

Jorge Van Den Brande

From: Kate Tudehope <KTudehope@ethosurban.com>
Sent: Friday, 14 September 2018 8:54 AM
To: Jorge Van Den Brande
Cc: Byron Williams
Subject: Loreto Kirribilli - Conditions and bike plan
Attachments: Loreto Kirribilli SSD_Schedule of Conditions_Final Response to IPC_14Sept2018.pdf; DA-2302 Northern Precinct - Lower Ground 3.pdf

Hi Jorge,

Following Tuesday's briefing, please see attached our proposed changes to the conditions as well as an updated Plan showing the revised bike parking location.

Also, on Tuesday we mentioned that FJMT previously analysed the ability to use the on-site car park for pick-up and drop-off. I assume that the Commissioners have seen this, but if not, we can send a copy for their information.

Kind regards,

Kate Tudehope

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Staged Redevelopment of Loreto School (Concept and Stage 1)
Draft Conditions for SSD 16_7919
14th September 2018

	Proposed for deletion
	Proposed amendments

Condition No.	Condition / Proposed Amendment in Track-Changes	Proposed Changes to Condition
Part A Administrative Conditions		
Schedule 2		
A5	<p>Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:</p> <p>(a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and</p> <p>(b) the implementation of any actions or measures contained in any such document referred to in (a) above.</p> <p>The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition (a) or (d). In the event of an inconsistency, ambiguity or conflict between any of the documents listed in Schedule 2, condition A4(a) or (d), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.</p> <p>Note: For the purposes of this condition, there will be an inconsistency between documents if it is not possible to comply with both documents, or in the case of a condition of consent or direction of the Planning Secretary, and a document, if it is not possible to comply with both the condition or direction, and the document.</p>	<ul style="list-style-type: none"> The School has obtained independent legal advice on this condition, and it is requested that this condition be deleted from Schedule 2. Schedule 2 relates to the concept plan only. The only conditions in Schedule 2 which relate to any "strategy, study, system, plan, program, review, audit, notification, report or correspondence" are limited to conditions specifying the matters which must be included in future development applications for the subsequent stages. Subsequent stages of the development may not necessarily be SSD. It is possible that the Council or the Sydney Planning Panel will be the consent authority for subsequent stages. It would therefore be more appropriate to leave it to the relevant consent authority to determine the level of further detail regarding "strategy, study, system, plan, program, review, audit, notification, report or correspondence" required for future development applications.
A7	<p>The student population and associated full time equivalent staff numbers, <u>as documented in annual Commonwealth Census Data</u>, must not exceed 1,130 (30 additional in senior school) and 182 respectively.</p>	<ul style="list-style-type: none"> In discussion with DPE, it has been agreed to include reference to the annual Commonwealth Census data in this condition. Loreto's Census data is published annually and is publicly available. This clarification will provide certainty around how staff numbers are calculated, and where the data is available. Following the meeting with DPE, Loreto has confirmed the formal title of the Census. This is reflected in the revised, proposed wording.
Part A Administrative Conditions		
Schedule 3		
A17	<p>The Applicant must prepare a detailed Workplace Travel Plan (WTP), within 3 months of the approval of this consent. The WTP must incorporate the following:</p> <p>(a) recommendations and initiatives in the <i>Workplace Travel Plan, prepared by McLaren Traffic Engineering and Road Safety Consultants</i> dated <u>9 February 2018</u>;</p> <p>(b) clear targets for reduction in private car use by staff, senior students, and parent drop-off and pick-up at the school;</p> <p>(c) travel information for modes other than private vehicle;</p> <p>(d) measures to reduce private car use, such as;</p> <p>i) charging for staff and senior students to park on site or at an alternative location;</p> <p>ii) a car pooling scheme, for a reduced price or free parking; and</p> <p>iii) ensure that the WTP is available on the school website and intranet.</p> <p>The WTP must be implemented by the Applicant, or person/s authorised to, for the life of the development.</p> <p>The WTP is to be monitored and revised annually for the first three years and then from time to time <u>at Loreto's discretion</u> as needed from the date of implementation.</p>	<ul style="list-style-type: none"> DPE agreed to rectify the error in consent (i.e. inclusion of the date of the WTP) There has been some discussion with DPE about the timing and frequency of the reviews of the WTP. The School had previously raised concerns about the inclusion of the wording 'from time to time' – it was unclear who determined what this meant, and who could request updates. DPE advised that this was at Loreto's discretion. It is requested that this wording be inserted for clarity.

Condition No.	Condition / Proposed Amendment in Track-Changes	Proposed Changes to Condition
A22	An increase in students or full time equivalent staff (as documented in annual Commonwealth Census Data) above the existing student enrolment / full time equivalent staff numbers (as documented in annual Commonwealth Census Data) at the date of determination, is not permitted prior to effective implementation of the OTAMP to the satisfaction of the Planning Secretary.	<ul style="list-style-type: none"> As above, it has been agreed to include reference to the annual Commonwealth Census data in this condition for clarity. Following the meeting with DPE, Loreto has confirmed the formal title of the Census. This is reflected in the revised, proposed wording.
A24	<p>Should the RSE required by Condition A18 identify any issues or identify that physical improvements to the pick-up/drop-off zone or the walking routes are needed, additional supplementary measures are to be proposed in the OTAMP and the document updated to incorporate any recommendations as follows such as:</p> <p>(a) alternate walking path for students during significant construction period;</p> <p>(b) closing the gates to the driveway on Carabella Street during drop-off pick-up times to encourage use of the full length of the pick-up/drop-off zone; and</p> <p>(c) provision of additional traffic controllers at designated pick-up/drop-off areas or delayed pick-up times for parents who are identified as routinely performing unsafe or illegal pick-up/drop-off.</p>	<ul style="list-style-type: none"> Loreto was originally requesting that this condition be deleted, however DPE has explained the intent of the condition and that it was a TfNSW requirement. Loreto now understands the intent of the condition and the need to retain it DPE noted that the list of suggestions at (a) – (c) is not exhaustive. To reflect this intent, it was agreed with DPE to change the wording to ‘such as’ to provide flexibility in the measures that may be implemented.
Part B Prior to Issue of a Construction Certificate		
B5	<p>To maintain appropriate levels of privacy to the adjoining neighbours and enable view sharing, the Applicant must modify the design of the “learning hub” building, through the following:</p> <p>(a) Delete the raised roof garden;</p> <p>(b) Floor level of the roof must not exceed FFL 34.5;</p> <p>(c) Restrict any access to the roof above the learning hub except for maintenance and cleaning purposes only;</p> <p>(d) Remove the 1.5 m high glass balustrade and propose alternative balustrades;</p> <p>(e) Access for circulation or fire egress purposes is restricted to the area between Marian Centre and the lift /stairs at the southern end only; and</p> <p>(f) Remove any lift opening on the northern side.</p>	<p>Refer to points in FJMT’s presentation. In summary:</p> <p>a) The deletion of the raised roof garden would be contrary to the Government Architects Design Guide for Schools - Principles 1 and 5. As detailed in the Response to Submissions, the intended use of the rooftop terrace has been limited to enable connectivity between the Learning Hub and the Marian Centre and to allow intermittent staff and student access to the rooftop garden for maintenance. The roof garden would not be used as a play space. The circulation path providing the connection between the two buildings has been set back as far as possible from the boundary, and is in the location of the existing bridge link (approximate setback of 16m) and a planter has been integrated into the western facade to provide a landscaped buffer between the adjoining properties. Further, removal of the roof garden would not result in improved views for unit 9/111 Carabella Street. The lift overrun, stair and plant are the only elements of the proposed building which exceed the LEP height limit, and do not contribute to the loss of harbour views from this apartment. As detailed below, the lift would still be required even if the roof was only accessed for maintenance and cleaning purposes.</p> <p>Finally, the rooftop garden has been provided to improve the outlook for this apartment. From the neighbour’s perspective, the outlook onto a landscaped garden is considered far preferable to a waterproof membrane or a metal deck roof.</p> <p>b) This can be maintained if used as a roof terrace. However, this RL does not include for the raised planter bed which would be approximately 500 - 600mm.</p> <p>c) Refer item a) there would be no benefit to neighbouring properties by limiting access to the roof top.</p> <p>d) It is proposed to retain the glazed balustrade as this was suggested to maintain transparency.</p> <p>e) Refer to items a) and c). It is noted that the area that this condition enables access to is closer to the neighbouring building than the area where access is proposed to be restricted.</p> <p>f) Even if the roof was not accessible to students, the lift (including the opening on the northern side) would be required for plant access.</p>
B12	<p>Plans demonstrating compliance with the following requirements for secure bicycle parking and end-of-trip facilities must be submitted to the satisfaction of the Principal Certifying Authority:</p> <p>(a) the provision of a minimum 20 student bicycle parking spaces with end-of-trip facilities in the Centenary Hall storage area adjacent to the Science Building, with end-of-trip facilities to be provided in the new Learning Hub;</p> <p>(b) the layout, design and security of bicycle facilities must comply with the minimum requirements of AS 2890.3:2015 Parking facilities - Bicycle parking, and be located in easy to access, well-lit areas that incorporate passive surveillance;</p> <p>(c) the details of the bicycle spaces and the ramp providing access to the bicycle parking area from Elamang Avenue;</p> <p>(d) the provision of end-of-trip facilities for staff in accordance with the ESD Design & As Built rating tool;</p> <p>(e) appropriate pedestrian and cyclist advisory signs are to be provided; and all works/regulatory signposting associated with the proposed developments must be at no cost to the relevant roads authority.</p>	<ul style="list-style-type: none"> The bicycle parking spaces were originally proposed to be located in Centenary Hall. However, this space is used for HSC exams, and so it is ‘out of bounds’ for parts of the year. The School has determined that it would be more appropriate to locate the spaces on the Elamang Avenue façade of the existing Science Building, beneath the verandah. 20 bicycle spaces can be accommodated in this location. A revised Northern Precinct Plan Stage 1 has been provided to show the revised location of the bicycle parking spaces. It is requested that this plan be listed in the conditions of consent.

Condition No.	Condition / Proposed Amendment in Track-Changes	Proposed Changes to Condition
Part C Prior to Commencement of Works		
C28	<p>A Construction Environmental Management Plan (CEMP) must be prepared by the Applicant including the following:</p> <p>(a) Prior to the commencement of works on the Subject Site, a CEMP that addresses those works must be submitted to the satisfaction of the Principal Certifying Authority. The Plan must address, but not be limited to, the following matters where relevant:</p> <ul style="list-style-type: none"> (i) hours of works specifically indicating that <u>excavation vehicle movements</u> are restricted to be between 7:00am – 2:00pm, <u>excluding the AM peak time between 8:00am – 9:30am and the afternoon pick-up period, prohibiting any excavation vehicle movements outside of these times;</u> (ii) <u>hours of work specifically indicating that following excavation, construction delivery times are restricted to the hours outlined in Condition D3, excluding the school drop-off and pick-up period;</u> ii) 24-hour contact details of Site manager; iii) traffic management, in consultation with the local Council, including a designated off-street car parking area for construction related vehicles (excluding construction workers / staff vehicles) iv) construction noise and vibration management, prepared by a suitable qualified person; v) management of dust to protect the amenity of the neighbourhood; vi) erosion and sediment control; vii) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site; viii) external lighting in compliance with AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting; ix) an Unexpected Finds Protocol (UFP) and associated communications procedure, that also considers potential for finds associated with defence use of the land and measures for acid soil management; and x) waste classification (for materials to be removed) and validation (for materials to remain) during construction to confirm the contamination status in these areas of the Subject Site. <p>(b) The CEMP must not include works that have not been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent must prevail; and</p> <p>(c) The Applicant must submit a copy of the CEMP to the Department and to the Council, prior to commencement of work.</p> <p>The CEMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.</p>	<ul style="list-style-type: none"> • The proposed condition seeks to separate “excavation vehicle movements” from general “construction traffic”. • We note that the submitted CMP (which outlined these restrictive times) related to excavation vehicle movements only. • Excavation vehicle movements are to be restricted during demolition and excavation stages ONLY based on 7am-2pm each “working day” (excluding 8am-9.30am). • General construction traffic is proposed to be restricted to the hours outlined in Condition D3 excluding the drop off and pick up period (i.e. 8-9.30am and 2.30pm-4pm). • Limiting all construction vehicle movements to the times outlined in Condition C28, as originally drafted, would limit vehicle movements to approximately 27% of the allowable working time, which would potentially extend the duration of the works by 50-55% (allowing for an affective operating day of approximately 80% taking into account daily site mobilisation and demobilisation). The originally proposed hours would also make it very difficult to coordinate concrete pours.
Part D During Demolition		
D5	<p>Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:</p> <ul style="list-style-type: none"> (a) 9:00am to 12:00pm, Monday to Friday; (b) 2:00-1:00pm to 5:00 pm Monday to Friday; and (c) 9:00 am to 12:00 pm, Saturday. 	<ul style="list-style-type: none"> • DPE has acknowledged that this condition has been varied before, however maintained that it is ‘standard for most schools’. • Whilst this may be the case, we still believe that the overall reduction in program (of approximately 6 weeks) would be more beneficial than maintaining a two-hour respite over lunch when most residents would be at work. • The submitted Acoustic Report suggests that rock breaking be carried out between 9am – 5pm with a 1-hour respite period. The condition aligns with the recommendations of the submitted Acoustic Report.
Part E Prior to Occupation or Commencement of Use		
E3	<p>To allow the increase in student numbers (by 30 to 1,130) and full time equivalent staff numbers, <u>as documented in annual Commonwealth Census Data, (by 2 to 182)</u>, evidence of implementation of the OTAMP and review in accordance with conditions A19 – A27 must be provided to the satisfaction of the Planning Secretary.</p>	<ul style="list-style-type: none"> • DPE agreed to amend this condition to reflect the upper limit caps for student and staff numbers. • As above, it has been agreed to include reference to the annual Commonwealth Census data in this condition for clarity and the formal title of the Census has been confirmed.
E17	<p>The roof above the learning hub must not include a roof garden.</p>	<p>Refer to response above and FJMT’s presentation.</p>
E25	<p>The Applicant is to prepare an Out of Hours Event Management Plan (EMP), for out of hours events that involve 100 or more people. The plan must be prepared, in consultation with Council, and include the following:</p>	<ul style="list-style-type: none"> • The School currently holds numerous events on the campus, both inside and outside of school hours. • The proposal is not for an event space, and will not generate new or additional events on the site i.e. there is no nexus between the proposal and this condition.

Condition No.	Condition / Proposed Amendment in Track-Changes	Proposed Changes to Condition
	<p>(a) details that the evening events would commence after the PM peak times; (b) the maximum duration; (c) arrival and departure times and modes of transport; (d) where relevant, a schedule of all annual events and availability of basement car park for parking; (e) demonstrate measures to encourage non-vehicular travel to the school and promote and support the use of alternate travel modes (i.e. public transport); (f) measures to minimise localised traffic and parking impacts; and (g) include measures to minimise noise impacts on any sensitive residential receivers, including the preparation of acoustic management plan.</p> <p>The EMP must be made available on the school's website and be implemented by the Applicant for the duration of the identified event or use.</p>	<ul style="list-style-type: none"> The School has concerns around the requirement to consult with Council, and the potential for Council to limit the School's existing operation. Limiting events to after PM peak times would prevent many events currently held on the School campus (such as parent teacher nights). The School also has significant concerns about publishing an EMP on the website – for safety and security reasons.
Part F Post Occupation		
F1	<p>The Workplace Travel Plan required by Schedule 3 condition A17 of this consent must be updated annually for the first three years and then from time to time <u>at Loreto's discretion</u> as needed from the date of implementation</p>	<ul style="list-style-type: none"> As outlined above in relation to Condition A17, there has been some discussion with DPE about the timing and frequency of the reviews of the WTP. The School had previously raised concerns about inclusion of the wording 'from time to time' – it was unclear who determined what this meant, and who could request updates. DPE advised that this was at Loreto's discretion. It is requested that this wording be inserted for clarity.
F2	<p>An up to date event schedule must be maintained and must: (a) identify the dates for all the annual events (excluding student only events), time of events and the number of attendees; (b) be displayed in a convenient and publicly accessible location or distributed to surrounding residents on an annual basis, including notification of any changes to events.; and (c) establish a notification process (e.g. letterbox drop or e-communication) to inform surrounding residents.</p>	<p>Refer to response above. The application does not propose any intensification of out of hours events. Loreto has significant concerns about publicising events more broadly– for safety and security reasons.</p>
F8	<p>The roof top of the new learning hub in the western precinct is to be only used for maintenance and cleaning purposes and not for any other use.</p>	<p>Refer to response above and FJMT's presentation.</p>
F9	<p>The roof area between the Marian Centre and the learning hub, up to the southern façade of the building is to be used for circulation between the two buildings (Marian Centre and Learning Hub) to avoid any adverse amenity impact on the surrounding residents.</p>	<p>Refer to response above and FJMT's presentation. It is noted that the area that this condition enables access to is closer to the neighbouring building than the area where access is proposed to be restricted.</p>

Northern Precinct Plan Stage 1

Level B

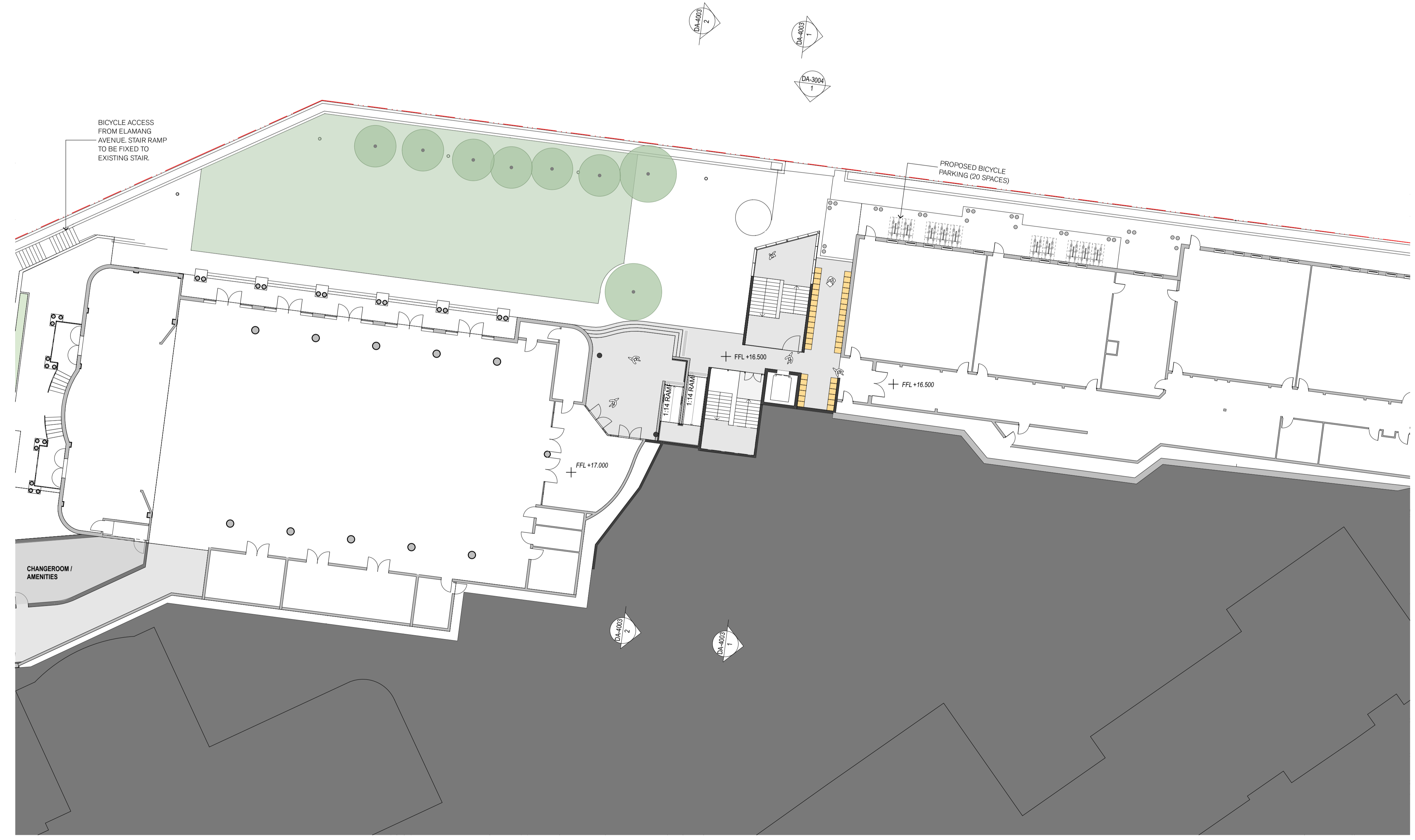


GENERAL NOTES
 ALL DIMENSIONS AND EXISTING CONDITIONS SHALL BE CHECKED AND VERIFIED BY THE CONTRACTOR BEFORE PROCEEDING WITH THE WORK
 ALL LEVELS RELATIVE TO AUSTRALIAN HEIGHT DATUM
 DO NOT SCALE DRAWINGS
 USE FIGURED DIMENSIONS ONLY

legend
 --- Site Boundary

- PROPOSED WORKS AND REFURBISHMENT**
- Circulation
 - Open Collaboration
 - Amenities
 - PDHPE
 - Store
 - Food Technology
 - Staff
 - Learning Studio
 - Outdoor Learning

- Proposed Demolition
- Proposed New Build
- Lockers



REV	DATE	DESCRIPTION	BY	CHK
03	13/01/18	SSO RTS Submission	KT	
02	21/07/17	SSO Submission	AWY	

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project
 Master plan
 85 Carabella Street, Kirribilli
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title
Northern Precinct Plans
Northern Precinct - Lower Ground 3

scale	1:200 @ A1	first issued	7/7/17
project code	sheet no.	revision	
LKMP	DA-2302	03	