as listed in NSLEP. The Junior Campus is also located adjacent to the Careening Cove Conservation Area, the Senior Campus is located adjacent to the Jeffreys Street Conservation Area, and the Main Campus is located adjacent to the Kirribilli Conservation Area. The Department is satisfied that the proposal respects the heritage significance of the existing structures and the surrounding built environment and the design would not have a significant detrimental impact on the existing structures.
Clause 6.10	Earthworks	Concept approval is being sought for excavation to create a subterranean multi-purpose / sports facility on the Junior Campus. Whilst further consideration would be given to this issue as part of a future Stage 2 detailed development application, the Department is satisfied that the Applicant has demonstrated that appropriate measures could be implemented to minimise impacts resulting from the proposed works on the Concept Proposal and Stage 1 works.

Development Control Plan

In accordance with clause 11 of the SRD SEPP, Development Control Plans do not apply to state significant development. Notwithstanding this, the objectives of relevant controls under the North Sydney Development Control Plan 2013 (NSDCP), where relevant, have been considered in **Section 6** of this report.

Appendix C – Summary of key findings of Applicant's Visual Assessment Report

Location	Existing / Proposed View	Assessment Outcome
48 Upper Pitt Street – located north of the Main Campus		
Vantage point from raised driveway entrance at 48 Upper Pitt Street (View 1)	 Existing View 1 Proposed View 1	Sensitivity: Low Magnitude: Negligible Impact: **Negligible**
Bedroom window of Unit 6, second floor, 48 Upper Pitt Street (View 12)	 Existing View 12 Proposed View 12 Indicative Elevation of 48 Upper Pitt Street	Sensitivity: High Magnitude: Negligible Impact: **Negligible**
Living room window of Unit 7, second floor, 48 Upper Pitt Street (View 14)	 Existing View 14 Proposed View 14 Indicative Elevation of 48 Upper Pitt Street	Sensitivity: High Magnitude: Low Impact: **Moderate**
Bedroom window of Unit 12, third floor, 48 Upper Pitt Street (View 13)	 Existing View 13 Proposed View 13 Indicative Elevation of 48 Upper Pitt Street	Sensitivity: High Magnitude: Negligible Impact: **Negligible**

Living room window of Unit 13, third floor, 48 Upper Pitt Street (View 15)

Indicative Elevation of 48 Upper Pitt Street

Existing View 15 | Proposed View 15

Sensitivity: High
Magnitude: Low
Impact: **Moderate**

Living room window of Unit 14, third floor, 48 Upper Pitt Street (View 16)

Indicative Elevation of 48 Upper Pitt Street

Existing View 16 | Proposed View 16

Sensitivity: High
Magnitude: Low
Impact: **Moderate**

Living room window of Unit 27, fifth floor, 48 Upper Pitt Street (View 17)

Indicative Elevation of 48 Upper Pitt Street

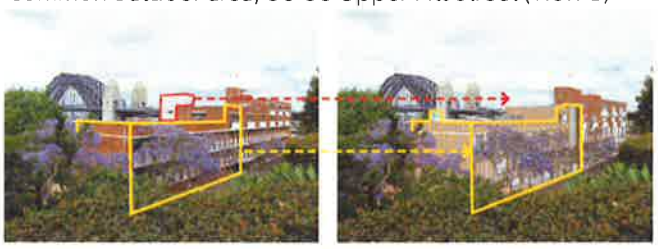
Existing View 17 | Proposed View 17

Sensitivity: High
Magnitude: Negligible
Impact: **Negligible**

The VAR suggests that this view is considered to be representative of the apartments on the fourth floor and above.

50-58 Upper Pitt Street – located north-east of the Main Campus

Elevated ground floor common outdoor area, 50-58 Upper Pitt Street (View 9)



Existing View 9 | Proposed View 9

Sensitivity: Moderate
Magnitude: Negligible
Impact: **Negligible**

The VAR indicates that this view is considered to be representative of the worst case impact as other apartments are at a higher position with views over the Main Campus site.

Living room balcony of Unit 22, tenth floor, 50-58 Upper Pitt Street (View 10)

Indicative South Elevation of 50-58 Upper Pitt Street

Existing View 10

Proposed View 10

Sensitivity: High
Magnitude: Low
Impact: **Moderate**

49 Upper Pitt Street / 88 Kirribilli Avenue – located to the east of the Main Campus

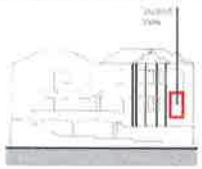
Garden on top of garage, 49 Upper Pitt Street (View 2)

Existing View 2

Proposed View 2

Sensitivity: Moderate
Magnitude: Low
Impact: **Moderate-Low**

Verandah of ground level apartment, 49 Upper Pitt Street (View 18)



Indicative west Elevation of 49 Upper Pitt Street

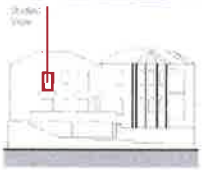
Existing View 18

Proposed View 18

Sensitivity: Moderate
Magnitude: Low
Impact: **Moderate**

The VAR indicates that this view is representative of the south facing views of the building.

Living room balcony of Apartment 1, first floor, 49 Upper Pitt Street (View 19)



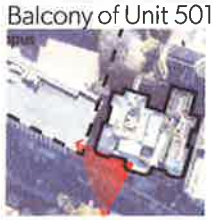
Indicative west Elevation of 49 Upper Pitt Street

Existing View 19

Proposed View 19

Sensitivity: High
Magnitude: Low
Impact: **Moderate**

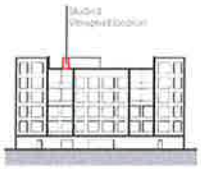
Balcony of Unit 501, top floor, 88 Kirribilli Avenue (View 11)



Existing View 11

Proposed View 11

Sensitivity: Moderate
Magnitude: Negligible
Impact: **Negligible**



Indicative South Elevation of Kirribilli Avenue Apartment

49B Upper Pitt Street

Raised entry walkway to 49B Upper Pitt Street

Existing View 3

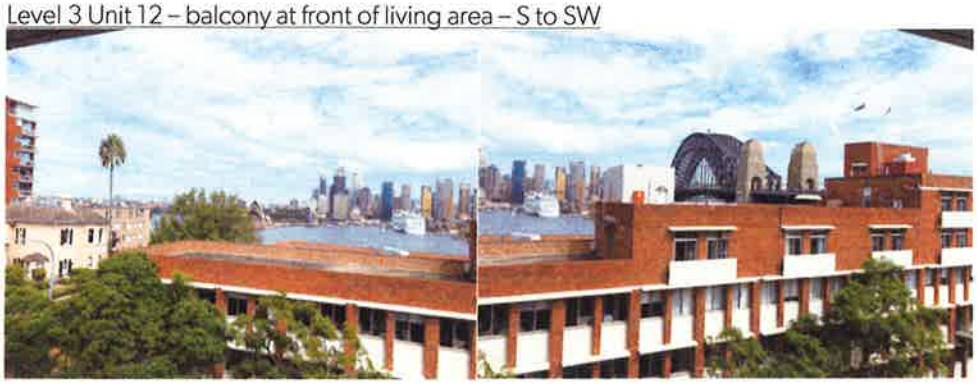
Proposed View 3

Sensitivity: Moderate
Magnitude: Low
Impact: **Moderate Low**

Appendix D – Site Inspection Photos

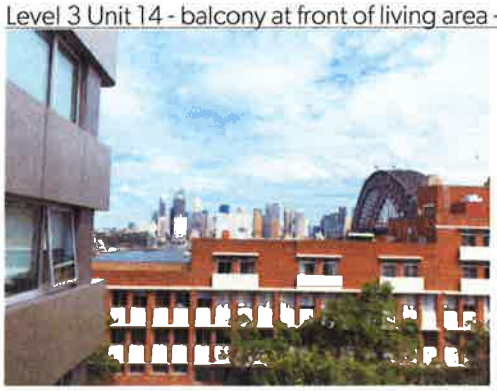
48 Upper Pitt Street

Level 3 Unit 12 – balcony at front of living area – S to SW



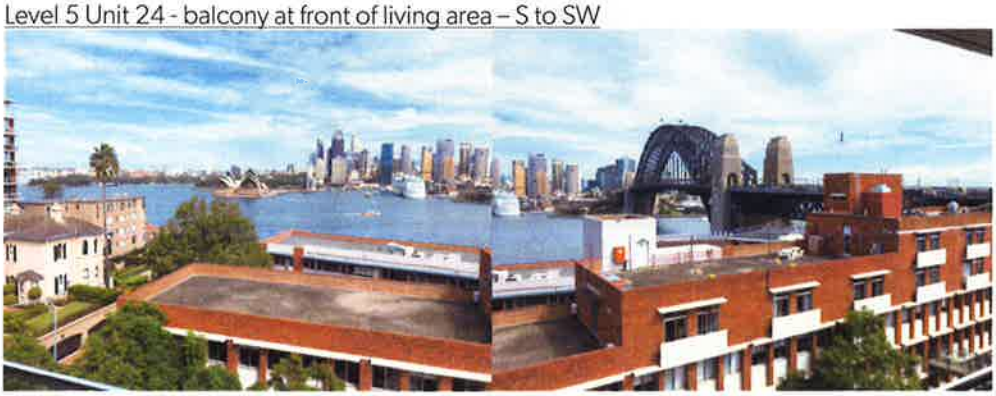
Level 3 Unit 13 - balcony at front of living area – S

Level 3 Unit 14 - balcony at front of living area – S



Level 4 Unit 26 - balcony at front of living area – S to SW

Level 5 Unit 24 - balcony at front of living area – S to SW

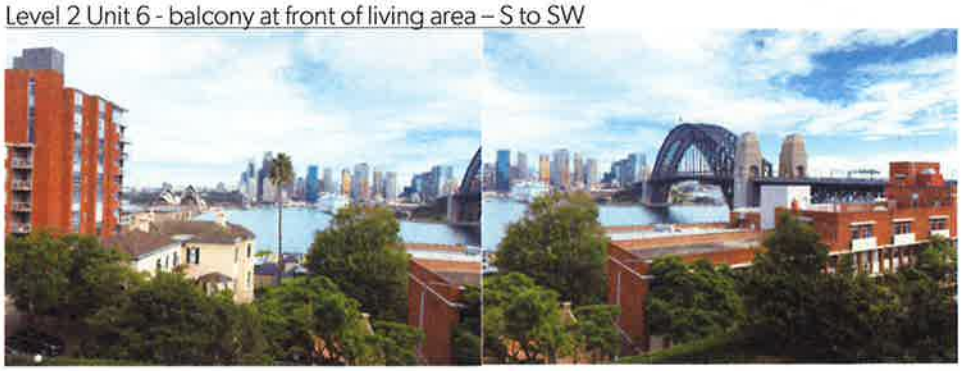


Level 7 Unit 36 - balcony at front of living area – S to SW

50-58 Upper Pitt Street

Raised garden at front of building – S to SW

Level 2 Unit 6 - balcony at front of living area – S to SW



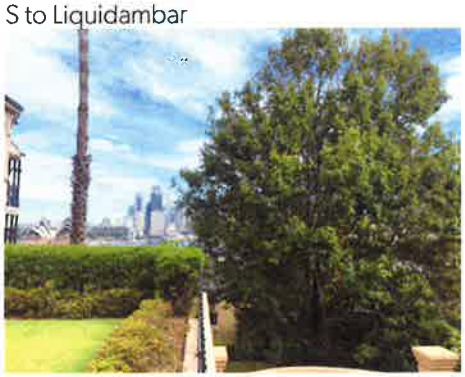
Level 5 Unit 11 - balcony adjacent to living area – S to SW

49 Upper Pitt Street (Craiglea House)

Terrace above garage

SW to quadrangle & Liquidambar

S to Liquidambar



Garden

S to rear of 88 Kirribilli Avenue

SW to southern wing

WSW to quadrangle & Liquidambar

W to north-east wing & Liquidambar

Level 1 Apartment 1

Juliet balcony – W to north-east wing

Rear balcony – S to SW

88 Kirribilli Avenue

Front exterior

Front interface

Boundary interface

Penthouse apartment

SW

W to southern wing

Appendix E – Independent Traffic Report

https://www.planningportal.nsw.gov.au/major-projects/project/10081

Appendix F - Recommended Instrument of Consent

https://www.planningportal.nsw.gov.au/major-projects/project/10081