

**Appendix A – Response Matrix**

St Aloysius' College – SSDA 8669

Independent Planning Commission – Additional Information Request

Table 1. Response to IPC Request for Further Information	
Matter Raised	Comment/ Response
<b>Acoustic Barrier on Rooftop Terrace</b>	
<p>1. In its letter to the Commission dated 15 August 2019, the Applicant’s consultant, Willowtree Planning, stated that the realignment of the acoustic barrier in the south-eastern corner of the rooftop terrace is not feasible “<i>as it will trigger safety and maintenance issues.</i>” However, no information was provided in support of this statement.</p>	<p>The realignment of the barrier at the south-eastern stair will result in parts of the stairwell being protected by no more than the existing parapet, which is non-compliant in terms of height. Even though the use of the stair might be restricted to evacuations, this risk is considered to be highly unacceptable to the College.</p>
<p>2. The Commission therefore requests that the Applicant provide further information on the safety and maintenance issues which it states preclude the relocation of the glass acoustic barrier in the south-eastern corner (or other areas) of the roof top terrace. The Commission is considering a condition that requires the glass screen to be set back at least one metre from the eastern and southern elevations to reduce the visibility of the screen from the public domain as well as limit opportunities for overlooking to adjoining properties to the east.</p>	<p>Setting back the barrier on the southern and eastern elevations will introduce a zone, which will introduce significant maintenance and safety issues (refer to <b>Appendix B</b>). The setback of 1m would result in the acoustic barrier along the eastern elevation positioned almost entirely within the proposed planters and positioned within approximately 50% of the length of the southern elevation.</p> <p>The relocation of the barrier would require the inclusion of access gates to allow maintenance access. Once through the gate, a maintenance worker would need to utilise various safety equipment to minimise the risk of falling. Whilst the intention would be for any access gates to be securely locked, there exists the risk that they could, at some moment in time, be unlocked and make the 1m metre setback zone outside the barrier accessible. This risk is <u>unacceptable</u> to the College. Safe design principles dictate that risks be designed out in preference to being managed.</p> <p>Providing a 1m setback to the acoustic barrier along the eastern elevation will not improve the potential for neighbouring properties from being overlooked. The current design outcome had a considered design approach to maintaining the visual privacy of the neighbouring developments with a 3-5 metre landscape buffer provided along the perimeter of the rooftop terrace, minimising opportunities for overlooking.</p> <p>Further to the above, studies have shown the 1m setback to the acoustic barrier along the eastern and southern elevations would reduce its visibility</p>

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	<p>from only a small percentage of possible viewing points. It is noted that draft conditions are proposed which require the acoustic barrier to be frameless above the existing parapet line, as proposed by the Applicant, and for the glass to be of low iron (ultra clear) material.</p> <p>In addition, the primary purpose of the rooftop terrace is to utilised by the students during recess and lunch time periods and therefore, the proposed setback is even more unpalatable to the school.</p> <p>In light of the above, we do not consider that the abovementioned potential benefits, which are minimal, outweigh the risks as noted above. Therefore, we do not support the proposed 1m setback to the acoustic barrier as it will not result in a significant net benefit as opposed to the design outcome and amenity that is currently being achieved.</p> <p>Refer to <b>Appendix B, Drawing No. DAU170A, DAU711A and DAU712A.</b></p>
Shadow Diagrams	
<p>3. The revised shadow diagrams provided by the Applicant's consultant on 15 August 2019 (DAU020 Rev D) appear to contain errors. Specifically, the Equinox 9 am March/Sept 21st and 12pm March/Sept 21st figures do not show the full extent of shadow as was shown in Rev C.</p>	<p>It is acknowledged that there were inconsistencies between the original submission (Revision C) and the information provided dated 15 August 2019 (Revision D). This is clarified in the accompanying drawings (<b>Appendix B</b>), which are consistent with the original submission (Revision C). These latest revisions are consistent with the requirements identified under item number 5 below.</p> <p>Refer to <b>Appendix C, Drawing No. DAU020E.</b></p>
<p>4. To clarify the overshadowing, the Applicant is requested to provide separate diagrams showing existing and new shadows for the Winter Solstice.</p>	<p>Refer to <b>Appendix C, Drawing No. DAU028A, DAU029A and DAU030A.</b></p>
<p>5. The revised diagram for the existing shadow should not include vegetation but should include the shadow from existing buildings, the</p>	<p>Refer to <b>Appendix C, Drawing No. DAU020E, DAU028A, DAU029A and DAU030A.</b></p>

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fence along the eastern boundary and the change in level between the school and the adjoining property.	
<b>New Rooftop Structure</b>	
6. The Commission notes that the new glazed lift to the Chapel terrace roof (level 4), together with its lift overrun, appears to be a visually prominent structure in a sensitive location. In its letter to the Commission dated 15 August 2019, the Applicant's consultant, Willowtree Planning, states that "The design and location of the glass lift was to satisfy the operational requirements of the College, providing direct access to the roof terrace. If the height of the lift core were to be reduced to the level below, access to the roof terrace will be disconnected and will not satisfy the provisions of the relevant Australian Standards."	As previously noted, the design and location of the glass lift was to satisfy the operational requirements of the College, providing adequate access to the roof terrace. Once again, if the height of the lift core were to be reduced to the level below, access to the roof terrace will be disconnected and will not satisfy the provisions of the relevant Australian Standards.  Whilst it is acknowledged the existing lift in the north-west corner serves Level 4, it is not capable of being upgraded to comply with accessibility or stretcher provisions. It also requires users to access non-public parts of the school, whereas, the proposed lift will be compliant with accessibility and stretcher provisions and is located in an areas more readily accessed by visitors. The proposed lift will connect all levels from the Great Hall to Level 4, significantly improving equitable access to the College's facilities.
7. The Commission requests further information to justify this statement, noting that there is existing lift access in the building adjoining the Level 4 terrace, proposed new stairs from the new roof terrace on Level 3 to the Level 4 terrace and a platform lift could be provided. The Commission is considering the impact of the lift, including that the impact may be reduced if it serviced the roof terrace on Level 3 and that given the limited use of level 4 terrace it may be serviced by alternate access.	
8. You are welcome to comment on any of the other matters raised with the Department in the letters dated 26 and 27 August 2019.	Please see our formal response to the matters raised previously with the Department in the letters dated 26 and 27 August 2019.
<b>Additional Matters</b>	
<b>New Roof Top Structure Continued.</b>	
9. The Commission is currently considering the proposed new rooftop plant enclosures, including that it may result in avoidable visual impacts from surrounding residences and public places (in particular, the Sydney	We do not agree with the position of the proposed structures are inconsistent with the design quality principles of the <i>State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</i> .

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<p>Harbour Bridge) and, further, may not be consistent with the Schools – design quality principles contained in Schedule 4 of the Education SEPP. Accordingly, the Commission is considering the drafting of a condition that would require the new rooftop plant enclosures to be integrated and contained wholly within the building envelope so that they are not separate elements. The Commission acknowledges that this may require internal re-planning and a minor loss of gross floor area but considers this to be reasonable. The Department is requested to draft a condition of consent to this effect for consideration.</p>	<p>The plant areas were revised in the 15 August 2019 submission to the Independent Planning Commission, and these changes were considered to significantly mitigate the perceived impacts. The vast majority of the identified plant equipment requires exposure to external space and air circulation in order to operate. Plant which can be internally has been so located on Levels 0, 1 and 2. It is not considered feasible to relocate the plant within the building. Alternative HVAC strategies, such as water cooled systems, are considered to be inappropriate for a school environment and would in any event require cooling towers on the roof. The proposed strategy was developed giving consideration to rooftop plant requirements, WHS and ESD ambitions of the project.</p> <p>As the plant will necessarily be located on the top floor(s), the loss of floor area is considered to be far from insignificant and would greatly compromise the operation of the College in relation to its music teaching facilities. The proposal in its original form has impacted these facilities already, in order to enable the removal of the existing stairwell, and any further amendments will further impact the teaching facilities.</p> <p>Further detailed consideration of the plant locations can provide the following amendments (refer to <b>Appendix D, Drawing No. DAU130G, DAU201F and DAU202G</b>):</p> <ul style="list-style-type: none"><li>▪ The plant located on the Level 3 roof of the North-East Wing can be moved to the extreme North-East corner and lowered so as to not exceed the level of the parapet. This can be achieved by redesigning the stair and extending its immediate landing, with some loss of functional area.</li><li>▪ The plant proposed in the 15 August 2019 response, located along the southern face of the Level 4 roof on the western wing, can be</li></ul>

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	<p>shortened as shown in Appendix C. The screen enclosure could be constructed in "hit and miss" brickwork if this material choice was considered important, although the applicant's preference remains a metal louvred screen.</p> <p>The accompanying diagrams (<b>Appendix D, Drawing No. DAU701A, DAU702A and DAU703A</b>), overlaid on aerial photographs, indicate that the impact on views towards the Bridge from the apartments of 50 Pitt Street at similar levels are either not significant or negligible.</p> <ul style="list-style-type: none"><li>▪ The reduced plant proposed in the 15 August 2019 response, abutting level 5 on the Level 4 roof on the northern wing, can be shortened in length as shown in DAU130G (Appendix C), and moved to the northern edge of the roof. Once again, the screen enclosure on the north and east could be constructed in "hit and miss" brickwork for consistency with the façade.</li></ul> <p>The accompanying diagrams (<b>Appendix D, Drawing No. DAU701A, DAU702A and DAU703A</b>), overlaid on aerial photographs, indicate that the impact on views towards the Bridge from the apartments of 50 Pitt Street at similar levels are either not significant or negligible.</p> <p>Further, the accompanying photographs (<b>Appendix D, Drawing No. DAU704A</b>) taken from the Level 4 roof in line with the line of sight from the apartments, demonstrate the benefit achieved by removing the existing stairwell, which far outweighs the minor impacts of the proposed new plant enclosures.</p> <ul style="list-style-type: none"><li>▪ The plant enclosure behind the LMR on Level 5 does not impede any significant views, as shown in the accompanying documentation in</li></ul>

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	<p>Appendix C. Whilst it is larger in footprint, it is lower in height than the existing plant which it replaces.</p> <p>In light of the above, it is considered the abovementioned amendments will mitigate the impact of the plant room on views across the College.</p> <p>Refer to <b>Appendix E</b> for accompany statement from Unow Lai in relation to the relocation of the plant rooms.</p>
Use of Roof Terraces Out of School Hours	
<p>10. Further details are sought on the type/nature of the External Group Venue Hire events that are currently held 10 times per year on the Chapel Terrace Roof (Level 4) for up to 100 people. In particular, the type of events that have occurred and details of any relevant approvals applying to the use of the Chapel Terrace Roof for these events or if were they carried out as an incidental or ancillary use to the school.</p>	<p>The referenced External Group Venue Hire are existing across the College and will continue to be consistent with the current practice. The External Group Venue Hire events that are currently held 10 times per year on the Chapel Terrace Roof for up to 100 people include, but not limited to class reunions, funeral wakes, local church and community group functions, small social receptions including touring sports teams, celebrations and the like.</p> <p>Generally, the proposed uses would be incidental or ancillary to the use of the school (e.g. class reunions, funeral wakes, etc) and in accordance with the site's SP2 Infrastructure zoning under <i>North Sydney Local Environmental Plan 2013</i>. Others (such as community group functions, sporting team receptions and photo opportunities, etc) would be considered to be for "the physical, social, cultural or intellectual development or welfare of the community", in accordance with Section 35(5) of the Education SEPP.</p> <p>The use of the Chapel roof for events is not subject to any current approval or restriction from North Sydney Council or any other regulatory entity.</p>
<p>11. The Commission also seeks further details on the additional External Group Venue Hire events that are proposed to be held 10 times per year on the new roof terrace for up to 300 people. In particular, while the Commission notes that such uses are permissible with consent under Section 4.38(3) of the EP&amp;A Act, it seeks advice on whether such events:</p>	<p>The College seeks to utilise this space for external venue hire events on an annual basis. The College would seek to provide the space for commercial purposes to external users. There are no current plans for who those external users might be, only that the space be available for their use subject to a commercial agreement.</p>

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	<p>It is noted the additional External Venue Hire would be consistent with the current practice. The proposal will allow the College to continue to utilise the facilities across the College, and at the discretion of the College, providing Venue Hire Agreements. The College would like to see the existing practice and operations continued.</p>
<p>(a) are considered to be “ordinarily incidental or ancillary” to development for the purposes of Education Establishments, as per the site’s SP2 Infrastructure zoning under North Sydney Local Environmental Plan 2013; and/or</p>	<p>While noting that the actual events proposed to be held are currently unknown, the College considers that such events would be similar in nature and composition to the External Group Hire events currently held on the Chapel Roof L4 and described in the response to Item No. 10. They could be “<i>incidental or ancillary</i>” to the purposes of Educational Establishments where the hiring group has ties to the College. Example of such a usage could be a function by an organisation such as the Combined Associated Schools Association, of which St. Aloysius College is a member, or class reunions.</p>
<p>(b) are considered to be for “the physical, social, cultural or intellectual development or welfare of the community”, as per clause 35(5) of State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP).</p>	<p>Further to the response to Item 11(a) above, the College considers that it would be likely that the purposes of some events would be for the “<i>physical, social, cultural or intellectual development or welfare of the community</i>” and would therefore be consistent with Section 35(5) of the Education SEPP. This, also, would be consistent with the current usage of the Chapel Roof for External Group Hire events.</p>
<p>12. The Commission also seeks advice on whether the increase in numbers from 320 to 1500 for the New Year’s Eve school related activity and the number of events with 100 or more people to be held on the terraces outside school hours (over 60) satisfies clause 35(5) of the Education SEPP.</p>	<p>Clause 35(5) of the Education SEPP states:</p> <p style="text-align: center;"><i>A school (including any part of its site and any of its facilities) may be used, with development consent, for the physical, social, cultural or intellectual development or welfare of the community, whether or not it is a commercial use of the establishment.</i></p> <p>The NYE event currently held (320 persons) is restricted to the extended families and associates of past and present students and staff, and would be “incidental or ancillary” to the purposes of Educational Establishments. The increase in numbers to 1500 would simply take advantage of the additional</p>

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	<p>usable space afforded by the proposed roof terrace. It would remain at a single event per year and would continue to be “incidental or ancillary” to the purposes of Educational Establishments.</p> <p>The other 60+ events planned include:</p> <ul style="list-style-type: none"> <li>▪ 40 current usage events on the Chapel Roof (Class reunions, College staff-based events, parent events and college events), all being “incidental or ancillary” to the purposes of Educational Establishments, and</li> <li>▪ 12 current usage events on the Chapel Roof being community events for the physical, social, cultural or intellectual development or welfare of the community, in accordance with 35(5) of the Education SEPP, and</li> <li>▪ Two (2) new usage events on the new roof terrace (a Parent event and a Father/son BBQ), both of which would be “incidental or ancillary” to the purposes of Educational Establishments, and</li> <li>▪ Ten (10) new usage events on the new roof terrace, which would be External Group Hire events, and would be either for the physical, social, cultural or intellectual development or welfare of the community (in accordance with S.35(5) of the Education SEPP) or “incidental or ancillary” to the purposes of Educational Establishments. The actual mix is not known, but would fit into one or the other of those two categories.</li> </ul> <p>In light of the above, the use of the terrace is deemed to satisfy the provisions of Clause 35(5) of the Education SEPP.</p>
Junior School	
<p>13. Revised concept plans for the Junior School were provided by the Applicant’s consultant on 15 August 2019. The plans amend the roof form and lower the ridge height of the proposed additional level. The Commission seeks advice on whether these plans are an amendment to</p>	<p>The revised concept plans for Junior School provided to the Commission on 15 August 2019 are an amendment to the Concept Proposal development application and are to supersede the corresponding documentation under the proposed Schedule 2 Condition A4.</p>

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the Concept Proposal development application and should be included in proposed Schedule 2 condition A4.	
<b>Landscaping along the eastern boundary</b>	
14. The Commission is considering that the landscape plan at Level LV0 be amended to require that the existing ground level along the eastern boundary be retained and a garden bed of at least 1.2 m wide with its height raised accordingly matching that at the boundary. This will enable effective screen planting to be provided. The Department is requested to amend Schedule 3 conditions B4 and E26 to this effect.	Noted. No further action required.