

# Modification of Development Consent

Section 96(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I approve the modification application referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin  
**Director**  
**Modification Assessments**

Sydney *23 FEBRUARY* 2017

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## SCHEDULE 1

**Development Consent:** **SSD-6952** granted by the Executive Director, Priority Projects Assessments on 18 December 2015

**For the following:** Redevelopment of the Wenona School Campus involving:

- demolition of the existing childcare centre at 263 Miller Street, existing office building at 265 Miller Street, and existing pedestrian link over Elliott Street;
- construction of a new six storey (three storeys above Miller Street) education establishment building containing swimming pools, teaching spaces and staff areas;
- construction of a new pedestrian overpass crossing Elliott Street;
- minor alterations and additions to the existing Miller Street Campus building at 255 Miller Street, including new connections, change rooms, plant and a new lift;
- retention and relocation of existing sandstone pillars and gateposts;
- installation of new substation on Miller Street frontage; and
- associated landscaping and planting.

**Applicant:** Wenona School Limited

**Consent Authority:** Minister for Planning

**The Land:** 255-265 Miller Street and 6 Elliott Street, North Sydney

**Modification:** **SSD 6952 MOD 1:** modification includes internal and external changes to the building design.

## SCHEDULE 2

The above consent is modified as follows:

- (a) Schedule 2 Part A - Condition A2 is amended by the insertion of the **bold and underlined** word/numbers and deletion of ~~struck-out~~ words/numbers as follows:

### Terms of Consent

- A2 The applicant shall carry out the project in accordance with the conditions of consent and generally in accordance with the:
- a) State Significant Development Application SSD 6952;
  - b) Environmental Impact Statement, except where amended by the Response to Submissions;
  - c) **Section 96(1A) – Modification Application to SSD 6952 Wenona School prepared by JBA Urban Planning Consultants Pty Ltd dated 10 August 2016.**
  - d) The following drawings, except for:
    - i) any modifications which are Exempt or Complying Development; and
    - ii) otherwise provided by the conditions of this consent.

<b>Architectural (or Design) Drawings prepared by Tonkin Zulaikha Greer Architects</b>		
<b>Drawing No.</b>	<b>Name of Plan</b>	<b>Date</b>
A-0010	GENERAL DEMOLITION	16.07.15 <b><u>29.07.16</u></b>
A-0011	NO.255 MILLER STREET LG-2 <b><u>LEVEL 1</u></b> DEMOLITION PLAN	16.07.15 <b><u>29.07.16</u></b>
A-0012	NO.255 MILLER STREET LG-4 <b><u>LEVEL 2</u></b> DEMOLITION PLAN	16.07.15 <b><u>29.07.16</u></b>
A-0013	NO.255 MILLER STREET LG-4 <b><u>LEVEL 3</u></b> MEZ DEMOLITION PLAN	16.07.15 <b><u>29.07.16</u></b>
A-0014	NO.255 MILLER STREET G.F <b><u>LEVEL 4</u></b> DEMOLITION PLAN	16.07.15 <b><u>29.07.16</u></b>
A-0015	NO.255 MILLER STREET LEVEL 1 <b><u>5</u></b> DEMOLITION PLAN	16.07.15 <b><u>29.07.16</u></b>
A-0016	NO.255 MILLER STREET LEVEL 2 <b><u>6</u></b> DEMOLITION PLAN	16.07.15 <b><u>29.07.16</u></b>
A-1001	SITE PLAN	16.07.15 <b><u>29.07.16</u></b>
A-1002	<del>LOWER GROUND 3 PLAN</del> <b><u>LEVEL 0 PLAN</u></b>	16.07.15 <b><u>29.07.16</u></b>
A-1003	<del>LOWER GROUND 2 PLAN</del> <b><u>LEVEL 1 PLAN</u></b>	16.07.15 <b><u>29.07.16</u></b>
A-1004	<del>LOWER GROUND 2 MEZ PLAN</del> <b><u>LEVEL 2 PLAN</u></b>	16.07.15 <b><u>29.07.16</u></b>
A-1005	<del>LOWER GROUND 1 PLAN</del> <b><u>LEVEL 3 PLAN</u></b>	16.07.15 <b><u>29.07.16</u></b>
A-1006	<del>GROUND FLOOR PLAN</del> <b><u>LEVEL 4 PLAN</u></b>	16.07.15 <b><u>29.07.16</u></b>
A-1007	<del>LEVEL 1 PLAN</del> <b><u>LEVEL 5 PLAN</u></b>	16.07.15 <b><u>29.07.16</u></b>
A-1008	<del>LEVEL 2 PLAN</del> <b><u>LEVEL 6 PLAN</u></b>	16.07.15 <b><u>29.07.16</u></b>
A-1009	ROOF PLAN	16.07.15 <b><u>29.07.16</u></b>
A-2001	ELEVATION MILLER STREET	16.07.15

		<b><u>29.07.16</u></b>	
A-2002	ELEVATION ELLIOTT STREET	<del>16.07.15</del> <b><u>29.07.16</u></b>	
A-2003	ELEVATION NORTH	<del>16.07.15</del> <b><u>29.07.16</u></b>	
A-3000	SECTION A-A	<del>16.07.15</del> <b><u>29.07.16</u></b>	
A-3001	SECTION B-B, C-C	<del>16.07.15</del> <b><u>29.07.16</u></b>	
A-3002	SECTION C-C	<del>16.07.15</del> <b><u>29.07.16</u></b>	
A-5002	MATERIALS SCHEDULE	<del>16.07.15</del> <b><u>29.07.16</u></b>	
<b>Landscape Plans prepared by 360°</b>			
<b>Sheet</b>	<b>Issue</b>	<b>Name of Plan</b>	<b>Date</b>
2	B	Lower Ground Mez Public Domain Make-Good Works	26.05.15
3	<del>A</del> <b><u>B</u></b>	<del>Lower Ground Plan</del> <b><u>Level 3 Landscape Plan</u></b>	<del>01.05.15</del> <b><u>14.06.16</u></b>
4	<del>A</del> <b><u>B</u></b>	<del>Ground Floor Plan</del> <b><u>Level 4 Landscape Plan</u></b>	<del>01.05.15</del> <b><u>14.06.16</u></b>
5	<del>A</del> <b><u>C</u></b>	<del>Level 1 Plan</del> <b><u>Level 5 Landscape Plan</u></b>	<del>01.05.15</del> <b><u>14.06.16</u></b>
6	<del>A</del> <b><u>B</u></b>	<del>Level 2 Plan</del> <b><u>Level 6 Landscape Plan</u></b>	<del>01.05.15</del> <b><u>14.06.16</u></b>
7	A	Planting Schedule & Palette	<del>01.05.15</del> <b><u>14.06.16</u></b>
1	A	Tree Location Plan & Tree Schedule	16.10.15
<b>8</b>	<b>C</b>	<b>Landscape Sections</b>	<b><u>14.06.16</u></b>

- (b) Schedule 2 Part B - Condition B3 is amended by the insertion of the **bold and underlined** word/numbers and deletion of ~~struck-out~~ words/numbers as follows:

### **Construction Environmental Management Plan**

#### **B3**

- a) Prior to the issue of a Construction Certificate, a Construction Environmental Management Plan (CEMP) shall be submitted to the Certifying Authority. The Plan shall address, but not be limited to, the following matters, where relevant:
- i) hours of work;
  - ii) 24 hour contact details of site manager;
  - iii) traffic management, in consultation with Council;
  - iv) construction noise and vibration management plan (NVMP), prepared by a suitably qualified person, which addresses the relevant provisions of Australian Standard 2436 - 2010 Guide to Noise Control on Construction, Maintenance and Demolition Sites, and the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009). The NVMP shall include the specific mitigation measures recommended in the Construction and Operational Noise report dated July 2014 **2015**, prepared by Wilkinson Murray;
  - v) management of dust and odour to protect the amenity of the neighbourhood;
  - vi) erosion and sediment control;
  - vii) procedures for encountering groundwater during construction works including contact with NSW Office of Water;

- viii) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site;
  - ix) stormwater control and discharge;
  - x) waste storage and recycling control;
  - xi) construction material storage;
  - xii) litter control;
  - xiii) unexpected finds protocol; and
  - xiv) external lighting in compliance with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.
- b) The CEMP must not include works that have not been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent shall prevail.

The applicant shall submit a copy of the CEMP to Council, prior to commencement of work..

- (c) Schedule 2 Part E - Condition E4 is amended by the insertion of the **bold and underlined** word/numbers and deletion of ~~struck-out~~ words/numbers as follows:

**Privacy**

- E4. The proposed design and installation of internal planters at ~~Level 4~~ **Level 5** of the setback zone to replicate the current green outlook shall be undertaken in consultation with the adjoining residents at No. 267 Miller Street (Regency Park Apartments) prior to the issuing of the relevant Occupation Certificate.

**End of modifications to SSD 6952**

"Regency Park", SP48832  
267 Miller Street  
NORTH SYDNEY NSW 2060

21 February 2017

Director, Modification Assessments  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2000

Dear Sir

**Wenona School New Education Building (SSD6952)  
Land Owners consent for modification application**

We refer to the proposed modifications to the approved State Significant Development Application for the above project ("the modifications").

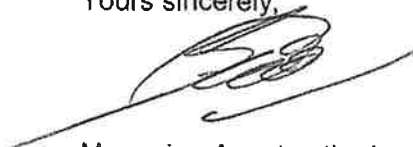
As the committee for the strata plan known as Regency Park, we have been consulted by the Applicant regarding the proposed modifications to the approved Development. We have been advised of the potential impacts of the modification of the Development on the strata property.

We understand that the modifications relate to minor detail changes within the Development, together with enhanced structural and geotechnical arrangements with the modification, so that the strata property will not be adversely effected by the Development.

We hereby give consent to the works contained within the proposed modifications to the approved State Significant Development Application, to the extent that these works relate to Regency Park.

Should you have any queries regarding the matter, please do not hesitate to contact the undersigned.

Yours sincerely,



Managing Agent authorised on behalf of Regency Park, SP48832  
Ph. 9266 2600