



# Redevelopment of Loreto Kirribilli School Modification 2

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External design amendments and installation of a new  
kiosk substation  
State Significant Development Modification Assessment  
(SSD 7919 MOD 2)

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# Glossary

Abbreviation	Definition
<b>AHD</b>	Australian Height Datum
<b>CIV</b>	Capital Investment Value
<b>Council</b>	North Sydney Council
<b>Department</b>	Department of Planning, Industry and Environment
<b>EIS</b>	Environmental Impact Statement
<b>EP&amp;A Act</b>	<i>Environmental Planning and Assessment Act 1979</i>
<b>EP&amp;A Regulation</b>	Environmental Planning and Assessment Regulation 2000
<b>EPI</b>	Environmental Planning Instrument
<b>ESD</b>	Ecologically Sustainable Development
<b>Heritage</b>	Heritage NSW, Department of Premier and Cabinet
<b>HIA</b>	Heritage Impact Assessment
<b>HCA</b>	Heritage Conservation Area
<b>Minister</b>	Minister for Planning and Public Spaces
<b>NSLEP</b>	North Sydney Local Environmental Plan 2013
<b>Planning Secretary</b>	Secretary of the Department of Planning, Industry and Environment
<b>SEPP</b>	State Environmental Planning Policy
<b>SRD SEPP</b>	State Environmental Planning Policy (State and Regional Development) 2011
<b>SSD</b>	State Significant Development

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# 1 Introduction

This report provides the NSW Department of Planning, Industry and Environment's (the Department's) assessment of an application to modify the State significant development (**SSD**) consent for the redevelopment of Loreto Kirribilli School, located at 85 Carabella Street, Kirribilli (SSD 7919).

The modification application seeks approval to amend the Stage 1 works by proposing internal and external modifications to the Innovation Centre building, internal modifications to the server rooms within the Elamang Building, minor internal works within the existing J-Block, reconfiguration of external ramp and stairs to the north of the Marian Centre, minor changes to the extent of excavation, the installation of a new kiosk substation on the site's Carabella Street frontage and staging of the approved landscape works. The building envelopes and landscape masterplan are proposed to be modified to reflect the amendments to Stage 1.

The approved concept development application for the redevelopment of Loreto Kirribilli comprises a Concept Proposal for building envelopes of new buildings within the and increase in the student numbers with associated works in three stages. The proposal also involves detailed Stage 1 works comprising detailed design and construction of a seven-storey Innovation Centre building (originally referred to as the Learning Hub), several other modifications to existing buildings, accessible connections between buildings and landscaping works.

The application has been lodged on by Ethos Urban, on behalf of Loreto Kirribilli (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

## 1.1 Background

The Loreto Kirribilli School site is located at 85 Carabella Street, Kirribilli, within the North Sydney Local Government Area (LGA) and is legally described as Lot 200 DP 1166282. The site is located approximately 500 metres (m) east of Milsons Point shops and train station and 2.2 kilometres (km) north of the Sydney central business district (CBD). The site has a total area of 1.82 hectares (ha).

The site is irregular in shape, with dual frontages of 217.5m to Elamang Avenue (northern boundary) and 164.6m to Carabella Street (southern boundary). The site has a steep fall of 16m from the southern to the northern boundary and has views of Sydney Harbour. The site currently accommodates Loreto Kirribilli School, an independent Roman Catholic day school for girls, with 1080 enrolled students from Kindergarten - Year 12 and 180 staff members. Majority of the site is a locally listed heritage item in the North Sydney Local Environmental Plan 2013 (NSLEP), except for the south-western corner.

The site includes many existing buildings of varying heights separated by landscaped gardens, pathways and existing trees. The existing buildings on the site and the surrounding residential setting are shown in **Figure 1**.





**Figure 1 | Site with identified buildings (Source: Nearmap 2020)**

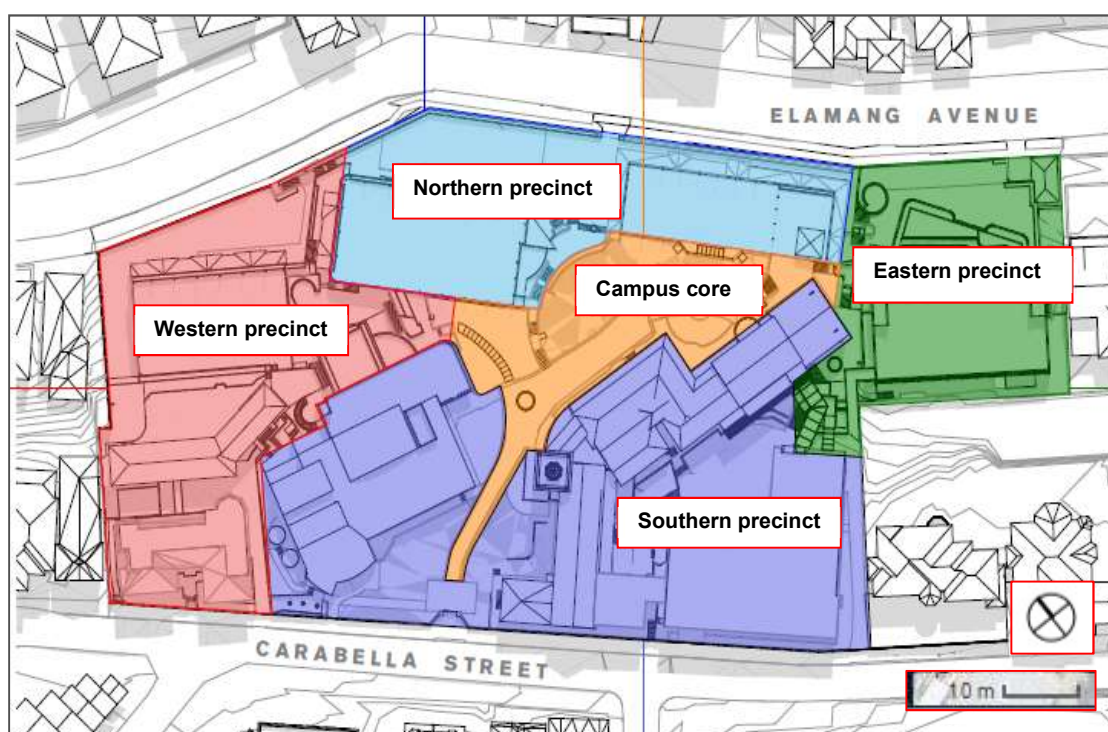
## 1.2 Approval history

On 2 October 2018, the Independent Planning Commission (IPC), as delegate for the then Minister for Planning, granted consent for the concept development application for the redevelopment of the Loreto Kirribilli School (SSD 7919) comprising:

- a Concept Proposal to support 1130 students (30 additional students) and 182 full-time equivalent staff members, in three stages over 50 years including:
  - demolition works.
  - maximum building envelopes for new buildings.
  - alterations and additions to existing buildings and envelopes for connector pods to improve access arrangements.
  - landscaping works including removal of 11 trees.
  - remediation works.
- Stage 1 works comprising:
  - demolition of the existing B-Block.
  - sections of the chapel and the sections of buildings in the eastern precinct.
  - excavation up to 13m.
  - construction of a seven-storey learning hub including four-levels of basement and a roof-terrace.

- extension to the existing gymnasium on the northern side.
- construction of a five-storey connector pod in the northern precinct.
- construction of a connector pod with ramps and stairs in the eastern precinct.
- construction of a four-storey connector pod in the southern precinct including learning studios and an external learning terrace.
- alteration and refurbishment of the chapel.
- walkways connecting buildings.
- landscaping works including removal of 10 trees.
- stormwater works and remediation works.
- enrolment of 30 additional students and two additional staff members.

Redevelopment of the site (as described in the Concept Proposal) was proposed to occur in five precincts (campus core, western, eastern, northern and southern) identified in **Figure 2**.



**Figure 2** | Approved redevelopment precincts (Source: DPIE Assessment report 2018)

The IPC made a number of amendments to the Department's recommendations, prior to determination of the application. These amendments included:

- retention of the roof top garden and the balustrade height for the learning hub.
- amendments to the timings of construction truck access to the site.
- bicycle parking under the existing Science building, which was not submitted originally.

Works pursuant to Stage 1 of the development have commenced on the site.

The development consent has been modified on one occasion (see **Table 1**).

**Table 1** | Summary of modifications

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
<b>MOD 1</b>	<p>Modify the approved design of some buildings forming part of the Stage 1 works and the corresponding building envelopes in the Concept Proposal.</p> <p>Amend a condition of consent relating to the timing of submission of an Operational Transport and Access Management Plan.</p>	Director	4.55(1A)	25 September 2019



## 2 Proposed modification

On 1 May 2020, the Applicant lodged a second modification application (SSD 7919 MOD 2) to amend the consent under section 4.55(1A) of the EP&A Act. The proposal seeks approval for internal and external modifications to the Innovation Centre building, staging of landscaping works and installation of a new kiosk substation forming part of the Stage 1 works and the corresponding building envelopes in the Concept Proposal as follows:

### Concept Proposal

- amendments to building envelopes and landscape masterplan, to be consistent with and consequential to the proposed amendments to the Stage 1 works.

### Stage 1

- changes to the Innovation Centre in the Western Precinct including:
  - a reduction in the size of a roof top plantroom and removal of another roof top plantroom.
  - minor modification to the layout of the roof top landscaped area.
  - cosmetic changes to the elevation and balustrades including materiality.
  - relocation of a roof level plantroom to the ground level driveway.
  - removal of a high-level window and at the roof level and modifications to the roof slab.
  - changes to the extent of excavation and associated modifications to the internal services.
- installation of a new kiosk substation (5.3 metre (m) x 2m) within the Southern Precinct on the site's Carabella Street frontage, including the reconfiguration of a small section of the rendered wall fronting Carabella Street and associated modifications to the existing utilities and infrastructure.
- minor design modifications within the Western and Southern Precincts including:
  - conversion of existing server rooms within the Elamang Building to storage areas.
  - minor refurbishment works to create new offices/meeting rooms within J Block.
  - reconfiguration of the external ramp and stair to the north of the Marian Centre.
- modification to conditions to enable landscaping works on the northern frontage of the property (fronting Elamang Avenue) to be delivered in a staged manner.

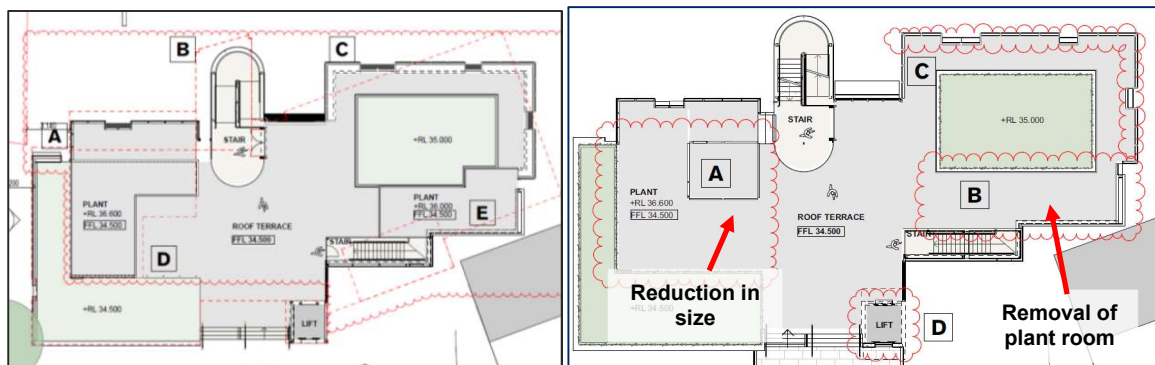
The key components of the proposed modification and a comparison with the approved development, are provided in the following sections and shown in **Figure 3** to **Figure 14** below.

### 2.1 Modifications to the Innovation Centre

#### 2.1.1 Rooftop plant room and windows

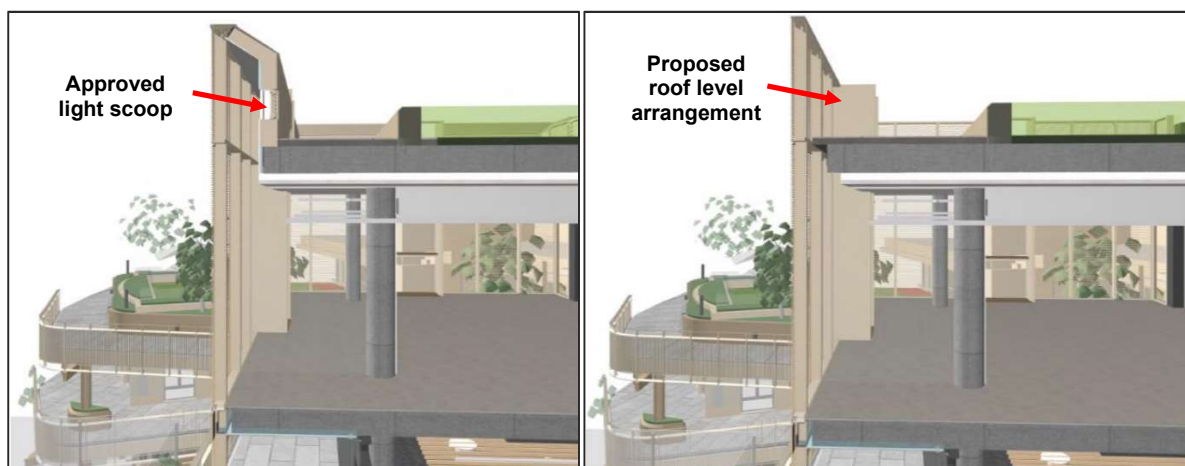
Modifications to the roof level include a reduction in the size of the plant room to the west of the roof level and removal of the plant room to the east of the roof level. **Figure 3** provides a comparison of the approved and the amended layout of the rooftop plan for the Innovation Centre building.

The Applicant advised that the proposed increase in extent of excavation would provide opportunity to locate services below ground and at the ground level driveway, thus reducing the size of the rooftop plant room. The removal of the plant on the eastern side of the roof would result in a minor change to the configuration of the approved landscaped area. This area would continue to be non-trafficable.



**Figure 3 |** Approved roof level (left) and proposed roof level (right) (Source: Applicant's Modification Report)

A high-level window / 'light scoop' window at the roof level is proposed to be removed and the roof slab extended to the approved screen along the northern elevation (**Figure 4**). No amendments to any elevation would be needed due to this modification.



**Figure 4 |** Approved roof level light scoop (left) and proposed roof level arrangement (right) (Source: Applicant's Modification Report)

## 2.1.2 Lift overrun

The modification application proposes to change the materiality of the approved lift overrun from glass to concrete following the consideration of material maintenance requirements (see

**Figure 5 | Approved lift overrun (left) and proposed lift overrun (right) (Source: Applicant's Modification Report)**

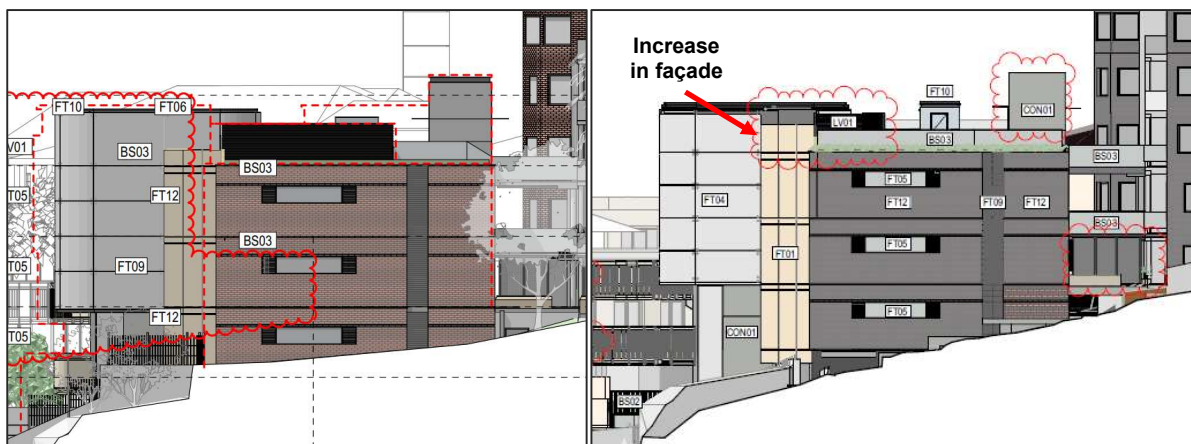
). The height of the overrun has been slightly reduced.



**Figure 5 |** Approved lift overrun (left) and proposed lift overrun (right) (Source: Applicant's Modification Report)

### 2.1.3 North-western facade

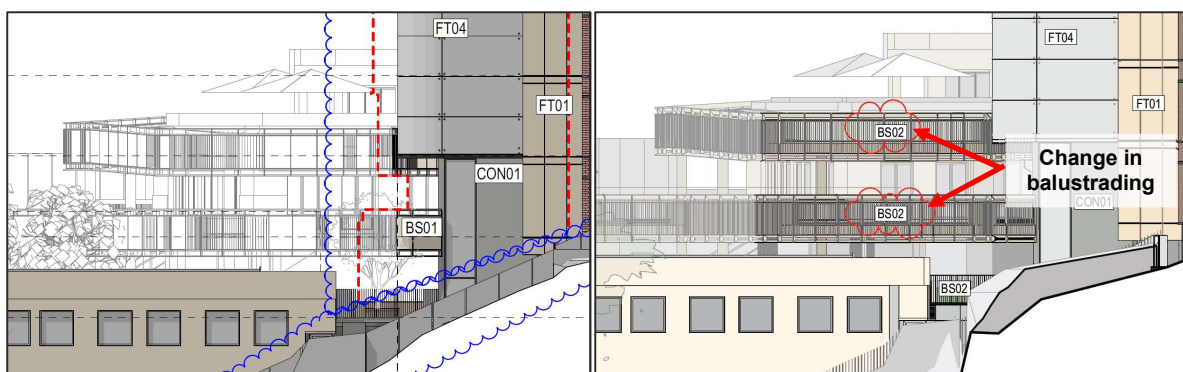
The height of the screen enclosing the Elamang Avenue façade of the Innovation Centre is proposed to be increased at the north-west corner, to improve safety. The façade, at this corner, would comprise fixed full height glazing with integrated screen, to allow for natural light. While the height of the screen is proposed to be increased marginally, the building structure or the approved RLs would not be modified. The top level of the screen would align with the maximum building height of the envelope approved under the Concept Proposal (see **Figure 6**).



**Figure 6 |** Approved western elevation (left) and proposed western elevation (right) (Source: Applicant's Modification Report)

### 2.1.4 Amendments to the balustrade materials

The modification application proposes to amend the materiality of the balustrade at ground level and lower ground level 1 from a combination of solid concrete / palisade to a continuous palisade balustrade for consistency with the rest of the balustrades along this elevation (see **Figure 7**).



**Figure 7 |** Approved western elevation (left) and proposed western elevation (right) (Source: Applicant's Modification Report)

### 2.1.5 Changes to the extent of excavation

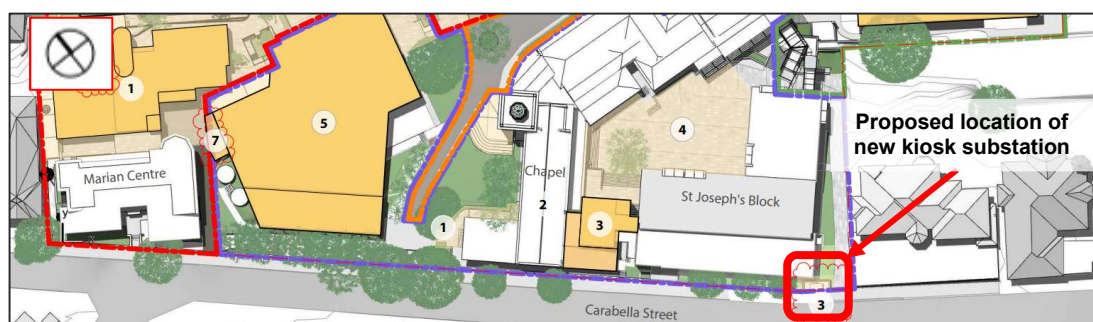
The modification proposes an increase in excavation below the Innovation Centre to make use of voids left by collapsed fill and accommodate service areas. The Applicant advised that during construction, inconsistent rock and fill quality has led to fill falling away, leaving voids. The design seeks to take advantage of these voids through the relocation of roof and ground floor services below ground. The proposed increase in excavation would not change the external building envelope or the approved building height.

The proposed changes in excavation to each level are detailed below:

- lower ground level 4 / 3 – additional excavation to accommodate minimum clearance for excavator. Internal floor area and walls remain unchanged.
- lower ground level 2 – additional excavation at a high level for mechanical ductwork only.
- lower ground level 1 – two areas of additional excavation to accommodate ductwork on the level below and mechanical plant and water tanks, which are currently located externally.

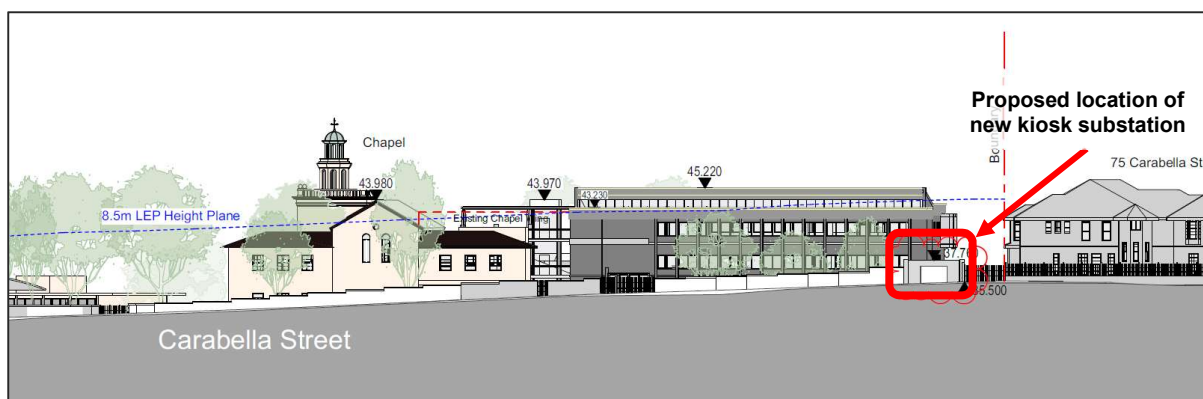
## 2.2 Installation of a new substation

A new 1000 kilovolt (kVA) kiosk substation is proposed to service the Innovation Centre, as well as future stages of the Concept Proposal. The substation is proposed to be constructed on a suspended slab, on a 5.3 metre (m) x 2.05m easement on the site's Carabella Street frontage, in front of the existing J-Block (**Figure 8** and **Figure 9**).



**Figure 8 |** Proposed location of new kiosk substation (Source: Applicant's Modification Report)

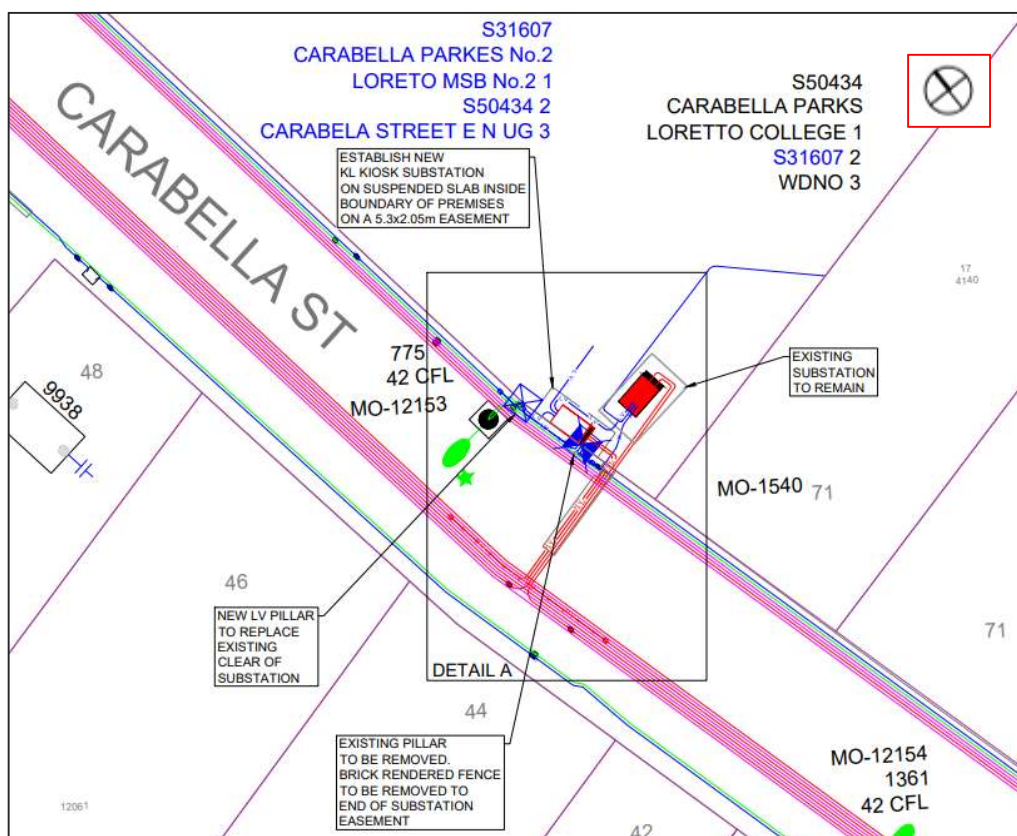




**Figure 9 |** Proposed location of new kiosk substation from Carabella Street frontage (Source: Applicant's Modification Report)

Installation of the substation would require the removal of an existing pillar and a small part of the rendered wall fronting Carabella Street. The substation would be recessed to sit in-line with the reconstructed wall. The new retaining wall around the sides and rear of the substation are proposed to be constructed of reinforced concrete 'block' to prevent any blast from the substation impacting the school.

The Applicant has consulted with Ausgrid and submitted an application for connection. Following this, a connection offer has been made by Ausgrid.



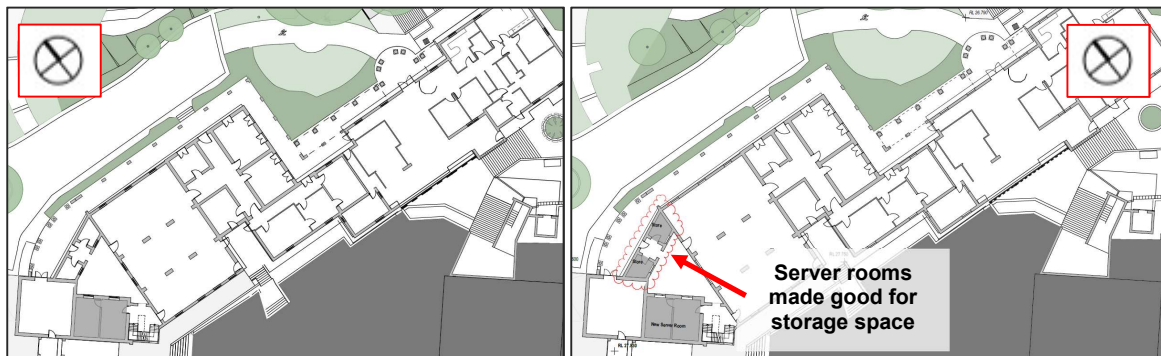
**Figure 10 |** Proposed works for kiosk substation (Source: Applicant's Modification Report)



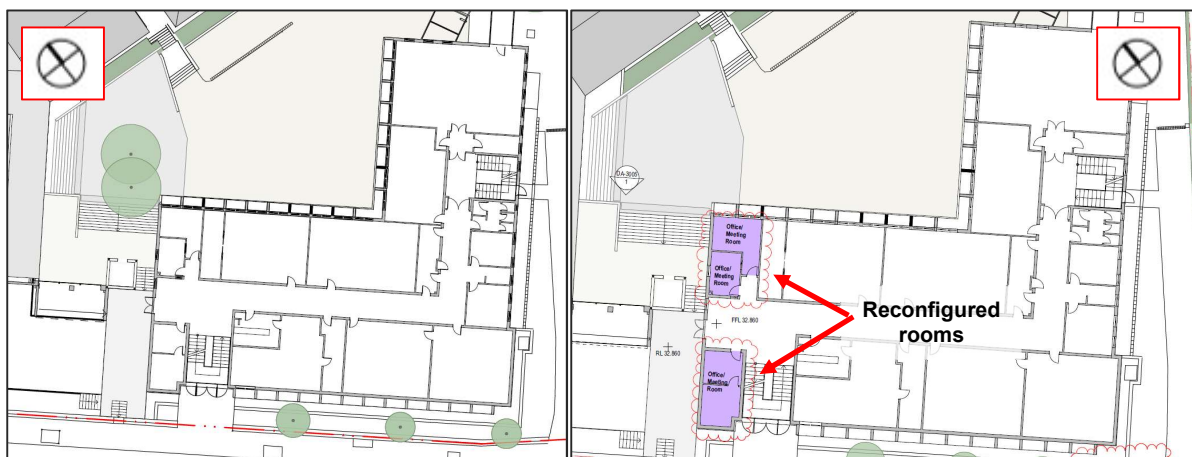
## 2.3 Other design modifications

The modification application also involves several minor design changes including:

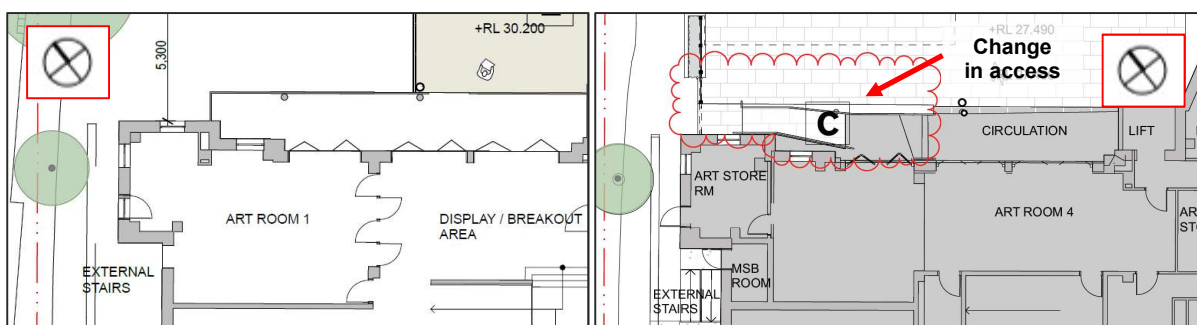
- make-good works to the existing server rooms at ground level of the Elamang Building for reuse as storage space (**Figure 11**).
- minor refurbishment works to create new offices at Level 2 of the J Block (**Figure 12**).
- reconfiguration of the external ramp and stair to the north of the Marian Centre (**Figure 13**).



**Figure 11 |** Approved (left) and proposed (right) ground level of Elamang (Source: Applicant's Modification Report)



**Figure 12 |** Approved (left) and proposed Level 2 of J Block (right) (Source: Applicant's Modification Report)



**Figure 13 |** Approved (left) and proposed (right) access at ground level of the Marian Centre (Source: Applicant's Modification Report)

## 2.4 Staging of landscaping works

The modification application proposed to modify condition E15 of Schedule 3 of SSD-7919 (for Stage 1) which states the following:

### **Landscaping**

*E15. Prior to the issue of the occupation certificate, the landscaping of the Subject Site and the replacement planting must be completed in accordance with the approved Landscape Plans.*

The Applicant has requested that this condition be modified to enable landscaping works at lower ground level 4, fronting Elamang Avenue and adjoining the gymnasium (north-east of the multi-purpose court) can be undertaken at a later date than the landscaping in other parts of the site. The location of the works are provided in **Figure 14**.



**Figure 14** | Landscaped area proposed to be staged (Source: Applicant's Modification Report)

### 3 Strategic context

The development, as modified, continues to be consistent with the following and does not alter the key components or outcomes of the proposal:

- Greater Sydney Regional Plan - A Metropolis of Three Cities, as it proposes contemporary and equitable school facilities to meet the growing needs of Sydney.
- NSW State Priorities as it would contain state of the art facilities, spaces and equipment for use by students and staff to improve their numeracy and literacy skills and improve the education results.
- relevant directions of the North District Plan (District Plan) prepared by Greater Sydney Commission (GSC) as it would upgrade an existing educational facility within the North District in proximity to existing residential properties.
- NSW Future Transport Strategy 2056 as it would improve an existing educational facility in a highly accessible location and provide access to additional new employment opportunities close to public transport.
- State Infrastructure Strategy 2018 – 2038 Building the Momentum, as it integrates school and community facilities.

The development, as modified, also continues to provide direct investment in the region of approximately \$97 million, which would support 100 construction jobs for Stage 1 works and up to two additional operational jobs upon completion of Stage 2.

## 4 Statutory context

### 4.1 Scope of modifications

The Department has reviewed the scope of the modification application and considers that the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not significantly increase the environmental impacts of the project as approved
- is substantially the same development as originally approved; and
- would not involve any further disturbance outside the already approved disturbance areas for the project.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

### 4.2 Consent authority

#### 4.2.1 Minister's delegate as consent authority

The Minister for Planning and Public Spaces is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 9 March 2020, the Director, Social and other Infrastructure Assessments, may determine the application as:

- the relevant local council has not made an objection.
- a political disclosure statement has not been made.
- there are less than 10 public submissions by way of objection.

### 4.3 Mandatory matters for consideration

Section 4.55 of the EEP&A Act requires the following matters to be assessed in respect of all applications which seek modifications to approvals (see **Table 2**).

**Table 2 | Mandatory matters for consideration**

Matter	Consideration
Whether the proposed modification is of minimal environmental impact	The proposed modification would result in minimal environmental impacts as the modification seeks minor design modifications, the staging of landscaping works and the installation of a kiosk substation at the street frontage which is sympathetic to the surrounding built form.
Whether the development to which the consent as modified related is substantially the same development	The proposed modification does not seek to significantly amend the development. The approved development, as propose to be modified, will remain substantially the same.
Whether notification has occurred, and any submissions have been considered	The modification application was publicly advertised for 28 days and affected landowners were notified in accordance with the EP&A Act and the EP&A Regulation.
Any submission made concerning the proposed modification has been considered	The Department received one submission from North Sydney Council (Council), which did not raise any concerns regarding the proposed changes. Two objections were received from the public and are considered in <b>Section 5</b> and <b>6</b> .
Any relevant provisions of section 4.15(1) of the EP&A Act.	The relevant provisions of section 4.15(1) of the EP&A Act are considered in this section and the assessment section of this report. The modification would not alter the development's existing compliance with the relevant planning instruments.
Consideration of the reasons for the granting of the consent that is sought to be modified.	The Department has considered the findings and recommendations of the Department's Assessment Report for SSD 7919, including the key reasons for granting consent outlined by the IPC in their Statement of Reasons and the matters raised in the submissions. The Department is satisfied that the key reasons for the granting of consent continue to be applicable to the development, as modified.



## 5 Engagement

### 5.1 Department's engagement

In accordance with clause 10 of Schedule 1 to the EP&A Act and clause 118 of the EP&A Regulation, the Department exhibited the modification application from 21 May 2020 to 17 June 2020 (28 days). The application was also exhibited on the Department's website. All adjoining neighbours and all previous submitters were notified in writing of the exhibition.

Following the exhibition of the application the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions. The Department has considered the comments raised in the public authority and public submissions during the assessment of the application (**Section 6**) and by way of recommended conditions in the instrument of approval of modification at **Appendix B**.

### 5.2 Summary of submissions

During the exhibition period, the Department received comments from Council raising no concerns regarding the proposed modifications.

During the exhibition period, the Department received a total of two submissions from members of the community objecting to the modification application on the following grounds:

- the growing scale of Loreto Kirribilli and its dominance of the community, whilst failing to add value or consider local residents.
- further removal of nine trees.
- heritage impact of the proposed substation.
- noise concerns relating to the construction phase.

### 5.3 Response to submissions and additional information

Following the exhibition of the application the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions. On 19 August 2020, the Applicant provided a Response to Submissions (RtS) (**Appendix A**) on the issues raised during the exhibition of the proposal.

The submission included additional information and responded to the concerns raised by submitters and the Department. The additional information included a statement from the Applicant which addressed the need to change the materiality of the lift overrun.

The RtS did not propose any changes to the modification as proposed.

# 6 Assessment

## Concept Proposal

The Department has assessed the Applicant's Modification Report and the Concept Proposal plans that are proposed to be modified to reflect the amendments to Stage 1 of the development including the design amendments to the envelope of the Innovation Centre, and the additional substation.

The Department has assessed the modifications and is satisfied that the amendments to the design of the Innovation Centre or the addition of the substation would have negligible impacts on the approved Concept Proposal masterplan or the staging of the development.

## Stage 1

The Department considers the key issues associated with the modification to the Concept Proposal and Stage 1 works are:

- heritage.
- view impacts.
- environmental and residential amenity.

Each of these issues are discussed in the following section of this report, with other issues considered discussed in **Section 6.4**.

## 6.1 Heritage

The Department notes that the site is a heritage item of local significance as listed in the NSLEP and is located adjacent to the Careening Cove Heritage Conservation Area (HCA) to the west. The main items of significance on the site comprise the Chapel and the Elamang building along with the landscaped areas. The impact of the proposed modifications on the heritage values of the site are discussed below.

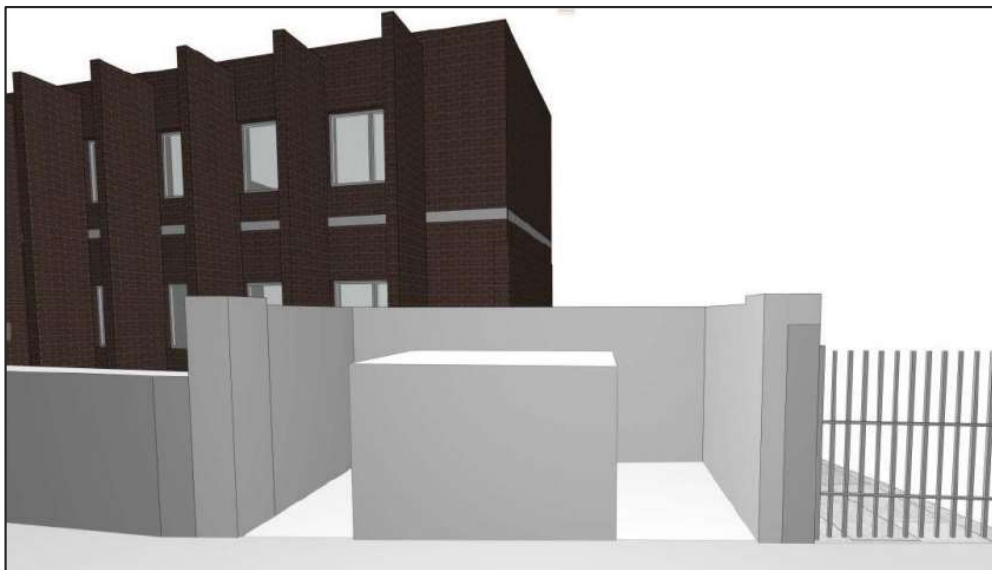
### 6.1.1 Substation

The Applicant advised that a number of alternative locations within the site were considered for the proposed substation and the proposed location was found to be the most suitable in terms of connections as well as heritage impacts.

The Applicant has submitted a Heritage Impact Assessment (HIA) addendum which concludes the J-Block and Carabella Street boundary wall, where the substation is proposed (see **Figure 15**), has moderate heritage significance. However, the HIA concludes the proposed location would have the least impact on the heritage significance of the site whilst meeting the requirements of Ausgrid. The potential heritage impacts would be mitigated through the design of the new wall, which would be rendered and painted to match the existing (see **Figure 16**).



**Figure 15 |** Existing J Block and Carabella Street frontage and approximate location of proposed substation (Source: Applicant's Modification Report)



**Figure 16 |** 3D render of the proposed substation and surrounding wall (Source: Applicant's Modification Report)

During the exhibition of the modification application, Council raised no concerns regarding the proposal, based on heritage impacts. One public submission raised concerns regarding the proposed substation's impact on the heritage significance of the site and the need to remove additional trees to install the substation.

In response, the RtS clarified the modification would not need the removal of additional trees.

Based on the conclusions of the Applicant's HIA and the comments from Council, the Department concludes the proposed location of the substation and alterations to the school's boundary wall would have minimal impact on any elements of the site that have a significant heritage value.

The Department is satisfied that the proposed materials and finishes would not compromise the significance of the existing building on the site or the adjoining HCA. The location and design of the substation are considered suitable for the site and would provide the necessary connection required for the efficient functionality of the Innovation Centre.

### 6.1.2 Design amendments to the Innovation Centre

The Department's assessment of the proposed modifications to the Innovation Centre concludes that the distance between the modified innovation Centre and the elements of exceptional heritage significance would remain the same as approved originally. Consequently, the modified proposal would have no additional impact on the curtilage of the existing heritage items of significance on the site of the adjoining properties. The proposed increase in the height of the screen would not be perceived from the public domain of Elamang Avenue or the Sydney Harbour, considering the overall scale of the proposed development.

### 6.1.3 Internal amendments to J-Block and Elamang

The HIA submitted by the Applicant concluded Elamang is of exceptional heritage significance and J-Block is of moderate heritage significance. Minor internal amendments are proposed to J-Block including refurbishments to create new offices/meeting rooms at Level 2.

Modifications to Elamang include refurbishment the existing server rooms at ground level of the Elamang Building for use as storage space.

The Department's assessment of the modified proposal concludes the works to J-Block and Elamang would have negligible impact on the historic elements of these buildings as works are internal and of a minor nature.

## 6.2 View impacts

The site and the neighbouring residential developments to the west currently enjoy distant district views and view of Sydney Harbour. The impacts of the approved Innovation Centre on the private views enjoyed by the neighbouring residents were assessed in detailed under SSD 7919 against the four step Planning Principles established by the Land and Environment Court in the judgement for *Tenacity Consulting v Warringah [2004] NSWLEC 140 (Principles of view sharing: the impact on neighbours)*. In the assessment of view impacts due to the development, the Department considered the occupiers of the residential flat building at 111 Carabella Street would experience a moderate to high level of view loss due to the development. Unit 9/111 Carabella Street, at the topmost floor (facing east) was identified to be the most affected unit due to the proposed building height, plant room enclosure and the roof garden. The Department's assessment of SSD 7919 concluded that the Innovation Centre would have some negative impacts on the district, water and sky views afforded to this unit. However, on balance, the impacts were assessed as reasonable by the Department as the time, considering the views to be partial and devoid of iconic landmarks.

To assess the impacts of the proposed modifications, the amended view analysis includes a comparison of the views of the existing building, approved SSD 7919 MOD 1 view and the proposed view (see **Figure 17** to **Figure 20**).



**Figure 17** | Existing (left), SSD 7919 MOD 1 (middle) and proposed (right) view from living room of 9/111 Carabella Street (Source: Applicant's Modification Report)



**Figure 18** | Existing (left), SSD 7919 MOD 1 (middle) and proposed (right) view from kitchen of 9/111 Carabella Street (Source: Applicant's Modification Report)



**Figure 19** | Existing (left), SSD 7919 MOD 1 (middle) and proposed (right) view from bedroom of a top floor unit at 111 Carabella Street (Source: Applicant's Modification Report)



**Figure 20** | Existing (left), SSD 7919 MOD 1 (middle) and proposed (right) view from kitchen of a top floor unit at 111 Carabella Street (Source: Applicant's Modification Report)

### 6.2.1 Façade height increase

The modification proposes an increase in the height of the screen enclosing the façade at the north-western corner of the Innovation Centre building to improve safety (**Figure 19**). This increase is higher than that approved under SSD 7919 MOD 1, however, remains consistent with the original approval SSD 7919. As identified in **Figure 19**, the Department considers that the proposed increase in the height of the screen is marginal (about 1.5m) and within the approved height of the original envelope. Consequently, no additional view loss of the neighbouring properties are anticipated due to the proposed change.



### 6.2.2 Lift overrun

During exhibition of the proposal, there were no concerns raised regarding the proposed amendments to the materiality of the lift overrun by Council or the public. The Department raised significant concerns regarding the impacts of the proposed materiality of the lift on the views currently enjoyed by unit 9/111 Carabella Street.

In response the Applicant indicated the proposed reduction in the size / removal of the rooftop plant rooms would significantly improve views from the residential flat building to the west of the site and would offset any detrimental impacts due to the proposed opaque materiality of the lift overrun. The Applicant also advised that completely clear glass would not be achievable due to thermal requirements for the glazing and a dark tint would need to be applied.

The Department recognises there has been a reduction in the footprint and height of the western plant enclosure and minor reduction in the height of the lift overrun when compared to SSD 7919 MOD 1, resulting in a marginal gain of sky views. However, the Department notes the previous assessment for SSD 7919 and SSD 7919 MOD 1 were undertaken considering that the lift overrun façade would remain transparent (and not include a black film on the glass, as indicated by the Applicant's MOD 2 Rts).

The Department considers that the proposed change to the materiality of the lift overrun represents a significant deviation from the previously approved materials and would result in diminished visual amenity for the surrounding residents. The Department has assessed the above view analysis and whilst there are improvements to some views, the change in the materiality of the lift overrun to concrete results in a significant impact to the views enjoyed by residents at 111 Carabella Street.

Based on the above, the Department does not agree to the proposed change to the materiality of the lift overrun and proposes a condition under Schedule 3 to reflect this:

*B5A. The materiality of the lift overrun's external façades on the roof of the Innovation Centre must comprise glass or a transparent material. The appearance of the lift overrun must remain consistent with the plans listed in Schedule 3 condition A2.*

## 6.3 Environmental and residential amenity

### 6.3.1 Overshadowing

The modification application is supported by amended shadow diagrams (see

**Figure 21**). The diagrams show the modification would result in some changes to the extent of shadows cast by the development (due to the proposed amendments to the roof level plan), with some parts of the school campus experiencing more overshadowing and other areas experiencing less overshadowing. The Department notes that some of the internal open spaces within the school would experience additional overshadowing. These areas are located to the north-east of the multi-purpose court and between the multi-purpose court and the Innovation Centre. The Department understands, these areas are not utilised as active learning or recreational areas.

Consequently, the Department's assessment concludes that overall, the modification as proposed would generally result in an improved overshadowing outcome within the campus when compared to the original SSD approval.

The reduction in the size of the rooftop plant would marginally improve the overshadowing impacts in the morning on No. 111 Carabella Street (to the west of the site) when compared to the approved development. The overshadowing due to the increase in the height of the screen at the north-western corner would remain consistent with the overshadowing impact approved under the original development. Further, the Department understands the façade material would comprise glass with a fine mesh interlay, enabling light to pass through. The Department's assessment of the additional shadow diagrams supporting the modification application concludes that, on balance, the proposed amendment would not significantly deteriorate the approved overshadowing on the existing buildings within the site or the adjoining developments between 9am – 3pm during winter solstice.



**Figure 21 | 9am winter (top) solstice and 9am summer (bottom) solstice (Source: Applicant's Modification Report)**

### 6.3.2 Operational noise impacts

The proposed modification would result in relocation of plant and equipment away from sensitive receivers to the west of the site, as follows:

- seven condensers relocated from roof (west) to ground level next to the driveway.
- kitchen exhaust and make up ductwork/fans relocated off roof terrace (east) to ground floor driveway.
- dust extractor originally on ground floor driveway relocated to lower ground level 1 underground plant room.

The Applicant submitted an Acoustic Statement which confirms the relocations are acceptable from an acoustic perspective and noise emissions from the relocated mechanical plant would comply with the noise emission requirements in the conditions of the original development consent. The Department supports the relocations and does not recommend additional conditions relating to operational noise associated with the modified proposal.

## 6.4 Other issues

**Table 3** | Summary of other issues

Issue	Findings	Recommendations
<b>Stormwater</b>	<ul style="list-style-type: none"> <li>The modification as proposed would result in nominal changes to pervious and impervious areas. The Stormwater Management Report submitted with the modification report concludes no changes that would negatively impact catchment runoff.</li> </ul>	<ul style="list-style-type: none"> <li>The Department has assessed the modified stormwater plans as satisfactory.</li> </ul>
<b>Staging of landscaping</b>	<ul style="list-style-type: none"> <li>The area of landscaping proposed to be staged is to the north-east of the multi-purpose court and small in area. The Department concludes that staging these works to be completed prior to the issue of the final Occupation Certificate would not significantly impact on the overall built form and site layout or masterplan for the site.</li> </ul>	<ul style="list-style-type: none"> <li>The Department has recommended a condition to reflect the staging of works (see <b>Appendix B</b>).</li> </ul>
<b>Miscellaneous matters raised in submissions</b>	<ul style="list-style-type: none"> <li>During the exhibition of the modification application, public submission raised a number of issues in relation to the overall development and raised concerns regarding the removal of additional trees from the site.</li> </ul>	<ul style="list-style-type: none"> <li>The Department has reviewed the submissions and considers that the matters raised by the submitters are not relevant to the proposed modification.</li> <li>The modification application in itself would not further increase the scale of the development deteriorate the impacts on the neighbouring properties.</li> <li>The proposed modification would also not involve the removal of any additional trees and would have no additional impacts on the local biodiversity.</li> </ul>

## 7 Evaluation

The Department has reviewed the Applicant's Modification Report, the RtS and assessed the merits of the proposal. Issues raised in the public submissions have been considered and all environmental issues associated with the proposal have been addressed.

The Department understands the Concept Proposal is amended based on the proposed changes to the Stage 1 development and the installation of the kiosk substation.

The proposed modification would reduce the extent of the rooftop plant zone, improving the views for surrounding residents. However, the proposed change to the materiality of the lift overrun from glass to off form concrete would diminish the visual amenity for neighbouring properties. Therefore, the Department is supportive of the modification as proposed, with the exception to the change in materiality of the lift overrun. The Department has recommended a condition to reflect this.

The Department considers that the modification application is consistent with the objects of the EP&A Act and continues to be consistent with the strategic direction for the state. The Department concludes that the impacts of the development can be appropriately mitigated through the implementation of the recommended conditions of consent. Consequently, the Department considers the development is in the public interest and should be approved subject to conditions.

## 8 Recommendation

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

- **considers** the findings and recommendations of this report.
- **forms the opinion** under section 7.17(2)(c) of the *Biodiversity Conservation Act 2016* that a biodiversity development assessment report is not required to be submitted in relation to this application as the modification will not increase the impact on biodiversity values of the site.
- **determines** that the application SSD 7919 MOD 2 falls within the scope of section 4.55(1A) of the EP&A Act.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification.
- **agrees** with the key reasons for approval listed in the draft notice of decision.
- **modify** the consent SSD 7919.
- **signs** the attached approval of the modification (**Appendix B**).

**Recommended by:**



**Kathryne Glover**

Assessment Planner

Social and Infrastructure Assessments

**Recommended by:**



**Aditi Coomar**

Team Leader

School Infrastructure Assessments



## 9 Determination

The recommendation is **adopted** by:



30 September 2020

**Karen Harragon**

Director

Social and Infrastructure Assessments

as delegate of the Minister for Planning and Public Spaces

# Appendices

## Appendix A – List of referenced documents

Modification Report

<https://www.planningportal.nsw.gov.au/major-projects/project/26066>

Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/26066>

Response to Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/26066>

## Appendix B – Instrument of Approval of Modification

<https://www.planningportal.nsw.gov.au/major-projects/project/26066>