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ABN 32 353 260 317

May Banh  
Department of Planning & Environment  
23-33 Bridge Street  
SYDNEY  
2000

GS1(CIS)

1 September 2015

Dear May,

**RE: NEW EDUCATION BUILDING AT WENONA SCHOOL (SSD 6952)**

Thank you for your letter dated 29<sup>th</sup> July 2015, relating to the Proposal State Significant Development at Wenona School. This letter sets the matters in regard to this development identified by Council. Council does not object to the proposed new facility at Wenona School; however there are a number of issues set out below:

- Height of the proposed development breaches LEP height control, and in normal circumstances a planning proposal be made to amend the control however, the proposed parapet height to Miller Street matches neighboring structures and the major offending structure is a lift overrun, therefore it is appropriate that the assessment be based on merit of the proposal.
- The non residential floor space ratio is beyond the maximum set out in the LEP of 1:1, and is at the very least double this. Such a significant increase would not be considered appropriate as a Clause 4.6 variation. The proposal could give rise to development that could undermine the integrity of the LEP control.
- Section 94 Contributions The proposal would result in an increase in floor space of (3804m<sup>2</sup>) and may increase student numbers. Council's Section 94 Contribution Plan does not necessarily exclude schools and it has been consistent practice that Council does not request schools to provide these contributions. Notwithstanding this, Council would encourage a voluntary contribution from the school for the delivery of infrastructure that it makes use of, such as out door space embellishment and library services.
- The proposed access to/from Miller Street of the new development is supported, however clause 4.4A (1) (a) seeks to promote continuous active street frontages at a street level, the street frontage activation shown in the proposal could be improved to fall within the aims of the LEP.
- Council's records show that the land is subject to a proposed road re alignment. The proposed road realignment was made on 3<sup>rd</sup> December 1943 through a notice published in the NSW Government Gazette Made under the Public Roads Act 1902(now the Roads Act 1993) and s.262 of the Local Government Act 1919 (now the Local Government Act 1993. Council has no records of this road realignment having been removed and as such, this road realignment must be considered in any future proposal at this site.
- This property is burdened with a road widening proposal that runs from Victoria Cross to Falcon Street and has been enforced as the various developments have come on line along Miller Street. The only outstanding properties are 187 Miller Street (Watchmaker's shop), the Rag & Famish Hotel, the school and the Independent theatre. The majority of these remaining properties are complicated by heritage



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issues, but the overall concept needs to be implemented. Therefore, given that this is permanent development the road widening proposal should be enforced.

- As there will be deep excavation next to a Council road, there needs to be a freestanding retaining structure built on the school's land that will support the road reserve and should be subject to an easement for support under the Roads Act. No pre or post-tensioned support structures will be permitted into Council's road reserve here.
- The submitted traffic plan discusses the potential for use of Council and/or commercial car parking spaces to make up for the displacement of car parking provision in and around the site this may be adequate in the first instance, considering the area is served by buses and trains in convenient proximity to the site. In the case where vehicular traffic increases due to rise in numbers of students at the school using the facilities or its use by outside user groups, there is potential for there to be traffic impacts to Miller Street and Elliot Street.
- The proposed development would involve works to public infrastructure and services; please condition that the developer liaises with Council's Engineering and Property Services Division as various permits for works, construction hoardings, road and services diversion and connections will be required during construction. They can be contacted on 9936 8100.

If you have any further questions on this matter please contact the writer on 9936 8100.

Yours faithfully,

Greg Sherlock  
Planning and Development Advisor.