

ASSESSMENT REPORT

NEW EDUCATION BUILDING, WENONA SCHOOL SSD 6952 MOD 3

1. INTRODUCTION

This report provides an assessment of an application seeking the modification of a State significant development (SSD) approval (SSD 6952) for a new education building at Wenona School, North Sydney.

The application has been lodged by Ethos Urban on behalf of Wenona School Limited (the Applicant), pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks approval for minor external modifications to the new education building, Judith Dey Wing, existing campus building at 255 Miller Street and two access pits adjacent to the Miller Street frontage.

2. SUBJECT SITE

The Wenona School comprises two campuses in North Sydney within the North Sydney local government area. The Miller Street campus has frontage to Miller Street to the west and Elliot Street to the east. The Walker Street campus has frontage to Ridge Street to the north, Elliot Street to the west, and Walker Street to the east. The location of the site is shown in **Figure 1**.

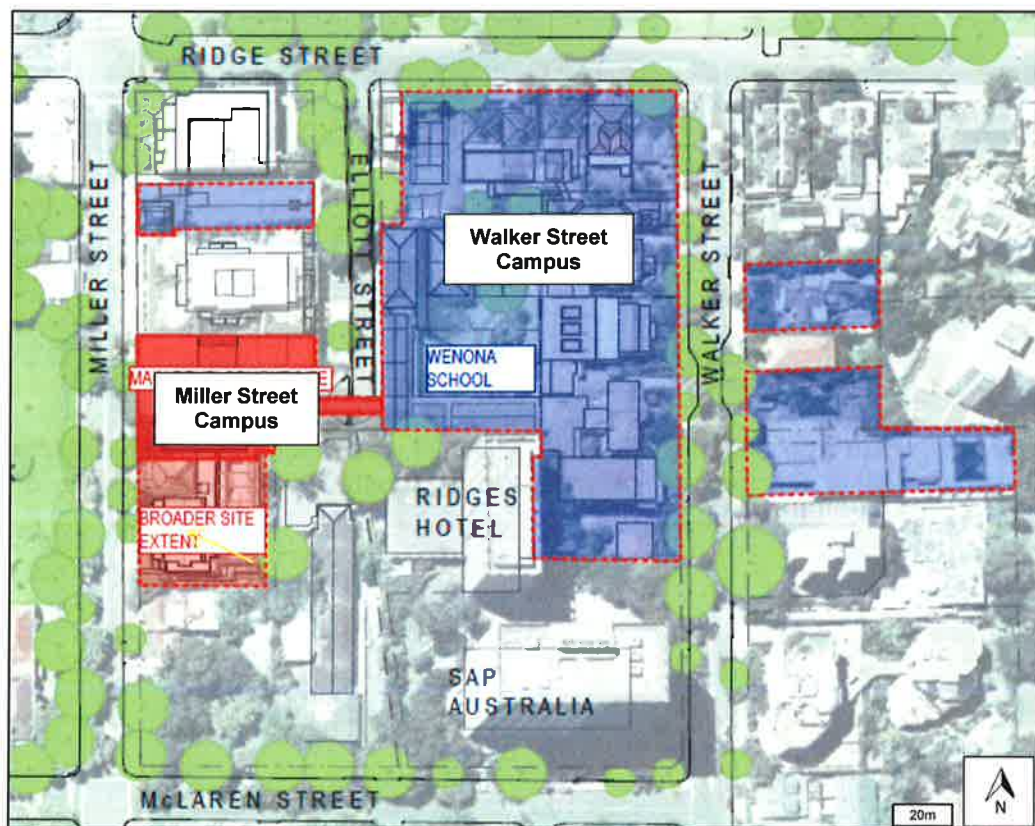


Figure 1: Site Location (source: SSD 6952 MOD 1, 2017)

3. APPROVAL HISTORY

On 18 December 2015, the Executive Director, Priority Projects Assessments, as delegate of the Minister for Planning, granted SSD approval (SSD 6952) for the redevelopment of Wenona School. The approved works included the construction of a new six-storey education building, replacement pedestrian overpass crossing Elliot Street, alterations and additions to existing buildings and associated landscaping.

On 23 February 2017, the Director, Modification Assessments, as delegate of the Minister for Planning, approved a modification (SSD 6952 MOD 1) to the consent which included internal and external changes to the building design.

The approved site plan, as modified, is included at **Figure 2**.

Construction has since commenced on site.

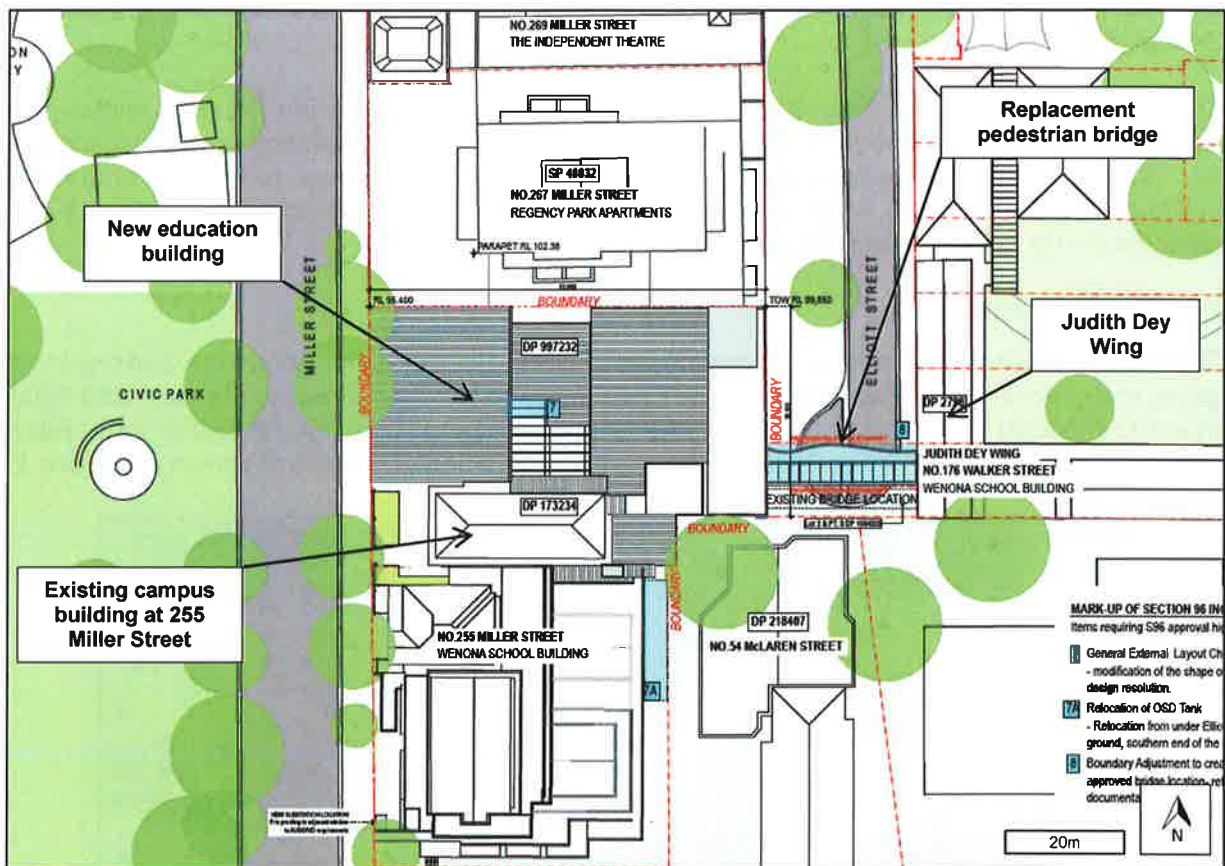


Figure 2: Extract from approved site plan (source: SSD 6952 MOD 1, 2017)

A second modification application (SSD 6952 MOD 2) was lodged on 8 May 2018 seeking approval of changes to the location of an electrical substation and the removal of a tree adjacent to the Miller Street frontage. That application has yet to be determined.

4. PROPOSED MODIFICATION

The Applicant has lodged a section 4.55(1A) modification application (SSD 6952 MOD 3) seeking approval for:

- modifications to the Elliot Street frontage of the new education building including:
 - an increase to the height of the northern boundary wall adjoining the outdoor learning space
 - removal of a planter bed from the Level 3 terrace
 - inclusion of three electronic gates to the main entrance
- inclusion of making-good works to the Judith Dey Wing associated with the replacement of the pedestrian bridge over Elliot Street including:
 - removal of windows and two redundant garage doors
 - reinstatement of wall with existing or new matching brick work
 - installation of a new exhaust vent to replace existing vents
- inclusion of a new air supply louvre on the northern elevation of the existing campus building at 255 Miller Street and
- inclusion of two access pits associated with a relocated below-ground grease arrestor adjacent to the Miller Street frontage.

The proposed modifications are shown in **Figures 3 to 11**.

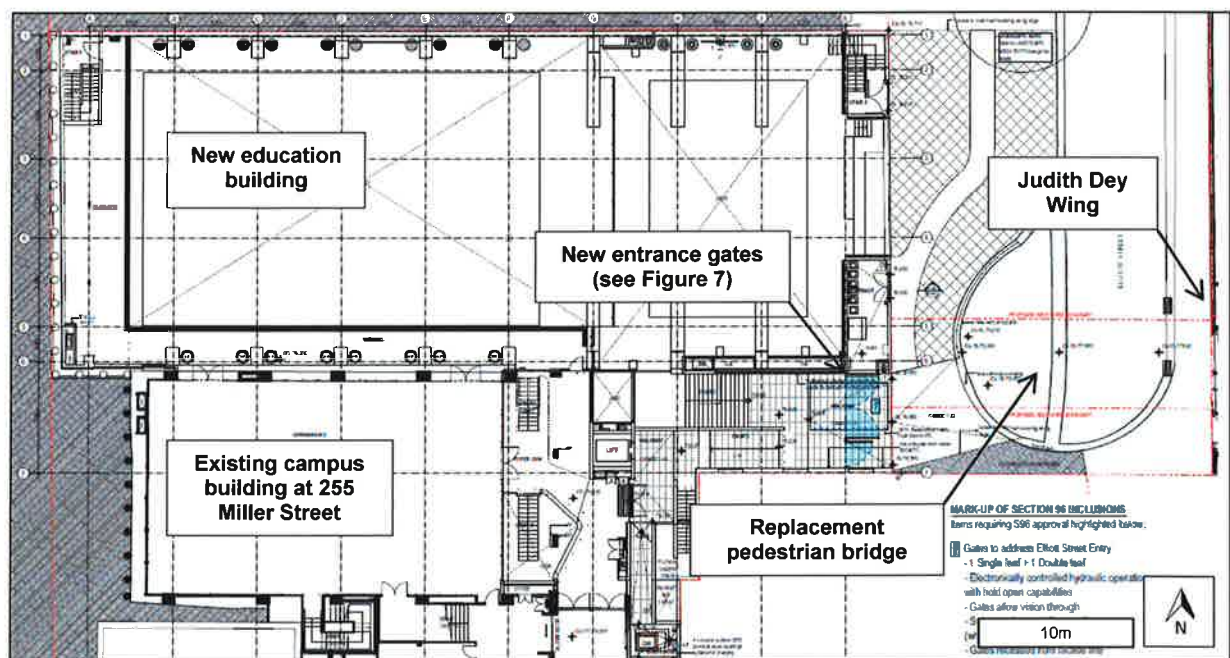


Figure 3: Extract from proposed level 2 plan (source: Application documents, 2018)

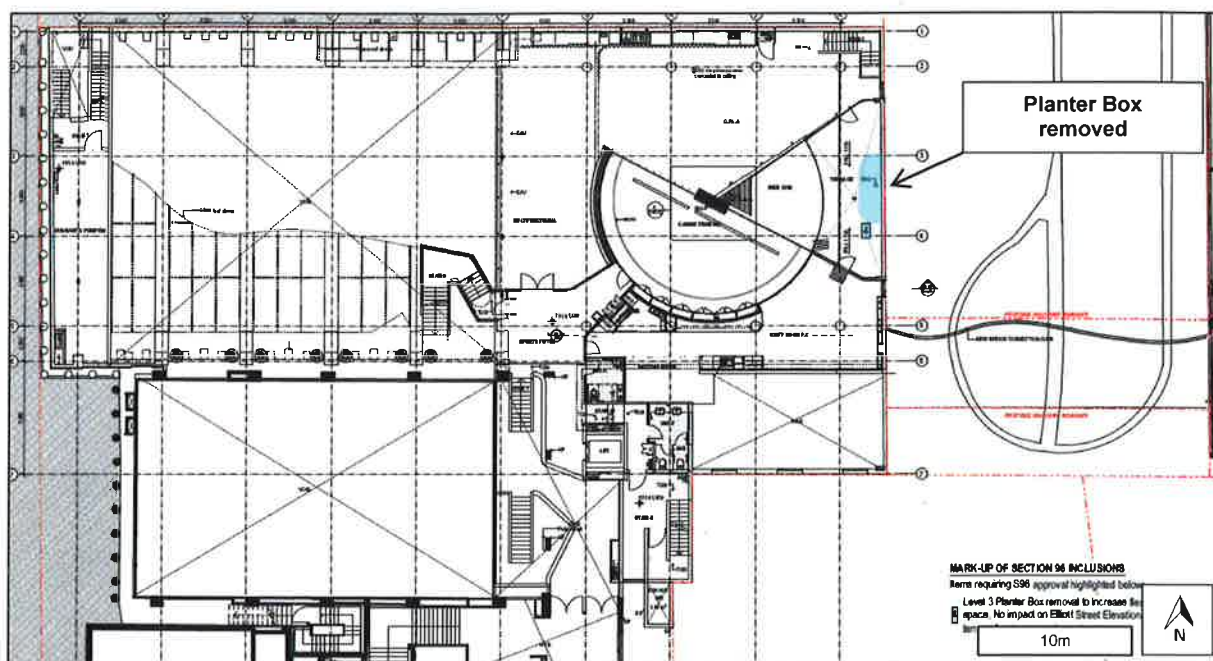


Figure 4: Extract from proposed level 3 floor plan (source: Application documents, 2018)

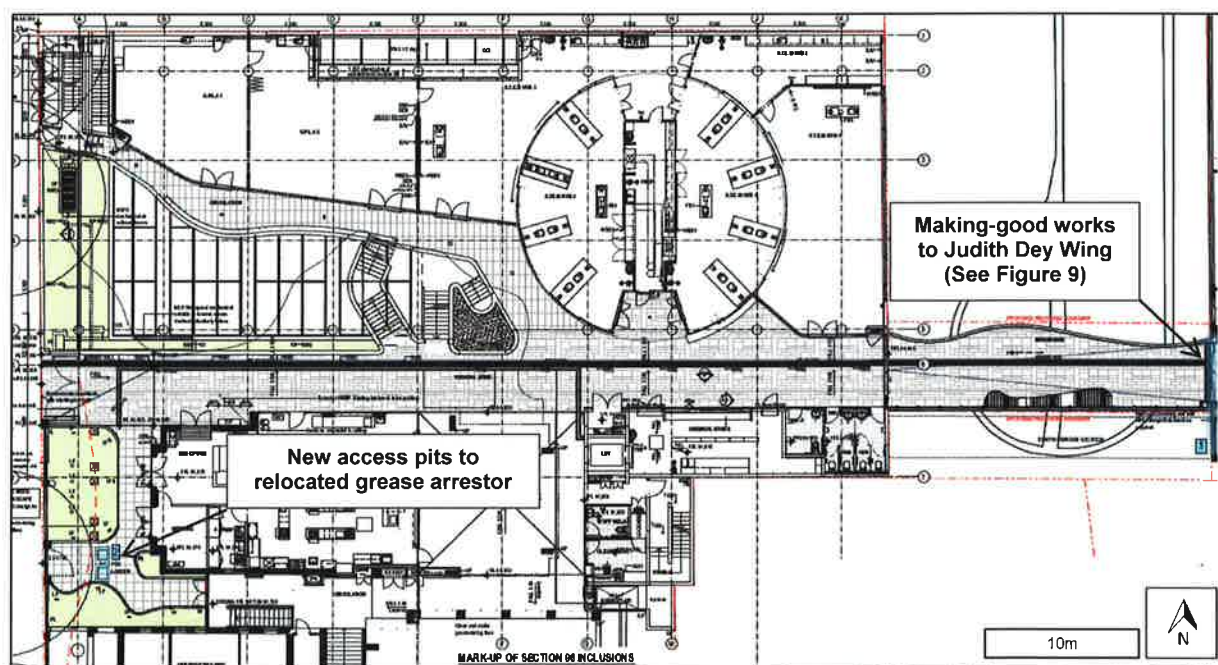


Figure 5: Extract from proposed level 4 floor plan (source: Application documents, 2018)



Figure 6: Extract from proposed level 5 floor plan (source: Application documents, 2018)

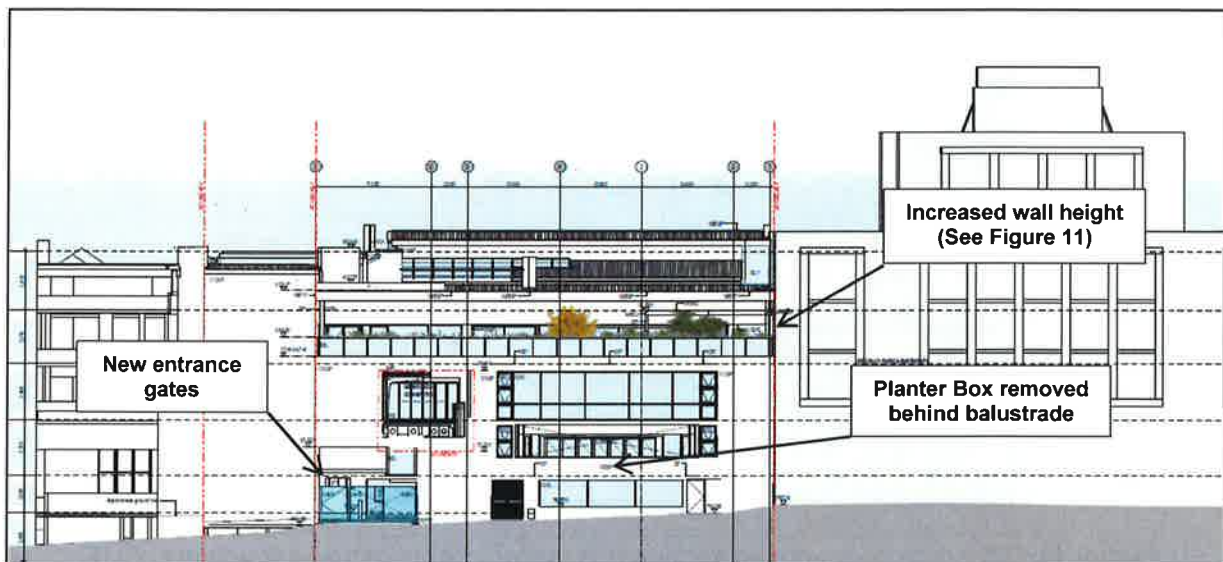


Figure 7: Extract from proposed Elliot Street elevation (source: Application documents, 2018)

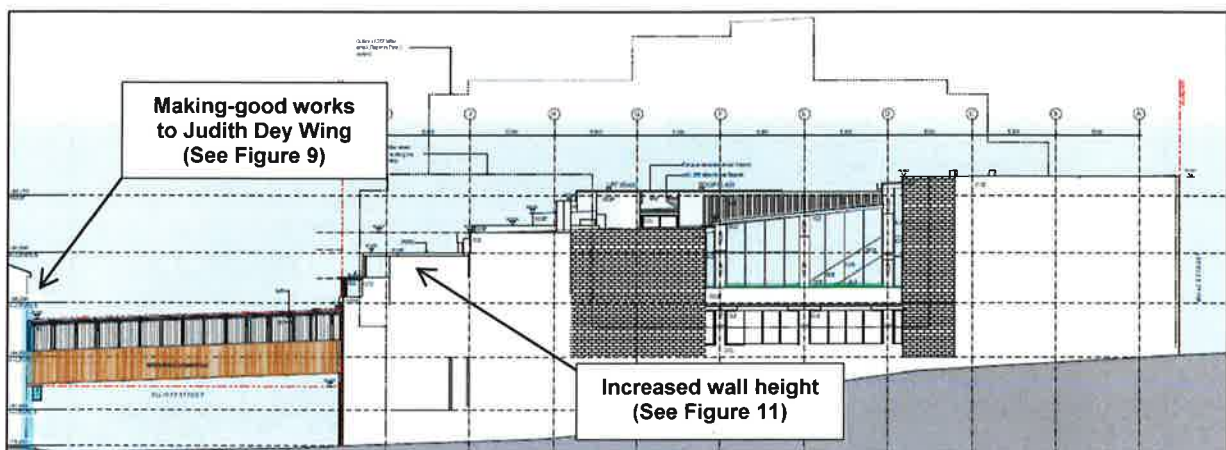


Figure 8: Extract from north elevation (source: Application documents, 2018)

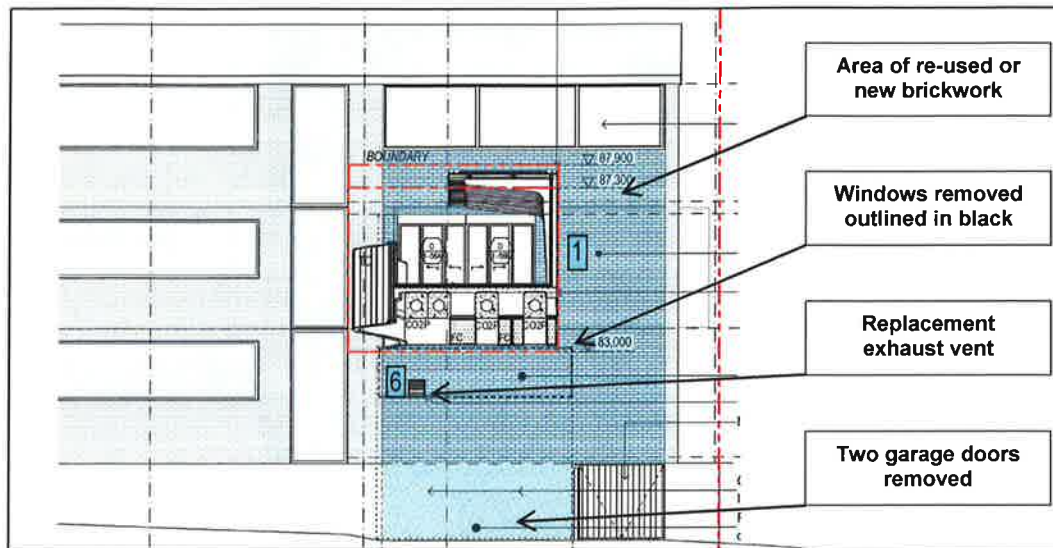


Figure 9: Judith Dey Wing elevation (source: Application documents, 2018)

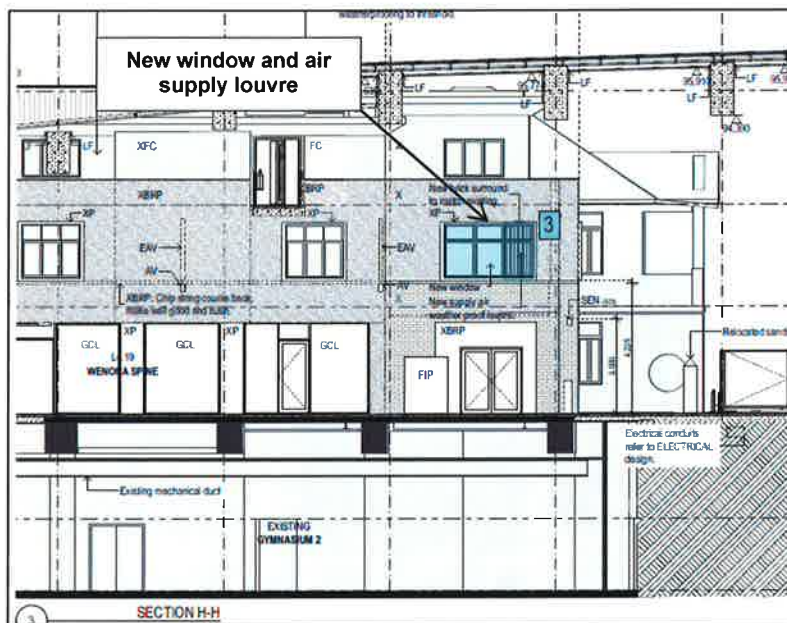


Figure 10: Extract from proposed section H-H (source: Application documents, 2018)

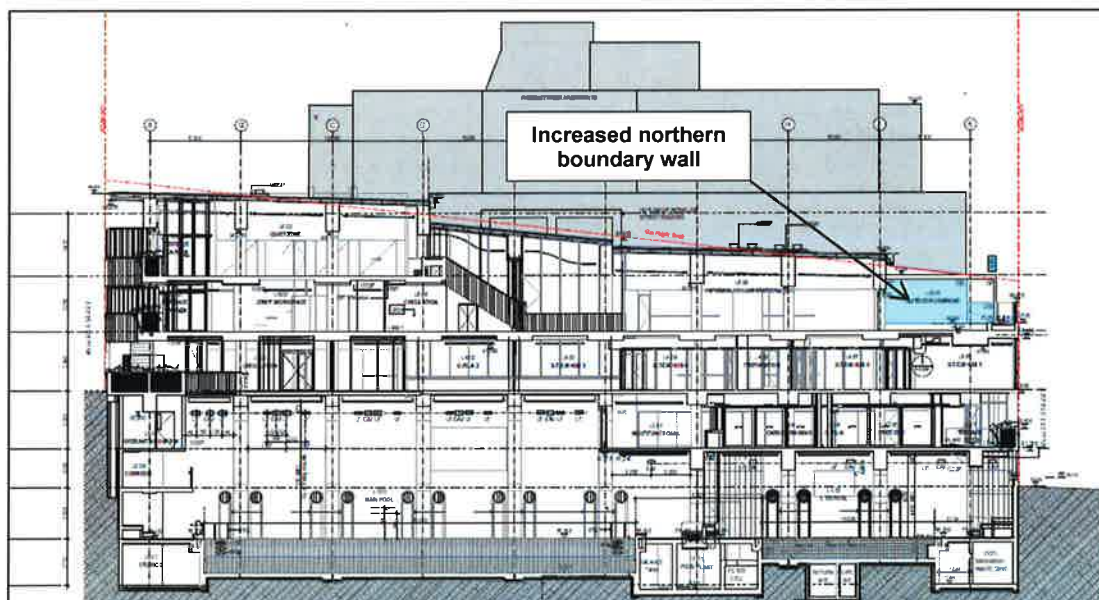


Figure 11: Extract from proposed section A-A (source: Application documents, 2018)

5. STATUTORY CONSIDERATION

5.1 Modification of approval

Section 4.55(1A) of the EP&A Act requires the consent authority to be satisfied that the matters set out in **Table 1** are addressed in respect of all applications that seek modification approval.

Table 1: Section 4.55(1A) matters for consideration

Section 4.55 (1A) matters for consideration	Comment
<i>That the proposed modification is of minimal environmental impact</i>	Section 7 provides an assessment of the impacts of the proposal. The Department is satisfied the proposal would have minimal environmental impacts.
<i>That the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all).</i>	The proposed modifications would not result in any apparent change to the overall form and massing of the building. There would be no additional visual or amenity impact on the surrounding areas. The Department is satisfied that the proposal is substantially the same development for which consent was originally granted.
<i>The application has been notified in accordance with the regulations</i>	The <i>Environmental Planning and Assessment Regulation 2000</i> (EP&A Regulation) does not require the application to be notified. Notwithstanding this, the application was made publicly available on the Department's major projects website and was referred to the North Sydney Council for comment.
<i>Any submission made concerning the proposed modification has been considered.</i>	No submissions were received.

5.2 Environmental Planning Instruments

The following environmental planning instruments (EPIs) apply to the site:

- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Infrastructure)*
- *State Environmental Planning Policy No 55 - Remediation of Land*
- *Draft State Environmental Planning Policy (Remediation of Land) (Draft Remediation SEPP)*
- *Draft State Environmental Planning Policy (Environment) (Draft Environment SEPP)* and
- *North Sydney Local Environmental Plan 2013.*

The Department undertook a comprehensive assessment of the redevelopment against the above EPIs in its original assessment. The Department has considered the above EPIs and is satisfied that the modification would not affect the proposal's consistency with the EPIs. Additionally, the Department has considered the Draft Remediation SEPP and Draft Environment SEPP which were released after the original assessment was undertaken. The Department is satisfied that the proposal, as modified, would be consistent with the draft SEPPs given:

- the provisions of the draft SEPPs relevant to the proposed development are broadly consistent with those in the equivalent SEPPs that were in effect at the time of, and considered in, the original assessment and
- the proposed modifications would not alter the proposed development so as to change the original assessment of the proposal.

5.3 Approval Authority

The Minister for Planning is the approval authority for the application. However, in accordance with the Minister's delegation, the Director, Social and Other Infrastructure Assessments may determine the application as:

- Council has not objected to the application
- a political disclosure statement has not been made and
- there are no public submissions in the nature of objections.

6. CONSULTATION

The Department did not give notification of the application due to the minor nature of the proposed modifications. The modification application was however made publicly available on the Department's website and was referred to North Sydney Council for comment. No submissions were received.

7. ASSESSMENT

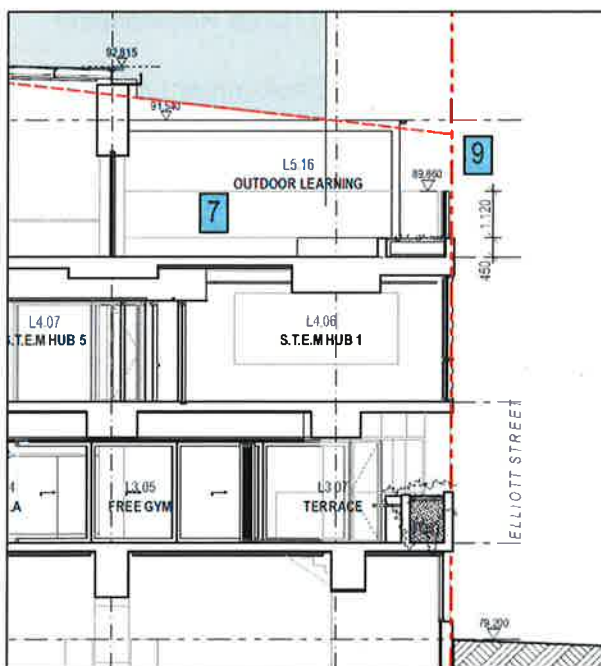
The Department has considered the modification application in the context of the original approved development in its assessment. The Department considers the key components of the modification application for assessment are:

- northern wall height change
- Elliot Street entrance gates
- Judith Dey Wing making-good works and
- remaining alterations and additions.

Northern wall height change

The proposed increase in the height of the northern wall of the new education building involves a short extent of the proposed boundary wall adjacent to the outdoor learning area on Level 5. The Applicant advises that the height change is proposed to improve the aesthetics of the outdoor learning area and waterproof the northern end of the covered space.

The bulk of the new section of wall would be against the existing boundary wall of the apartment building immediately north of the site. The remaining section involves a minor increase in height (RL 89,860 to 89,950) of the balustrade which projects beyond the adjoining building line. The approved arrangements and proposed modifications are shown in more detail in **Figures 12 to 15.**



**Figure 12: Approved section A-A
(Source: SSD 6952 MOD 1, 2017)**

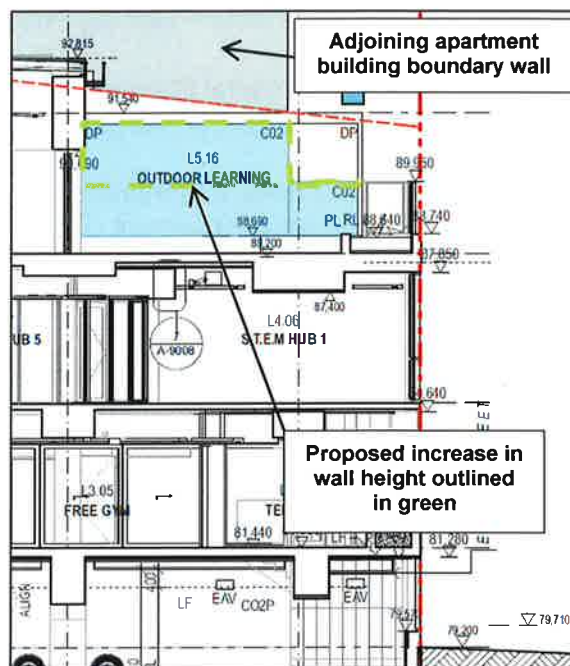


Figure 13: Proposed section A-A
(Source: Application documents, 2018)

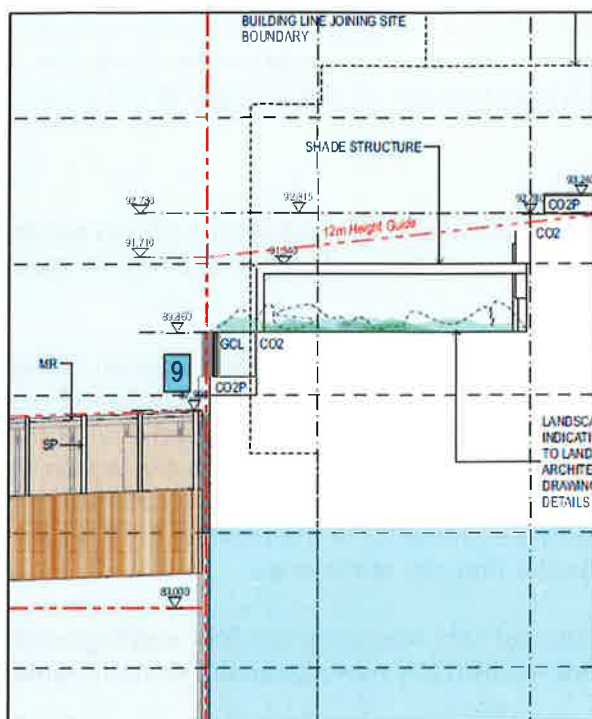


Figure 14: Approved northern elevation
(Source: SSD 6952 MOD 1, 2017)

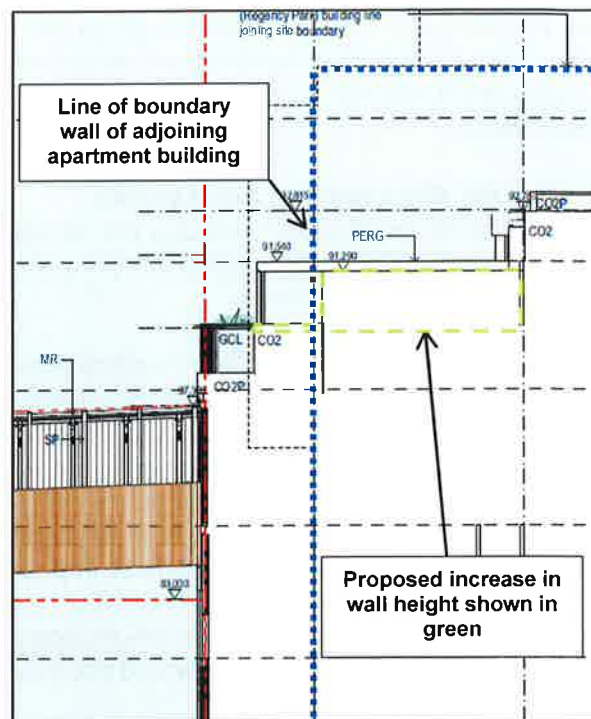


Figure 15: Proposed northern elevation
(Source: Application documents, 2018)

The Department is satisfied that the section of new wall against the boundary of the adjoining apartment building would not be readily visible from outside of the site and would not therefore have any adverse impacts on neighbouring properties. While it is noted that the balustrade would be visible from Elliot Street and the balconies from the adjoining apartment building, the change in height would be minimal and would not be readily noticeable. Furthermore, the change would not affect solar access to the adjoining balconies given the orientation of the site. Consequently, the Department is satisfied that the proposed increase in wall height would not have any significant adverse environmental impacts and is acceptable.

Elliot Street entrance gates

The proposed gates to the Elliot Street entrance would be positioned within a building opening in the eastern elevation and inset so that they would be fully contained within the site when open. The proposed gates would comprise of one single leaf and one double leaf swing gate. The gates would be electronically controlled and allow for views into the site. See **Figures 16** and **17** for the proposed layout and elevation.

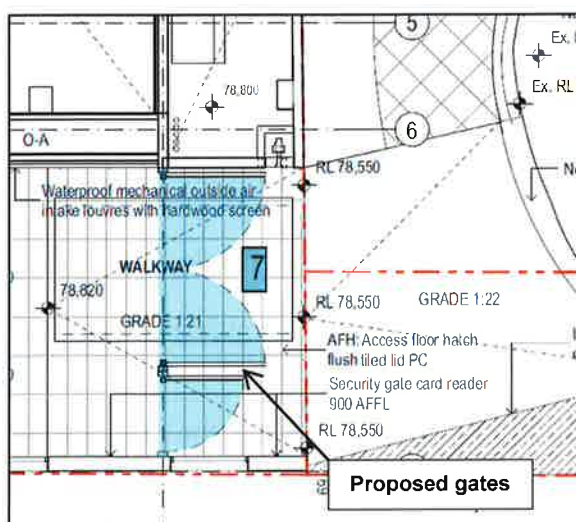


Figure 16: Proposed entrance gate location
(Source: Application documents, 2018)

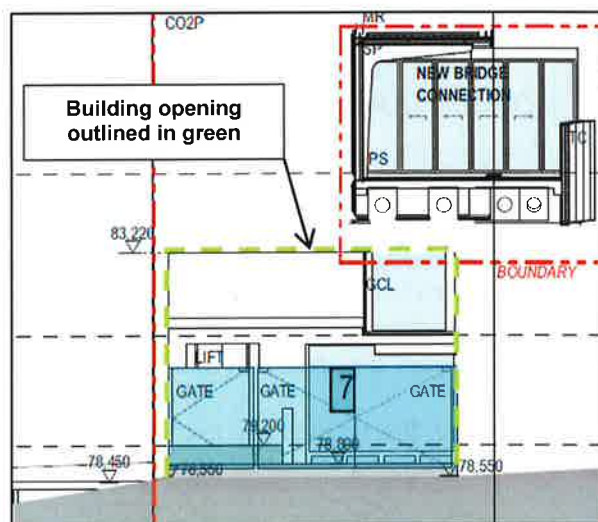


Figure 17: Proposed Elevation
(Source: Application documents, 2018)

The Department considers that the proposed positioning of the gates would be appropriately subservient to the main building and would not significantly alter the appearance of the site. It is considered that the proposal would not have adverse impacts on the amenity of the area or streetscape.

Judith Dey Wing making-good works

The proposed modifications include the removal of windows and two redundant garage doors, reinstatement of wall with existing or new matching brick work and installation of a new exhaust vent to replace existing vents.

The Department notes that the modifications are required to make-good the section of the building impacted by the construction of the replacement pedestrian bridge. Existing bricks would be re-used or new bricks used to match the existing. In the case of the removal of the garage doors, new brickwork would be used, rendered and painted to match the adjoining retained garage door which would be refinished. On this basis, the Department is satisfied that the proposed modifications would be consistent with the character of the existing building and would not have any significant adverse impacts on the amenity of the area.

The Department further notes that the proposed exhaust vent would replace four existing vents on the affected section of wall. It would not therefore result in any new significant environmental impacts.

Remaining alterations and additions

The remaining alterations and additions include:

- removal of a planter bed from the Level 3 terrace of the Elliot Street frontage of the new education building
- inclusion of a new air supply louvre on the northern elevation of the existing campus building at 255 Miller Street and
- inclusion of two access pits associated with a relocated below-ground grease arrestor adjacent to the Miller Street frontage.

The Department considers that the proposed modifications would not be readily visible from outside the site as:

- the planter box was to be located behind a solid balustrade
- the new window and air supply louvre would be located on an internally-facing elevation and
- the new access pits are to be located within a proposed ground level pathway and would not reduce the extent of landscaping.

The Department is therefore satisfied that these modifications would not alter the character of the proposed development or have any significant adverse impacts on the surrounding locality.

8. CONCLUSION

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modification is appropriate on the basis that:

- the alterations and additions are minor and would not alter the overall height, bulk, scale or appearance of the development
- it would not result in any adverse visual or amenity impacts on the surrounding area and
- the changes are required to improve the function and safety of the school.

Consequently, the proposal is in the public interest and it is recommended that the modification be approved subject to conditions.

9. RECOMMENDATION

It is recommended that the Director, Social and Other Infrastructure Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report;
- **approves** the application under section 4.55(1A), subject to conditions; and
- **signs** the notice of modification (**Appendix A**).

Recommended by:



Jason Maslen

Senior Planning Officer

Social and Other Infrastructure Assessments

Recommended by:



Andrew Beattie

Team Leader

School Infrastructure Assessments

DECISION

The recommendation is Approved by:



21/9/2019

Karen Harragon

Director

Social and Other Infrastructure Assessments

as delegate of the Minister for Planning.

APPENDIX A: INSTRUMENT OF MODIFICATION

The Instrument of Modification can be found on the Department's website at the following address:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9466

APPENDIX B: SUPPORTING INFORMATION

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. Modification request

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9466

