



Major Alterations and Additions to the Stevenson Library Building at The Scots College

State Significant
Development
Assessment
(SSD 8922)
April 2019



April 2019

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Cover photo

Artists impression of Scots College Library (Source Applicant's EIS)

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
BCA	Building Code of Australia
BDAR	Biodiversity Development Assessment Report
CCTMP	Concept Construction Traffic Management Plan
CEMP	Construction Environment Management Plan
CIV	Capital Investment Value
CIP	Community Involvement Plan
CNVMP	Construction Noise and Vibration Management Plan
Consent	Development Consent
Council	Woollahra Council
DA	Development Application
Department	Department of Planning and Environment
DPI	Department of Primary industries
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW
GSC	Greater Sydney Commission
LEP	Local Environmental Plan
LGA	Local Government Area
Minister	Minister for Planning and Public Spaces
OEH	Office of Environment and Heritage
PCMP	Preliminary Construction Management Plan
PTA	Parking and Traffic Assessment
RMS	Roads and Maritime Services
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy

SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
TfNSW	Transport for New South Wales
WLEP	Woollahra Local Environment Plan



Executive Summary

This report provides an assessment of a State Significant Development (SSD) application for major alterations and additions to the Stevenson library building at The Scots College (SSD 8922). The site is known as The Scots College, located at 29-53 Victoria Road, Bellevue Hill, NSW 2023. The Applicant is The Presbyterian Church (New South Wales) Property Trust and the proposal is located within the Woollahra local government area (LGA).

The proposal seeks approval for alterations and additions to the existing Stevenson library building including partial demolition, extensions to existing floor slabs, creation of an atrium void, addition of a sixth storey, new pitched roof, complete interior refitting, recladding of the exterior in a Scottish Baronial architectural style and creation of new entrances from the existing quadrangle and oval. An increase in student numbers is not being sought.

The proposal has a Capital Investment Value (CIV) of \$28.86 million and would generate 418 construction jobs. The proposal is SSD under clause 15(2) of Schedule 1 of the State and Environmental Planning Policy (State and Regional Development) 2011, as it is development that has a capital investment value of more than \$20 million for the purpose of alterations or additions to an existing school.

The application was publicly exhibited between 6 September 2018 and 3 October 2018 (28 Days). The Department of Planning and Environment (the Department) received a total of 60 submissions, including seven comments from public authorities, one objection from a community group and 52 submissions from the public (49 objections, 2 comments and 1 submission in support of the proposed development). An additional seven comments from public authorities were received in response to the Applicant's Response to Submissions (RtS). The key issues raised in the submissions include student numbers, traffic and parking impacts and built form.

The Department has considered the traffic impacts associated with the proposed development and concludes that the construction and operational traffic and parking issues arising from the library redevelopment can be adequately mitigated or managed. The Department notes the Applicant has engaged with Council to address existing traffic and parking issues through two separate Development Applications (DAs) for new car parking and drop-off/pick-up facilities. These future DAs would be assessed by Council.

The Department has also considered view loss impacts associated with the proposed development and concludes that the view loss would be minor for the most affected neighbouring properties. The Department is satisfied that the impacts of the proposal have been addressed in the Environmental Impact Statement (EIS) and Response to Submissions (RtS) and can be adequately managed through the recommended conditions.

The Department considers that the proposed development would have no impact on student numbers and notes that no increase in staff or student numbers is proposed.

The application is referred to the Independent Planning Commission as more than 25 objections have been received in relation to the application.

The Department concludes the proposal is in the public interest and is approvable subject to conditions.



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1. Introduction

This report provides an assessment of a State Significant Development (SSD) application for the Stevenson Library Building at The Scots College, 29-53 Victoria Road, Bellevue Hill, (SSD 8922). The application has been lodged by The Presbyterian Church (New South Wales) Property Trust (the Applicant). The site is located within the Woollahra local government area (LGA).

The proposal seeks approval for alterations and additions to the existing Stevenson library building including partial demolition, extensions to existing floor slabs, creation of an atrium void, addition of a sixth storey, new pitched roof, complete interior refitting, recladding of the exterior in a Scottish Baronial architectural style and creation of new entrances from the existing quadrangle and oval.

1.1 Site description

The site is located 4.3 kilometres from the Sydney Central Business District and is rectangular in shape (**Figure 1**). The school campus has a total site area of 6.15 hectares and spans Victoria Road at the intersection with Ginahgulla Road.

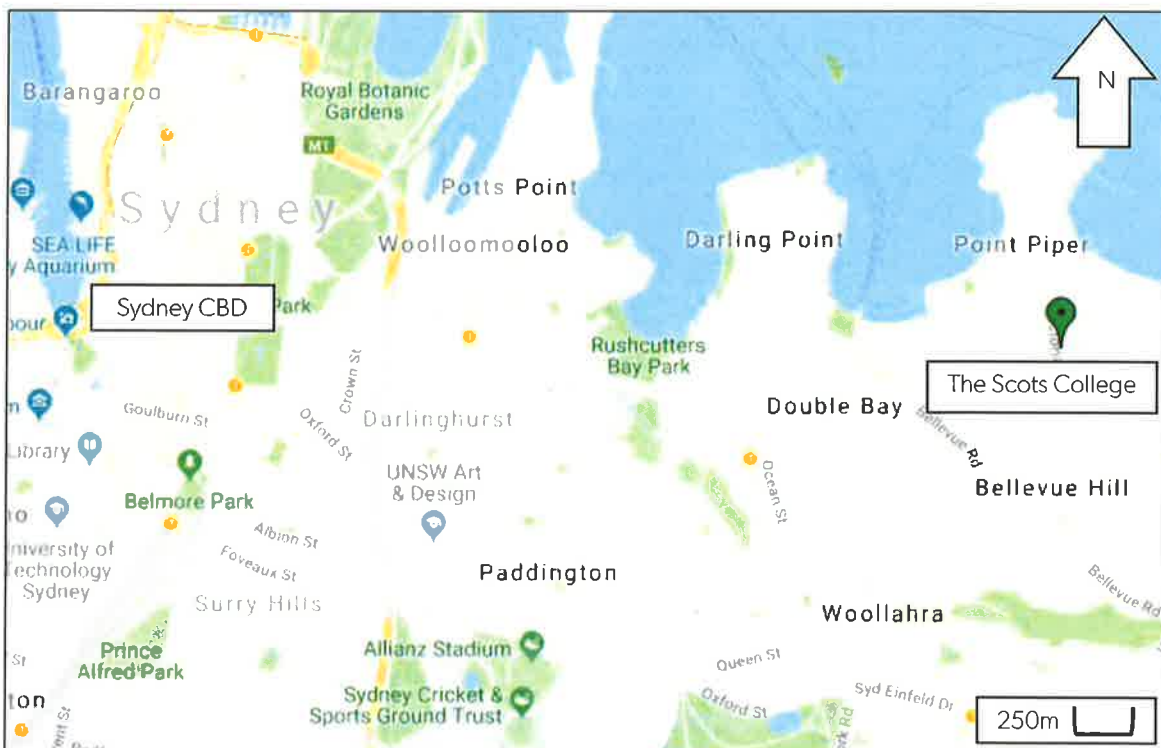


Figure 1 | Regional/local context map (Source: Nearmap 2019).

The College is comprised of an eastern and western precinct. To the east of Victoria Road (the 'east precinct') consists of the middle school building, oval, Aspinall House, the gymnasium, business studies centre, music centre, maths and science centre and accommodation buildings for boarders. West of Victoria Road (the 'west precinct') consists of the Ginahgulla building and secondary sports fields, with Fairfax House (used by boarders) and its associated garden occupying the western portion of the precinct. At the intersection, and across the street from both precincts, is the Principal's residence, Tintern House (**Figures 2 and 3**).



Figure 2 | Surrounding development map (Source: Nearmap 2019).

The Victoria Road east precinct serves as the senior school campus (year seven to year twelve) and as the administrative centre of the College. All senior school subjects and activities are delivered on this east precinct campus. The land on which the Stevenson library building is located, forms part of the Victoria Road east precinct. The Victoria Road east precinct is bounded by Aston Gardens to the north, Cranbrook Lane to the east, Cranbrook Road to the south, and Victoria Road to the west (**Figures 2 and 3**).

The formal student entry to the Victoria Road east precinct of the College is off Victoria Road to the north of the intersection with Ginahgulla Road. Bus stops are located along the eastern and western sides of Victoria Road south of the intersection with Ginahgulla Road. Bus service 326 operates along Victoria Road connecting to Bondi Junction and Edgecliff interchanges.

1.2 Surrounding development

The Scots College also consists of educational facilities at 6-10 Mansion Road, Bellevue Hill (preparatory school campus), 2-7 Mansion Road, Bellevue Hill (early learning centre), and Royle House (accommodation for boarders) situated on the eastern side of Cranbrook Lane. The College site is surrounded by residential dwellings on all boundaries.

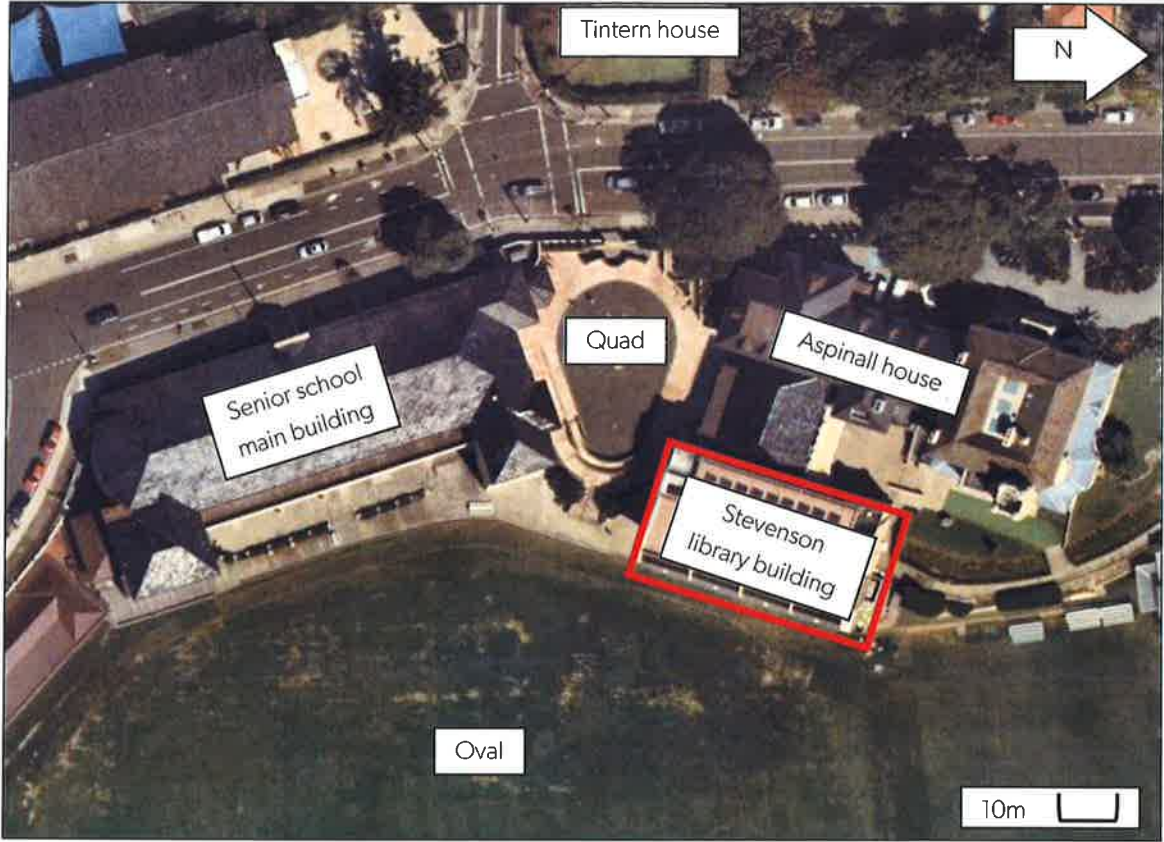


Figure 3 | Site context map (Source: Nearmap 2019).

2. Project

The key components and features of the proposal (as refined in the RtS) are provided in **Table 1** and are shown in **Figure 4** to **Figure 7**.

Table 1 | Main components of the project.

Aspect	Description
Project Summary	<ul style="list-style-type: none"> Major alterations and additions to the Stevenson library building.
Demolition	<ul style="list-style-type: none"> Partial demolition of the existing library.
Built form	<ul style="list-style-type: none"> Six storey library building with a Scottish Baronial style façade.
Site area	<ul style="list-style-type: none"> 61,500m².
Gross floor area (GFA)	<ul style="list-style-type: none"> 724m².
Uses	<ul style="list-style-type: none"> Library, counselling and meeting rooms, terrace and canteen/café.
Access	<ul style="list-style-type: none"> Pedestrian access from Victoria Road, construction vehicle access from Cranbrook Lane and Cranbrook Street.
Student numbers	<ul style="list-style-type: none"> No change.
Car parking	<ul style="list-style-type: none"> No change.
Bicycle parking	<ul style="list-style-type: none"> No change.
Public domain and landscaping	<ul style="list-style-type: none"> No change.
Hours of operation	<ul style="list-style-type: none"> School hours (6:30am-6:30pm Monday to Friday).
Jobs	<ul style="list-style-type: none"> 418 construction jobs.
CIV	<ul style="list-style-type: none"> \$28.8 million.

2.1 Construction works

The existing structure of the Stevenson library building would be partially demolished, including both internal and external walls. Part of the existing quadrangle and stairs to the College oval and stairs on the northern side of the building would also be demolished to facilitate construction of the proposed building.

The existing concrete slabs for each level would be retained and extended. A new upper storey (fifth level) and external terrace would be added to the building. A new lift would be installed to connect all levels of the library and a new stairwell would connect the ground, first, second, third and fourth floors. A new pitched roof with multiple integrated external architectural features would be constructed.

2.2 Physical layout and design

The proposed alterations and additions to the built form of the library would comprise:

Area	Works
Ground floor	<ul style="list-style-type: none"> Extend existing slab, new stairwell and lift, café and senior dining area.
First floor	<ul style="list-style-type: none"> Extend existing slab, new stairwell and lift, main entrance and reception area, group work room, counselling suite, consulting room and amenities.
Second floor	<ul style="list-style-type: none"> Extend existing slab, new stairwell and lift, grand hall, theatrette, presentation space and amenities.
Third floor	<ul style="list-style-type: none"> Extend existing slab, new stairwell and lift, senior study space, debating room and amenities.
Fourth floor	<ul style="list-style-type: none"> Extend existing slab, new stairwell and lift, group and activity-based learning work spaces, board room and amenities.
Fifth floor	<ul style="list-style-type: none"> Extend existing slab, new lift, founders' room, meeting and conference spaces and amenities.
Rooftop	<ul style="list-style-type: none"> Mechanical plant, 'lone piper keep' rooftop area.
External / Façade	<ul style="list-style-type: none"> Construction of a new pitched roof and Scottish Baronial façade, restorative landscaping works, new stairs and terrace.

The physical layout of the proposed building on the site is identified in **Figure 4** below. The proposed built form details are identified in **Figure 5** to **Figure 7**.

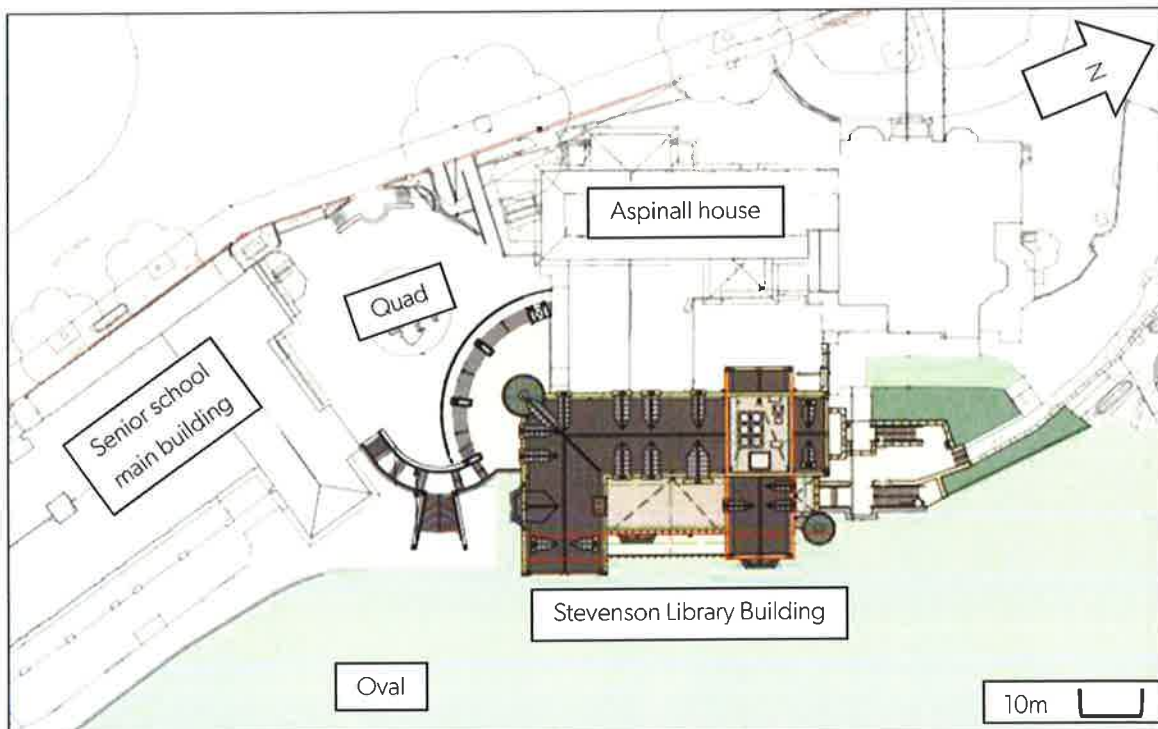


Figure 4 | Proposed site layout (Source: Applicant's EIS).



Figure 5 | Artist Impression of new library building (Source: Applicant's EIS)



Figure 6 | Artist Impression of new library building (Source: Applicant's EIS)



Figure 7 | Artist Impression of new library building (Source: Applicant's EIS)

2.3 Uses and activities

The primary function of the library would be a learning and digital resource centre for the College's senior school. The ground floor consists of a café and dining area. The first floor includes the main entrance, a reception area and service desk, group work room, counselling suite, consulting room and amenities. A grand hall, theatrette, presentation space and amenities would be constructed on the second floor. The third floor includes a senior study space, debating room and amenities. A board room, group and activity-based learning spaces and amenities are provided on the fourth floor. The fifth floor includes a Founder's room, meeting and conference spaces and amenities. The roof would contain the mechanical plant and a "lone piper keep" on a flat area on the north-west corner of the building.

2.4 Timing

The Applicant proposes to deliver the alterations and additions to the library through six phases comprising of:

- site enabling works (not subject to this SSD).
- earth and civil works.
- structural works.
- façade and exterior works.
- services and finishes.
- landscaping works.

The construction programme is expected to be 18-30 months with the development being completed in 2021. The existing school would continue to operate during the construction works.



3. Strategic Context

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

- it is consistent with the Greater Sydney Regional Plan, A Metropolis of Three Cities, as it proposes new school facilities to meet the growing needs of Sydney.
- it is consistent with the NSW Future Transport Strategy 2056, as it would support the ongoing provision of a modern educational facility in an accessible location.
- it is consistent with the vision outlined in the Greater Sydney Commission's Eastern City District Plan, as it would support the provision of services and social infrastructure to meet the changing needs of the College.
- it is consistent with State Infrastructure Strategy 2018 – 2038 Building the Momentum, as it proposes investment in the non-government school sector to provide modern learning environments for students and to continue to accommodate infrastructure and facilities sharing with communities.
- it would provide direct investment in the region of approximately \$28.8 million, which would support 418 construction jobs.



4. Statutory Context

4.1 State significant development

The proposal is SSD under section 4.36 (development declared SSD) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as the development has a CIV in excess of \$20 million and is for the purpose of alterations or additions to an existing school under clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011.

In accordance with Clause 8A of the State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP) and section 4.5 of the EP&A Act, the Independent Planning Commission (the Commission) is the declared consent authority as there are more than 25 public submissions in the nature of objection.

4.2 Permissibility

The site is identified as being located within the SP2 Infrastructure (Educational Establishment) zone by the Woollahra Local Environmental Plan (WLEP) 2014. An educational establishment is permissible with consent within the zone. Therefore, the Commission may determine the carrying out of the development.

4.3 Other approvals

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

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

4.4 Mandatory matters for consideration

4.4.1 Environmental planning instruments

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

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

4.4.2 Objects of the EP&A Act

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

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

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources.	<ul style="list-style-type: none"> The proposal involves the upgrade and improvement of an existing school library. The site is well established and its redevelopment would not negatively impact the economic welfare of the community or the natural environment.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment.	<ul style="list-style-type: none"> The proposal includes measures to deliver ecologically sustainable development (ESD).
(c) to promote the orderly and economic use and development of land.	<ul style="list-style-type: none"> The proposal would be an orderly and economic use and development of the land as the proposal provides for the improvement of an existing educational facility on a site owned by the Applicant.
(d) to promote the delivery and maintenance of affordable housing.	<ul style="list-style-type: none"> Not applicable.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats.	<ul style="list-style-type: none"> The site is currently fully developed as a school, and the redevelopment of one of the existing facilities would not impact on the natural environment or the conservation of threatened species or habitats.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage).	<ul style="list-style-type: none"> The new built form would sit comfortably within the heritage context of the site and surrounding areas.
(g) to promote good design and amenity of the built environment.	<ul style="list-style-type: none"> The proposed internal reconfiguration works have been designed to make best use of the building while providing modern flexible learning facilities. The proposed external design referencing the Scottish Baronial architectural style has a direct link to the history of the school.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	<ul style="list-style-type: none"> The proposal would promote proper construction and maintenance of buildings subject to recommended conditions of consent.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	<ul style="list-style-type: none"> The Department publicly exhibited the proposal (Section 4.1), which included consultation with Council and other public authorities and consideration of their responses (Sections 4.1 and Section 5).

- (j) to provide increased opportunity for community participation in environmental planning and assessment.
- The Department publicly exhibited the proposal as outlined in **Section 4.1**, which included notifying adjoining landowners, placing a notice in newspapers and displaying the proposal on the Department's website and at Council during the exhibition period.

4.4.3 Ecologically sustainable development

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

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

The development proposes ESD initiatives and sustainability measures, including:

- retaining the original concrete structure.
- using only sustainable sourced timbers from accredited suppliers.
- using highly rated Water Efficiency Labelling and Standards (WELS) water fittings to reduce water usage.
- using LED lights throughout the building with timing and occupancy sensors.
- use of paint with low levels of Volatile Organic Compounds (VOC).
- 90% of construction and demolition waste to be diverted from landfill.
- integrate photovoltaic glass panels on the external façade.
- solar roof tiles.
- on-site supercapacitor for energy storage and peak demand reduction.
- reduced amount of glazing from 56% of the existing façade to 21% of the proposed façade.
- passive thermal design.
- natural ventilation and energy efficient heating and air conditioning systems.
- rainwater harvesting.
- use of sustainable construction materials.

The Department has considered the proposed development in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process via a thorough and rigorous assessment of the environmental impacts of the proposed development. The proposed development is consistent with ESD principles as described in Section 3.11 and Appendix 21 of the Applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

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

4.4.4 Environmental Planning and Assessment Regulation 2000

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

4.4.5 Planning Secretary’s Environmental Assessment Requirements

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

4.4.6 Section 4.15(1) matters for consideration

Table 3 identifies the matters for consideration under section 4.15 of the EP&A Act that apply to SSD in accordance with section 4.40 of the EP&A Act. The table represents a summary for which additional information and consideration is provided for in **Section 6** (Assessment) and relevant appendices or other sections of this report and EIS, referenced in the table.

Table 3 | Section 4.15(1) matters for consideration.

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument.	Satisfactorily complies. The Department’s consideration of the relevant EPIs is provided in Appendix B of this report.
(a)(ii) any proposed instrument.	Not applicable.
(a)(iii) any development control plan (DCP).	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD.
(a)(iii)a) any planning agreement.	Not applicable.
(a)(iv) the regulations <i>Refer Division 8 of the EP&A Regulation.</i>	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(a)(v) any coastal zone management plan.	Not applicable.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	Appropriately mitigated or conditioned - refer to Section 5 of this report.
(c) the suitability of the site for the development.	The site is suitable for the development as discussed in Sections 3 and Section 5 of this report.
(d) any submissions.	Consideration has been given to the submissions received during the exhibition period. See Sections 4 and 5 of this report.
(e) the public interest.	Refer to Section 5 of this report.
Biodiversity values impact assessment not required if:	Not applicable.
(a) On biodiversity certified land.	
(b) Biobanking Statement exists.	

4.4.7 Biodiversity Conservation Act 2016

The proposed works are not likely to have an impact on biodiversity values. The Office of Environment and Heritage and the Department have determined that the application is not required to be accompanied by a Biodiversity Development Assessment Report (BDAR).

5. Engagement

5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 6 September 2018 until 3 October 2018 (28 days). The application was exhibited at the Department and on its website, at the NSW Service Centre and at Woollahra Council's office.

The Department placed a public exhibition notice in the Wentworth Courier on 5 September 2018, and notified adjoining landholders and relevant State and local government authorities in writing. The Department representatives visited the site to provide an informed assessment of the development.

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

5.2 Summary of submissions

The Department received a total of 60 submissions, comprising six submissions from public authorities, one submission from Council, one submission from a community group and 52 submissions from the public. A summary of the issues raised in the submissions is provided at **Table 4** below and copies of the submissions may be viewed at **Appendix A**.

Table 4 | Summary of submissions

Submitters	Number	Position
Public Authority	6	
• Roads and Maritime Services (RMS)	1	
• Transport for NSW (TfNSW)	1	
• NSW Office of Environment and Heritage (OEH)	1	Comment
• Heritage Council NSW	1	
• NSW Environment Protection Authority (EPA)	1	
• Sydney Water	1	
Woollahra Council (Council)	1	Comment
Concerned Scots Neighbours Community Action Group	1	Object
Community	52	
	49	Object
	1	Support
	2	Comment
TOTAL	60	

5.3 Public authority submissions

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

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

Council

Council is generally supportive of the proposal and provided the following comments:

- requested section 7.11 contributions to be levied.
- consideration to be given to impacts on traffic and parking during construction.
- consideration to be given to the potential for student and staff numbers to increase as a result of the increased space.
- consideration of the heritage impact on the local area.
- consistency of the architectural design with the desired future character for the precinct, the urban design is considered acceptable.
- view loss impacts are considered negligible.
- a hazardous materials survey and management plan is recommended as partial demolition is involved in the project.

Council also provided recommended conditions, should the application be supported.

EPA

The EPA advised that the proposal does not constitute a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) and does not consider that the proposal would require an Environment Protection Licence under the POEO Act.

Heritage Council NSW

The Heritage Council NSW recommended architectural changes to the roof of the library and suggested conditions of consent relating to archival recording of the existing library building, interpretive signage, excavation of archeological relics and unexpected finds protocols.

OEH

OEH provided recommended conditions of consent in relation to unexpected finds protocols.

RMS

No objection was raised, and no further comments were provided.

Sydney Water

Sydney Water provided recommended conditions of consent.

TfNSW commented that the proponent must ensure impacts on the surrounding road network are mitigated at the construction stage.

5.4 Public submissions

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

Table 6 | Summary of the public submissions to the proposal.

Issue	Proportion of submissions
Traffic and parking	96%
Increase in student numbers	63%
Noise impacts	6%
View loss	2%
Support for the proposed development	2%

The majority of public submissions received during the exhibition period raised concerns regarding traffic and parking from the construction and operational of the proposed development. Concerns regarding increased student numbers were also raised in a large proportion of submissions. Construction and operational noise impacts were identified as an issue in three submissions. One submission raised potential view loss impacts created by the proposed development as a concern. One submission registered support for the proposed development. 49 of the public submissions were received from the suburb of Bellevue Hill.

5.5 Response to Submissions

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

On 10 January 2019, the Applicant provided a Response to Submissions (RtS) (**Appendix A**) on the issues raised during the exhibition of the proposal. The RtS included separate responses from JCA Architects, Dr Alastair Disley and John Oultram Heritage & Design to the submission provided by the Heritage Council of New South Wales. The RtS provided by BBC Consulting Planners addresses the issues raised in public and agency submissions and responds to the key issues raised by the Department.

The RtS was made publicly available on the Department website and was referred to the relevant public authorities. An additional seven submissions were received from public authorities, including Council, EPA, OEH, Heritage Council NSW, RMS, TfNSW and Sydney Water. A summary of the issues raised in the submissions is provided at **Table 7** and copies of the submissions may be viewed at **Appendix A**.

Table 7 | Summary of public authority submissions to the RtS.

Council

Council confirmed that it is generally supportive of the proposed development and reiterated its comments that the Commission should satisfy itself that the increased floor space associated with the redevelopment of the library would provide only for improved learning facilities and would not increase teaching space or lead to a further increase in student numbers.

Council provided updated recommended conditions should the application be recommended for approval.

EPA

EPA did not provide any comment on the RtS.

Heritage Council NSW

The Heritage Council advised that the RtS had adequately clarified and addressed concerns raised regarding the roof design. The recommended conditions of consent were revised.

OEH

OEH provided updated recommended conditions of consent in relation to unexpected finds protocols.

RMS

RMS responded with no comment on the RtS.

Sydney Water

Sydney Water responded with no further comments on the RtS.

TfNSW

TfNSW advised that the concept construction traffic management plan provided in the RtS satisfied and addressed their previous comments.

In response to submissions to the RtS and the Department's request for further information, the Applicant provided additional information addressing the existing traffic and parking concerns which were raised during the exhibition period. The Applicant advised that two separate DAs were currently being prepared for Woollahra Council. One DA consists of an 80-space car park to be constructed underneath the existing McIntyre tennis courts and the second DA consists of a pupil drop-off/pick-up area at Ginahgulla Road on the Victoria Road West precinct.

height control 9.5m). The proposed roof form and floor space contained in the roof cavity contributes to just under half of the exceedance, being 4.6m. The extent of the non-compliance is shown in **Figure 9**.

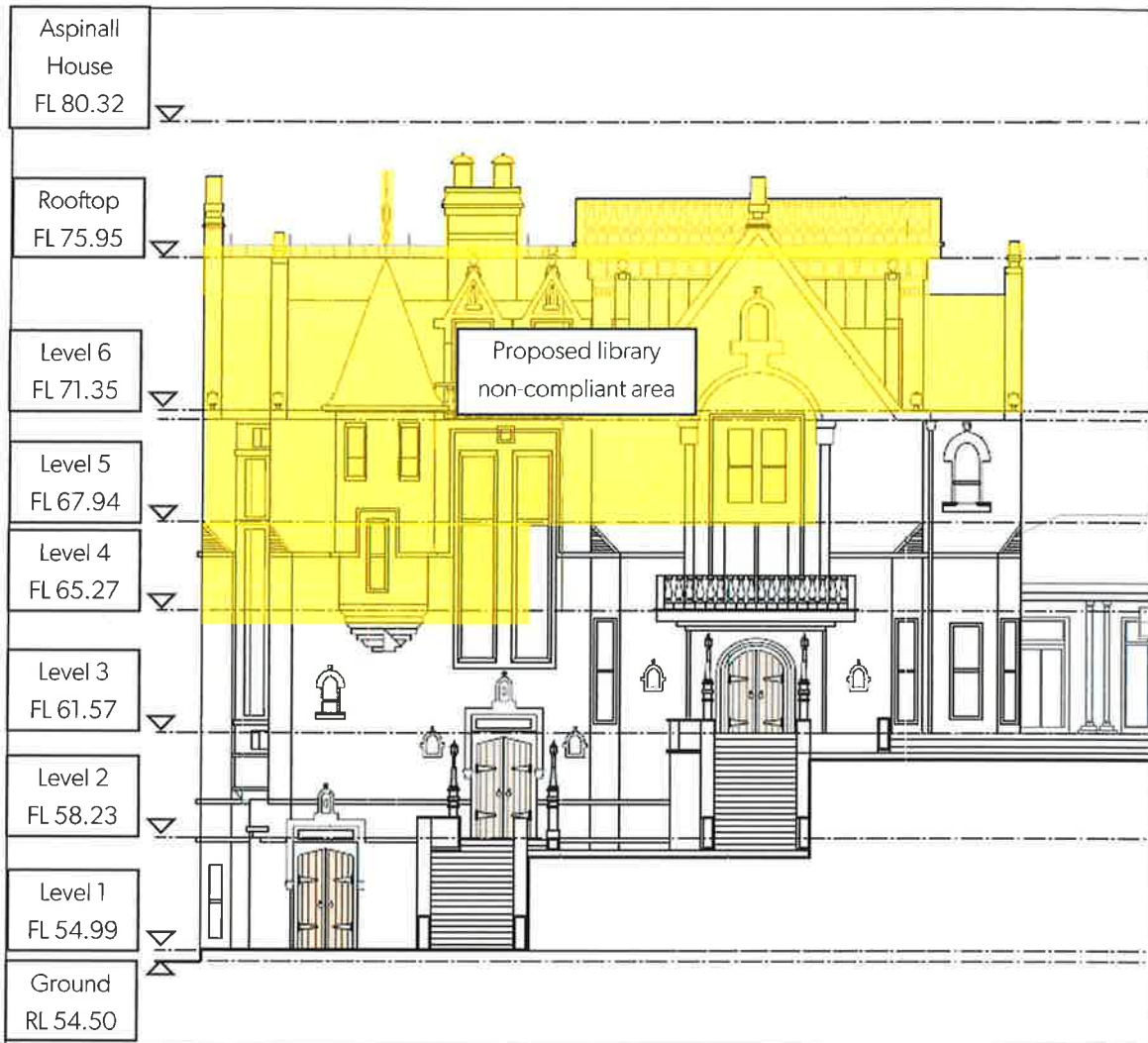


Figure 9: Non-compliant area highlighted for the proposed development (Base Source: Applicant’s EIS).

Clause 4.6 of the WLEP provides flexibility in the application of development standards, where it can be demonstrated that compliance is unreasonable and unnecessary and there is sufficient planning justification for contravention of the development standard.

Clause 42 of the Education SEPP stipulates that “development consent may be granted for development for the purpose of a school that is State significant development even through the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted”. The provisions of the Education SEPP apply to this proposal. Consequently, the building height development standard does not apply in this circumstance and the merit of the proposal should be considered in assessing whether the built form is appropriate for the site.

Notwithstanding, the Department has considered clause 4.6 of the WLEP as a guide to its assessment of the proposed building height. It has considered the general merits of the proposal and the impacts of the height variation on the surrounding area in assessing whether the built form is appropriate for the site.

In justifying the non-compliance, the Applicant argues that:

- strict compliance would be unreasonable or unnecessary in the circumstance as the proposal achieves the objectives of the development standard.
- strict compliance would restrict facilities and ability to cater to future demand, resulting in an inefficient use of the land.
- non-compliance would not adversely impact on surrounding natural or built environment.
- the new roof ridge height would be lower than the roof ridge of Aspinall House.

The proposed development would generate minor overshadowing impacts and would result in acceptable disruption to solar access throughout the day. Victoria Road would receive a minor increase in shadows cast from the library building in the morning during the winter solstice (**Figure 10**).

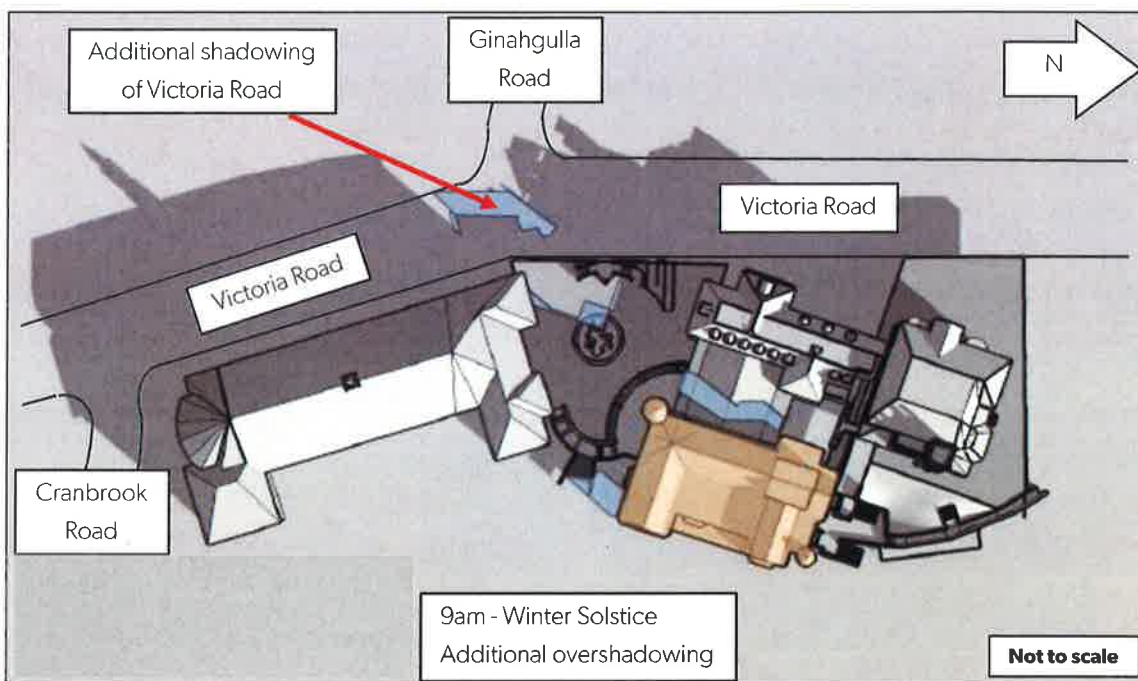


Figure 10: Shadows cast beyond the school boundary (Base Source: Applicant's EIS)

Additionally, the library would be setback from the property boundary and not impact solar access to any surrounding or adjacent properties. The Department notes that no concerns were raised by Council or Agencies in relation to the building height. The Department considers the non-compliance with the building height development standard is acceptable and appropriate for the following reasons:

- the proposed built form is setback from the street frontage.
- the proposed built form would not result in any significant off-site overshadowing impacts.
- the proposed built form would not result in an adverse impact on the environment or amenity of the surrounding area.
- a view loss assessment has been conducted in accordance with the planning principles established in *Tenacity Consulting v Warringah [2004] NSWLEC 140*.

The Department considers that strict compliance with the building height development standard would be unreasonable and unnecessary in this instance. The height, bulk and scale of the proposal would provide for optimum use of the site and the best design outcome, as such the proposed maximum building height is considered appropriate for the site.

6.1.2 Building design

The proposed alterations and additions include partial demolition of the existing Stevenson library building, extensions to existing floor slabs, creation of an atrium void, addition of a new upper story, interior refitting, recladding of the exterior, creation of a new main entrances from the existing College quadrangle and College oval. The library is located centrally within the site to the east of the existing Aspinall House.

The existing library building is not heritage listed. However, the Heritage Council raised concerns regarding the scale and proportions of the building having regard to the surrounding context, and potential overshadowing of Aspinall House. The Heritage Council proposed a design change to modify the roof of the proposed building to simplify the roof and avoid visual competition with Aspinall House.

In response to concerns raised by the Heritage Council, the Applicant's RtS provided a response from John Oultram Heritage & Design, Dr Alastair Disley and JCA Architects incorporating detailed discussions and clarifications to address the issues raised in the submission. The Applicant reiterated that while a portion of the proposed development exceeds the maximum height control, compliance with the WLEP would be unreasonable and unnecessary as the existing library and Aspinall House also currently exceed the height limit for the site. The Heritage Council responded to the RtS stating that the concerns previously raised had been adequately clarified and addressed by the further information provided by Dr Disley and JCA Architects and the recommended the design change to the roof be disregarded. Government Architect New South Wales (GANSW) did not provide any comment on the proposed building design.

The Department has considered the public benefits associated with the proposed development and notes that the Council and the public did not raise any concerns in relation to the height, bulk, scale, or overshadowing. Accordingly, the Department is satisfied that the proposal has been designed to integrate within the surrounding context and would not result in any adverse impacts associated with the proposed design of the building.

6.1.3 External materials and finishes

The proposed new library would be clad in a Scottish Baronial style façade (**Figure 11**).

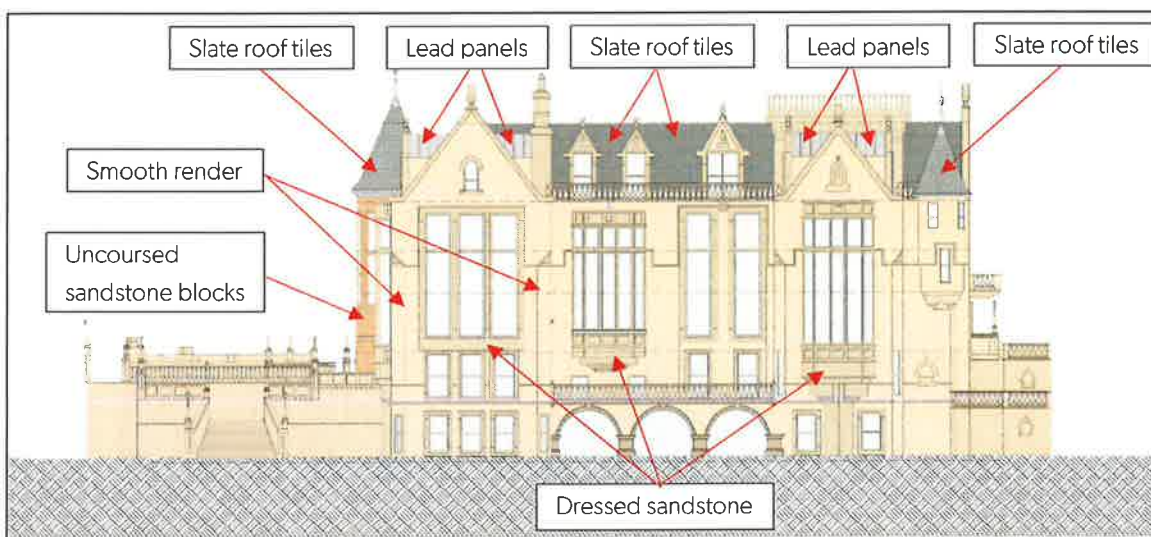


Figure 11: Proposed external materials and colours (Base Source: Applicant's EIS)

Façade finishes include:

- smooth render finish on most exterior walls.
- dressed sandstone highlights for doors, windows, rails, stairs and complimentary details.
- uncoursed sandstone blocks for the tourelle.
- slate roof tiles covering the gable roof and tourelle roof and lead panels for roof ridges.

The Applicant states that the materials and finishes were selected to complement the context of the school. The proposed development would have a mixture of soft pastel cream colours for the external palette with dark slate roofing complimenting the adjacent Aspinall House (**Figure 13**). The Department is satisfied that the proposed external colours and materials are appropriate in their context, while distinguishing the proposed development with The Scots College.

6.1.4 View impacts

The applicant has undertaken a view impact assessment for the public domain and six private residences (55, 58, 60 Victoria Road, 7, 9 Rupertswood Avenue, 15A Ginahgulla Road) facing the Stevenson library building with higher elevations that may potentially be impacted by the proposed development (**Figure 12**). An objection regarding view impacts was received on behalf of the owner of 58 Victoria Road/9 Rupertswood Avenue.



Figure 12: Potential private views impacted (Base Source: Nearmap 2019).

A detailed view analysis was carried out taking into account the established Planning Principles at the Land and Environment Court, in the judgement for *Tenacity Consulting v Warringah* [2004] NSWLEC 140 (Principles of view sharing: the impact on neighbours). The principles adopt a four-step approach to analysing the impact of view loss including the following:

- Step 1: Assessment of the views to be affected (water views/iconic views/whole views).
- Step 2: From which part of the property are the views obtained (the expectation to retain side views and sitting views is often unrealistic).
- Step 3: Extent of the impact (impact on living areas is more significant than bedrooms and view loss should be expressed quantitatively as negligible, minor, moderate, severe or devastating).
- Step 4: Reasonableness of the proposal that is causing the impact (compliance with development controls is considered more reasonable and alternate proposal should be considered).

Six categories were used to define the impacts including none (no impact), negligible (barely perceivable), minor (minor loss of tree, sky and distant water view), moderate (some loss of tree, sky and distant water view), severe (high impact on tree, sky and distant water view) and devastating (total loss of view).

The Department has considered the Applicant's analysis in relation to view loss impacts (**Figures 13 to 21**) assessed the views currently enjoyed by nearby neighbours having regard to the established planning principles and undertaken a site visit to assess potential view impacts and considered the one public submission that raised view impacts as a concern (**Table 8**). The views obtained for the view analysis are set at 1.6m from floor level, representing standing views from internal and external living and entertainment areas.

Table 8 | Private property view impacts.

Property	Views affected	View location	Extent of impact	Department's View Impact Assessment
55 Victoria Road	District views across The Scots College campus to the north.	Obtained from the upstairs balcony and downstairs living room. The view is located to the north across the rear/side boundary.	View impact negligible. The view toward the library is obscured by hedging trees and screening plants.	The Department notes that the existing view toward the library building is obscured by extensive landscaping. The existing view would not be affected by the proposed development. The view impact is considered negligible.
58* Victoria Road	Distant water views. Distant views of the land/water interface at Vaucluse.	North east across side boundary from driveway. North east across side boundary from garden terrace. North east across side boundary from first floor balcony.	View impact minor. Minor loss of distant water views.	The Department notes that 58 Victoria Road is the most affected property in regard to view impacts. A number of viewpoints across the property would be impacted to a minor degree with a partial loss of distant water views particularly when viewed from the driveway and garden terrace. However, the vast majority of harbour, district and distant views from internal habitable areas would be unaffected.
60 Victoria Road	District views across The Scots College campus to the north. Partially obscured sky view to the north.	North across side boundary from rooftop balcony and upper floor north facing windows.	View impact negligible. The view toward the library is obscured by an existing retaining wall/boundary fence, large trees and screening plants.	The Department notes that the existing view toward the library building is obscured by dense screening trees located on the boundary. Views from the lower level are blocks and views from the upper floor balcony are mostly obscured. The view impact is considered negligible.

7 Rupertswood Avenue	Distant water views.	North east across side boundary from front garden.	View impact minor. Minor loss of restricted water views.	The Department notes that the existing view is obtained from the edge of the garden across the side boundary and is partially obscured by existing hedging plants. The proposed development would result in a minor loss of distant water view. The view impact is considered minor.
9* Rupertswood Avenue	Distant water views.	North east across side boundary from driveway. North east across side boundary from cottage living room.	View impact minor. Minor loss of distant water views.	The Department notes that the existing views are obtained from within the cottage and from the adjoining balcony on both the upper and lower floors. The proposed development would result in minor loss of distant water views from these locations. The vast majority of harbour, district and distant views would be retained.
15A Ginahgulla Road	Obscured distant water views	North east across side boundary from the rear garden space.	View impact negligible. Barely perceivable due to existing vegetation.	The Department notes that the existing view toward the library building is obscured by dense foliage from existing mature trees. The existing view would not be affected by the proposed development and would be barely perceivable beyond the existing trees. The view impact is considered negligible.

*58 Victoria Road and 9 Rupertswood Avenue form part of Barford estate.

The Department notes that multiple viewpoints for the most affected property Barford Estate at 58 Victoria Road / 9 Rupertswood Avenue, Bellevue Hill, have been assessed. While some loss of water views of Rose Bay would occur, the majority of the views would remain unaffected by the proposed development (**Figure 17**). Applying the planning principle, the total impact has been described as minor for the most affected property.

While the height of the proposed development would increase from that of the existing building, the proposed development would maintain a generous separation (approximately 150m to 200m) from the most affected residential property at 58 Victoria Road. The Department further considers that the views enjoyed are over a side boundary and the degree of view loss is minor. Therefore, the strict application of the height control is not considered necessary in this instance given the topography of the site and setback from Victoria Road, the justification for the roof form provided by the Applicant and the significance of the architectural style to the history of the school, and the benefits associated with the redevelopment of the library.

The Department finds that the conclusions made by JCA Architects in their design report view analysis are satisfactory and that the view loss analysis undertaken is acceptable. It has been adequately demonstrated that view loss impacts would be minor overall. The Department also concludes the proposed built form is considered to be reasonable and appropriate in its context, consistent with the established planning principles.



Figure 13: View from master bedroom balcony across side boundary at 58 Victoria Road (Source: Applicant's EIS 2018).

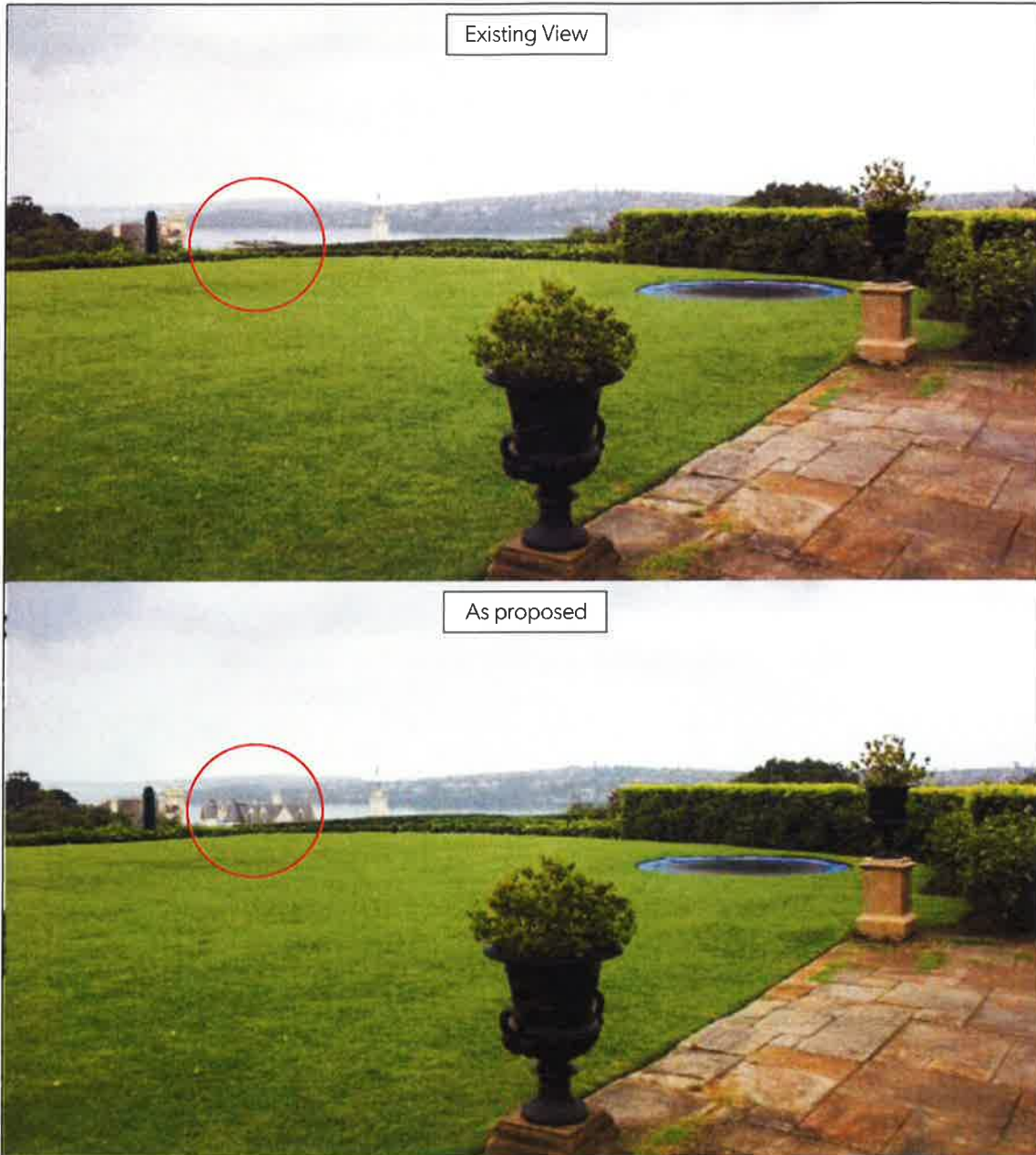


Figure 14: View from rear across side boundary at 58 Victoria Road (Source: Applicant's EIS 2018).



Figure 15: Panoramic image of views impacted from the grou

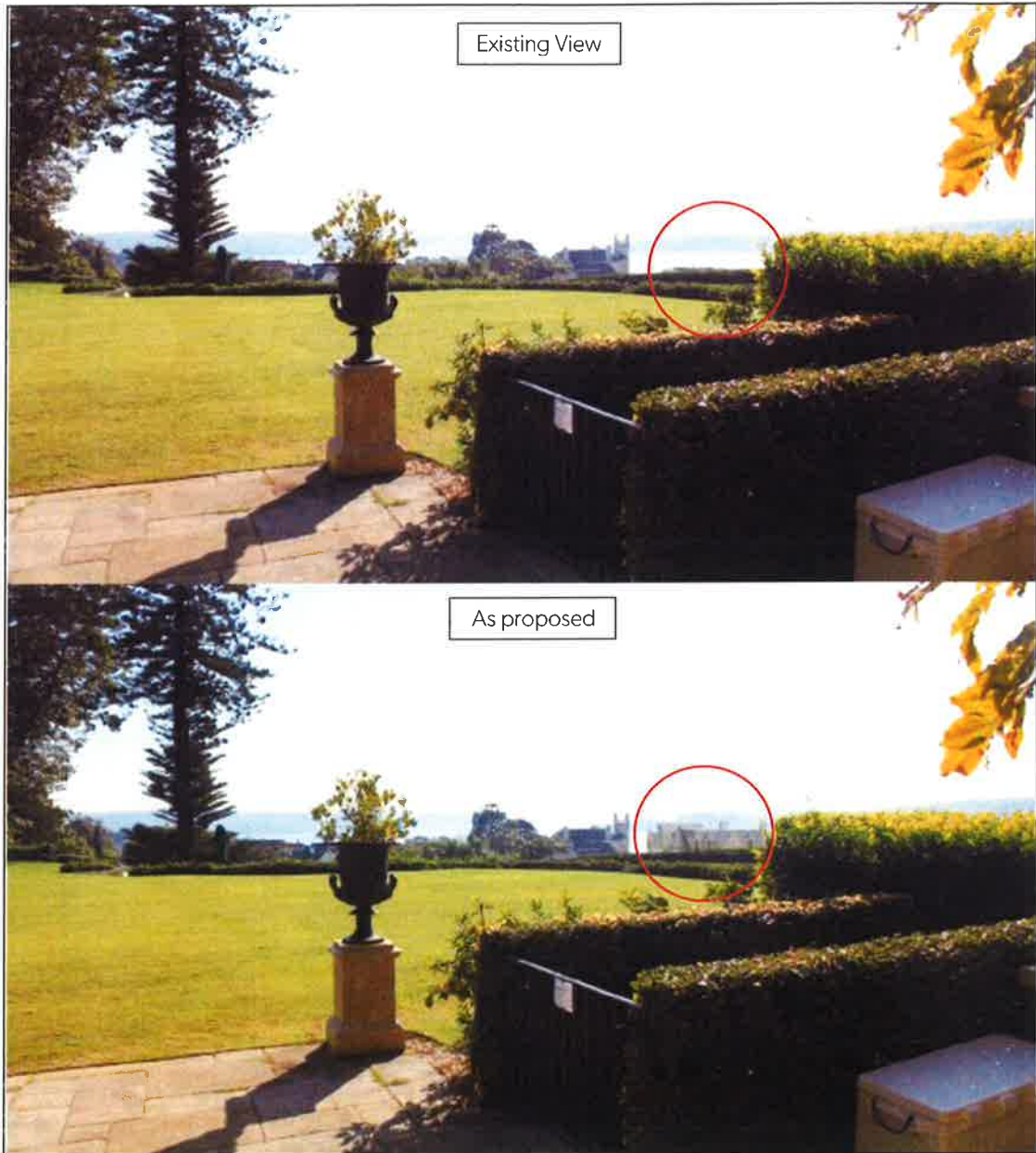


Figure 16: View from garden terrace across side boundary at 58 Victoria Road (Source: Applicant's EIS 2018).



Figure 17: View from driveway across side boundary at 58 Victoria Road (Source: Applicant's EIS 2018).

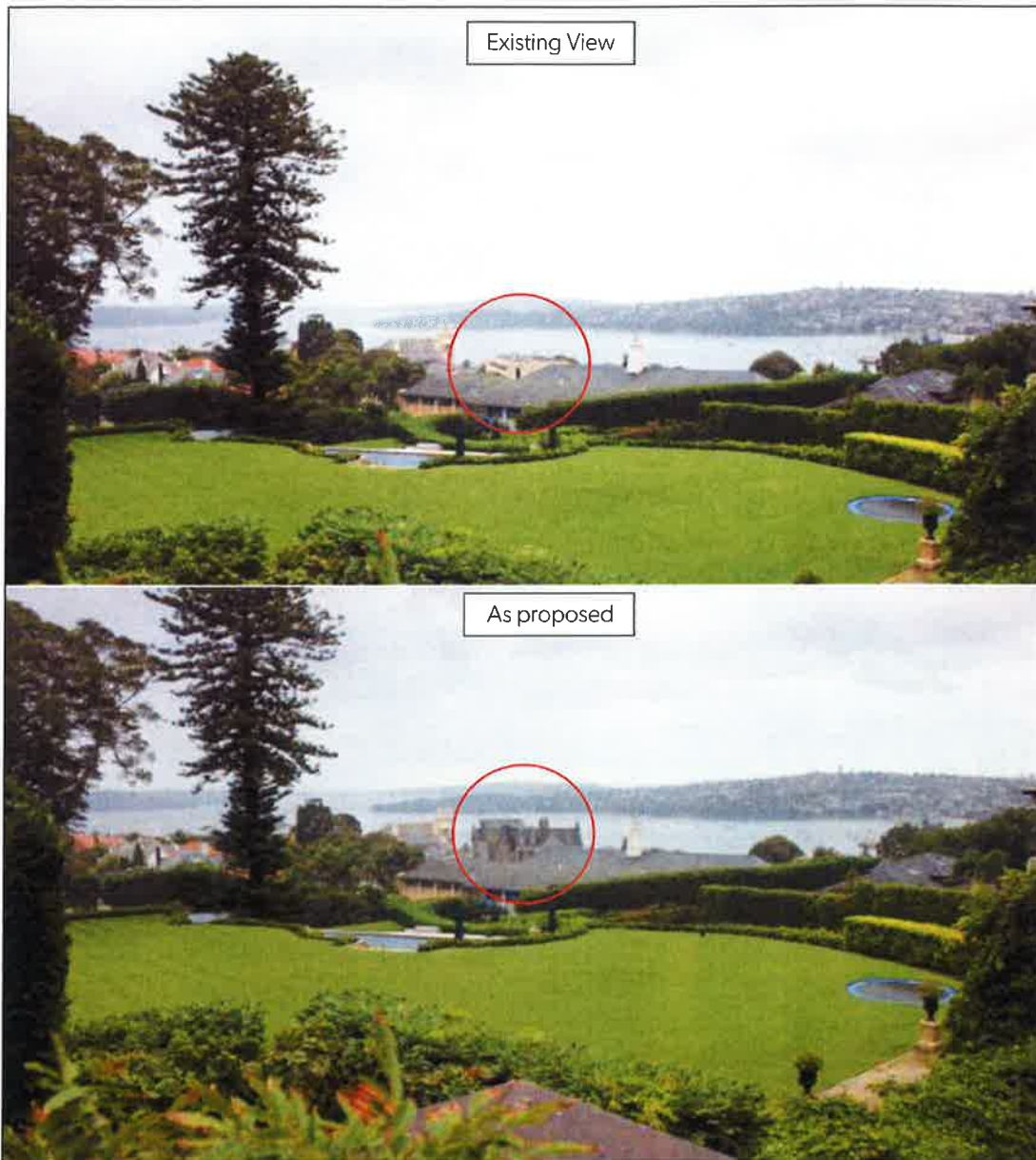


Figure 18: View from driveway across side boundary at 9 Rupertswood Avenue (Source: Applicant's EIS 2018).



Figure 19: View from living room across side boundary at 9 Rupertswood Avenue (Source: Applicant's EIS 2018).



Figure 20: View from rear lawn across side boundary at 7 Rupertswood Avenue (Source: Applicant's EIS 2018).



Figure 21: View from rear across side boundary at 15A Ginahgulla Road (Source: Applicant's EIS 2018).

6.2 Traffic and parking

The Applicant has prepared a Parking and Traffic Assessment (PTA), Preliminary Construction Management Plan (PCMP) and a Concept Construction Traffic Management Plan (CCTMP) that considers the impact the proposal would have on traffic and parking associated with the proposed development. The proposed development does not include any changes to the existing staff and student numbers and no changes to the existing car parking facilities are proposed.

6.2.1 Construction traffic

The Applicant submitted a PCMP and CCTMP to identify the impacts associated with the construction activities on students, staff, visitors, nearby neighbours and the cumulative impact on the local road network.

The Applicant's PTA report anticipates a maximum of 20 construction vehicle movements per day to/from the site (two per hour). On-site car parking for construction vehicles would be provided on the school oval. The site is well serviced by public buses and workers would be encouraged to carpool and use public transport to travel to the site as part of the induction process.

Construction vehicles would travel to the site via Victoria Road, Cranbrook Road and Cranbrook Lane and would utilise the existing vehicle entry point located off Cranbrook Lane. **Figure 22** shows the proposed construction vehicle access route from New South Head Road via Victoria Road, Cranbrook Road and Cranbrook Lane into the site.



Figure 22: Construction vehicle access (Base Source: Applicant's EIS).

Construction vehicles would utilise State and regional roads to avoid residential roads where practical. The construction traffic volumes anticipated by the PCMP would not coincide with the standard peak hour traffic associated with school pick-up and drop-off. No public submissions were received regarding construction traffic.

RMS raised no concerns regarding proposed traffic generation or intersection performance. TfNSW made a submission during the exhibition period stating that the Applicant must ensure that construction stage impacts on the surrounding network are mitigated and do not impact on pedestrians, cyclists and the operation of the bus network.

The Applicant provided an RtS that was reviewed by TfNSW. TfNSW advised that after reviewing the RtS it is satisfied that the CCTMP addresses the comments made in the original submission made during the exhibition of the proposed development.

The Department has reviewed the information provided within the EIS and the RtS. The Department is satisfied that construction vehicle movements could be accommodated within the existing road network and considers that subject to the implementation of recommended conditions, construction traffic impacts in the area can be appropriately managed.

The Department has recommended a condition requiring the Applicant to prepare a Construction Traffic and Pedestrian Management Plan (CTPMP) prior to the commencement of construction.

6.2.2 Operational traffic

No increase in staff or student numbers has been proposed as part of the redevelopment of the Stevenson Library Building. No changes have been proposed to the existing car parking facilities as part of the proposed development.

49 public submissions received during the exhibition period raised concerns regarding traffic and parking at and around The Scots College. The existing operational traffic associated with The Scots College is predominantly associated with the arrival and departure of staff and students during peak periods. RMS raised no objections to the proposed development and provided no other comments. TfNSW provided no comments on operational traffic matters.

At a meeting between the Applicant and Department, the Applicant advised that two separate DAs were currently being prepared for Woollahra Council. One DA would consist of an 80-space car park to be constructed underneath the existing McIntyre tennis courts and the second DA would consist of a pupil drop-off/pick-up area at Ginahgulla Road on the Victoria Road West precinct (**Figure 23**).



Figure 23: Proposed DAs separate from the Stevenson Library Building SSD (Base Source: Applicant's RtS).

Council confirmed that a formal pre-development application was lodged on 21 December 2018 for both proposed DAs. At the time of writing this report the DAs have not been formally lodged with Council.

The Department has reviewed the information provided within the EIS, RtS and additional information provided. The Department acknowledges that The Scots College site has existing traffic and parking impacts as raised in the submissions received from the public.

The Department considers that the existing operational traffic and parking situation would not be exacerbated by the proposed library redevelopment. Additionally, the existing operational traffic impacts associated with The Scots College are proposed to be reduced by the Applicant through two separate DAs. The Department considers that any operational traffic impacts generated by the proposed development would be unchanged from the existing situation.

The Department is satisfied that the operation of the proposed development would not have an unacceptable impact on the surrounding road network. Notwithstanding, and to better manage existing traffic and parking issues, the Department has recommended a condition requiring the Applicant to prepare a Green Travel Plan (GTP) to improve awareness and access to alternative modes of transport for staff and students to reduce any potential future traffic and parking impacts.

6.3 Student numbers

The Scots College has a maximum student limit of 1120 students as set out in the conditions of consent of Woollahra Council development applications DA545/2005 and DA528/2004. The Applicant has stated in the EIS that at the time of lodgement of this SSD application, The Scots College had a total population of 1504 students. The issue of any potential breach of the consent conditions of DA545/2005 and DA528/2004 set by Woollahra Council is a matter for that consent authority and not the Commission.

The Applicant has stated in their EIS that there would be no change to the existing student numbers from the current 1504 students as a result of the proposed development. Increased floor space associated with redevelopment of the library would provide only for improved learning facilities and would not provide for new classrooms or boarding facilities and would not lead to a further increase in student numbers.

During the exhibition of the EIS, 32 public submissions raised concerns regarding the number of students currently attending The Scots College and the impact the student numbers had on local traffic and parking issues (**see Section 6.2**). Council raised concerns in its submission that The Scots College is currently in breach of the conditions of consent of DA545/2005 and DA528/2004 with regard to student numbers.

The Applicant submitted an RtS that stated that The Scots College is currently in the process of preparing a Concept DA Masterplan that would address the issue of student numbers and seek approval for expansion of the school in the future. The Applicant is also preparing two separate DAs for submission to Council. One DA would consist of an 80-space car park to be constructed underneath the McIntyre tennis courts at the southern end of the College oval on the Victoria Road east precinct. The second DA would consist of a student drop-off/pick-up area at Ginahgulla Road on the Victoria Road West precinct.

The Department notes that the Applicant is actively engaging with Council to resolve the issue. The Department also notes that Council has stated that they are generally supportive of the proposed development. Council has requested a condition of consent to limit the maximum number of students in accordance with DA545/2005 and DA528/2004.

The Department considers that the issue of student numbers is a pre-existing condition separate from this SSD. The proposed redevelopment of the Stevenson library building would not increase existing staff and student numbers. The Department's assessment relates only to alterations and additions to an existing library for school

use (no community use is proposed). Accordingly, the Department considers that if consent were granted for the proposed redevelopment of the Stevenson library building, this would not constitute support for any increase in student numbers. A condition stating that this application does not provide approval to increase student numbers beyond that already approved is recommended.

6.4 Other Issues

The Department's consideration of other issues is provided at **Table 9**.

Table 9 | Department's assessment of other issues.

Issue	Findings	Department's consideration and recommendations
Aboriginal Cultural Heritage	<ul style="list-style-type: none"> The site has not been identified as having any potential Aboriginal Cultural Heritage value. 	<ul style="list-style-type: none"> The Department has recommended a condition requiring an unexpected finds protocol in the event that surface disturbance identifies a new Aboriginal object.
Biodiversity	<ul style="list-style-type: none"> The Applicant applied for a Biodiversity waiver on 25 July 2018. On 28 August 2018 OEH determined that the proposed development is not likely to have any significant impact on biodiversity values and that a BDAR is not required. The Department supported OEH's decision and provided a waiver letter on 31 August 2018. The Department issued a formal waiver on 31 August 2018. 	<ul style="list-style-type: none"> The Department is satisfied that the proposed development is acceptable and would not adversely impact on the biodiversity of the site and surrounding areas. The Department considers no additional conditions or amendments are necessary.
Construction impacts	<ul style="list-style-type: none"> The EIS includes a PCMP outlining the nature of construction activities on-site and proposed management of potential impacts. Proposed mitigation measures include controlled site access, noise and vibration mitigation treatments, dust control and management, odour emissions, sediment and erosion control to minimise impact to students, staff, visitors and nearby sensitive receivers. 	<ul style="list-style-type: none"> The Department recommends that the Applicant prepare a detailed Construction Environmental Management Plan (CEMP) prior to the commencement of construction works and that standard construction hours apply.
Noise	<ul style="list-style-type: none"> Operational noise was raised as a concern in three public submissions. The Applicant provided an acoustic report as part of the EIS. The acoustic report concluded that noise and vibration impacts from construction would be able to be managed through works being carried out during standard working hours and with the implementation of reasonable work practices. The acoustic report stated that operational noise mitigation measures would need to be incorporated into the design of the building to ensure that noise from the rooftop plant can comply with NSW Noise Policy for Industry noise emission criteria at 	<ul style="list-style-type: none"> The Department acknowledges that the construction of the proposed development within an existing urban environment would likely result in noise impacts. Accordingly, appropriate construction noise and vibration management conditions would be required to ensure best practice management is applied and to minimise impacts where practical. The Department has recommended that the Applicant prepare and implement an overarching Construction Noise and Vibration Management Plan (CNVMP) which is required to:

neighbouring noise-sensitive receivers.

- The EPA advised that the proposal does not constitute a Scheduled Activity under Schedule 1 of the Protection of the Environment Operations Act 1997 (POEO Act) and does not consider that the proposal would require an Environment Protection Licence under the POEO Act.
 - be prepared by a suitably qualified expert
 - be prepared in consultation with Council and all impacted noise sensitive receivers
 - identifies appropriate strategies to address impacts to noise sensitive receivers where construction NMLs are predicted to be exceeded
 - describe the proposed noise and vibration mitigation measures in detail including the implementation of best practice management measures
 - evaluate and report on the effectiveness of noise management measures
 - include a complaints management system to be implemented for the duration of works.
- The Department has also recommended all construction-related works comply with best practice vibration management criteria to ensure no adverse impacts to existing buildings or structures and a condition restricting construction hours to standard construction hours as defined under Interim Construction Noise Guidelines given the proximity to nearby sensitive receivers (residential).
- Additionally, the Department has recommended standard construction hours.
- The Department's assessment concludes that the noise and vibration impacts generated during construction of the development can be appropriately managed and mitigated subject to recommended conditions.

Historic Heritage

- Scots College is not listed on the State Heritage Register.
- The Scots College, Victoria Road, Bellevue Hill and associated buildings, Fairfax House, Macintyre House and Cranbrook House are listed in the WLEP 2014.
- The Stevenson Library building is not identified in WLEP 2014 as a heritage item. Aspinall House and 71 Cranbrook Road are identified in schedule 5 of WLEP 2014 as heritage items.
- A heritage impact statement was provided as part of the EIS that concluded that the existing library building is not significant in heritage terms.
- Heritage Council recommended
 - The Department has recommended a condition requiring an unexpected finds protocol in the event that any unexpected archaeological relics are uncovered during construction.
 - The Department has also recommended a condition requiring a heritage interpretation plan including a photographic archival recording of the existing Stevenson Library.

architectural changes to the roof of the library and suggested conditions of consent relating to archival recording of the existing library building, interpretive signage, excavation of archeological relics and unexpected finds protocols.

- As part of the RtS, the Applicant provided a response to the comments made by Heritage Council and responses from the project architect, heritage consultant and an architectural expert.
- The Heritage Council responded to the RtS advising that the issues raised previously concerning the roof design have been adequately clarified and addressed with the RtS.

Overshadowing	<ul style="list-style-type: none"> • The Applicant's submitted shadow diagrams for June 22 (winter solstice) that illustrate the new library would have no impact on the amenity of surrounding residential properties. • The shadow of the proposed new library falls within the school perimeter and street and would not result in overshadowing of any nearby residential properties adjacent to the school. 	<ul style="list-style-type: none"> • The Department is satisfied that the proposed development is acceptable and would not adversely impact on surrounding neighbours.
Social impact	<ul style="list-style-type: none"> • The proposal would result in alterations and additions to an existing school on urban zoned land within an established suburb and would provide for the future needs of the school community. • The proposed development would generate 418 construction jobs. 	<ul style="list-style-type: none"> • The Department is satisfied that the proposed development would have a positive social impact. • The Department considers no additional conditions or amendments are necessary.
Waste management and recycling	<ul style="list-style-type: none"> • The Applicant has prepared a Site Waste and Recycling Minimisation and Management Plan as part of the EIS which assessed the waste quantities, storage and management procedures to be carried out during demolition, construction and operation of the project. 	<ul style="list-style-type: none"> • The Department has recommended a condition requiring all waste is disposed of in accordance with the Waste Classification Guidelines Part 1: Classifying Waste (DECCW, 2009). • The Department considers that waste management can be satisfactorily be addressed through the recommended conditions of consent.

6.5 Summary of Department's consideration of submissions

A summary of the Department's consideration of the issues raised in submissions is provided at **Table 10**.

Table 10 | Department's consideration of key issues raised in submissions.

Issue Raised	Department's Consideration
Increase in student numbers	The Department notes that no increase in student or staffing numbers is proposed as part of the proposed development. The Department concludes that the student numbers is a matter being addressed by the Applicant and Woollahra Council. (Section 6.3) .
Traffic and parking	The Department considers that the proposed development's construction traffic impacts can be adequately managed through the recommended conditions of consent. Operational traffic impacts are considered to be consistent with the existing situation as no increase in student or staffing numbers is included as part of the proposed development. The Department notes that the Applicant has engaged with Council to reduce the existing operational traffic issues and concerns of the public and community. The Department concludes that the construction and operational impacts of the proposed development are acceptable (Section 6.2) .
Noise impacts	The Department concludes that noise impacts from the construction and operation of the proposed development can be adequately mitigated or managed through the recommended conditions of consent (Section 6.4) .
View loss	The Department concludes that view loss from the proposed development is reasonable from public vantage points and acceptable from affected neighbouring properties (Section 6.1) .

7. Evaluation

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

The Department considers the key issues to be student numbers, traffic and parking, and built form.

Conditions have been recommended to satisfactorily address any outstanding, residual or operational issues. The application is consistent with the objects of the EP&A Act and is consistent with the State's Strategic Planning Objectives for the site as set out in the Greater Sydney Commission (GSC) A Plan for Growing Sydney as it would improve education results through the provision of new and improved teaching facilities and meet the growing needs of Sydney.

The proposal is also considered to be consistent with the vision outlined in the GSC's Eastern City District Plan, as it would strengthen international competitiveness by supporting the education precinct through improved educational facilities.

The proposal is considered to be in the public interest as it would benefit the community by delivering contemporary teaching and learning facilities with adaptable and collaborative learning spaces to improve educational outcomes. The proposal would generate 418 construction jobs. The proposal would also address State priorities as it would improve education results through the provision of new and improved teaching and education facilities.

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

Recommended by:



David Gainsford
Executive Director
Priority Project Assessments

Recommended by:



30/4/2019

Karen Harragon
Director
Social and Other Infrastructure Assessments



Appendices

Appendix A – List of Documents

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

1. Environmental Impact Statement
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8922
2. Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8922
3. Applicant's Response to Submissions
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8922

Appendix B – Statutory Considerations

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)

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

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

- State Environmental Planning Policy (State & Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX)
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)
- Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHC SREP)
- Woollahra Local Environmental Plan (WLEP) 2014.

COMPLIANCE WITH CONTROLS

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

Table B1 | SRD SEPP compliance table.

Relevant Sections	Consideration and Comments	Complies
<p>3) Aims of Policy The aims of this Policy are as follows:</p> <p>(a) to identify development that is State significant development.</p>	<p>The proposed development is identified as SSD.</p>	<p>Yes</p>
<p>8) Declaration of State significant development: section 4.36</p> <p>(1) Development is declared to be State significant development for the purposes of the Act if:</p> <p>(a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and.</p> <p>(b) the development is specified in Schedule 1 or 2.</p>	<p>The proposed development is permissible with development consent. The proposal has a capital investment value of more than \$20 million for the purpose of alterations or additions to an existing school, under clause 15(2) of Schedule 1.</p>	<p>Yes</p>

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

The proposal is SSD in accordance with section 4.36 of the EP&A Act because it is development that has a capital investment value of more than \$20 million for the purpose of alterations or additions to an existing school,

under clause 15(2) (Educational establishments) of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011*, as in force at the time of lodgement.

State Environmental Planning Policy (Infrastructure) 2007

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

The development constitutes traffic generating development in accordance with clause 104 of the ISEPP. The ISEPP requires traffic generating development to be referred to RMS for comment. The comments are summarised in **Section 5** of this report. The application was referred to RMS in accordance with the ISEPP. The proposal is therefore consistent with the ISEPP.

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

The Education SEPP commenced on 1 September 2017 and aims to simplify and standardise the approval process for child care centres, schools, TAFEs and universities while minimising impacts on surrounding areas and improving the quality of the facilities. The Education SEPP includes planning rules for where these developments can be built, which development standards can apply and constructions requirements. The application has been assessed against the relevant provisions of the Education SEPP.

Clause 35(6)(a) requires that the design quality of the development should be evaluated in accordance with the design quality principles set out in Schedule 4. An assessment of the development against the design principles is provided in **Table B2**.

Table B2 | Consideration of the Design Quality Principles.

Design Principles	Response
Context, built form and landscape	The site plan has considered the site context, location of existing buildings, neighbours and the local community. The proposed design responds to the topography of the site with the building stepping down from the quadrangle to the oval. The school has been designed to fit into the surrounding built-form.
Sustainable, efficient and durable	A holistic approach has been taken to long term sustainability. The proposal includes ESD initiatives to reduce energy demand and greenhouse gas emissions, potable water consumption and material resources.
Accessible and inclusive	Accessible travel paths are provided in all sections of the site and lifts are included on every floor.
Amenity	The proposal creates a variety of interesting and useable spaces and enhances the amenity of the library by increasing light and winter solar access.
Health and Safety	The proposed design provides a safe and secure environment within the school.

Whole of life, flexible, adaptable

The proposed design connects learning spaces to both large and small shared spaces, enabling different learning and combined class activities. In addition, the design creates flexible and adaptable spaces for ongoing learning.

Aesthetics

The Scottish Baronial design contrasts with Aspinall House while creating a different, coherent style that has a particular significance to Scots College. The proportions of the building respect the form between the 'old' and the 'new' parts of the school.

State Environmental Planning Policy No. 55 - Remediation of Land

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The EIS includes a contamination assessment for the site which concludes the site is suitable for the proposed use as a school. The Department has concluded the assessment and is satisfied the relevant requirements of SEPP 55 have been met and the site is suitable for its intended use without unacceptable risk in relation to contamination. The Department recommends conditions relating to developing an unexpected find protocol to ensure measures are in place should any unanticipated contamination be found during works.

Draft State Environmental Planning Policy (Remediation of Land)

The Draft Remediation SEPP would retain the overarching objective of SEPP 55 promoting the remediation of contaminated land to reduce the risk of potential harm to human health or the environment.

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

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

Draft State Environmental Planning Policy (Environment)

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

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

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SHC SREP)

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

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

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

- the alterations and additions to the Stevenson library building would not significantly alter the visual appearance of the school from the harbour.
- the proposal would provide appropriate drainage and water conservation measures.

Woollahra Local Environmental Plan (WLEP) 2014

The WLEP 2014 aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the Woollahra LGA. The WLEP 2014 also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the WLEP 2014 and those matters raised by Council in its assessment of the development (refer to **Section 5**). The Department concludes the development is consistent with the relevant provisions of the WLEP 2014. Consideration of the relevant clauses of the WLEP 2014 is provided in **Table B3**.

Table B3 | Consideration of the WLEP 2014

WLEP 2014	Department Comment/Assessment
Clause 4.3 Building height	<p>The land on which the Stevenson Library building is located is subject to a 9.5m height limit in the WLEP. The existing library building has a maximum height of 16.35m. The proposed additions would result in a maximum building height of 20.47m, equating to an increase in height of 4.12m above the current height.</p> <p>The Department has considered the variation under clause 4.6 including an assessment of the amenity impacts associated with the increased building height and considers the design of the building height appropriate within the site context.</p>
Clause 5.10 Heritage conservation	<p>The site on which the Stevenson Library building is located (but not the building itself) is identified as a Heritage Item (I67) of local significance in Schedule 5 of WLEP 2014.</p> <p>The Department has assessed the heritage matters associated with the proposed development and has recommended a heritage interpretation plan be prepared as a condition of consent.</p>

Other policies

In accordance with Clause 11 of the SRD SEPP, Development Control Plans do not apply to State significant development. Notwithstanding, the objectives of relevant plans and policies that govern the carrying out of the project are appropriate for consideration in this assessment in accordance with the SEARs and are considered in **Section 6** of this report where appropriate.

Appendix C – Recommended Instrument of Consent/Approval

<https://www.planningportal.nsw.gov.au/major-projects/project/9891>