



# NORTH SYDNEY COUNCIL

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**Attention: Kevin Kim**

Dear Sir

**RE: 41 McLaren Street North Sydney State Significant Development - New School  
Development Application SSD - 46014456**

I refer to the recent notification received from the NSW Department of Planning and the Environment of the receipt of an application for alterations and additions to an existing heritage listed office building at 41 McLaren Street North Sydney to facilitate the creation of a new private school accommodating up to 1560 students.

The applicant is Built Development Group Pty Ltd on behalf of Reddam House Sydney.

A summary of issues identified in the review of the application include:

1. Potential impacts to the heritage listed Harry Seidler designed office building.
2. Traffic and parking impacts arising from the use of the site for a school in an already intensely occupied area.
3. Noise and other amenity related impacts.
4. Tree loss.
5. Request for wavier of s7.11 contributions.
6. Potential for further strain to be imposed on existing stretched recreational resources.
7. Cumulative impacts of other nearby educational establishments.

The site is listed as a local heritage item and zoned commercial core. It is noted that educational uses are permitted within the zoning.

The application and relevant supporting information have been reviewed and the following issues are raised for further consideration by the Department:

## **HERITAGE SIGNIFICANCE**

The subject property is a 1971 commercial building known as Simsmetal House, designed by internationally acclaimed Harry Seidler & Associates. It is a good example of a five-storey concrete frame office building constructed with brick walls and angled brick blade walls that screen glazing. It is designed in the Twentieth Century International style and is listed as a local item in NSLEP 2013.

It is observed that the Architectural Design Report by Allen Jack & Cottier incorrectly notes it as a State listed item on Page 9.

## **HERITAGE IMPACTS**

### **Change of Use**

No objection is raised for the change of use from commercial to an educational use.

### **Interior Changes**

The interiors have been modified over time with the reconfiguration of rooms and the addition of partition walls and false ceilings. The proposal intends to expose the existing floor slab soffits where practical to create a sense of additional height. Further information is required as it is not known what Seidler's original design was.

The floor slab on the Ground Floor in the eastern portion of the building will be removed to create a double height, allowing this space to be connected to Harnett Street on the eastern side of the building. No objection is raised as the heritage significance of the building is largely the result of its exterior character and rather than internal detailing. No objection is raised to the extension of the original curved staircase between the two levels.

### **Exterior Changes**

The blade walls on the Basement Level will be replaced by a solid podium clad in a bronze finished metal that will incorporate two access points for vehicles. The justification is to 'avoid additional interruptions to the rhythm of the fins, which are currently caused by the northern car park entry and the emergency exit and would be intensified by the proposed car park entry' (HIS P85). This is considered to have an unacceptable heritage impact as it will alter the vertical character, materiality, and colour scheme of the building.

Changes to the primary street elevation (North Elevation) will be minimal. No objection is raised to the proposed new rooftop screening or to the new handrail on top on the concrete block wall to meet Building Codes.

Changes to the South Elevation are acceptable and include a new glazing and frames, new handrail on top of the concrete block wall, roof top screening and additional louvres. Changes to the glazing systems will be sympathetic to the existing, being a dark aluminium framing with dark tinted glazing. This will retain the recessive effect of the original glazed facade elements.

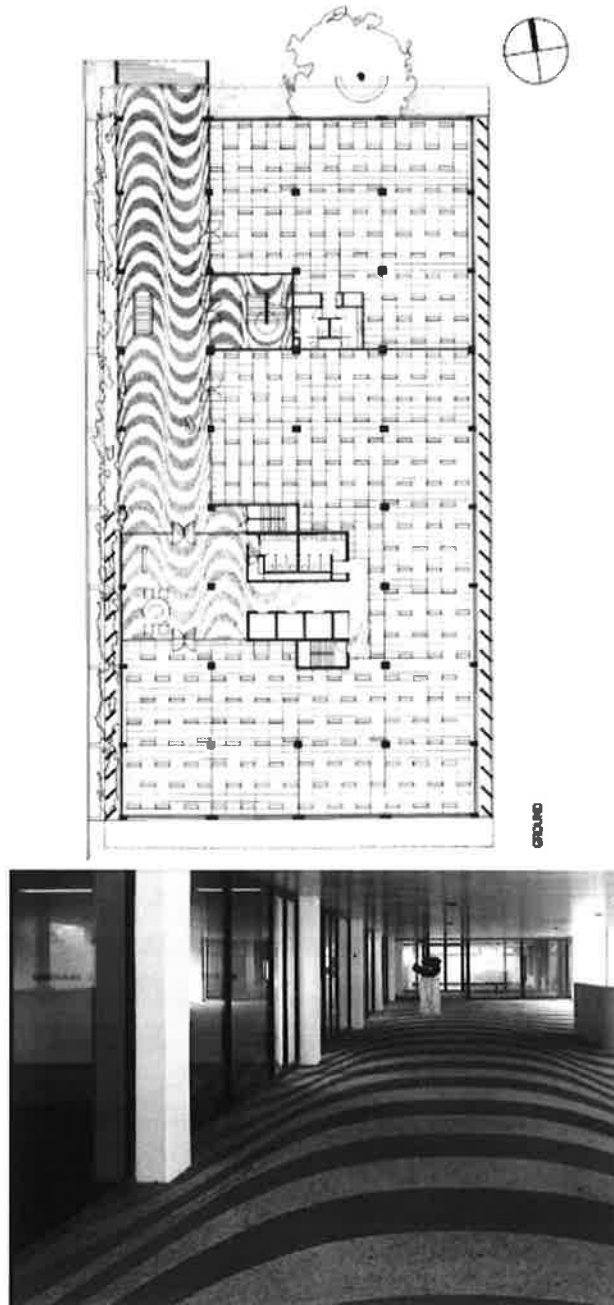
Changes to the West Elevation will include the additional roof top plant with acoustic screens, restoration of the Ground Level glazing to its original alignment, replacement of the glazing behind the brick blade walls. These changes are acceptable.

The roof top will become the open recreation space for the students. The planters on the roof top will be replaced with new precast planters. The balustrades will be modified to new current building codes. The impact is considered to be acceptable.

The proposed Basement Level parking and associated new Entrance 1 is acceptable subject to the retention of the blade sunshade walls.

### Concourse Changes

The current proposal for the Ground Level Landscape on Drawing LA101 P4 by Taylor Brammer does not satisfactorily reinterpret the original wavy floor and wall design as shown in the images below.



Pavement Pattern to the Concourse Source: HIS P32



*Original entrance foyer with patterned exposed aggregate finish to the floor and wall.  
Source HIS P 40 Original image Rick McEwan, Lipman Construction Files*

**Landscaping** - The landscape proposal on the Level Three terrace should be further developed to interpret the original landscape design. It is inadequately interpreted in the current proposal.



*Third Level Terrace. Source : HIS P 38*

**New Fencing** - A steel flat bar palisade fence is proposed on the McLaren Street frontage with a bronze finish to separate student play spaces from McLaren Street. This will have a negative impact as it will remove the permeable intersection between the public domain and the private property as well as vistas into and out of the building. Seidler usually has a permeable plane between public and private domain with clear visibility into the ground level building spaces. He achieved this design outcome at Australia Square, Blues Point Tower etc and it should be retained on this site.

**Signage** - The Reddam House Logo on the corner of Harnett and McLaren Streets is acceptable.

**Artwork** - There is an opportunity to install a new artwork in accordance with Council's Art Policy to replace the previously removed artwork. The placement of artwork, visible from the public domain is a typical feature in Seidler's work.



*Clement Meadmore sculpture that was removed in the early 1980s. Source: HIS P39. Original image by Max Dupain.*

## CONCLUSION

To ensure that the proposal satisfies clause 5.10 of NSLEP 2013 and Part B Section 13 of NSDCP 2013, the following heritage issues need to be addressed:

- A Heritage Interpretation Strategy should be developed to offset and mitigate heritage impacts proposed by the development and include appropriate and meaningful interpretation initiatives to be installed at the site as part of the redevelopment works. For example, it is recommended that the 'wave pattern' pavement be reinstated on the concourse floor and to the foyer wall and floor. The reinterpretation as currently proposed is inadequate. The design of the third-floor terrace should make reference to Seidler's original design of large circular garden beds. An artwork should be reinstated to replace that which was previously removed in the 1980s as Seidler typically included art in the foyers and entries of his designs.
- The proposed palisade metal fence on the McLaren Street frontage will remove the existing permeable ground link between public and private open space which is a common feature in Seidler's work. It is recommended that it be deleted, and the front setback be available to the public both physically and visually.
- The removal of the brick blades on the basement level and its replacement with metal cladding to create a podium will alter the original vertical and textured aesthetic of the building as well as its materiality and colour scheme. It is recommended that the existing blade walls be retained by reconfiguration of the car park egress points.
- Further information is required regarding the ceilings in the original design as this is not adequately addressed in the HIS. It is understood that there are currently false ceilings, but it is not understood whether the proposal reinstates the original Seidler design.
- A detailed methodology is required for the repair/replacement of the brick sunshade screens that is developed by a heritage specialist to ensure that there is minimal removal of original fabric.

- The documentation should note that material salvaged from the proposed demolition works should be reused either to repair sections of existing fabric in poor/damaged condition; and/or to incorporate original material into the design of the new interpretation initiatives where appropriate (subject to future Heritage Interpretation Strategy).
- A photographic archival recording of the building should be undertaken before commencement of any physical works.

The above listed concerns can be addressed through amended design or by the imposition of conditions as appropriate.

## **TRAFFIC AND PARKING**

The Traffic and Transport Impact Assessment Report prepared by Arup dated 14 December 2022, Rev F4.1. has been reviewed by Council Traffic Engineer with reference also being made to the architectural drawings prepared by AJC, dated 30 November 2022.

### **Existing Site**

The site is located at 41 McLaren Street, North Sydney. The site has a total area of approximately 2,359m<sup>2</sup>. The site is regular in shape and is bounded by McLaren Street to the north, Harnett Street to the east, and Faith Bandler Lane to the west. The site lies within the Ward Street Precinct and is in close proximity to the Future Victoria Cross Metro Station. The site is currently occupied by an existing seven to eight storey commercial office building.

### **Proposed Development**

The Concept Proposal envisages a new independent school to be operated by Inspired Education, with capacity of 498 students at stage 1 with an extension to 1,560 students in future.

The new school will be co-educational and will accommodate students from Kindergarten to Year 12. Staff parking are proposed on Basement level 4 and drop off/pick up spaces are provided on Basement level 2 and 3.

The comments offered are made based of the future school capacity of 1,560 students.

### **Traffic Generation**

The report suggests that:

*"With the additional demand generated by the proposed school, all intersections continue to perform at acceptable Level of Service (LoS A-B) during the AM and PM peak under both Stage 1 and Concept Plan conditions."*

Based on the result of SIDRA modelling, the queuing at the intersection of Miller Street and McLaren Street will increase from 18m to 32m in the AM and 25 to 35m in the PM peaks hours.

The report has not considered future increase in pedestrian volumes and Pedestrian Crossing widening at the traffic light by Sydney Metro and its impacts on the current intersection performance.

**Note:** the report states that:

*"At the time of assessment, Advanced Analytics and Insights branch of TfNSW were unable to fulfil the request to provide Strategic Transport Model outputs which is needed to model intersection volumes with the WHT project completed. Therefore, modelling the impact of this project with the WHT project completed was not possible."*

Therefore, both Miller Street and Walker Street intersections with McLaren Street, were surveyed in 2022 to obtain input data for SIDRA modelling.

### **Parking Provision**

Based on the Council's DCP 2013 (amended on 5 November 2015 Section 10) the following maximum parking provisions for this development are required:

Type of Development	North Sydney Council DCP 2013	
	Maximum Parking	
Educational Establishment (123 full time Staff)	1 space / 6 staff	20
<b>Total Maximum car parking spaces</b>		<b>20</b>

The development proposes 10 car parking spaces on basement level 4 which is compliant with Council's DCP.

### **Parent Drop off/Pick up.**

The development proposes 11 car parking spaces on basement level 4, including two Accessible Parking spaces and one long term parking bay.

The traffic report states that:

*"Drawings dated 28/11/2022 show one long-term visitor bay, two accessible parking bays and eight pickup/drop-off bays on the Basement 2 and 3 Plan. However, as one of these bays requires a reverse entry, in practicality only 7 bays would be in use during pick-up and drop-off times."*

In addition, the report assumes based on the implementation of a managed collection system whereby parents arrive and provide a student name to a staff member who summons the student from an enclosed waiting area. Details of the above proposal has not been provided in the report as how this managed collection system is to be implemented.

### **Pick up/drop off modelling.**

The report refers to analysing queueing for both the AM and PM Peak periods and considers the result being satisfactory for both Stage 1 and Concept Plan demand profile.

However, the modelling output/calculations leading to these results are not provided.

### **Bicycle Parking**

Council's DCP does not specifies a rate for number of bicycle spaces for Educational Establishment.

The proposed development provides a total of (86) bicycle spaces in basement 4 and (16) spaces in basement 2 which is in line with the "Planning Guidelines for Walking and Cycling" rate of 5% and 10% of long term and short-term staff (including in this case students), respectively.

### **Loading Facilities**

Council's DCP 2013 (amended on 5 November 2015 Section 10) sets out that Off-street loading and unloading facilities should be provided for all commercial and industrial premises as required by Council. The requirement for, number and size of loading bays will be determined by Council.

The proposed development has provided a loading and servicing facilities within the site on basement level 2 and 3 to facilitate a 6.4m long Small Rigid Vehicle, which is considered acceptable.

### **Proposed Bus Zone.**

The report proposes a 14.5m long Bus Zone on McLaren Street to accommodate a coach to reduce the demand for private vehicle use. This needs to be detailed in an Operational Traffic management Plan (OTMP) for Council's review and approval which cannot be guaranteed.

### **Proposed Driveway access**

The report the proposed development makes provision for separate ingress and egress access to the school via a new vehicular access and existing driveway access in Harnett Street.

The provision of new driveway access will result in re-shuffling parking spaces in Harnett Street without any loss of on-street parking spaces.

### **Scope of traffic report.**

The scope of the traffic report is limited to the interception of McLaren Street with Miller and Walker Streets. This appears to be inadequate given the approximately 900 new dwellings which are under construction or will be constructed on McLaren Street and Walker Street over the next five years together with the construction of the Western Harbour Tunnel and its potential to impact on the interception of Berry and Walker Streets. The traffic report should be expanded in scope to consider these foreseeable developments.

### **Conclusion**

It is recommended that the determination of the proposed development be deferred until the applicant addresses the followings:

1. Queuing analysis/modelling output/calculations for both AM and PM Peak periods for pick up/drop off at Stage 1 and Concept Plan demand profile need to be provided. This is to ensure vehicle queuing to enter the school drop off/pick up area does not impact the surrounding traffic network.



2. The report has not considered future increase in pedestrian volumes and Pedestrian Crossing widening at the Miller Street and McLaren Street's traffic light by Sydney Metro and its impacts on the current intersection performance.
3. A detailed Operational Traffic Management Plan (OTMP) to be submitted for Council to ensure proposed "Managed Collection System" during peak drop off/pick up times does not have any impacts on the broader traffic network.
4. The proposed Bus Zone in McLaren Steet and its operation need to be detailed in an OTMP for Council's review and approval.
5. Potentially effected intersections further from the development site should also be included in the traffic report including but not restricted to the intersection of Walker and Berry Streets.

Should the Department determine to approve this development based on the submitted traffic report it is recommended that the following conditions be imposed:

1. That a Construction Management Plan be prepared and submitted to Council for approval by the North Sydney Traffic Committee prior to the issue of the Construction Certificate. Any use of Council property shall require appropriate separate permits/ approvals.
2. That all aspects of the car park comply with the Australian Standard AS2890.1 Off-Street Parking and Council's DCP.
3. That all aspects of bicycle parking and facilities comply with the Australian Standard AS2890.3 and Council's DCP.
4. The proposed driveway will not have any impacts on the existing parking spaces in Harnett Street and McLaren Street.
5. That a condition be imposed on the determination stating that Council will not consider any future requests for provision of on street drop off/pick up areas benefitting this development.
6. That a condition be imposed on the determination stating that Council will not consider any future requests for provision of Loading Zones benefitting this development.
7. Any traffic congestions/issues around the school that may be related to the school's operation must be addressed under a separate Traffic Management Plan, prepared by school's Traffic Engineers for Council's consideration.
8. Remaining detailed fit out works including Level 3 to Level 6 will form Stage 2, reflecting the phased occupation of these levels which will be subject to a subsequent development consent.

Note: The preliminary Construction Traffic Management Plan was not assessed as it is required to be assessed after DA is determined.

Note: The independent Transport review prepared by JMT Consulting was prepared on 27 October 2022, which assessed the Arup TTIA report of earlier revision/s F1.1 and/or F2.0 dated 25 and/or 27 October 2022. The most current version of TTIA is F4.1 dated 14 December 2022 which my comments refer to.

### **Comment of the Manager Development Services**

The comments of Councils Traffic Engineer are noted and concurred with. However, it is observed that the submitted traffic report deals with the two primary intersections (Miller/McLaren and McLaren/Walker) which will be impacted by the development proposal. Given the fact that there are around 900 additional residential apartments which will be completed over the next five years in this locality it is reasonable to consider the additional impacts of those developments when combined with the impacts caused by the school. The submitted traffic report should be revised particularly to consider the intersection of Berry and Walker Streets which already presents difficulty and will be further impacted by the Western Harbour Tunnel and many of the additional residential developments mentioned above.

### **NOISE AND OTHER AMENITY IMPACTS**

An inherent aspect of the adaptive reuse of the Heritage item is the lack of ground level open space which is available to serve as outdoor recreation for the future students. The proposal, therefore, relies on internal spaces and the utilisation of the existing terrace at level 2 and incorporates and expands upon the existing roof and terrace at level 3 for this purpose as part of stage 2.

This raises the vexed question of potential noise and privacy impacts to nearby residential properties it being noted that the nearest impacted properties are:

37 McLaren Street. This apartment building is to the immediate west of the proposed development and is around 12 metres distant separated by Faith Bander Place which is a driveway serving properties to the south.

45 McLaren Street and 148 Walker Street. The site at 45 McLaren Street is subject to a current planning proposal which if approved will see that site hosting a mixed-use development with a maximum height of RL 115. The site at 148 Walker Street contains an existing 8-storey residential development. These sites are separated by Harnett Street at a distance of 12 metres.

It is acknowledged that school use will be largely internalise with access to the limited outdoor areas generally restricted to school hours between 8.00am and 4.00pm weekdays.

The application has been accompanied by an acoustic report. That report draws the conclusion that the development impact will be acceptable subject to management conditions. The Department is urged to carefully consider this aspect of the application and have regard to the adequacy of the acoustic report.

### **POTENTIAL IMPACTS ON VIEWS**

The proposal envisages works at the roof top level to provide outdoor recreation space which may impact on views to the Harbour for properties to the west. The extent of this impact has not been assessed by Council but should be a matter for consideration by the Department in its assessment of the application and any relevant cl4.6 application.

### **TREE LOSS**

It is noted that one tree is proposed to be removed which is located on the site to facilitate required drainage works. Given the significant planting that exists elsewhere on this site, no objection is raised to this. However, a suitably advance tree should be planted on site in

replacement. The tree protection measures otherwise proposed should be installed prior to commencement of works and remain in place until completion.

#### **REQUEST FOR THE WAVIER OF S7.12 CONTRIBUTIONS**

The proposed use will attract a s7.12 contribution of **\$315,000**. The applicant has asked that this contribution be waived, as the school in effect is of community benefit.

It is understood that Reddam House is a for profit business similar to other private schools and would also likely attract funding at both state and federal levels. The s7.12 contributions are required to offset the demands of the school on future council services.

Council considers that it is beyond the remit of the Department of Planning and Environment to waive a lawfully adopted contribution the Wavier of the which is strongly objected to.

#### **POTENTIAL FOR FUTHER STRAIN ON EXISTING RECREATIONAL RESOURCES**

This issue has been raised with the proponents as there will be limited passive recreation space available within the site and has no meaningful active spaces. This suggests a potential reliance on Councils already stretched recreation facilities both passive and active for any outdoor activity that cannot be accommodated within the site.

It is noted that both Monte and Wenona both provide significant recreational facilities within their grounds and the new Marist facilities will improve on the limited resources currently available there.

Reddam representatives and supporting documentation suggests the intended model to be adopted by the school is like the ones utilised with success at other high-density schools overseas. Based on this they opine that the use of Councils facilities will be negligible. However, this is a significant concern for the Council as there is relatively limited opportunity to enhance facilities in the immediate area.

#### **ISSUES CAUSED BY OTHER NEARBY EDUCATIONAL ESTABLISHMENTS**

If approved Reddam College will be the fourth college within an area of approximately one square kilometre, with Marist College being most distant at 400 metres. The total combined student population will be around 6,000 with 600 teachers which, in itself, is not a concern. However, it's the flow on effects most noticeable around traffic, transport and parking that are of concern, and will need to be carefully considered and managed.

It is noted that Reddam has been quite emphatic in its belief that the college can operate efficiently with little impact on the amenity of the area while relying heavily on public transport including heavy rail and metro and an extensive bus service. This may be so, but as demonstrated by other schools within the Council area and beyond, it is difficult to control parents and their desire to ensure the safety and convenience of their children. It is noted that the number of students and teachers who will occupy this site will be similar to the number of employees that would occupy the building if it was used for its currently approved office use. However, the transport choice of those workers is less likely to be influenced by their parents.

The current Traffic report does not deal adequately with the cumulative impact of this development. It should be revised before a determination is made.

## CONCLUSION

The establishment of the new school is reliant on a State Significant Development Consent.

The proposal has the significant benefit of ensuring the locally listed heritage item designed by eminent architect Harry Seidler is retained and only minimally altered to facilitate the proposed use. The building is significant as it is one of several works in the North Sydney Council area designed by Harry Seidler which feature precast concrete floor beams which share the same design as those in the David Willey wing of the Council chambers and the Seidler studios in Milsons point. It is also worthy to note that the applicant has consulted with Harry Seidler and Associates who are supportive of the outcome.

Subject to some design refinement those alterations are considered acceptable to Council's heritage expert.

The proposal's approval will also mean that other proposals that saw extensive alterations to the existing building including a near doubling of its existing height should fall away which is a great outcome.

However, concern remains that the issues outlined above need to be carefully considered by the consent authority. Subject to the concerns regarding traffic and parking being further resolved many of the other issues can be addressed by design and/or condition. The concern regarding the potential use of Council's recreation facilities may remain not fully understood at this time and thus unresolved.

Should the Department form a view that the proposal is worthy of support Council would be pleased to assist with the drafting of conditions.

Please note the applicant is briefing North Sydney Council Councillors on Monday, 15 May 2023 which may alter the concerns raised in this submission.

**On balance I believe that the proposal can be broadly supported. However, at this time this submission is to be read as an objection to the proposal.**

Yours sincerely



Joseph Hill  
Director of City Strategy.

**Date: 8 May 2023**