Response to Submissions

St Aloysius College

State Significant Development Application SSDA 8669

29 Burton Street, Kirribilli
1-5 Jeffreys Street, Kirribilli
47 Upper Pitt Street, Kirribilli

Prepared by Willowtree Planning Pty Ltd on behalf of St Aloysius' College

December 2018

Document Control Table

Document Reference:	Response to Submissions – WTJ17-107		
Date	**Version**	**Author**	**Checked By**
23 August 2018	Draft for Review	A Smith	C Wilson
27 August 2018	Final	A Smith	C Wilson
23 November 2018	Revised Final	A Smith	St Aloysius College

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PART A INTRODUCTION

1.1 INTRODUCTION

An Environmental Impact Statement (EIS) was exhibited between 27 April 2018 to 28 May 2018 for the Concept Master Plan and Stage 1 Built Form approval for the three (3) campuses St Aloysius' College, Kirribilli.

In total 90 submissions were received in response to the public exhibition of the EIS. The submissions were from both government agencies and the general public, as outlined below:

- Department of Planning and Environment;
- Government Architect NSW;
- Heritage Council of New South Wales;
- NSW Environmental Protection Authority;
- Transport for NSW;
- Transport Roads & Maritime Services;
- Ausgrid;
- Office of Environment & Heritage;
- North Sydney Council;
- Milson's Point Precinct Committee;
- General Public, owner's corporation and community groups.

Of the 90 submissions:

- Government Agencies – 13 submissions:
  - Seven (7) provided support and/or comment;
  - Six (6) objected.
- General Public – 77 submissions:
  - 75 submission objected;
  - Two (2) provided support and/or comment.

The Department of Planning and Environment (DoPE) and the Government Architect NSW (GA NSW) have also prepared formal letters outlining additional information or clarifications required prior to the completion of the final assessment and determination of the application.

Clause 85A of the *Environmental Planning and Assessment Regulation 2000 (as amended)* (EP&A Regulation) permits the Director-General of the DoPE to require the Applicant to provide a written response to issues raised in submissions. This Response to Submissions (RTS) aims to fulfil the request from the Director-General.

This RTS report is structed as follows:

- **Part A** Introduction
- **Part B** Key Issues and Applicant's Response
- **Part C** Proposed Amended Development
- **Part D** Additional Information and Assessment
- **Part E** Draft Conditions of Consent
- **Part F** Community Consultation
- **Part G** Mitigation Measures
- **Part H** Conclusion

The applicant, St Aloysius' College, and its specialist consultant team have reviewed and considered all matters raised in the submissions. This report provides a detailed response to the key matters raised and outlines the proposed amendments to the exhibited EIS matters. Where individual issues are not discussed in this report, a detailed assessment can be found in the table at **Appendix A** and **Appendix B**. In response to the some of the issues raised, the Architectural Drawings have been

amended and are provided at **Appendix C**. The amendments made are discussed in detail at **Section 3** of this report.

PART B KEY MATTERS AND APPLICANT'S RESPONSE

This Section of the report provides a detailed response to the key matters raised by the DoPE, Government Agencies and Authorities, independent bodies, and the General Public during the public exhibition process of the proposal. These include:

- Built form and amenity impacts;
- Noise Impacts;
- Consistency with *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*;
- Traffic, Parking, pick-up and drop-off;
- Construction scheduling and development timeframe;
- Student Population;
- Heritage; and
- Approvals Strategy.

A response to each of the individual issues raised by the DoPE, Government Agencies and Authorities and other respondents is provided in the table at **Appendix A**. A summary and response to the submissions made by the General Public is provided in **Appendix B**.

An overview of the parties who made submissions, and their key issues/ matters raised for consideration, is provided below.

Government Authorities and Agencies

A total of 13 submissions were received from Government Agencies and Authorities in response to the exhibition of the EIS, including a formal submission from North Sydney Council (NSC). Specifically, responses were received from:

- Department of Planning and Environment;
- Government Architect NSW;
- Heritage Council of New South Wales;
- NSW Environmental Protection Authority;
- Transport for NSW;
- Transport Roads & Maritime Services;
- Ausgrid;
- Office of Environment & Heritage; and
- North Sydney Council.

A number of the submission from the Government Agencies and Authorities confirm they have no comment on the application or provide recommended conditions of consent to be included in the Instrument of Approval. These included the submissions from Ausgrid, Transport for NSW and RMS. Sydney Water did not make a formal submission in response to the exhibition process.

The Department, as the assessing authority, provided an overarching letter, summarising the key matters to be addressed and additional information to be provided.

A detailed discussion of the matters raised by the community are discussed and addressed in the ensuring sections of this Response to Submission document and the accompanying **Appendix B**.

2.1 BUILT FORM AND AMENITY IMPACTS

2.1.1 Matters Raised

Several community submissions received have raised concerns regarding the proposed built form, associated view loss and amenity impacts. Concerns primarily relate to the redevelopment of the north-east wing, and infill building on the Main Campus, at 47 Upper Pitt Street, however matters

were also raised in relation to the concept building envelopes on the Junior Campus, at 29 Burton Street, Kirribilli. Issues raised included:

- The proposed north east wing of the Main Campus, which exceeds the permissible height limit and has adverse impacts on views currently enjoyed by the residents of both 48 Upper Pitt Street and 49 Upper Pitt Street;
- The scale of the new buildings, particularly the new additions to the Main Campus, located close to the adjoining boundary are incompatible with the built form of the adjoining property to the east.
- Confirmation to be provided that the Visual Impact Assessment (VIA) and Solar Impact Analysis (SIA) have had regard to the proposed landscaping of the rooftop terrace and structural elements, including the 2.4m high acoustic barrier.
- Provision for the preparation of a lighting plan for the rooftop terrace which details the location and type of lighting proposed, along with the details of the proposed operational hours and management arrangements.
- Provide clarification on the proposed building height variation.
- Confirmation on the existing and proposed Gross Floor Area (GFA) and associated land use.

The DoPE further requested the Visual Impact Assessment (VIA) of the proposed development on the Main Campus be updated to include:

- An overall map depicting the properties that may experience view loss as a result of the proposal;
- A detailed rationale justifying the selection of the detailed view analyses included in the assessment; and
- Additional view analyses from windows of habitable rooms in lower level apartment at No. 48 Upper Pitt Street and apartments No. 49 Upper Pitt Street.

2.1.2 Proponent's Response

a) Height of Building

The built form of the Main Campus has been designed in response to the building height control and consideration of the relevant setback controls. The proposed development across the Main Campus has a maximum RL of 46.17 being the upper most height of the glass lift overrun. The parapet of the redevelopments North-East Wing will retain the existing RL 43.22. Despite the existing non-compliance with building height controls, the proposed development will continue to sit within the existing building envelope and below the existing maximum RL 53.62, of the existing lift overrun.

Pursuant to Clause 4.3 of the *North Sydney Local Environmental Plan 2013* (NSLEP 2012), and accompanying height map, a maximum height limit of 12m applies to the Site. The maximum envelope height measured from natural ground level and the relevant areas of departure in metres is summarised in **Table 1** below.

Table 1 | Building Heights

Building Element	Proposed Building Height	RL	Compliance	Comment
North-East Wing Parapet	9.54m (eastern boundary)	RL43.22	Yes	Maintains the existing parapet height.
New Roof (Entrance)	16.28m	RL46.96	No	Generally maintaining the existing building line fronting Upper Pitt Street.

Glass Lift Overrun	29.33m	RL46.17	No	The materiality of the lift will not obscure the view corridors from adjoining properties.
Acoustic Barrier (Rooftop Terrace - Eastern Boundary)	13.02m	RL41.10	No	The variation is sited below the maximum RL, and will assist in maintaining acoustic amenity to the adjoining residents.

A written request to vary the development standard was provided in the EIS by use of a Clause 4.6 and is further justified in the ensuing sections of this report.

With respect to compliance with the DCP setback controls, Clause 11 of *State Environmental Planning Policy (State and Regional Development) 2011* expressly states the DCPs do not apply to SSD applications. Notwithstanding, a setback of 3.05m – 4m is provided to the eastern boundary in accordance with **Part 3.3.6** of the *North Sydney Development Control Plan 2013* (NSDCP 2013). Whilst the proposal will seek a variation to the height plane control under NSDCP 2013, this non-compliance does not contribute to the loss of views or solar access from the adjoining apartments to the east. It is not feasible to setback the building further from the eastern boundary due to the need to provide the required teaching and learning space, and the presence of the existing built form in the same location, providing an established building envelope.

Despite the proposed non-compliances, the built form remains consistent with the scale of development on the campus, as well as adjoining development. The proposed built form is consistent with the surrounding built form for the following reasons:

- The infill building and proposed rooftop terrace sit within the existing building envelope;
- The redeveloped north-east wing will maintain the existing parapet height;
- The proposed development will take place in an established urban context where taller building forms exist including adjacent residential flat buildings i.e. 48 Upper Pitt Street (**Figure 3**);
- The applicable height control does not reflect existing development within the Site, with a number of the existing building elements exceeding the 12 metre height limit which applies, in response to the topography; and
- The proposed development does not conflict with the intent of Clause 4.3 of the NSLEP 2013 which is to minimise adverse amenity impacts on neighbouring residential properties and to retain the desired future character of the area (refer to **Section 5.3** of this report).

Figure 1 and **Figure 2** illustrate the siting of the proposed built form within the Main Campus. As evident, the proposed development will sit below the existing building height.

In addition, in light of the submissions received, the parapet height of the North-East Wing was reduced **270mm**. to retain the existing building height fronting Upper Pitt Street.

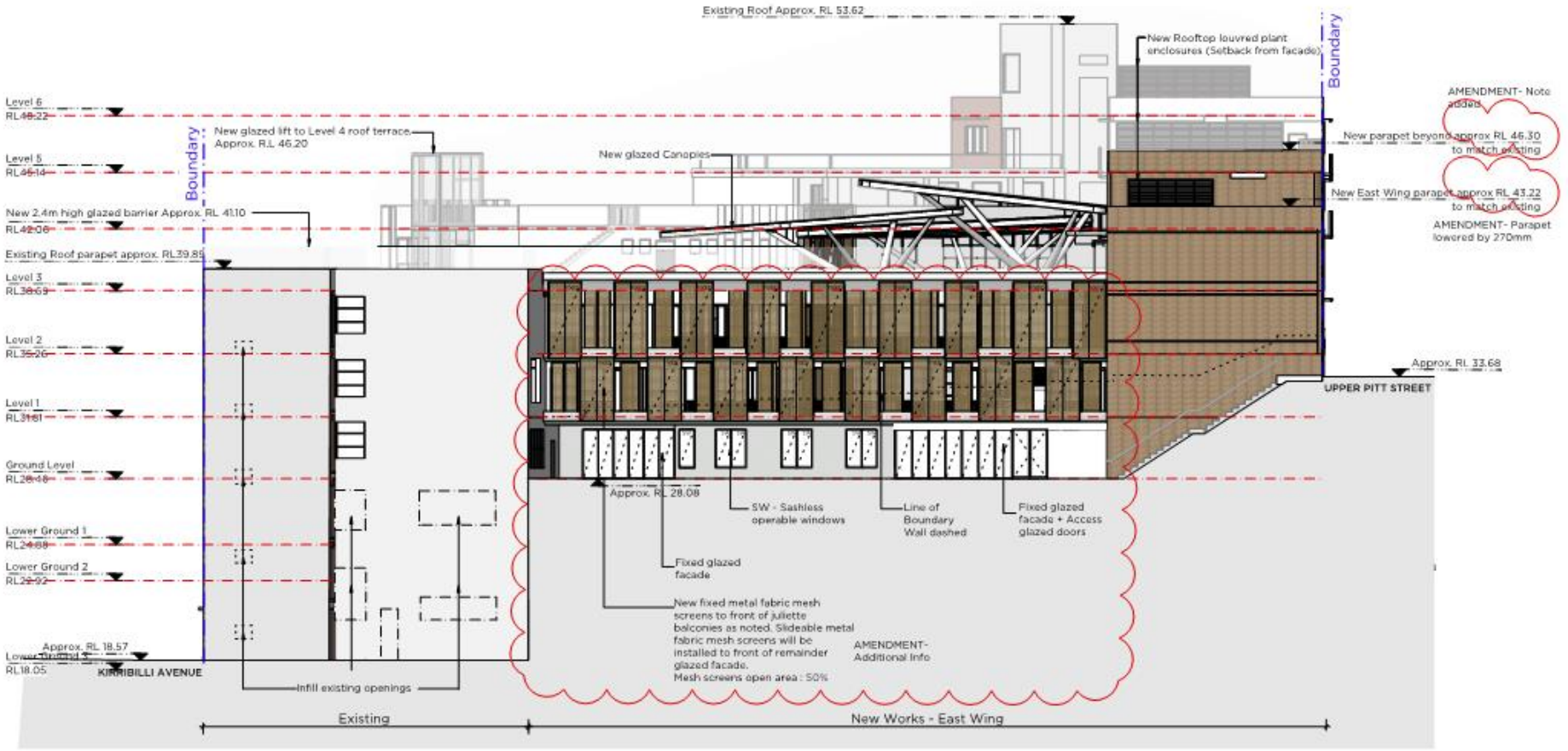

Figure 1| Eastern Elevation, Main Campus (Source: PMDL, 2018)

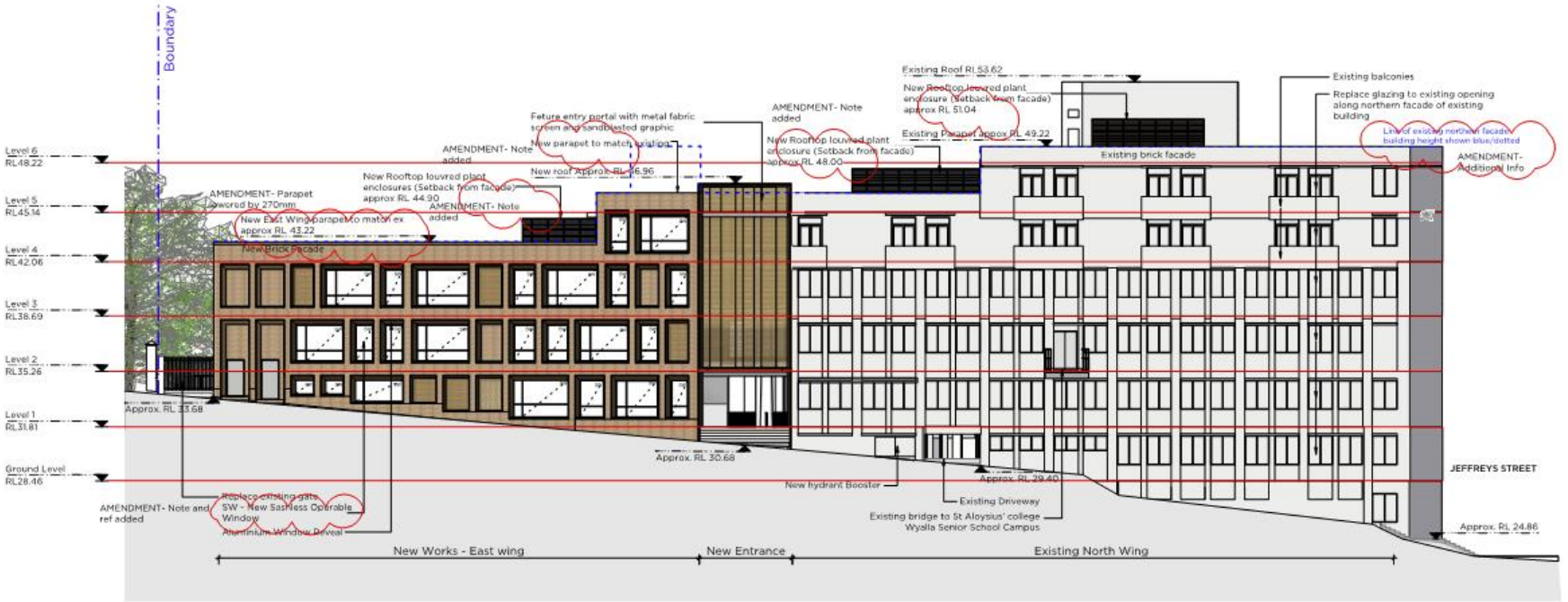

Figure 2 | North Elevation – Upper Pitt Street (Source: PMDL, 2018)

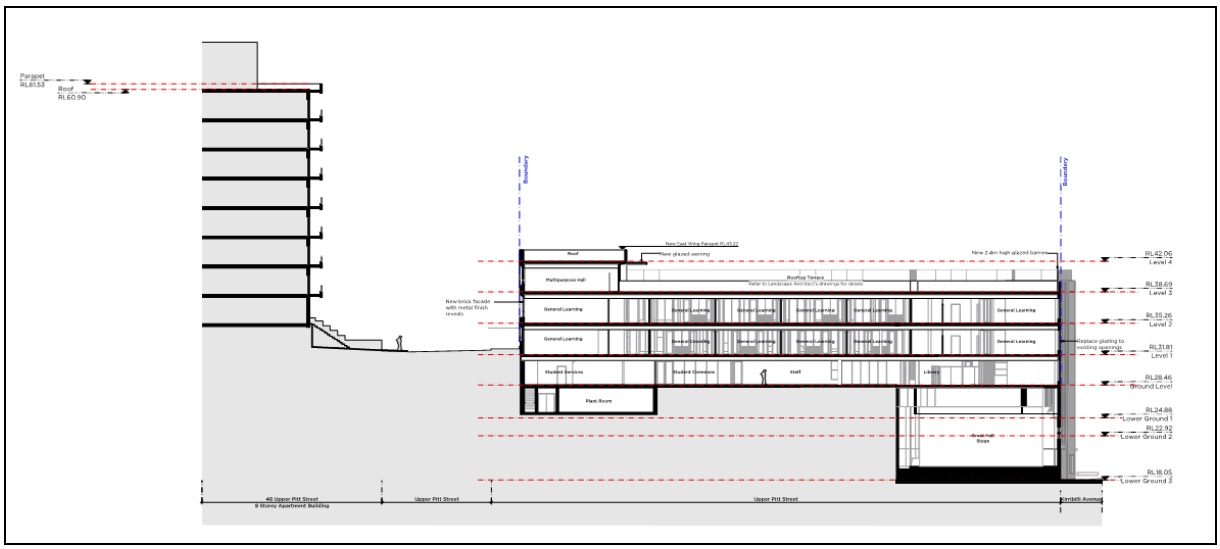

Figure 3 | Relation between 48 Upper Pitt Street and the Main Campus

b) View Impact Analysis

An amended Visual Impact Analysis has been prepared by RobertsDay and accompanies this RTS document as **Appendix E**. A selection of vantage points and a summary of the associated impact have been justified in detail and identified in **Figure 4** and **Figure 5** below.

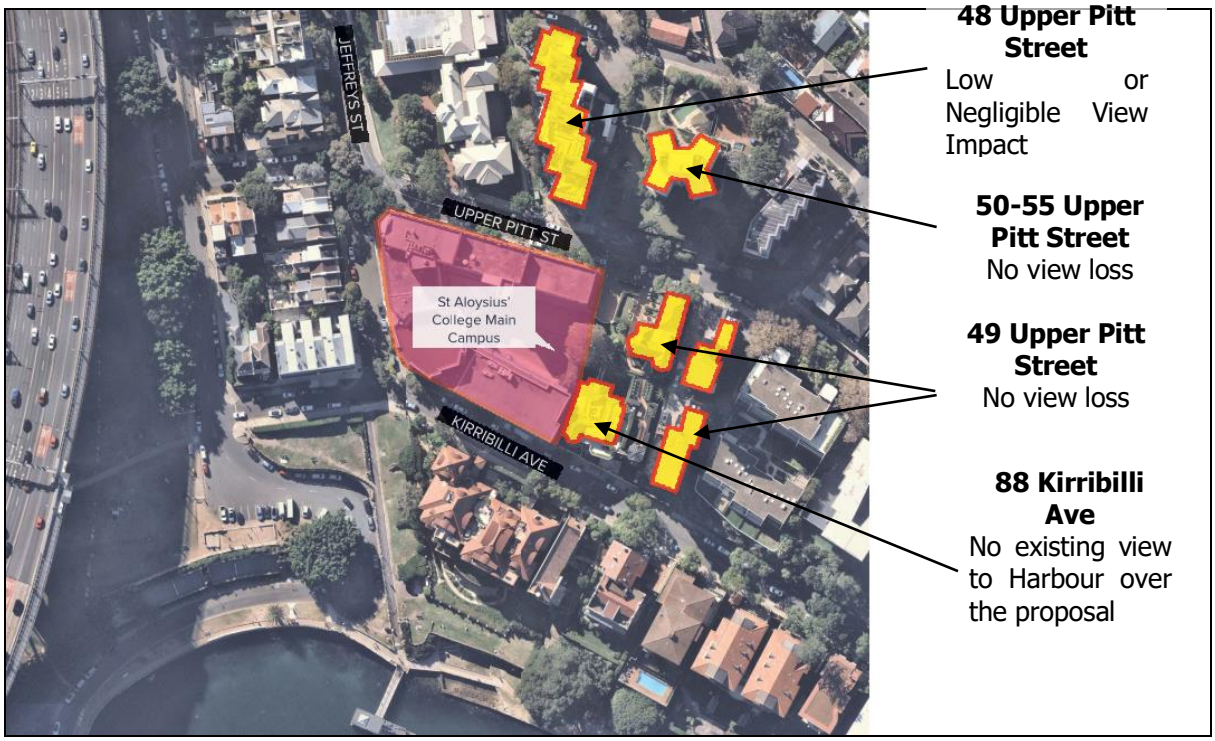

Figure 4 | Summary of Impact on Harbour View (Source: RobertsDay, 2018)

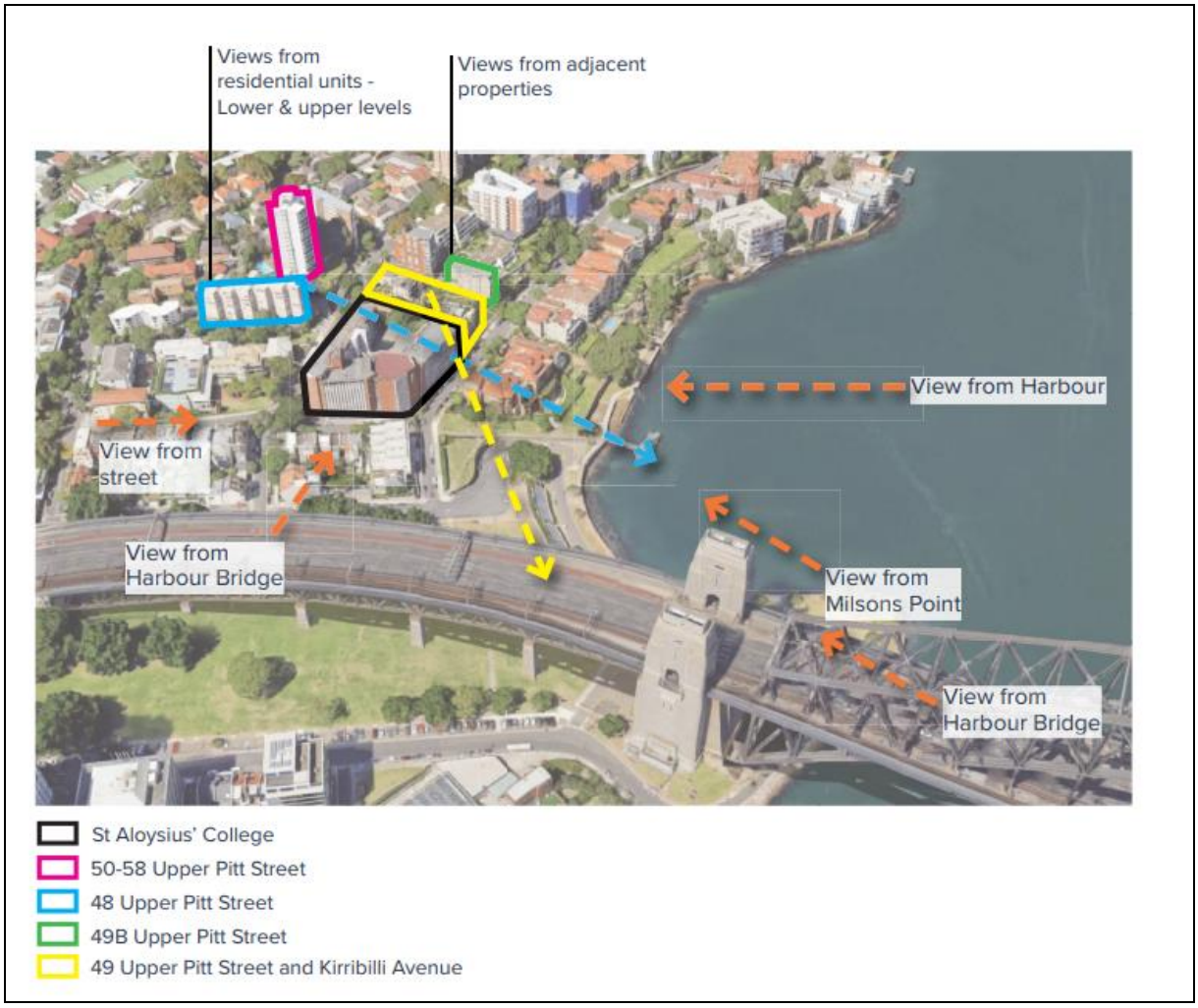

Figure 5 |Selection of Vantage Points (Source: RobertsDay 2018)

RobertsDay has carefully studied **19** view points to identify any undue impacts on existing iconic views to the Opera House and Harbour Bridge from both public (eight (8) views) and private (ten (10) views) views. Additional view analyses from windows of habitable rooms in lower level apartments at No. 48 and 49 Upper Pitt Street have also been provided at the request of the DoPE. The photos were captured during Site visits performed in November 2017, July 2018 and October 2018.

The visual impact photomontages are certified as being true and accurate. Further, due to the sensitivity of the area and valuable views to Sydney Harbour, RobertsDay have used actual existing photos for the VIA (**Appendix E**), which is considered a more accurate and reliable approach. Although the VIA does not cover all the private view points potentially impacts, it carefully selects the most impacts apartments and the ones which are representative of the other apartments in the same building.

In light of the above, it is considered that the visual impacts proposed are acceptable and are consistent with the principles established by Senior Commissioner Roseth of the Land and Environment Court of NSW in the judgement in *Tenacity Consulting v Warringah [2004] NSWLEC 140.*

In light of the VIA, RobertsDay have carefully studied the potential impacts of the proposed rooftop terrace landscaping and glazed barriers and lift shaft. The trees on the rooftop terrace (maximum 3.5m from the floor) and glazed barriers will not be visible from apartment units on the 2nd and 3rd floor of 48 Upper Pitt Street. The proposed rooftop glazed barriers are frameless with low iron glass resulting in minimal visual impact.

Further assessment of the key vantage points has been ensuing sections of this report. Refer to **Appendix E** for further detail.

View Impacts of 48 Upper Pitt Street Apartments

An assessment against the principles established by Senior Commissioner Roseth of the Land and Environment Court of NSW in the judgement in *Tenacity Consulting v Warringah [2004] NSWLEC 140 – Principles of view sharing: the impact on neighbours which provided a planning principle concerning view loss* is provided below.

It was requested that the View Impacts for the apartments within 48 Upper Pitt Street be clarified, in particular Level 2 and Level 3. It is noted, the units located on the 2nd floor sit below the current building height, and therefore no change to the current view will occur, and therefore no further assessment was carried out.

Further assessment has been carried out on the view impact of the proposed development from Unit 13 on Level 3, as this is considered to most likely impacted by the proposed. Due to the nature of the development, only the Main campus has been considered in the View Impact Assessment.

Application of the Four-Step View Sharing Principles in Tenacity

- **Step 1**: The view to be affected

The first step is the assessment of the views to be affected. Senior Commissioner Roseth cites that water views are valued more highly than land views. Iconic views (e.g. Opera House and Harbour Bridge) are valued more highly than views without icons. Whole view are more highly valued than partial views e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.

The views that are to be affected are described above and vary depending on the angle of view, location of the apartment and level of 48 Upper Pitt Street from which it is experienced.

Roseth SC in *Tenacity* points out that water views are valued more highly than land views, as are whole views and those containing iconic features. The views from the apartments on Level 3 contain water, and land-water interfaces, containing iconic features. Whilst the apartments looking south across the Main Campus towards iconic views, they are currently slightly obscured. If the proposal were not to proceed, the views would continue to be obscured.

- **Step 2**: That part of the property from which views are obtained

The second step is to consider from what part of the property the views are obtained. For example, the protection of views across side boundaries is often more difficult that the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect that standing views. The expectation to retain side views and sitting views is often unrealistic.

All of the views that were assessed were obtained from areas which are considered as important by the owners, whether being living area or balcony. Kitchens, living rooms and outdoor recreation are considered the most significant in *Tenacity* and are given the greatest weight in assessing view sharing. *Tenacity* points out that the view loss should be assessed from the whole dwelling and not only in relation to the view affected. With respect to views from Unit 13, 48 Upper Pitt Street it is noted these are obtained over the front boundary from the balcony, and are largely retained. The view is currently obscured by the existing built form, however the proposed development sees the removal the of the existing stairwell, opening the view to the city skyline. However, the proposed works will include the erection of a plant enclosure, which will slightly alter the existing water view of Sydney Harbour and the pylon of the Sydney Harbour Bridge. Notwithstanding, the proposal will generally retain the iconic views of both the Opera House and Sydney Harbour Bridge.

- **Step 3**: The extent of the impact

The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact may be assessed quantitatively. However, it is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

The proposed development will result in views being impacted from a habitable room of Unit 13. What will be altered is a scenic view in Tenacity terms, but is one that will alter the scenic character, a view of the buildings of the city skyline will be opened.

Considered in isolation, the extent of the view loss could be considered to be moderate, using the qualitative ratings recommended in *Tenacity*, and as demonstrated in **Appendix E**.

A detailed assessment of the proposed development against the principles of view sharing established by Senior Commissioner Roseth in the judgement *Tenacity Consulting v Warringah [2004] NSWLEC 140* has been completed as part of the original EIS submission.

From apartments above Level 3, the proposed development will not result in impacts on views, and the overall visual impact for the view would be negligible.

- **Step 4**: The reasonableness of the proposal

The fourth step is to assess the reasonableness of the proposal that is causing the impact. Commissioner Roseth states:

> *"development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable."*

To assist in determining whether the non-compliance with the controls in itself causes view loss, a series of montages were prepared by Roberts Day to determine the impact of the proposed exceedance of the height controls when viewed from Unit 13, Level 3, 48 Upper Pitt Street.

The montages show the existing built form obscures the view, however the proposed amendments will retain the iconic view of the Opera House and the Sydney Harbour Bridge (refer to **Figures 6-7**).

The final consideration of the view impact analysis is whether or not a more skilful design could be proposed that would result in a better view sharing. In this instance the proposed design has been amended to accommodate the views from the surrounding properties as best possible. In this instance:

- Stairwell access has been relocated to enable an improved outlook from 48 Upper Pitt Street.
- Windows have been introduced to provide greater articulation to the vast brick façade whilst ensuring privacy between the College and 48 Upper Pitt Street is retained;
- The proposed amendments to the façade fronting Upper Pit Street will not significantly alter the view's composition, and the proposed colours and textures will be complementary to the existing building.

It would be unreasonable to require that the building be lowered by a level to retain this view given that:

- The built form will generally sit within the existing building envelope; and
- There would be a significant impact to the space proposed within the building and the quality and quantity of teaching space that is proposed. The benefit of providing new education

space for the benefit of many generations of students to come is considered to outweigh the benefit of altering an obscured view.

Additional view montages were taken from Unit 13, Level 3 of 48 Upper Pitt Street as shown in **Figure 6** and **Figure 7** below.

Figure 6 | Existing – Unit 13, Level 3, 48 Upper Pitt Street

Figure 7 | Proposed – Unit 13, Level 3, 48 Upper Pitt Street

Views where taken from Level 2 Apartment, demonstrating the proposal in fact improve the view towards the iconic Sydney Harbour Bridge.

Figure 8 | Existing – Unit 6, Level 2, 48 Upper Pitt Street

Figure 9 | Proposed – Unit 6, Level 2, 48 Upper Pitt Street

The analysis of the likely effects on view shows that the proposed development would cause some minor view loss to lower level apartments at 48 Upper Pitt Street.

However, the removal of the existing stairwell will in fact improve the view, including that on lower levels, being Level 2 (Refer to **Figure 8** and **Figure 9**). The parapet height of the north-east wing fronting Upper Pitt Street has been reduced **270mm** to reflect the current parapet height, retaining the existing outlook across the north-east wing, apart from a minor intrusion of the proposed plant enclosure. Further, the iconic views of Harbour Bridge and Opera House will be retained.

Therefore, the proposed development will not result in undue view loss, as shown above, and is considered to be reasonable.

<u>View Impacts of 49 Upper Pitt Street Apartments</u>

A detailed assessment of the proposed development against the principles of view sharing established by Senior Commissioner Roseth in the judgement of *Tenacity Consulting v Warringah [2004] NSWLEC 140* was provided in **Section 8.3.3** of the submitted EIS. The response below should be read in conjunction with that assessment, and Roberts Day Addendum VIA (**Appendix E**).

Views from properties to the east (49 Upper Pitt Street) of the Site were tested from a number of angles to assess the overall view loss, including both public and private views. **Figures 10 - 15** illustrate the the view assessment.

Figure 10 | Existing – Craiglea House (Ground Level)

Figure 11 | Proposed – Craiglea House (Ground Level)

The extent of the view loss could be considered to be moderate, using the qualitative ratings recommended in *Tenacity*.

Figure 12 | Existing – from entry to 49 & 49B Upper Pitt Street

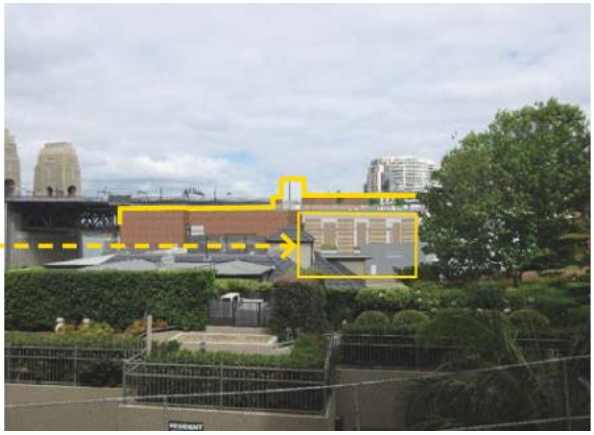

Figure 13 | Proposed – from entry to 49 & 49B Upper Pitt Street

The extent of the view loss could be considered to be moderate-low, using the qualitative ratings recommended in *Tenacity*.

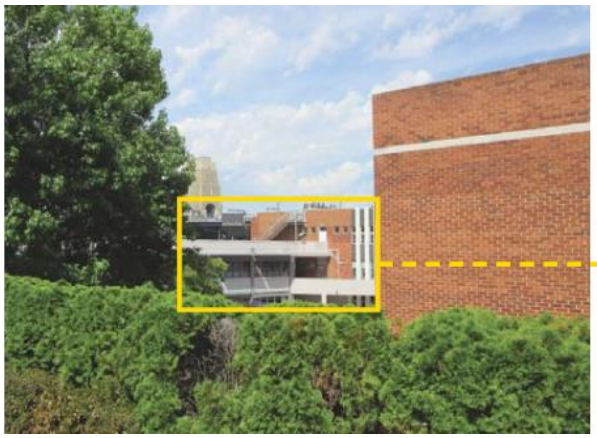

Figure 14 | Existing – Craiglea House (Top of Garage)

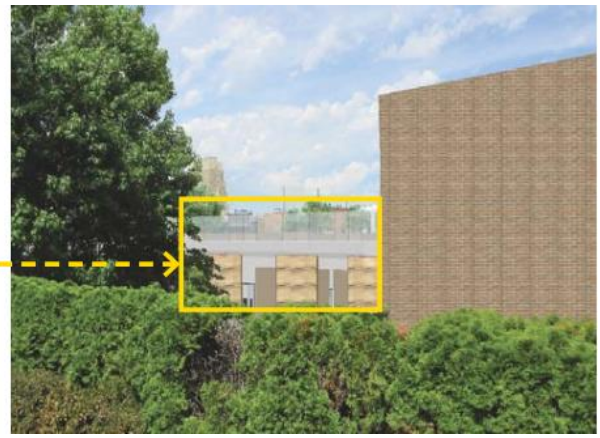

Figure 15 | Proposed – Craiglea House (Top of Garage)

The extent of the view loss could be considered to be moderate-low, using the qualitative ratings recommended in *Tenacity*.

Evident from the Figures above, the proposed development does not contribute to a significant loss of harbour views from the subject properties, and the properties primarily retain views from the adjoining properties.

Reducing the height of the proposed development would significantly compromise the viability of the proposed development and the educational outcome sought and provided. Given the beneficial outcome that the proposal will provide to numerous students over many decades, it would be unreasonable to limit the proposed development, which will continue to maintain the iconic views of the Harbour Bridge and Opera House, including the land interface.

View Impact at 50-55 Upper Pitt Street Apartments

A VIA for 50-55 Upper Pitt Street was completed under the VIA submitted with the original EIS. **Figure 18** and **Figure 19** below illustrate the view from the habitable room of Unit 22 of No. 55-58 Upper Pitt Street, looking south-west to the harbour and Harbour Bridge over St Aloysius' College Main Campus.

Figure 16 | Existing View – Ground Floor Area, 50-58 Upper Pitt Street

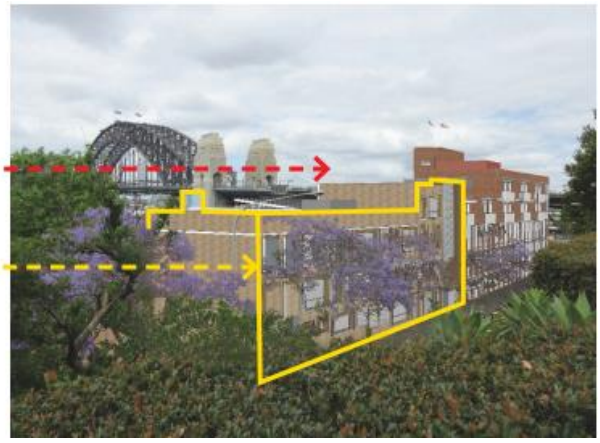

Figure 17 | Proposed View – Ground Floor Area, 50-58 Upper Pitt Street

Figure 18 | Existing View – Unit 22, 50-58 Upper Pitt Street

Figure 19 | Proposed View – Unit 22, 50-58 Upper Pitt Street

The magnitude of the proposal in the above view is considered to be low, due to:

- Minimal change in the built forms massing and scale;

- Proposal does not exceed the existing height and as a result, there is no additional visual obstruction;
- New façade design, additional features and materials do not change the view's composition;
- Proposed roof terrace including new landscaping and planting is considered to be an aesthetic improvement when compared to the existing internal compound.

The assessment of the impact, being the high sensitivity with a low magnitude will result in a moderate visual impact, using the qualitative ratings recommended in *Tenacity*.

In addition to the above, the previous assessment considered the impact of the proposal when viewed from the outdoor area of No. 50-58 Upper Pitt Street. The proposal would result in a negligible visual impact, with the demolition of the existing stairwell to the roof terrace resulting in an improvement to the view to the Harbour Bridge (refer to **Figure 20** and **Figure 21** below).

Figure 20 | Existing View – Ground Level Outdoor Area at No. 50-58 Upper Pitt Street

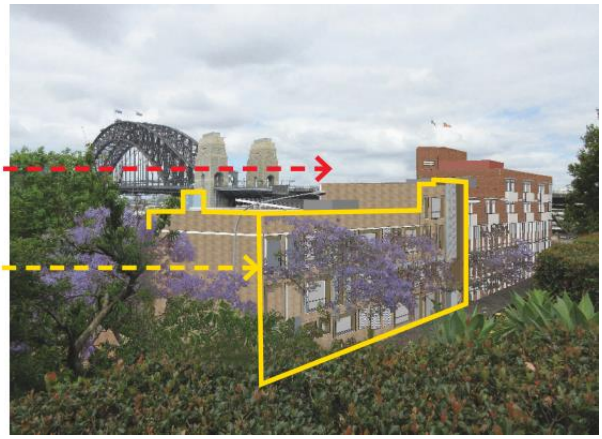

Figure 21 | Proposed View – Ground Level Outdoor Area at No. 50-58 Upper Pitt Street

No further consideration of the view impact on No. 50-58 Upper Pitt Street has been considered as part of the RTS report or the assessment, given the negligible impact demonstrated.

View Impacts of 88 Kirribilli Avenue Apartments

The proposal is located next to the apartment building, located at 88 Kirribilli Avenue. The proposal would see no change to the current views afforded at the lower levels of 88 Kirribilli Avenue, as there is no development immediately in front of the dwellings.

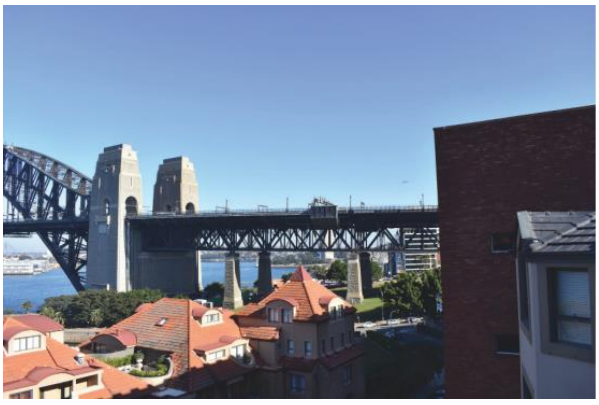

Figure 22 | Existing View – Unit 501, 88 Kirribilli Avenue

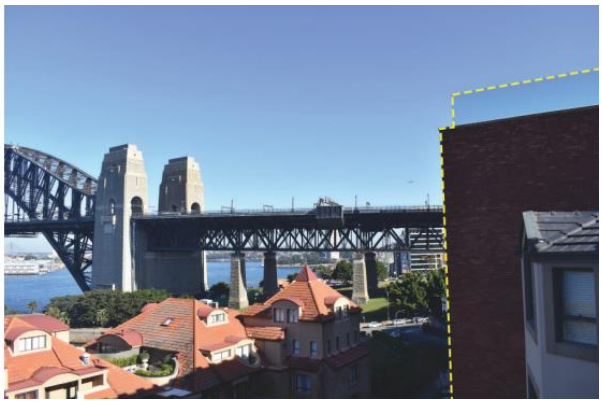

Figure 23 | Proposed View – Unit 501, 88 Kirribilli Avenue

Despite the high sensitivity of the view, due to the proximity of the neighbouring property to the proposed development, the magnitude of the proposal in this view is considered negligible since the existing view is maintained. Therefore, this will result in a **NEGLIGIBLE** visual impact.

No further assessment against *Tenacity* has been carried out.

Summary of View Impacts

The analysis of view impacts shows that the proposed development would not cause undue impacts to the existing view corridors. The key vantage points and the respective impacts are as follows:

- Views from Level 2 and Level 3, 48 Upper Pitt Street will not be affected by rooftop terrace landscaping and glazed barriers due to the level difference between the rooftop terrace and the north-east wing fronting Upper Pitt Street;
- The overall height of the built form when viewed from Craiglea House will capture the Acoustic Barrier, however, the barrier will have no undue impacts as it is constructed of frameless glass and maintain views into the distance through the materials proposed;
- The proposal would see no change to the current views afforded to the lower levels of No. 88 Kirribilli Avenue.

Overall, the visual impacts assessed from the multiple vantage points surrounding the Site consistently result in impacts considered to be low to moderate, and in some cases, negligible, using the qualitative ratings recommended in *Tenacity.*

c) Additional Floor Space

The existing and proposed gross floor area of each campus has been prepared by PMDL and accompanies this application as **Appendix C**.

A breakdown of existing and proposed areas of the Main Campus (Upper Pitt Street) and Senior Campus (Wyalla) is provided below:

Table 2 / Schedule of Areas				
Campus	**Main (Upper Pitt Street)**		**Senior (Wyalla)**	
	Existing	**Proposed**	**Existing**	**Proposed**
Teaching/Learning Space	3,284m^2	3,520m^2	1,116m^2	1,163m^2
Circulation/Shared Space	5,019m^2	6,032m^2	709m^2	832m^2
Staff/Admin Space	1,591m^2	1,718m^2	51m^2	75m^2
Support Space	652m^2	863m^2	80m^2	47m^2

In addition, PMDL have prepared a gross floor area (GFA) comparison across the three (3) campus identifying both the existing and proposed GFA. The comparative analysis is captured in **Table 3** below.

Table 3 / GFA Comparison Table		
	Existing GFA	**Proposed GFA**
Junior Campus		
Basement	0sqm	723sqm
L0	906sqm	1,199sqm
L1	1,070sqm	1,070sqm

L2	16qm	585sqm
TOTAL	1,992sqm	3,577sqm
TOTAL NEW GFA		**+1,585sqm**
Senior Campus		
L0	2,293sqm	2,293sqm
L1	798sqm	888sqm
L2	577sqm	597sqm
L3	263sqm	279sqm
L4	299sqm	296sqm
TOTAL	4,230sqm	4,353sqm
TOTAL NEW GFA		**+123sqm**
Main Campus		
LGF3	1,039sqm	1,010sqm
LGF2	471sqm	504sqm
LGF1	689sqm	915sqm
L0	1,902sqm	2,082sqm
L1	2,145sqm	2,742sqm
L2	1,868sqm	2,475sqm
L3	1,135sqm	2,601sqm
L4	822sqm	799sqm
L5	302sqm	352sqm
L6	0sqm	0sqm
TOTAL	10.373sqm	13,480sqm
TOTAL NEW GFA		**+3,107sqm**

The additional gross floor area across the three (3) campus is necessary and reasonable for the following reasons:

- The additional floor space will result in an improved educational environment for the College through:
  - Providing appropriate learning spaces that will address the educational requirements of the College; and
  - Providing a better organisation of classrooms, allowing them to operate in a coherent and consolidated manner;
- The additional GFA as part of the future development of the Junior Campus will provide an enhanced recreational facility. At present the College relies on off-site facilities for certain sporting programmes. The introduction of the purpose built facilities will help relieve demand on these facilities generated by the school;
- A significant contribution of the additional GFA on the Main Campus is due to the rooftop terrace being counted as GFA as the acoustic barrier is greater than 1400mm. The proposed rooftop terrace is a functional area which will improve the current amenity conditions to both the Site and neighbouring properties.

Overall, the additional GFA is considered a community benefit as it will improve an existing educational establishment for the future generations that meets the relevant academic and teaching requirements, while also providing new essential and support services and infrastructure.

2.2 CONSISTENCY WITH STATE ENVIRONMENTAL PLANNING POLICY (EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES) 2017

2.2.1 Matters Raised

Both the DoPE and the GA NSW have requested additional information regarding the proposal's consistency with Schedule 4 Design Principles of *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (Education SEPP).

The DoPE and GA NSW have also requested that the applicant address Clause 35(6) of the Education SEPP by indicating how the school's facilities are shared with the community and the likely impacts of such sharing.

2.2.2 Proponent's Response

Consistency with Schedule 4 Design Principles

PMDL Architects have provided an assessment against Schedule 4 of the Education SEPP as part of their response in **Appendix D**. The principles at Schedule 4 relate to context, built form and landscape, sustainability, accessibility and inclusivity, health and safety, amenity, flexibility and adaptability and aesthetics. The proposal has been designed to achieve these principles. In summary of the detailed response in **Appendix D**:

- All campuses are located within the dense peninsula of the suburb of Kirribilli. As a long established part of the local community, the College aims for its facilities to be integrated within the local context, whilst providing first class educational facilities for students;
- A key focus of the Master Plan is driven by the learning spaces. The proposal will increase amenity, therefore addressing occupant health through solar access and cross ventilation;
- The proposal has been designed to provide future flexibility and adaptability, and respond directly to the absence of these qualities;
- The proposed works to the Senior Campus comprises a low scale, small addition to the rear of the building which is in keeping with the original building and allows for the heritage component to retain its dominance on the Site;
- The Junior Campus architectural and interior designs will be developed as part of future Built Form Approvals, subject to the SSD application; and
- The proposal has been designed to sit within the existing building envelopes, with improved aesthetic quality, in response to the local context. The amenity of surrounding properties has been carefully considered in the choice of visual and acoustic screen elements, and maintenance views.

In light of the above, the proposal has been designed across the three (3) campus to achieve the principles prescribed under Schedule 4 of the Education SEPP.

Consistency with Clause 35(6)

In accordance with Clause 35(6)(b) of the Education SEPP, the following community uses, and activities take place on the school campus:

The College currently allows a number of non-College entities to utilise its facilities:

- The basketball court in the Senior School and Junior School are used by *North Sydney Basketball Association*, occurring on a weekly basis throughout the year;

- The *Australian Electoral Commission* and the *NSW Electoral Commission* use both the Senior School and Junior School for election day activities including their use as polling stations, occurring if and when Local, State and Federal elections are called/due;
- A community men's choir use the music facilities at the College for weekly rehearsals, occurring on a weekly basis;
- Parishioners of the Anglican Parish of *The Church by the Bridge* in Kirribilli use the Junior School Campus each week, occurring on a weekly basis;
- Students from Loreto Kirribilli utilise the College swimming pool for core educational purposes. This occurs seasonally;
- Members of a local body corporate use facilities for meetings as required. This occurs when requested by the local body corporates.

All of these uses occur outside of school hours and outside of school pick-up and drop-off times. As such, there would be no adverse impact on traffic associated with the ongoing use of the Site by the community.

Further to the above, there are currently no non-school related activities carried out within the existing quadrangle. A summary of the future use of the proposed rooftop terrace accompanies the RTS as **Appendix P**. The majority of the uses will be school related, similar to those occurring in the quadrangle, other than cadets.

2.3 TRAFFIC, PARKING AND PICK-UP AND DROP-OFF

2.3.1 Matters Raised

A number of submissions raised concerns regarding the proposed traffic and parking impacts. Primarily submissions requested additional parking be provided on the campus to reduce the impacts on on-street parking. Questions were also raised as to whether a larger pick-up and drop off area could be accommodated, and the need for additional on-site bicycle parking.

Further despite the DoPE independent traffic assessment prepared by Bitzios Consulting advising a Green Travel Plan was not required, Transport for NSW requested its preparation, including target mode shares for both staff and students to reduce the reliance on private vehicles.

2.3.2 Proponent's Response

a) Green Travel Plan

A Green Travel Plan (GTP) has been prepared by High Range Analytics Pty Ltd and accompanies this application as an annexure to the addendum Traffic Impact Assessment (**Appendix F**).

The key objectives of the Green Travel Plan are:

- Reduce reliance on the car within the school community by encouraging walking, cycling and transit;
- Raise awareness of travel alternatives to ensure that, as far as practical, students, staff and visitors make the most of the broad range of transport options available at the three (3) campuses;
- Reduce overall vehicle trips for journeys to and from the three (3) campuses.

Given the traditions prevailing across the College, namely a high degree of public transport accessibility, good pedestrian conditions, local residential population and restrictions on car access, it is expected that travel choices in terms of car use for students represent most of the potential that is achievable. Therefore, a mode share target for students traveling to school by car of 25% and from school by car of 15% is considered appropriate to aim for two (2) years after the redevelopment of

the College. These targets are reliant on the ongoing provision of high levels of public transport services by the State Government in the general area.

In order for the GTP to be effective, the following needs to be considered:

- Implementation of the Plan:
  - Recommended that a senior member of staff be given carriage of the promotion, implementation and monitoring of the Plan;
  - Develop and maintain a comprehensive and up-to-date Transport Access Guide;
  - Opportunity for students to participate in actions, and being involved in organising promotional events such as Walk to School Day and Ride Your Bike to School Day, and conducting periodical surveys to monitor the plan;
- Monitor priority areas and progress of the plan:
  - Ongoing monitoring of transit capacity and transit coverage of the School's catchment;
  - Periodically surveying the school population to estimate mode shares for the journey to school and the journey from school, comparing pervious surveys and mode share target;
- Identify impediments to meeting the plan's mode share targets:
  - Obtain ongoing feedback from the school community in relation to concerns about the relevant transport infrastructure and services, and where appropriate, relaying this to the appropriate agency;
- Update the plan of relevance and focus:
  - If targets are not being met, there would be a requirement to revisit the plan, undertake additional attitudinal surveys of the school community and endeavour to identify and address impediments to achieving the mode share target.

Overall, the GTP will assist in monitoring the coverage of the school catchment and travel patterns, and encourage non-car modes of travel. Further, the GTP will assist in the preparation of target mode shares for both staff and students, to reduce the reliance on private vehicles.

b) Pick-up and Drop-off

Due to the existing site constraints, including existing buildings, heritage items, landscape features, topography and the need to retain existing on-site parking, it is unfeasible to accommodate additional pick-up and drop-off on or off the campus.

However, the College is committed to ensuring that existing student drop-off and pick-up continues to be well managed. The College will continue to work with local residents to alleviate their concerns, through the provision of a future Plan of Management.

c) Bicycle Parking

Bicycle storage facilities have been reinstated on Level 3 of Dalton Hall, adjacent to the existing rooftop parking, in accordance with the provisions of **DA-469/07**, approved by North Sydney Council. There are currently ten (10) bicycle storage facilities located on-site, including a visitor bicycle storage rack (refer to Drawing No. DAW123).

Figure 24 below shows the location of the bicycle storage facilities in relation to the Senior Campus.

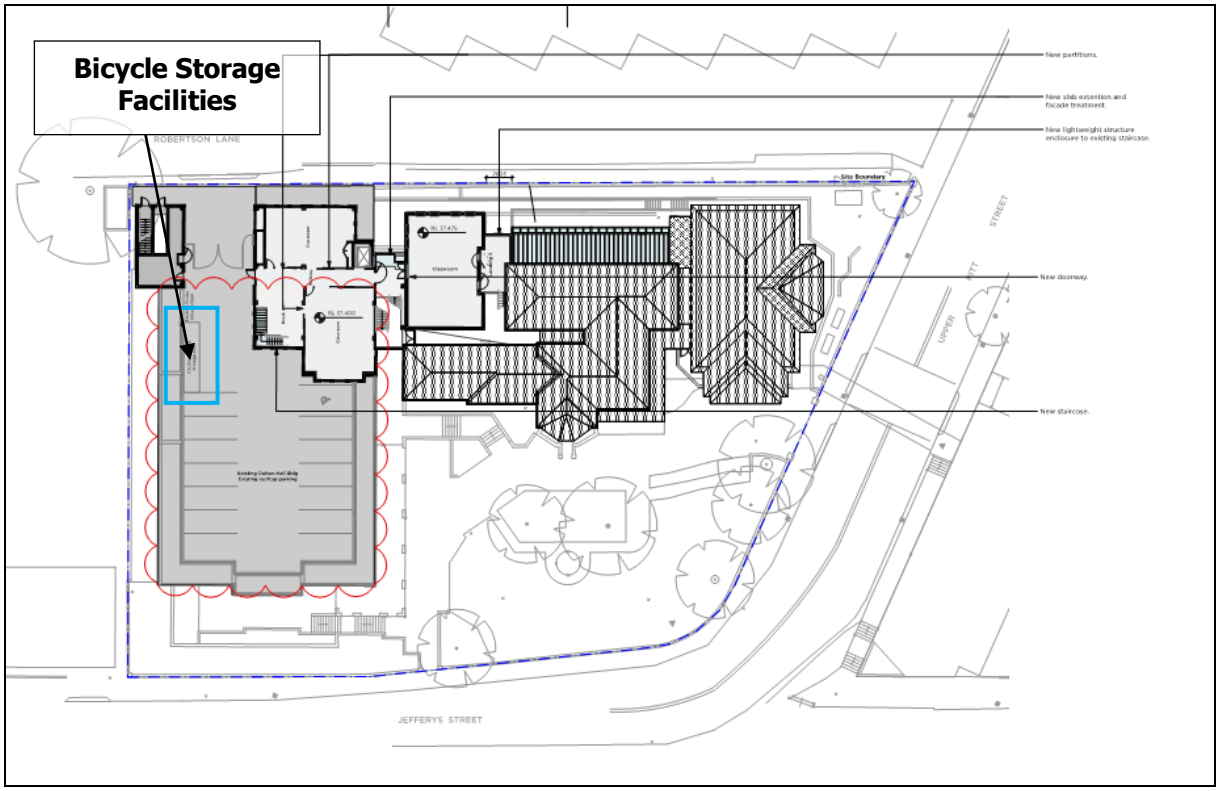

Figure 24 | Plan of Wyalla showing End of Trip Facilities

d) On-Site Parking

The existing on-site parking provision for each Campus is clarified in **Table 4** below. It is noted the on-site parking is for the staff of the College only. No students are allowed to utilise the existing on-site parking.

Table 4| Car Parking Provision	
Campus	**Parking Provision**
Main Campus	▪ The Main Campus does not contain any parking but does include a loading dock facility;
Senior Campus	▪ The Site contains: ○ Fourteen (14) car parking spaces; ○ Two (2) Motorbike Parking Spaces; ○ Ten (10) bicycle parking spaces. ▪ Vehicular access is provided via Robertson Lane; ▪ The parking on-site is available to the staff of the College.
Junior Campus	▪ Ten (10) car parking spaces are located on Site, available to Junior Campus staff.
Star of the Sea Catholic Church	▪ In addition to the on-site parking, an existing arrangement allows the use of the 17 car spaces within the Star of the Sea Catholic Church, on Willoughby Street, Kirribilli by the staff of the College; ▪ Access is provided via Willoughby Street.
TOTAL	▪ 41 Car Parking Spaces ▪ 2 Motorbike Parking Spaces ▪ 10 Bicycle Spaces

Applying the NSDCP 2013 car parking rate of 1 parking space per 6 staff, the College as a whole would require 30 car parking spaces. As per the addendum Traffic Impact Assessment (**Appendix F**) this calculation is based on the following Equivalent Full Time (EFT) staff population by type, as provided by the College:

Senior School:
- Teaching: 93.6 EFT;
- Non-Teaching: 44.3 EFT

Junior School:
- Teaching: 21.2 EFT;
- Non-Teaching: 16.1 EFT

TOTAL: 176 EFT Staff

In light of the above, the College currently has a combined total of 43 parking spaces across the three campuses; 41 general vehicle and 2 motorcycle. Therefore, it is considered the College as a whole has an excess of 13 parking spaces. In summary of the above, the proposal provides adequate on-site parking to accommodate the generated demand by the existing education establishment. This demand can be accommodated with little reliance on street parking. Thereby, the proposal will not exacerbate the on-street parking demand.

This is further supported through the implementation of the GTP which aims to encourage non-car modes of travel. As aforementioned, the GTP indicates mode share target for students travelling to school by car of 25% (down from 30% in 2017) and from school by car of 15% (down from 19% in 2017), which is considered achievable, two (2) years after completion of redevelopment Phase 2 (Upper Pitt Street).

Overall, the appropriate measure will be adopted to minimise the impact for traffic and parking on the local street network and it is considered the proposal will not contribute to increased parking demand or traffic congestion.

Therefore, based on the findings of the Traffic Impact Assessment (**Appendix F**) and the implementation of the GTP to encourage non-car modes of travel, the proposed development is considered acceptable in terms of traffic and parking impacts.

2.4 STUDENT POPULATION

2.4.1 Matters Raised

A number of submissions raised concern on the potential increase in student numbers and that there is no certainty both student and staff numbers will not increase as a result of the SSDA.

2.4.2 Proponent's Response

The College is currently used as an educational establishment for boys with an overall population of **1244** students across the three (3) campus. Pursuant to the EIS, the student population and enrolment of **1244** students is currently broken down into the following:

- Junior Campus: **321 students**; and
- Senior and Main Campus: **923 students**.

Student numbers can vary term to term, and year to year, ordinarily attributed to annual fluctuation for Educational Establishments given growing population. Fluctuations in enrolments can be due to changes in population and parental preference. Consequently, staff numbers may also fluctuate at schools depending on student numbers and specialist learning needs of the school.

It is noted by the College that Junior Campus numbers have fluctuated between 330 and in 2011 and 328 in 2018, with a minimum of 320 in 2013 and 2017, and a maximum of 330 in 2011. The fluctuation arises from different rates to accommodate available positions from year to year. The fluctuation since 201 is less than 2% about the mean.

In terms of the Main and Senior Campus, following completion of the Dalton Hall addition in 2010, and as a result of the additional class room space resulting from the work, senior school numbers increase over 2011 to 2013 from 878 to 924 students. The numbers have stabilised at this level, with very small year-to-year fluctuations since 2013. As aforementioned, the Senior School Numbers are currently at 926. Year-to-year fluctuation has been less than 0.5% about the mean.

The College's brief requires a general learning "home room" for each of the six (6) streams, through years 7-12. Years 11 and 12 are accommodated in the Senior Campus, and years 7-10 are accommodated in the Main Campus, within the proposed courtyard infill works. The design for the Main Campus therefore provides for six (6) general learning spaces which serve as home room for each of Years 7-10. As such the proposal provides the adequate learning and teaching facilities to accommodate the relevant student and staff population.

Notwithstanding the above, the SSDA currently under consideration by the Department of Planning and Environment, has no intention for a material increase in students. Therefore, it is considered the above information provides further certainty there will be no material increase in student number, only that attributed to annual minor fluctuation.

The design for the Main Campus therefore provides for six (6) general learning spaces which serve as home room for each of Years 7-10. These are indicated on drawings DAU125 and DAU126 and shown in **Figure 25** and **Figure 26** below.

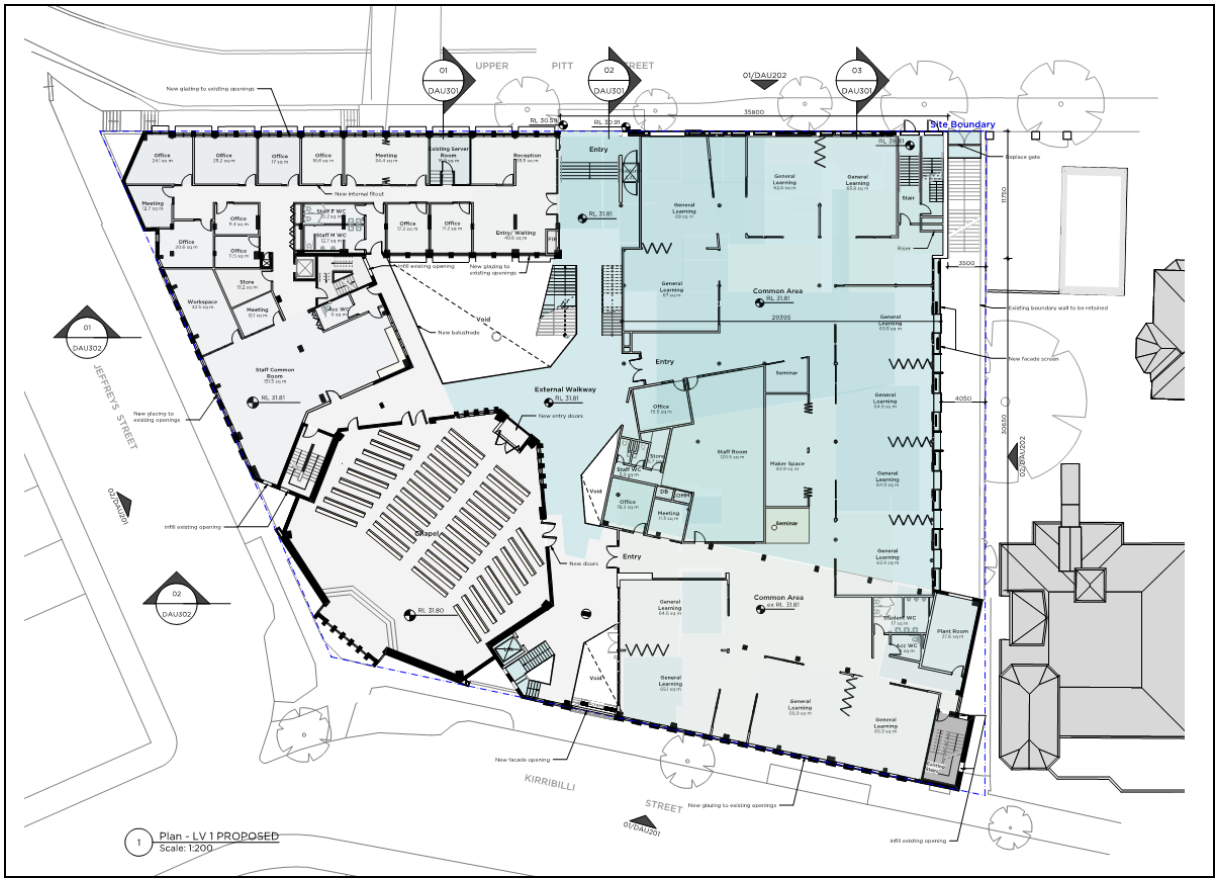

Figure 25 | Level 1 Floor Plan Drawing No. DAU125 (Source PMDL, February 2018)

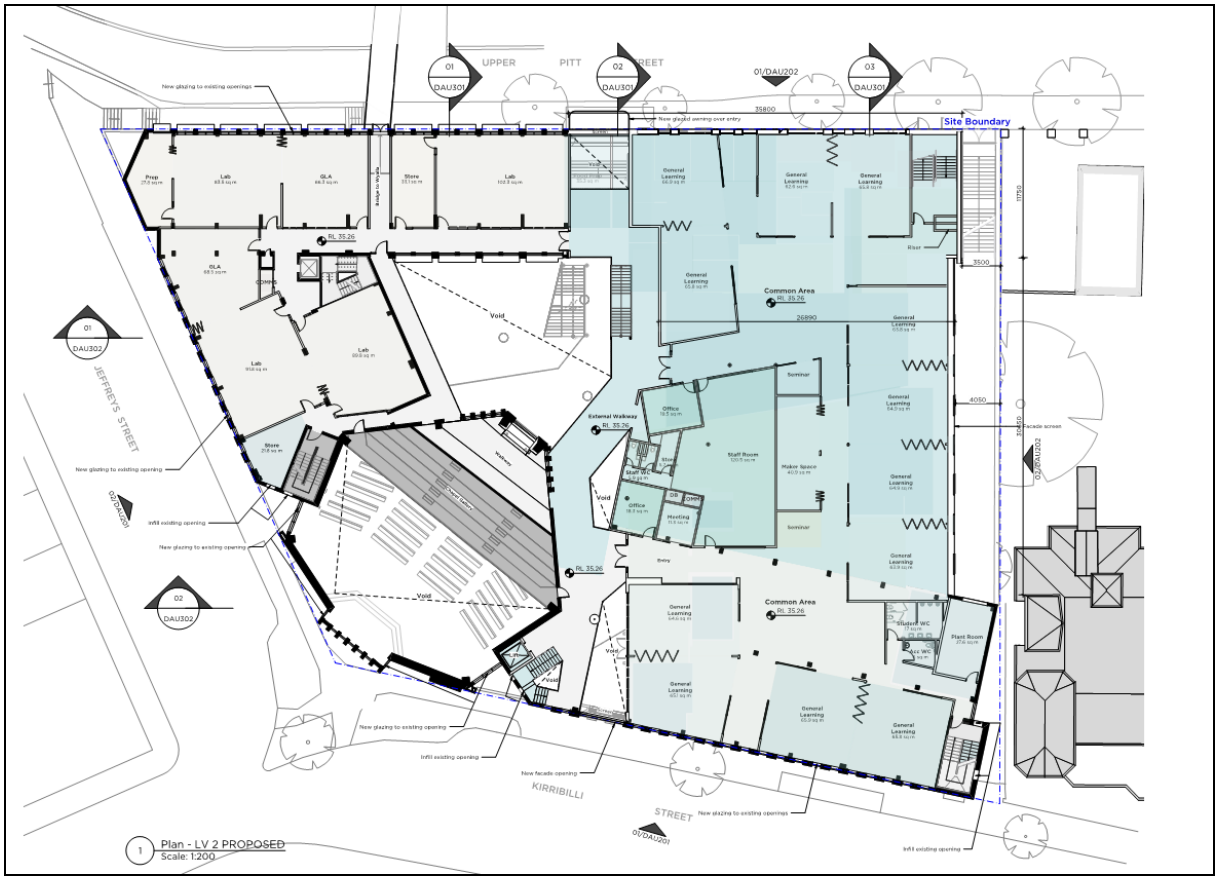

Figure 26 | Level 2 Floor Plan – Drawing No. DAU126 (Source: PMDL, February 2018)

The six (6) stream structure matches the current enrolment and structure, and is not designed to accommodate additional student enrolments.

The spaces provided are appropriate for a typical number of students per class, and are in line with education facility norms. Specialist spaces, including science and art, are in addition to the general learning areas and are provided to meet the curriculum needs of the school in relation to NESA requirements and the academic focus of the College.

The proposed design addresses the College's brief requirement for contemporary learning environments, and is not based on any future increase in enrolment numbers.

2.5 CONSTRUCTION METHODOLOGY

2.5.1 Matters Raised

A number of Concerns were raised regarding the proposed construction of the SSDA including the proposed timeframe and scheduling, and the impacts on adjoining residents and street network, and the implementation of adequate safety and diversion measures, but limited time delay and detour distances.

2.5.2 Proponent's Response

A Preliminary Construction Management Plan (PCMP) was submitted as part of the SSDA, and has since been revised as part of the RTS (refer to **Appendix G**).

The intent of the Concept Master Plan and Stage 1 Built Form Approval is to provide the school and the community with certainty around the future built form outcome for the College, across all three (3) campuses.

In accordance with **Section 8.11** of the submitted EIS, and reiterated in the Preliminary Construction Traffic & Pedestrian Management Plan, the proposed hours of construction are:

- 7:00am to 5.00pm Monday to Friday;
- 8:00am to 1:00pm on Saturday.

A detailed Construction Traffic Management Plan will be prepared by the approved contractor prior to the commencement of works, and signed off by North Sydney Council prior to the issuing of a Construction Certificate.

A Preliminary Construction Traffic & Pedestrian Management Plan (PCTPMP) was included as an annexure to the draft PCMP under the original EIS, which addresses the mitigation measures that would be enforced to minimise the impact of the construction works on pedestrian/cyclist movements including adequate safety and diversion measures, limited time delays and limited detour distances. These include the use of:

- Advance warning signs such as "Pedestrian Watch Your Step" are to be placed in areas where trucks are accessing the site or loading/unloading from a potential kerbside Works Zone;
- Potential B-Class overhead hoarding outside selected kerbside Works Zones which will allow the public footpath to remain open to pedestrians;
- Where a footpath may be required to be completely closed to pedestrians, traffic controllers will be in place to assist pedestrians cross to the opposite footpath and back again, if required;
- Water-filled barriers may also be used in some instances, for example, where the footpath area is required to be closed overnight when traffic controllers are not present. The barriers will be placed on the roadway, offset from the kerb, with pedestrians diverted onto the road (but behind the barriers) which will provide protection from errant vehicles;
- Pram ramps should also be used in instances were pedestrians are required to cross the road (under the supervision of traffic controllers) or in the instance of concrete pumping via a kerbside Works Zone using a static line.

As discussed in the draft PCTPMP, it is pertinent to note that pedestrian and cyclist protection will be paramount, as are ensuring the College's drop-off and pick-up activities are not affected by any construction works.

2.6 CONSTRUCTION TIMEFRAME

2.6.1 Matters Raised

Concerns were raised regarding the timeframe for delivery of the Master Plan, and the co-ordination with the subject SSD and that of the neighbouring Loreto Kirribilli.

Further a number of submissions questioned the applicability of the SSD for the purpose of Concept Master Plan and Stage 1 Built Form, as opposed to complete built form approval.

2.6.2 Proponent's Response

The intent of the Concept Proposal is to provide the school and the community with certainty around the future built form outcome for the College. Based on the above, the applicant will continue to pursue Master Plan Concept Approval and Stage 1 Built Form Approval.

The draft PCMP submitted with the original EIS, and amended for this submission (**Appendix G**) addresses the scope of works to be completed including the details of the various stages including demolition, excavation, and construction. An indicative construction schedule was included as part of the draft PCMP. The construction schedule outlines the sequence and timing of the key decanting and

constructability steps for staging and progressing the works whilst maintaining school operations. It is noted that this schedule shall be updated as the project progresses, and the scope evolves.

Whilst detailed consent is sought for all works within Stage 1, these works will be phased in terms of construction, including Construction Phase 1 and Construction Phase 2. Phase 1 and Phase 2 will be carried out over 16 sub- phases. The construction program for the Junior Campus will be addressed under future built form approval. The proposed construction phasing has been determined by identifying the teaching and learning environments of the various campuses presenting the most pressing needs, whilst endeavoring to minimise impact on the adjoining residents.

Further to the above, Loreto Kirribilli and the College have met over the course of the past 12 months, to specifically discuss the co-ordination of high level programming and construction traffic across both SSDAs. The combined project programme review noted the most intensive times of construction across both projects would not overlap. The major construction phase for the College (Phase 2) would occur after Loreto's planned demolition and bulk excavation. In terms of traffic management for construction, vehicles for each school would enter Kirribilli from different points. The only area of concurrent activity would occur at Carabella Street, which would be effectively managed through localised Construction Traffic Management Plan's for each project.

2.7 HERITAGE

2.7.1 Matters Raised

Whilst the DoPE and Council didn't raise any concerns regarding heritage, North Shore Historical Society provided detailed comments in relation to the treatment of the heritage item on the Senior Campus, Wyalla. It is considered the removal of the eight (8) double hung timber windows on the ground floor would destroy the historical integrity of the entire building, and urges the reconsideration of any such alterations to the historic building which will *'unavoidably damage the present and future heritage value of Wyalla, both to the school and the surrounding community'*.

2.7.2 Proponent's Response

NBRS Architecture has prepared a statement in response to the North Shore Historical Society comments regarding the treatment of the heritage item, Wyalla, on the Senior Campus (**Appendix H**).

It is acknowledged that the proposed works include the removal of windows from the eastern elevation, that would have an adverse impact on the original building fabric. As part of the earliest Site visit, the issue of the extent of the demolition to the eastern side of the building was discussed. At the time, NBRS advised there was risk involved in removing the wall, and associated openings, however, the requirement for the additional space resulting in moving forward with the proposal and identifying any mitigating measures that could be made.

The mitigation measures and appropriate approach identified include the following:

1. The rear of the building is not generally visible from the public domain, and as such does not alter the understanding of the early building and particularly the primary elevation and its open corner setting;
2. The opening would be limited to the outer edges of the outermost windows and be limited to the same height as the existing intel; and
3. The new structure would read as clearly contemporary allowing the overall form of the building and the upper windows to the eastern elevation to be retained.

NBRS Architecture provided further heritage advice in relation to minimising openings in internal walls, specifically to limit internal works, and where possible, to the removal of non-significant internal stud

walls. This strategy has generally been adopted to reduce physical impacts on internal fabric of Wyalla, and to retain the volume of significant spaces.

NBRS Architecture have been commissioned by the College to provide ongoing heritage advice during the design development process, at Master Plan Stage through design development and consent phases of the project.

2.8 NOISE

2.8.1 Matters Raised

Several submissions raised concern in relation to the acoustic impact of the proposed works in relation to the elevated rooftop terrace and the mechanical plant emissions, and whether or not this would in fact alleviate the current acoustic impacts or further contribute to them. In addition, confirmation was required on the surface material of the rooftop terrace and the resultant impact.

In addition, the DoPE requested the Noise Impact Asssessment address the updated Noise Policy for Industry 2017.

2.8.2 Proponent's Response

Under **Section 5.1.1.2** of the Noise Impact Assessment submitted with the original EIS, the noise model considered hard surfaces and highly reflective materials on the rooftop terraces, as set out in the Landscape Plan submitted with the EIS. The complete surface of the rooftop terrace was modelled as hard ground as a worst-case scenario. Any future proposed soft-landscaping will only have a positive impact by further lowering noise emissions.

The original acoustic assessment predicted noise levels at the affected residential receivers for the existing operational scenario. It was concluded the relocation of quadrangle functional area, to the rooftop terrace would in fact improve the noise impact on adjoining residents, as any noise produced would be elevated. The reduction in noise generated would also be assisted with the erection of a 2.4m acoustic barrier. With the implementation of an acoustic barrier of 2.4m; noise models taken from 2.1m, around the perimeter of the proposed rooftop terrace of the infill building on the main campus, the proposed changes will in fact reduce the current school noise impacts on the most highly sensitive receivers.

At the request of the DoPE, SLR Consulting has completed an assessment against the updated Noise Policy for Industry 2017. The *Noise Policy Industry* (NPfI) (EPA, 2017) outlines the procedures for assessing noise emissions from industrial noise sources, such as mechanical plant and equipment. The process involves determining project noise trigger levels at existing noise-sensitive receivers surrounding a proposed development, predicting whether emissions from the development are likely to exceed the established levels and results in potential noise impact, and reducing the predicted levels through feasible and reasonable mitigation strategies.

Accordingly, noise impacts as a result of the proposed development have been identified and will be mitigating through their location, design measures and proper management by the College. An Amended Noise Impact Assessment accompanies this application as **Appendix I**.

2.9 APPROVALS STRATEGY

2.9.1 Matters Raised

A number of local resident submissions questioned the statutory process of a State Significant Development and whether the proposed development including the Concept Masterplan and Stage 1 Built Form approval was lawful.

2.9.2 Proponent's Response

The approvals process that is currently before the Department of Planning & Environment is a defined statutory process.

The Environmental Planning & Assessment Act 1979 (EP&A Act) is the overarching governing document for all development in NSW. Pursuant to Section 4.36(2), of the EP&A Act provides that:

> *A State Environmental Planning Policy may declare any development, or any class or description development, to be State Significant Development.*

The proposed development is identified as State Significant Development under SRD SEPP. Development for an Educational Establishment with a capital investment of more than $20 million is identified in Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SEPP SRD) and is therefore declared to be SSD for the purpose of EP&A Act. Clause 15 and Schedule 1 of SEPP SRD 2011, identifies classes of development which are SSD, which includes the following:

> *Education Establishments – Development for the purpose of Educational Establishments (including associated facilities) that has a capital investment value of more than $20m.*

Pursuant to Section 4.12 (8), *a development application for State Significant Development or Designated Development is to be accompanied by an Environmental Impact Statement prepared by or on behalf of the applicant in the form prescribed by the regulations*. Accordingly, the submitted EIS met the relevant requirements.

Additionally, Section 4.22 of the EP&A Act outlines the provisions for concept development applications and staged development, as follows:

> *(1) For the purposes of this Act, a concept development application is a development application that sets out concept proposals for the development of a site, and for which detailed proposals for the site or for separate parts of the site are to be the subject of a subsequent development application or applications.*
>
> *(2) In the case of **a staged development**, the application may set out detailed proposals for the **first stage of development**.*
>
> *(3) A development application is not to be treated as a concept development application unless the applicant requests it to be treated as a concept development application.*
>
> *(4) If consent is granted on the determination of a concept development application, the consent does not authorise the carrying out of development on any part of the site concerned unless:*
>
> *a. consent is subsequently granted to carry out development on that part of the site following a **further development application** in respect of that **part of the site**, or*
>
> *b. the concept development application also provided the requisite details of the development on that part of the site and consent is granted for that first stage of development without the need for further consent.*
>
> *The terms of a consent granted on the determination of a concept development application are to reflect the operation of this subsection.*

(5) The consent authority, when considering under section 4.15 the likely impact of the development the subject of a concept development application, need only consider the likely impact of the concept proposals (and any first stage of development included in the application) and does not need to consider the likely impact of the carrying out of development that may be the ***subject of subsequent development applications****.*

Note. The proposals for detailed development of the site will require further consideration under section 4.15 when a subsequent development application is lodged (subject to subsection (2)).

Pursuant to Section 4.22, consent is sought for the stage development, inclusive of a Concept Master Plan and Stage 1 Built Form Approval, for St Aloysius' College.

In light of the above, SSDA 8669, has satisfied the requirements to be considered a State Significant Development and will continue to be assessed under the current defined statutory process.

PART C PROPOSED AMENDED DEVELOPMENT

Since the conclusion of the public exhibition of the proposal, generally minor amendments have been made to the proposed development in response to the issues and comments raised by the DoPE, Council and other government agencies, as well as the local community.

The proposed changes are illustrated on the revised Architectural Drawings (**Appendix C**) as prepared by PMDL.

A number of amendments have been made to the built form of SSDA 8669 as suggested by the submissions. They are detailed below as are other amendments to the architectural plans supporting documentation.

3.1 NORTH EAST WING – MAIN CAMPUS

In response to the issues raised, the development envelope of the redeveloped North-East Wing has been reduced to be consistent with the height of the existing North-East Wing. This will see a drop in the parapet height by **270mm**, at **RL 43.22**. Revised Architectural Drawings for which approval is now sought are provided in **Appendix C**.

3.2 LANDSCAPING

3.2.1 Retention of Trees on Junior Campus

As outlined previously, several changes are proposed to the landscape design in response to the issues raised by Council.

Changes include certainty that all existing landscaping and/or street trees along Crescent Place and Bligh Street will be retained. The revised Architectural Drawings (**Appendix C**), as prepared by PMDL, identify the retention of the trees along Bligh Street.

3.2.2 Retention of Tree 60

Owing to the high amenity value of Tree 60 to both the College and the adjoining neighbours of 49 Upper Pitt Street, Tree 60 will be retained and protected throughout the development. Excavation adjacent to the identified tree will be carried out only under Arborist supervision. Any roots discovered will be treated with care. If significant roots (>40mm diameter) are discovered, all existing grades within the estimated TPZ may need to remain unaltered regardless of proposed development of the Main Campus.

In order to provide certainty, root investigations were carried out by ArborSafe and an addendum report was prepared and accompanies this application as **Appendix R**. Exploratory trench work was undertaken on 9 October 2018 by means of a third party contractor utilising a Hydro-Vac truck to limit any potential root impact. Three (3) roots were identified within the trench as being large enough, generally over 40mm in diameter to warrant further consideration. Two of the roots were identified as originating from the stump of a previously removed tree, so has no bearing on the assessment, while the remaining root was identified as originating from the subject tree. The root penetrated through a weep hole within the base of the wall, 3.2m to the northwest of the subject tree's trunk alignment. The root was 60mm in diameter, measured 150mm out from the wall, with the diameter being smaller where it penetrated the weep hole. No displacement of any kind was observed within the stones of the wall.

AborSafe has concluded at a distance of 3.2m from the truck alignment the root would likely be outside the theoretical Structural Root Zone (SRZ) of the subject tree. Combined with the roots relatively small size and the stability of the wall itself against the remaining root system and associated soil volume, it is considered that serving the root would have minimal to no structural bearing on Tree 60.

Overall, it is considered the removal of the garden bed within the courtyard of the St Aloysius College Main Campus, as part of the proposed development, would have minimal effect on the health and structure of the subject tree, Tree 60.

3.3 BALUSTRADE DESIGN – ROOFTOP TERRACE

The most appropriate acoustic performance with respect to compliance is achieved through the use of an acoustic barrier with a minimum height of 2.1m. Any increase in height above 2.1m to an acoustic barrier will further decrease impacts.

A preliminary sketch of the design engineered balustrade accompanies this application as **Appendix K** and is illustrated in **Figure 27** below.

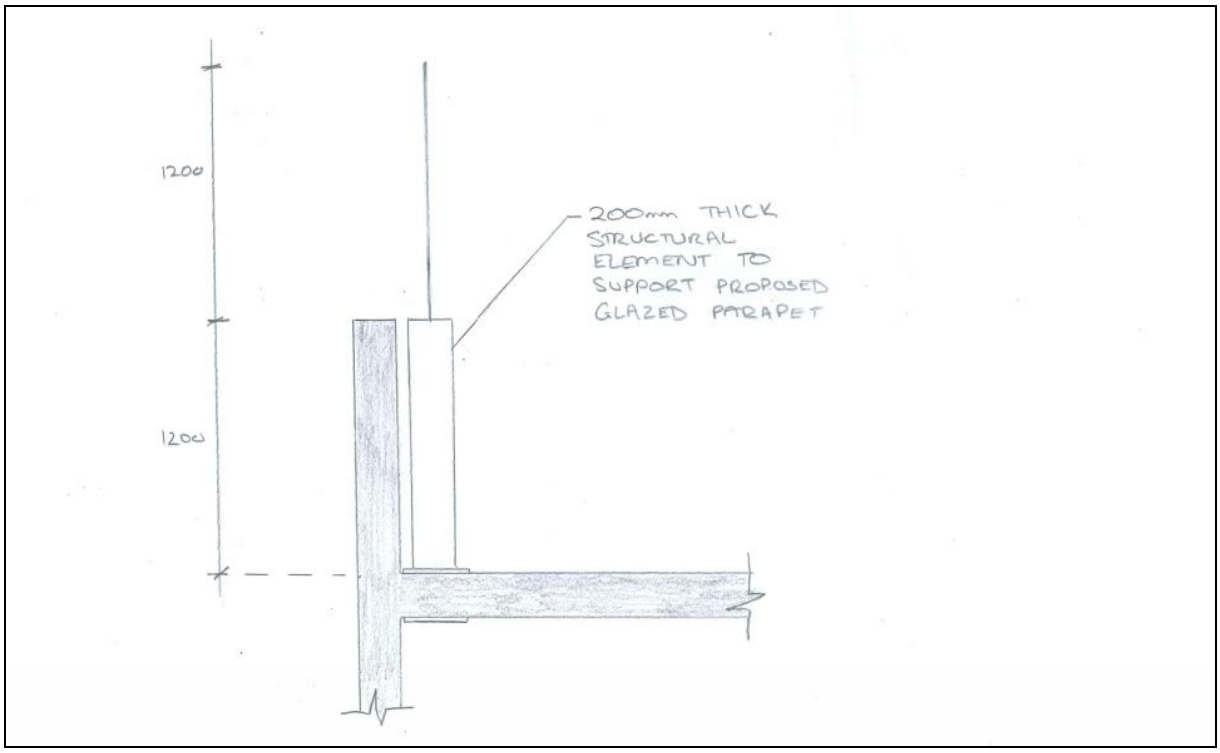

Figure 27 | Section of Acoustic Barrier (Source: Wood & Grieve Engineers, 2018)

PART D ADDITIONAL INFORMATION AND ASSESSMENT

4.1 OVERVIEW

The exhibited EIS assessed the potential impacts of the overall development against a range of matters relevant to the proposed development. Except where addressed in this report, the conclusions of the original assessment remain unchanged. The following matters were assessed in the exhibited EIS:

- Environmental Impact Statement including assessment against the relevant State and Local Planning Policies;
- Architectural Plans;
- Landscape Master Plan;
- Parking and Traffic;
- Heritage;
- Solar Access and Overshadowing;
- View Impact Analysis;
- Archaeological Impact Assessment;
- Stormwater Assessment;
- Geotechnical Assessment;
- Ecological Sustainable Design;
- Quantitative Wind Assessment;
- BCA;
- Access;
- Fire Engineering;
- Operational Noise Impacts;
- Tree Removal and Arborist; and
- Waste Management Plan

In response to the matters raised, the following consultant reports and supporting documentation has been updated in support of the EIS:

- Supplementary Architectural Plans prepared by PMDL;
- Supplementary Architectural Design Statement;
- Updated Preliminary Construction Management Plan prepared by TBH;
- Supplementary Heritage Statement prepared by NBRS Architecture | Heritage;
- Character Assessment prepared by Roberts Day;
- Supplementary Visual Impact Assessment prepared by Roberts Day;
- Light Spill Assessment, prepared by Umow Lai;
- Balustrade Engineering Design, prepared by Wood & Grieves Engineers;
- Supplementary Traffic Impact Assessment, prepared by Positive Traffic; and
- Green Travel Plan, prepared by High Range Analytics Pty Ltd.

It is noted, the EIS and Clause 4.6 for the Main Campus have been updated and resubmitted as part of this submission to rectify identified discrepancies and for completeness.

The matters requiring further assessment are addressed below.

4.2 ACOUSTIC BARRIER - BALUSTRADE DESIGN

The proposed glazing to the acoustic barrier of the roof terrace on the Main Campus will have characteristics similar to the following:

- Laminated safety glazing system using low iron, high clarity glass.

Refer to **Figure 27** above, for further detail.

4.3 CHARACTER ASSESSMENT

A Character Assessment has been completed by Roberts Day and accompanies this application as **Appendix J**. For the purpose of the response to submission, the Character Assessment only addressed the proposed works to the Main Campus.

The Character Assessment has been prepared in accordance with the recently released Planning Circular prepared by the Department of Planning & Environment, *"Stepping up planning and designing for better places: respecting and enhancing local character"*. The character and local community values have been distilled into a series of criteria and used to assess the impact of the proposed development from 13 key vantage points. The criteria have been grouped under the following categories of relevance:

- Place;
- User Groups;
- Built Form; and
- Environmental Values.

The Character Assessment identified four (4) sub-characters surrounding the Main Campus. **Table 5** below identifies the sub-character and the respective response.

Table 5 | Character Assessment

Sub-Character	**Interface Response**
Sub-Character 1	
Sub-Character 1 refers to the land to the north of the Site, fronting Upper Pitt Street. Depicted by a mixture of medium scale building and 8+ storey multi-residential buildings as the dominant skyline. Buildings are generally in brick with concrete and feature roof landscaping. Most properties have high fences or sandstone retaining walls along the property line defining a narrow pedestrian zone with limited landscaping. Upper level apartment units are considered to have picturesque views to the harbour.	▪ Responds to existing high rise residential buildings through maintain the scale of the built form along Upper Pitt Street; ▪ Preserve picturesque views to the harbour; ▪ No change to streetscape including existing setback, footpath and street landscaping; ▪ Material selection of the façade is considered compatible with the sub-character; ▪ The proposed façade is articulated with new openings and a vertical entry element which is consistent with the vertical rhythm in built form of the existing high rise residential buildings along Upper Pitt Street.
Sub-Character 2	
Immediately adjoining the site to the east is primarily characterised by 2-5 storey apartment buildings. Two multi-residential buildings are adjacent to the property boundaries, with one fronting Upper Pitt Street and one fronting Kirribilli Avenue. The residential buildings have dense landscaping along their western boundaries and feature rooftop with landscaping. The units facing south and south west have views to the harbour and Harbour Bridge. The heritage listed Craiglea House units	▪ Retain visual access to the Harbour from neighbouring properties; ▪ The primary mass of the new building component is consistent with the existing height and additional height is limited to the frameless glass barriers with minimal visual impact; ▪ The proposed rooftop landscaping is compatible with the Craiglea House rooftop landscape design; ▪ Screening and vegetation provide opportunity for privacy; ▪ Harbour views are unaffected and minor changes to the façade do not distract or detract from primary harbour views.

Sub-Character 3	
Sub character 3 refers to the areas to the west of the Site, fronting Jeffreys Street. It is characterised by 2 storey terraces and an apartment block to the street. The alignment of the street acts as a view corridor to the iconic Opera House in the harbour. Jeffreys street is one of the main streets connecting the Neighbourhood Centre to the wharf and is experienced by local residents, employees and travellers passing through the neighbourhood.	▪ Minor addition on Level 5 will have no impact on Jeffreys Street façade; ▪ Streetscape is maintained and provides an intimate view corridor to the Opera House and the Harbour; ▪ The local community will not experience any changes passing through Jeffreys Street to the Harbour as a result of the proposal.
Sub-Character 4	
To the south of the Site is 2-4 storey multi-unit apartment buildings facing the harbour. The development sits on the fringe of the harbour and provides a transition from higher density apartments to the harbour. St Aloysius' College, as one of the many iconic buildings in the local area, will be experienced by a high number of local residents and visitors travelling through the harbour or arriving at the Jeffreys Street Wharf.	▪ The proposal generally maintains the existing built form along Kirribilli Avenue, with no change in the setback and streetscape; ▪ The proposal will not only provide a transition from higher density residential units to the properties along the Harbour, as well as preserve the building's iconic architectural style serving as a landmark and identifier to the area.

Figures 28 - 31 define the sub-characters surrounding the main campus, and the respective interface.

Figure 28 | Sub-Character 1 Interface – Upper Pitt Street

Figure 29 | Sub-Character 2 Interface – Craiglea House

Figure 30 | Sub-Character 2 and 4 Interface (Private View)

Figure 31 | Sub Character 3 and 4 Interface

The Character Assessment, as prepared by Roberts Day, concludes the proposal *genuinely respects and responds to the Kirribilli local character and community values, the 4 sub character interfaces and that the interface between the proposed built form and adjoining character is considered appropriate.*

The proposals appropriate response to the surrounding character is further reinforced in that the proposal will not change the existing streetscapes and setbacks which are compatible with the Kirribilli Neighbourhood Local Character.

Overall, it is considered, the College remains as an iconic institute of learning in the Kirribilli Neighbourhood Local Area and does not compromise the scenic values of Kirribilli.

4.4 LIGHT SPILL ASSESSMENT

A Lighting Concept has been prepared by Umow Lai and accompanies this application as **Appendix J**.

Due to the context of the Site, the future lighting of the rooftop terrace would need to give consideration to light spill to neighbouring properties, light pollution (glow sky), discomfort glare, and the visibility of lighting from harbour view. A desktop review of the neighbouring properties in relation to the proposed development has been undertaken to identify potential light sensitivity receptors.

Consideration has been taken to avoid unnecessary light spill and to serve the main purpose of lighting design for Roof Terrace. The design aims to consider the light spill to private residential and public areas from proposed types of light fittings, their orientation and location. Lighting would be designed and installed in accordance with the requirements of *AS4282 Control of the Obtrusive Effects of Outdoor Lighting*.

The following mitigation measures are recommended to ensure a desirable design outcome will be achieved:

- Use low level lighting;
- Avoid using floodlight;
- Use low-glare luminaire with glare shield;
- Introduce dimming control system to reduce intensity of light.

A suitable condition of consent may be imposed to facilitate the implementation of the details and recommendations of the light spill assessment (**Appendix J**).

4.5 BIODIVERSITY

An assessment has been carried out by Cumberland Ecology, and accompanies this application as **Appendix M**, to consider the need for formal biodiversity assessments to support future development applications for the re-development of St Aloysius' College. The assessment considered the entire land area covered by the Main Campus. Senior Campus and Junior Campus.

Based on the assessment of the biodiversity of St Aloysius' College, it is considered the requirement for a Biodiversity Development Assessment Report would be waived.

A request for a waiver for the requirement for the preparation of a Biodiversity Development Assessment Report (BDAR) was issued to DoPE and Office of Environment & Heritage on 4 September 2018.

Accordingly, the Department reviewed the application of the test of significance under Section 1.5 and 7.3 of the *Biodiversity Conservation Act 2016* (BC Act) and Clause 1.4 of the *Biodiversity Conservation Regulation 2017* and considered the information provided in the letter prepared by Cumberland Ecology dated 24 August 2018. The DoPE have determined that the development is not likely to have any significant impacts on biodiversity values and that SSDA 8669 does not need to be accompanied by a BDAR. A waiver under Section 7.9 was therefore granted for the proposed development (**Appendix Q**).

The delegated *Environment Agency Head* in the Office of Environment & Heritage have also granted a waiver.

4.6 TREE RETENTION

An Aboricultural Impact Assessment (AIA) was prepared by ArborSafe, dated 11 March 2018, and submitted with the original EIS. The assessment included five (5) trees located within or adjacent to the Main Campus, including the tree located on Craiglea House, being *Liquidambar styraciflua* (Liquidambar). The identified tree, Tree 60, has good to fair health and good to fair structure, and a Useful Life Expectancy (ULE) of more than 15 years. Although the tree is located on the adjacent property, it is close enough to the boundary that the proposed development would be within its estimated TPZ. The adjoining tree will be retained with the implementation of specific protection measures during the development.

The TPZ for the identified Tree is 7.8m measured at a radial distance from the centre trunk taken from the estimated DBH. Notwithstanding, the AIA considered that the TPZ criteria should be considered void as the solid bedrock and the rock boundary wall appears to have formed an effective barrier for any significant structural roots. This assumption is based on the size, weight, components, age, construction and general appearance of excellent stability of the stone boundary wall. The full encroachment will be determined when verification of roots within the Main Campus has occurred.

Further, the identified tree may require targeted reduction pruning of several lower lateral branches during the installation of the vertical garden and/or the new landscape plantings. It is anticipated that minor pruning only will be required of less than 10% of the trees total canopy cover. Excavation adjacent to the identified tree will be carried out only under Arborist supervision. Any roots discovered will be treated with care.

In order to provide certainty, root investigations were carried out by ArborSafe and an addendum report was prepared and submitted with this application as **Appendix R**. Exploratory trench work was undertaken on 9 October 2018 by means of a third party contractor utilising a Hydro-Vac truck to limit any potential root impact. Three (3) roots were identified within the trench as being large enough, generally over 40mm in diameter to warrant further consideration. Two of the roots were identified as

originating from the stump of a previously removed tree, so have no bearing on the assessment, while the remaining root was identified as originating from the subject tree (Tree 60). The root penetrated through a weep hole within the base of the wall, 3.2m to the northwest of the subject tree's trunk alignment. The root was 60mm in diameter, measured 150mm out from the wall, with the diameter being smaller where it penetrated the weep hole. No displacement of any kind was observed within the stones of the wall.

AborSafe have concluded at a distance of 3.2m from the truck alignment the root would likely be outside the theoretical Structural Root Zone (SRZ) of the subject tree. Combined with the roots relatively small size and the stability of the wall itself against the remaining root system and associated soil volume, it is considered that serving the root would have minimal to no structural bearing on Tree 60.

Overall, it is considered the removal of the garden bed within the courtyard of the St Aloysius College Main Campus, as part of the proposed development, would have minimal effect on the health and structure of Tree 60.

PART E DRAFT CONDITIONS OF CONSENT

The agencies have provided draft conditions to be incorporated into the SSDA consent. The majority of the conditions are standard conditions of consent and can be complied with prior to the issue of a construction or occupation certificate. However, there are a select number of requests and/ or draft conditions suggested by the Transport for NSW (TfNSW) that require clarification and amendments. The TfNSW requests and/or draft condition and our matters for clarification or suggested condition wording is provided in the following sections.

5.1 TRANSPORT FOR NSW

The conditions outlined in **Table 6** below were proposed by Transport for NSW to be included as part of any future determination.

Table 6 | Transport for NSW Draft Conditions of Consent	
Draft Condition	**Proposed Amendments/ Comment**
Road Safety Evaluation	
A Road Safety Evaluation (RSE, refer to *NSW Centre for Road Safety Guidelines for Road Safety Audit Practices and Austroads Guide to Road Safety Part 6: Road Safety Audit*) shall be conducted on all relevant sections of road utilised for bus and private vehicle pick-up and drop-off. Appropriate road safety measures and/or traffic management measures shall be implemented based on the outcomes of the RSE.	Condition is accepted. No amendments are required.
Green Travel Plan	
As part of the ongoing operation of the school, a detailed Green Travel Plan (GTP), which includes target mode shares for both staff and students to reduce the reliance on private vehicles, shall be prepared. The GTP must be implemented accordingly and updated annually.	A GTP has been prepared and accompanies this Response to Submissions as **Appendix F** (refer to **Section 2.3**) of this report. The wording of the conditions is proposed as the following: *The Green Travel Plan (GTP), dated August 2018, has prepared by High Range Analytics Pty Ltd will be implemented accordingly and updated annually.*
Traffic and Parking Management Plan	
The Applicant shall prepare a Traffic and Parking Management Plan, which details the measures to safely manage the daily transport task to/from the school. Traffic management measures that need to be addressed include: ▪ Kerbside vehicle pick-up/drop-off management and orderly vehicle queuing. ▪ Maintaining bus accessibility and student waiting areas; ▪ Safe parent and student behaviour during	Condition is accepted. No amendments are required.

pick-up/drop-off; and ▪ Safe pedestrian movements to the school entrances, minimising vehicle-pedestrian conflicts. The plan shall also detail the responsibilities of various personnel executing the plan and include measures to monitor, review the performance and make improvements to the plan. This plan should be implemented as part of the ongoing operation of the redeveloped school.	
Construction Pedestrian Traffic Management	
The Applicant shall prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with North Sydney Council. The CPTMP needs to specify, but not be limited to, the following: ▪ Location of the proposed works; ▪ Haulage routes; ▪ Construction vehicle access arrangements; ▪ Proposed construction hours; ▪ Estimated number of construction vehicle movements; ▪ Construction program; ▪ Consultation strategy for liaison with surrounding stakeholders; ▪ Any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works; ▪ Cumulative construction impacts of other developments. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities are managed to minimise impacts on the road network; ▪ Proposed mitigation measures. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP.	Condition is accepted. No amendments are required.

5.2 TRANSPORT ROADS & MARITIME SERVICES

The Roads and Maritime Services (RMS) raised no objections to the proposal subject to the implementation of the following conditions, as outlined in **Table 7**, in any determination issued by the department.

Table 7 | RMS Draft Conditions of Consent	
Draft Condition	**Proposed Amendments/ Comment**
1. The subject property is within a broad area currently under investigation for the proposed Western Harbour Tunnel and Beaches Link motorway. The actual alignment for the proposal has not yet been determined and at present Roads and Maritime advises that the subject property remains within an area of investigation. The design will be finalised following feedback and development of an environmental impact statement. Once Roads and Maritime has more certainty on the properties impacted by the final road design, it will directly advise the owners of those properties. Further information about this project is available by contacting 1800 789 297 or motorwaydevelopment@rms.nsw.gov.au or by visiting the project website at http://www.rms.nsw.gov.au/projects/sydney-north/western-harbour-tunnel-beacheslink/index.html However, Roads and Maritime has no approved proposal that requires any part of the subject property for road purposes.	Condition is accepted. No amendments are required.
2. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate.	Condition is accepted. No amendments are required.
3. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows at nearby traffic signal sites during construction activities.	Condition is accepted. No amendments are required.
4. All works / regulatory signage associated with the proposed development are to be at no cost to Roads and Maritime.	Condition is accepted. No amendments are required.

The proponent accepts the conditions proposed by the RMS and does not request any amendments to the wording.

PART F COMMUNITY CONSULTATION

In accordance with SEARs issued for SSDA 8669, consultation has been undertaken with the relevant public authorities, the community and North Sydney Council. **Table 8** below summarises the meetings, presentation, briefings and information sessions held during the consultation process, including subsequent meetings following the submission of the EIS (as highlighted below):

Table 8 | Summary of Consultation Sessions

Date	Consultation	Stakeholder
19 June 2017	Briefing	North Sydney Council
		St Aloysius' College Staff
		Design Team
18 October 2017	Briefing	TfNSW
		RMS
		Design Team
15 November 2017	Briefing Session	Community
16 November 2017	Briefing Session	Affiliates of the College
18 November 2017	Briefing Sessions	Community
31st January 2018	Additional Briefing Session	Residents of Craiglea
27th April – 28th May 2018	Exhibition Period	Government Agencies and Local Community
3rd May 2018	**Presentation**	**Milson Point Community Precinct**
8th May 2018	**Additional Briefing Session.**	**Residents of Craiglea**
19th June 2018	**Presentation**	**North Sydney Council**

The residents of Craiglea House (49 Upper Pitt Street) requested additional information regarding view impacts, design of the proposed acoustic barrier and light spill, which are included in **Appendix E**, **Appendix K** and **Appendix L**, respectively.

The College has met with Loreto Kirribilli on a number of occasions over the course of the last two (2) years and have held fruitful conversations regarding the State Significant Developments being submitted by both schools.

Discussions to date have been centred on how the two schools are able to work together to ensure that any approved works are conducted in a manner that is least disruptive to the local community. Both schools are very conscious of the need to ensure close co-ordination of construction schedules and planning in partnership with local groups and authorities.

It is important to note that St Aloysius' College are committed to working closely with its neighbours throughout the construction process.

PART G FINAL MITIGATION MEASURES

The collective measures required to mitigate the impacts associated with the proposed works are detailed in **Table 9** below. These measures replace those outlined in the original EIS were applicable.

Table 9| Mitigation Measures	
Noise Impact	Measures to mitigate operation and constructions noise will be implemented in accordance with the recommendations of the Noise Impact Assessment prepared by SLR and amended August 2018.
Construction Impacts	A detailed Construction Management plan will be prepared by the appointed contractor prior to the commencement of works. The CMP will establish site management principles generally in accordance with the revised preliminary Construction Management Plan prepared by TBH dated {insert date}
Lighting Plan	Use low level lighting;
	Avoid Using Floodlight;
	Use low-glare luminaire with glare shield;
	Introduce dimming control system to reduce intensity of light
Traffic and Parking	St Aloysius' College will operate in accordance with the Green Travel Plan prepared by High Range Analytics dated August 2018.
Tree Removal	Trees to be retained will be protected in accordance with the recommendations of the Arboricultural Impact Assessment prepared by Naturally Trees dated March 2018.
Heritage	The treatment of the heritage item at Wyalla is to be addressed in accordance with the Heritage Impact Statement prepared by NBRS Architecture dated 9 February 2018, and the addendum statement dated 16 August 2018. The following recommendations are made in relation to the proposed St Aloysius' Master Plan and Stage 1 Works: (a) Wyalla and all surviving nineteenth century fabric is to be protected from damage during construction works. (b) Ongoing advice from a heritage architect should be sought during design development and construction development phases of the works to assist in developing strategies to mitigate heritage impacts. (c) Fabric and spaces affected by the proposed works should be photographically recorded prior to the works being carried out. (d) Internal drywall infill panels are to be removed in preference to the removal of masonry. (e) Openings in walls are to maintain masonry nibs and masonry above new openings. (f) Windows frames, glass, sashes, architraves, and door leafs, are to be salvaged where possible for re-use off site. Where appropriate, original hardware is to be retained, and used for repairs to Wyalla windows. (g) The history and development of the Site should be communicated to students, staff and visitors to enhance their understanding of the significance of Wyalla and St Aloysius' College.
Community Consultation	St Aloysius' College will commit to arranging informal consultation with the local community through the construction period of the development, advising of the scheduled proposed works.

PART H CONCLUSION

The applicant, St Aloysius' College and its expert consultant team have considered all submissions made in relation to the public exhibition of the proposal. A considered and detailed response to all submissions made has been provided within this report and the accompanying documentation.

This report has considered the response received from the DoPE, North Sydney Council, other agencies and the local community during the exhibition of the EIS for Concept Master Plan and Stage 1 Built Form Approval for the redevelopment of St Aloysius College, Junior, Main and Senior Campus. The drawings have been amended where appropriate to respond to comments and concerns raised by DoPE, North Sydney Council, other agencies, and the local community. The EIS and the environmental impacts assessed for the amended concept layout confirm that there are no significant adverse impacts associated with the proposal and recommendations have been made for mitigation measures to reduce these impacts further during construction and operation of the Project.

In summary, the development warrants the support of the Minister and we therefore recommend that approval be granted to the concept proposal and Stage 1 works, subject to conditions, and the conclusion provided below:

- It has been prepared having regard to Council's planning policies and generally complies with the aims and objectives of the planning controls applicable to the College;
- While the proposal results in a numeric non-compliance with the height standard in the NSLEP 2013 for the Main Campus and Junior Campus, a justification pursuant to Clause 4.6 was submitted with the original EIS that finds that the standard is unnecessary and unreasonable in the circumstances, as the proposal results in an improvement to the existing educational establishment through the better organisation of classrooms and provides contemporary learning facilities that will benefit both current and future students;
- Has been designed to limit visual impacts when viewed from 48 Upper Pitt Street and 49 Upper Pitt Street and will improve the presence to Upper Pitt Street with the public domain;
- The proposal will not increase the number of students at the College and as such does not constitute an intensification of the use of the Site;
- Is of a high architectural standard, and the built form is compatible with the surrounding character of the locality;
- Improves the acoustic impact on surrounding residents, through relocating the outdoor area on the Main Campus from the quadrangle to the proposed rooftop terrace;
- Retains and respects the Site's heritage significance whilst developing new facilities which are in-keeping with the heritage built form;
- The proposed development will result in an improved educational environment for the College through:
    - Enabling an excellent academic space;
    - Providing appropriate and functional open space for students;
    - Will modernise outdated educational facilities for future generations;
    - Create an inclusive, supportive and secure environment;
- The proposal will make a positive contribution to the built form of the College and create an attractive streetscape and interface with the local character in Kirribilli.

In summary, the development warrants the support of the Minister and we therefore recommend that approval be granted to the Concept Master Plan and Stage Built Form Approval, subject to conditions.

APPENDIX 1 –