



***MODIFICATION REQUEST:
Wahroonga Estate Redevelopment
Concept Plan
(MP07_0166 MOD 5)***

- Modification to Precinct B

Secretary's Environmental Assessment Report
Section 75W of the *Environmental Planning and
Assessment Act 1979*

July 2014

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EXECUTIVE SUMMARY

This report is an assessment of a modification application (MP07_0166 MOD 5) lodged by MacroPlan Dimasi, on behalf of Seventh Day Adventist Church (the proponent), that seeks approval for modifications to the building footprints and internal road alignments of Precinct B of the Wahroonga Estate Redevelopment concept plan.

The site, Wahroonga Estate, incorporating Sydney Adventist Hospital at 185 Fox Valley Road, Wahroonga, is a 62.4 ha site located within the Ku-ring-gai and Hornsby Local Government areas (LGA). Precinct B: Central Church Precinct is located within the Ku-ring-gai LGA with Fox Valley Road as its primary frontage.

The proposal seeks to: modify the Precinct B educational and residential building footprints; increase the maximum height of the education building envelope; modify the internal access arrangements; and modify the intersection alignment with Fox Valley Road in response to amendments required as a consequence of detailed design works undertaken for the proposed Wahroonga Adventist School. The proposed amendments to the concept plan are sought to remove concept plan consistency issues associated with the building footprint layout and design of proposed educational and residential development within Precinct B.

The application was exhibited between 20 November 2013 to 5 December 2013, advertised in the Sydney Morning Herald and Daily Telegraph on 20 November 2013 and Hornsby Advocate on 21 November 2013, made publically available on the department's website, and relevant public authorities and landowners were notified in writing. The Department of Planning and Environment (the department) received three submissions during the exhibition of the modification. This included submissions from Ku-ring-gai Council (council), Roads and Maritime Services (RMS) and the NSW Rural Fire Service (RFS). The key issues raised in submissions relate to the impact on the integrity of the approved concept plan, built form and urban design and vehicular access.

The proponent provided a response to the issues raised during the exhibition period, proposing further revisions to the residential building footprints and intersection alignment with Fox Valley Road.

The department has assessed the merits of the modification and considers the key issues associated with the proposal to be: built form and urban design; landscaping and public domain; and vehicular access. These issues have been assessed in detail and the department is satisfied that the proposed modification is acceptable subject to recommended conditions that will mitigate and manage impacts to an acceptable level.

The department therefore considers the proposal to be in the public interest and that the modification should be approved.

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1. BACKGROUND

1.1 Site Context and Location

The Wahroonga Estate (the site), comprising the Sydney Adventist Hospital (SAH), is a 62.4 ha site located approximately 18 km northwest of the Sydney CBD and 1 km south of the intersection of the Pacific Highway, Pennant Hills Road and the F3 Freeway. The project location is shown in **Figure 1**.

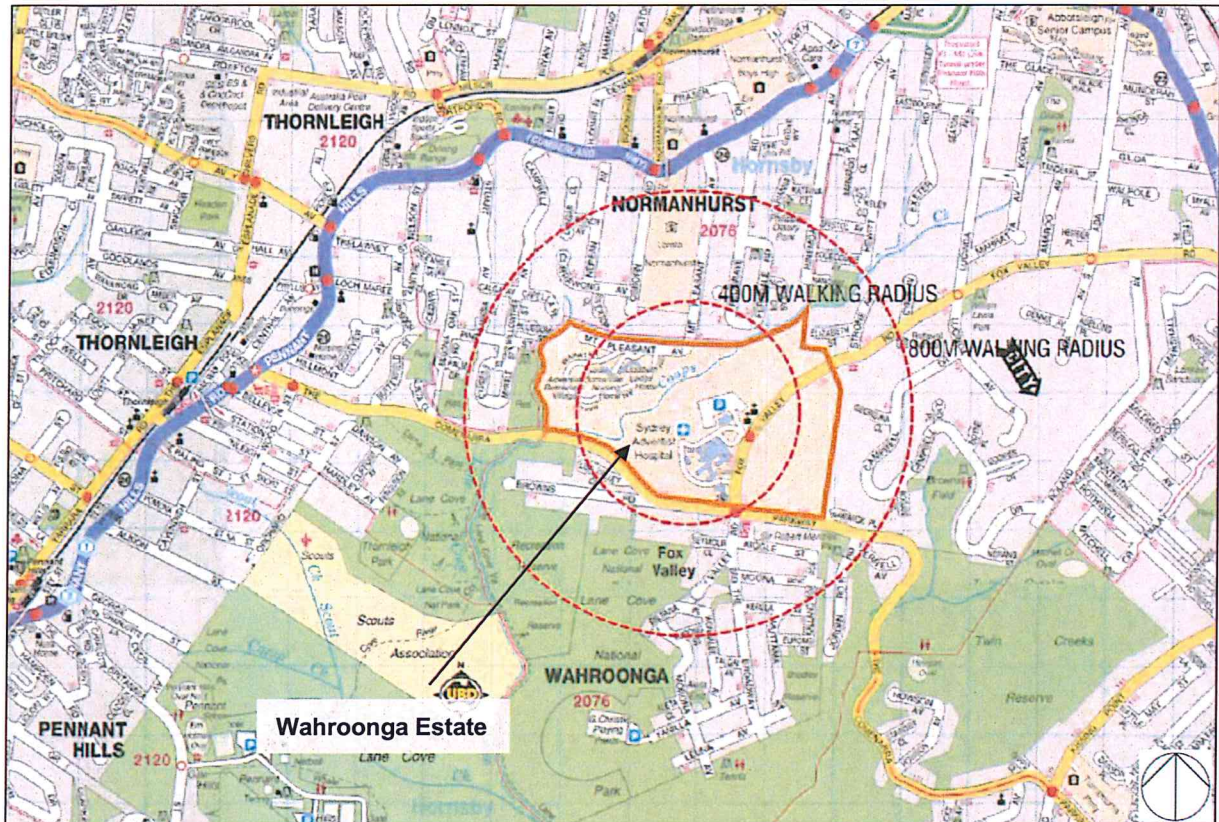


Figure 1: Project Location

1.2 Wahroonga Estate Redevelopment Concept Plan

On 18 December 2009, the site was listed as a State significant site within Schedule 3 of State Environmental Planning Policy (Major Development) 2005 to establish a number of land use zones and development standards to facilitate its proposed redevelopment.

On 31 March 2010, the then Minister for Planning approved a concept plan for the Wahroonga Estate Redevelopment (MP07_0166). The concept plan established five development precincts, each containing separate GFA controls, land uses and restrictions on the type and dwelling numbers. The approval consisted of the following key elements:

- general layout of land uses;
- maximum gross floor areas (GFA) for land uses;
- the maximum number of dwellings and other accommodation types;
- building heights;
- road design and traffic management works; and
- landscape, open space and public domain treatments, including the protection and management of conservation areas.

The approved Precinct B: Central Church provides for 9,000 sqm of educational floor space for a K-12 school, 3,200 sqm of place of public worship (PoPW) floor space and provision for nine dwelling houses (retained) and 200 residential flat building (RFB) dwellings. The

approved concept plan layout and Precinct B: Church Central Layout are shown in **Figures 2 and 3**.

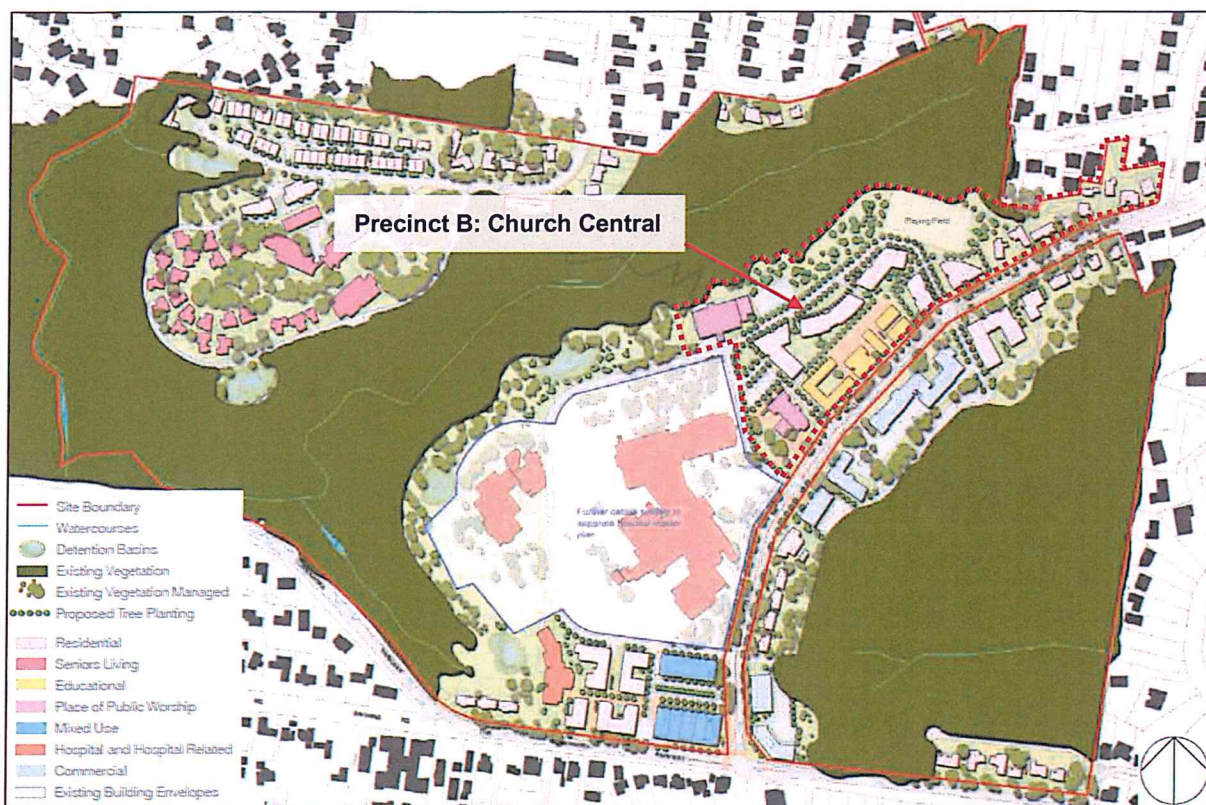


Figure 2: Approved Concept Plan Layout

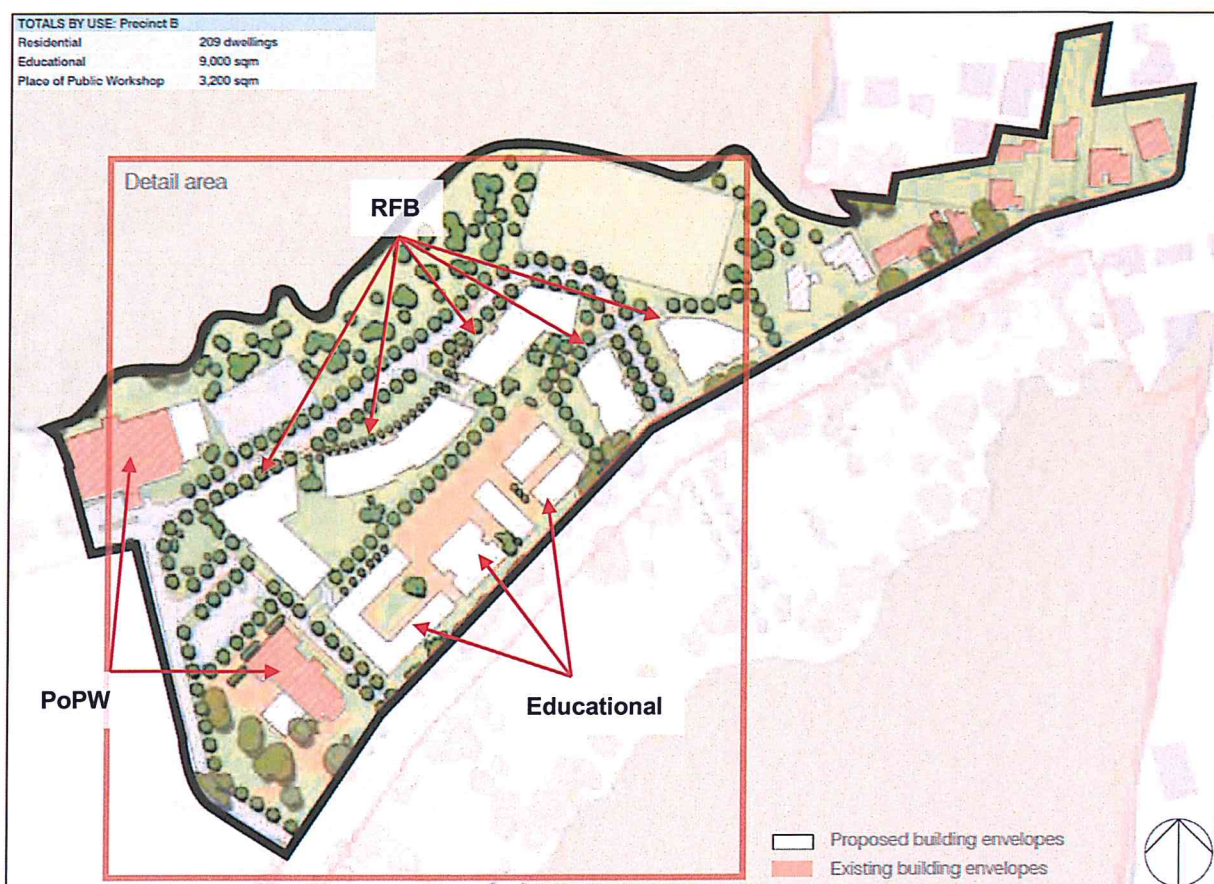


Figure 3: Approved Precinct B: Central Church Layout

On 15 May 2010, the Director, Strategic Assessments, approved a modification to the concept plan (MP07_0166 MOD 1) to clarify the timing for the proponent to obtain an approval from the Commonwealth Department of Water, Environment, Heritage and the Arts for a Biodiversity Management Plan.

On 4 December 2012, the then Executive Director, Urban Renewal and Major Sites, approved a modification to the concept plan (MP07_0166 MOD 2) to amend the proponent's details and to amend the timing, funding and traffic infrastructure upgrade requirements.

On 18 June 2013, the Planning Assessment Commission approved a modification to the concept plan (MP07_0166 MOD 3) to increase the maximum gross floor area of Precinct C: Central Hospital (containing SAH and Education Centre) by 7,552 sqm.

On 8 April 2014, the Planning Assessment Commission approved a modification to the concept plan (MP07_0166 MOD 4), modifying the building footprints and heights, car parking provisions, access arrangements and internal road alignment of Precinct C: Central Hospital and Precinct D: Fox Valley Road East.

1.3 Project Application

On 3 March 2011, the Planning Assessment Commission (PAC), as delegate for the then Minister for Planning and Infrastructure, approved the project application (MP10_0070) for staged alterations and additions to the SAH, Wahroonga, including the construction of the new Education Centre (referred to as the Faculty of Nursing under the concept plan). The SAH project location is shown in **Figure 4**. This is the only project application that has been approved pursuant to the concept plan.

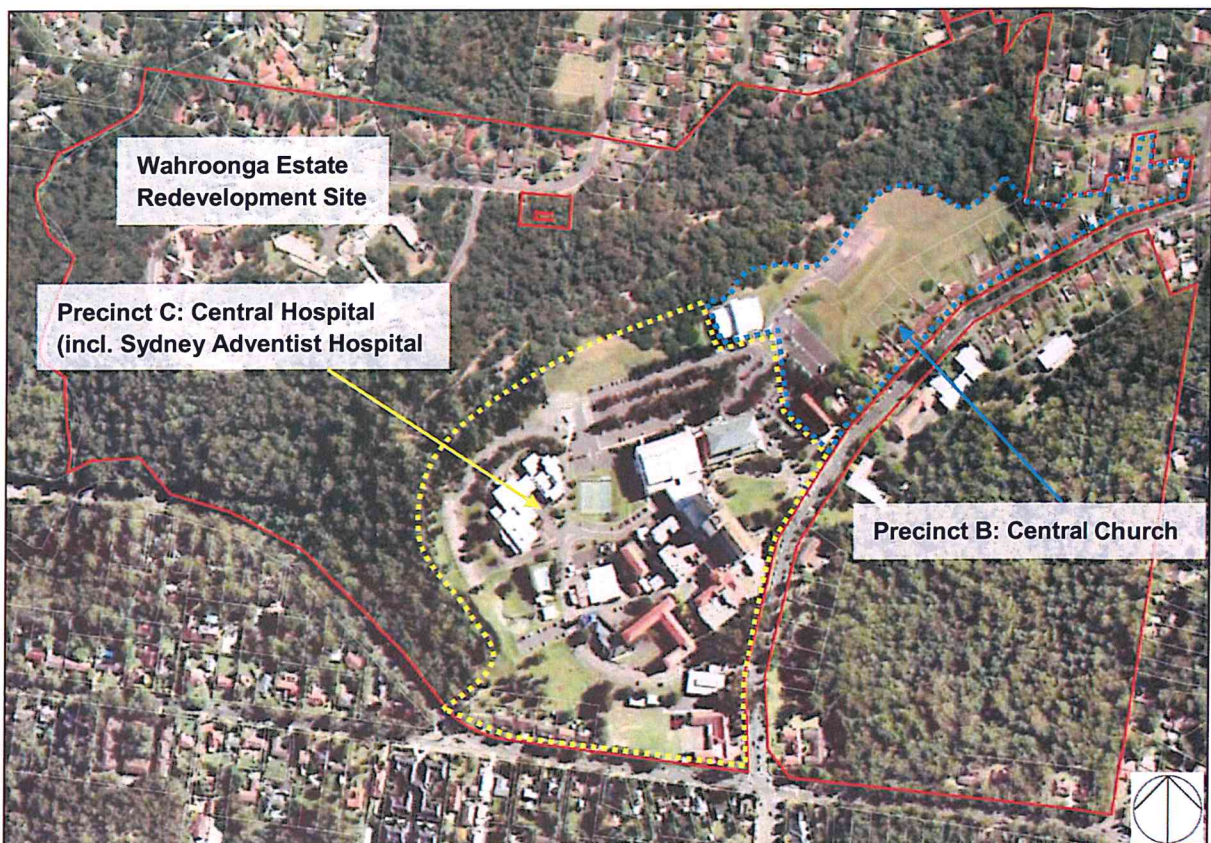


Figure 4: Wahroonga Estate (including Sydney Adventist Hospital)

The project application has been modified on five occasions, details of which are provided at Appendix A. However, these modifications do not directly relate to the proposed

amendments to the concept plan the subject of this report. Construction works associated with the redevelopment of the SAH and Education Centre (MP10_0070) have commenced.

1.4 State Significant Development Application

On 6 September 2012, Secretary's Environmental Assessment Requirements were issued for the Wahroonga Adventist School State significant development application (SSD 5535), located within Precinct B of the Estate.

The SSD built form layout and access arrangements are inconsistent with the approved Precinct B concept plan layout. Therefore, the proponent has sought to modify the concept plan to address consistency issues within Precinct B. The SSD application is currently on hold until the subject modification application is determined.

2. PROPOSED MODIFICATION

The application seeks to modify the building footprints of the educational and residential uses in Precinct B: Central Church as follows:

- modification to the educational development building footprints, increase the maximum building envelope height to a specified RL (approximately between 1.6 m to 3.85 m), revised vehicle access arrangements and introduction of an amenities and store building footprint within the playing fields;
- modification to the residential development (RFB) building footprints and revised vehicle access arrangements; and
- modification to the internal access arrangement and intersection alignment with Fox Valley Road.

The proposed amended Precinct B layout is detailed in **Figure 5**.

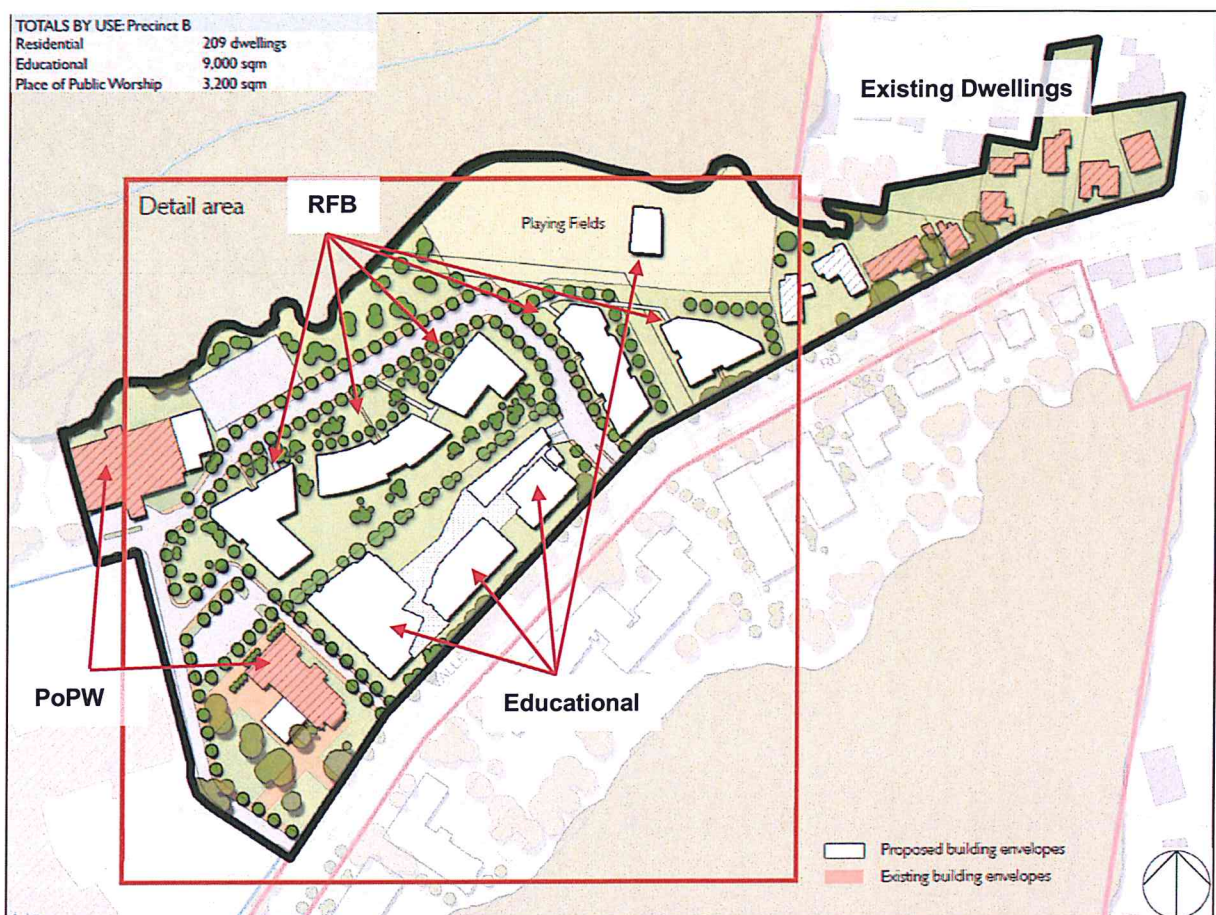


Figure 5: Proposed Precinct B: Central Church Layout (as detailed in the RtS)

The purpose of the proposed modification is provide more functional building footprints for the future Wahroonga Adventist School and to remove inconsistencies between the approved concept plan and development to be proposed within the precinct. The inconsistencies relate to the building footprint layout and building height of the educational development proposed within Precinct B and indirect amendments required to adjacent residential development within the precinct.

The proponent also seeks to amend the internal roads and intersection alignment with Fox Valley Road to better service the proposed educational and residential land uses.

3. STATUTORY CONTEXT

3.1 Modification of the Minister's Approval

In accordance with clause 3 of Schedule 6A of the EP&A Act, section 75W of the Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A, continues to apply to transitional Part 3A projects.

Section 75W(2) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) provides that a proponent may request the Minister to modify the Minister's approval of a project. The Minister's approval of a modification is not required if the approval of the project as modified would be consistent with the original approval. As the proposal involves modifications to the building form and internal road alignment, the modification will require the Minister's approval.

3.2 Environmental Assessment Requirements

Section 75W(3) of the EP&A Act provides the Secretary with scope to issue Environmental Assessment Requirements (SEARs) that must be substantially complied with before the matter will be considered by the Minister. Environmental Assessment Requirements were not issued for this application as the proponent has addressed the key issues in the modification application.

3.3 State Environmental Planning Policy (Major Development) 2005 / Ku-ring-gai Planning Scheme Ordinance

The Wahroonga Estate State significant site listing made under Schedule 3 of the State Environmental Planning Policy (Major Development) 2005 (MD SEPP) established land use zonings and development standards, which were adopted within the concept plan approval. These planning provisions were subsequently transferred to the Ku-ring-gai Planning Scheme Ordinance (KSPO), amended on 21 December 2012.

The proposed concept plan modifications to Precinct B seek to depart from the maximum 14.5 m height controls applicable to the educational site fronting Fox Valley Road. This matter has been assessed in section 5 of this report.

3.4 Delegated Authority

The Minister has delegated her functions to determine Part 3A modification applications to the Planning Assessment Commission (PAC) where an application has been made by persons other than by or on behalf of a public authority.

The modification application is being referred to the PAC for determination as the proponent, Seventh Day Adventist Church, lodged a political disclosure statement with the modification application, disclosing reportable political donations made during 2012 and 2013. Additionally, Ku-ring-gai Council has raised objection to the proposed amendments.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

Under Section 75X(2)(f) of the EP&A Act, the Secretary is required to make the modification request publicly available. The modification request was publicly exhibited from 20 November 2013 to 5 December 2013 on the department's website and information centre and at Ku-ring-gai Council. The modification request was also advertised in the Sydney Morning Herald and Daily Telegraph on 20 November 2013 and Hornsby Advocate on 21 November 2013 and landholders and relevant State and local government authorities were notified in writing.

The department received three submissions during the exhibition of the modification request from public authorities, including council, RMS and the RFS. A summary of those comments is provided below. No public submissions were received.

4.2 Public Authority Submissions

A summary of submissions received from public authorities is provided below:

Ku-ring-gai Council

Council provided detailed comments on the history of the Wahroonga Estate Concept Plan and previous concept plan modification applications, raising concerns about the combined impact these modification applications have had on the integrity of the original approval. A summary of its key concerns regarding the amendments proposed in MOD 5 is provided as follows:

- the modifications retain site layout conflicts between the church, school, playing fields and high density residential buildings;
- the modifications to building types have not retained the slender footprints and landscaped courtyards that formed the basis for the approved urban character;
- the visual and/or physical connection between the playing fields and school is weak and the internal road realignment has reduced the street frontage to the playing fields;
- insufficient information has been provided relating to building separations, pedestrian and vehicular networks, landscaping and deep soil areas;
- the proposed amendments to the residential flat building footprints are not supported;
- the amendments to the education building footprints (including basement) impact on the ability to achieve adequate landscape amenity between the adjacent residential building footprints and the Fox Valley Road frontage;
- the modified size of the playing fields and proposed cut and fill will impact on adjacent ecological bushland (required to be managed in accordance with APZ management plan) and Coups Creek;
- the amended internal access arrangements have not considered pedestrian and bicycle access into and around the site; and
- the modifications to the size of the playing fields will impact on the ability to accommodate the required stormwater treatment measures, originally approved under the concept plan.

Roads and Maritime Services

RMS requested additional information regarding the proposed amendments to the alignment of the internal access road with Fox Valley Road, including an assessment of the intersection and proposed traffic control for vehicle movements at the intersection.

NSW Rural Fire Service

The RFS raised no concerns or issues with the proposed amendments to the building layouts in relation to bushfire protection.

4.4 Response to Submissions

The proponent submitted a response to the department addressing the concerns raised by council and the RMS, including additional details regarding the revised intersection alignment with Fox Valley Road. In responding to comments from the department, the proponent also revised the residential building footprints, splitting the large single building footprint, immediately north of the school site, into two building footprints.

The revised details were referred to council and RMS for further review. RMS responded, noting that it had no objections to the proposed modifications to Precinct B based on the updated information. Council provided further comments, advising that the proponent's RtS fails to address its continued concerns regarding the cumulative impact of the proposed modification on the wider concept plan as a whole.

The issues raised in submissions have been addressed by the department in detail in section 5 of this assessment report.

5. ASSESSMENT

The department considers the key issues for the proposed modification to be:

- built form and urban design;
- landscaping and public domain; and
- vehicular access.

5.1 Built Form and Urban Design

Education Building Footprint Amendments

As detailed above, amendments to the building footprints are sought as illustrated in **Figures 6 and 7**. The modification application also seeks to enlarge the playing field area and introduce a sports pavilion building footprint within the playing fields, to facilitate the functionality of the required physical education open space area for the school.

The proponent's detailed review of the concept plan found that the project brief to design a new school was not capable of being satisfied due to the constraints associated with the slender form and layout of the approved educational building footprints. The proponent's review also examined the extent of the existing bushland north of the education site and the requirement to provide a 100 m bushfire asset protection zone (APZ). The proponent found that based on the actual alignment of the existing bushland, the 100 m APZ requirement encroached on the northern corner of the approved shape of the education site, requiring the proposed amendment to widen the south-western end of the lot and to narrow the north-eastern end.

The proponent states that the amended building footprints respond to the functional requirements for the school and surrounding context (i.e. future high density residential development, vehicular access, open space/vegetation and the existing adjacent church functions), while still contributing a well-defined built form edged along Fox Valley Road.

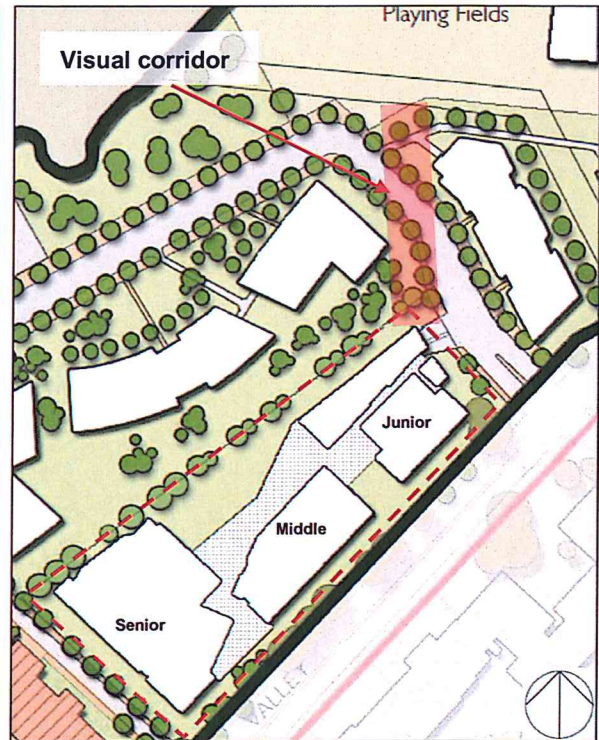
Council raised concerns that the proposed modified building footprints isolated the school from the playing fields. Concerns were also raised by council regarding the apparent increase in development density on the educational site due to an increase in the building footprint and a potential decrease in site area due to APZ requirements.

The department has considered the proposed amendments and is satisfied that key elements of the original approved scheme are retained within the proposed modified layout, including provision for basement and at-grade parking, new street tree planting to Fox Valley Road and open lawn areas for passive recreational space for both the residential and educational land uses (see **Figures 6 and 7**). Furthermore, the amended building footprint

layouts would retain the creation of spaces between the proposed building mass along the Fox Valley Road frontage, providing breaks in the future built form as was envisaged for Precinct B within the original concept plan approval. A consistent 14.5 m high (four storey) built form is also proposed to be maintained along this frontage, ensuring that a well defined built form is presented to the street at this edge of the precinct.



**Figure 6: Approved Educational Layout
(as outlined dashed red line)**



**Figure 7: Proposed Education Layout
(as outlined dashed red line)**

Having regard to council's key concerns, the department is of the opinion that the distance and relationship between the educational building footprints and associated playing fields remains generally the same. The revised building footprint layouts would amend the angle of the visual connection between the school site and playing fields, though it is noted that the revised scheme would offer a wider visual corridor between the two areas (see **Figures 6 and 7**).

While the proposed amendments to the educational building footprints would provide for larger building floor plates, the proponent considers the indicative layout approved in the concept plan is not capable of accommodating a modern, functional educational facility and that the proposed amendments to the building footprints are necessary to cater for the envisaged student population of up to 800 students.

The revised building footprint layout seeks to allow for the development of a modern, co-educational facility to accommodate kindergarten to year 12 students. The school design is proposed to comprise three school components, a junior, middle and senior school, which is expressed by the layout of the revised building footprint design (see **Figure 7**). The senior school building footprint is proposed to accommodate a school hall facility and is therefore positioned adjacent to the existing church at the south western end of the site, enabling the church to also make use of these facilities. The proposed location is also the largest area of the school site, better suited for the footprint of the senior school facility.

The proposed junior school building footprint is located at the north eastern end of the site, to position it closer to the proposed playing fields. Lastly, the middle school building footprint is

logically proposed between the senior and junior building footprints, forming a transition between the junior and senior education environments.

Contrary to council's comments, the department does not consider that the educational site area will be reduced by this application. As outlined above, through the detailed review of the school site, it was established that the 100 m APZ would encroach on the northern end of the concept plan approved school site. The proponent therefore proposes to narrow the north-eastern end of the site, but also widen the south western end of the site. The larger south-western end of the site would also enable the senior school building footprint to be accommodated. The proponent also states that the maximum allowed 9,000 sqm of education floor area permitted under the approved concept plan would not be exceeded as a consequence of this modification application.

The amended building footprints are satisfactorily separated from the adjoining residential building footprints and maintain sufficient areas of passive open space, consistent with that provided in the approved concept plan. This would be further complemented by the proposed enlarged playing fields. Solar access is also satisfactorily maintained to the modified school layout and outdoor play areas, particularly during key times of the day, such as recess and lunchtime, with only minor mid-winter overshadowing limited to the afternoon periods.

The proponent also proposes a new building footprint, accommodating an amenities and store building within the playing fields area (see **Figure 5**) to support their use and function. The department raises no objection to the introduction of the new building footprint, noting that the design and compliance with the maximum 9,000 sqm floor area cap would need to be demonstrated by the proponent within any subsequent development application.

In view of the above, the department is satisfied that the proposed amendments to the educational building footprints will provide an improved built form outcome which will allow for the development of a more functional educational establishment. Further, the proposed building footprint layout will ensure that the envisaged educational built form character for Precinct B, and its Fox Valley Road frontage, is achieved.

It is also important to note that in addressing the perceived limitations and restrictions of the building footprints of the approved concept plan under a previous modification application (MP07_0166 MOD 4), the department amended the instrument of approval to provide the ability for the consent authority (as part of its assessment of any future development application) to consider an alternative layout, if it can be satisfactorily demonstrated that a superior built form and/or urban design outcome can be achieved. Future development applications would also need to satisfactorily demonstrate compliance with any other relevant requirements of the concept plan and local environmental plan.

In this instance, while the proposed changes to the approved building footprints are significant enough to warrant amendments to the concept plan, the previous approved amendment to the concept plan introduces a level of appropriate flexibility for future development applications and consent authorities. This will enable consideration of proposals that do not necessarily directly mirror the approved building footprints endorsed in the concept plan, and remove the necessity to routinely modify the concept plan approval when a minor amendment to the building footprint design or a superior proposal is proposed at the development application stage.

Residential Building Footprint Amendments

As detailed in **Figure 8** below, the concept plan approval provided for five building footprints for future residential flat building development and a total of 200 residential units. The proposed amendments to the precinct do not seek to amend maximum number of residential

units, though the form and layout is proposed to be amended in response to detailed design work undertaken for the adjacent educational site (see **Figures 8 and 9**).

Whilst five building envelopes are proposed to be retained in the modified concept plan, amendments to the layout of the building footprints are required to accommodate the revised internal access road alignment and amended educational building footprints, with two building footprints now proposed north east of the new internal road (see **Figure 9**).



Figure 8: Approved Residential Layout (as outlined dashed red line)

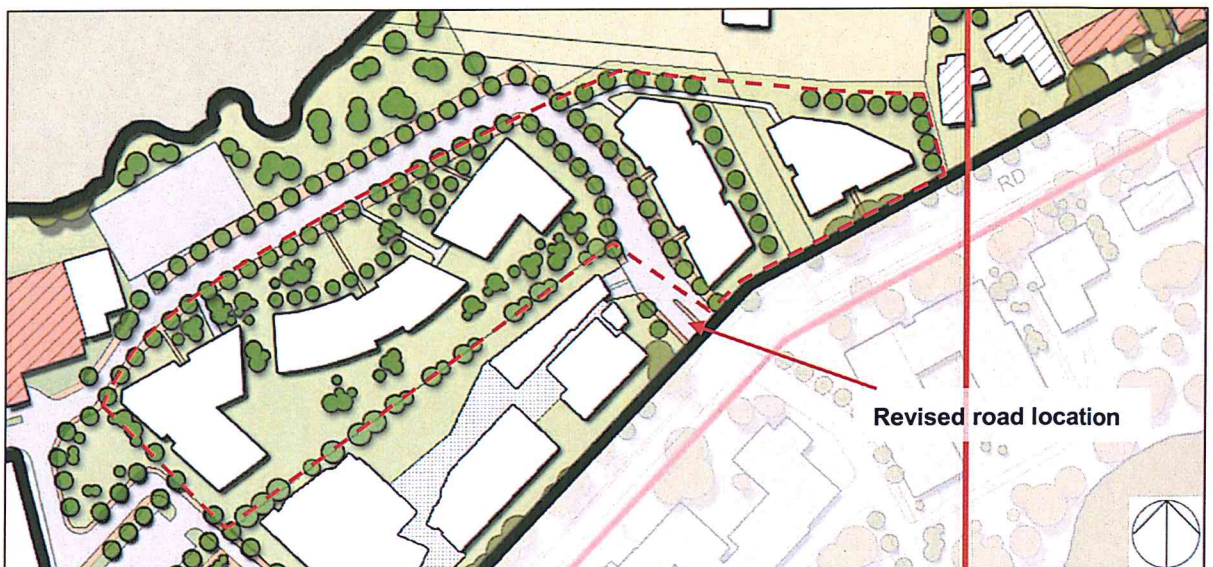


Figure 9: Proposed Residential Layout (as outlined dashed red line)

The proposed amendments have also been considered against the design quality principles of State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development (SEPP 65) and Residential Flat Design Code (RFDC). Consideration of the relevant SEPP 65 principles is provided in Appendix B.

It is noted that future development applications for residential flat buildings would be required to comply with SEPP 65, including the design quality principles, and the associated RFDC. In doing so, the design, layout and setbacks of the future built form would be required to have detailed regard to the siting and layout of the adjoining educational establishment, ensuring

that the future built form of the residential flat buildings respond positively to the adjoining educational establishment.

Further, the department notes that future residential flat building development within Precinct B is not restricted by a residential GFA control, but rather the maximum allowance of 200 residential units. In this respect, the onus is on the applicant to be able to demonstrate that the maximum number of residential units can be satisfactorily accommodated within the precinct, whilst having regard to the surrounding context. The department therefore considers the proposed amendments to the residential building footprints to be satisfactory.

Building Height

Maximum building heights for Precinct B are set out by the KPSO, where 14.5 m and 20.5 m generally apply to the educational and residential development, respectively (see **Figure 10**).

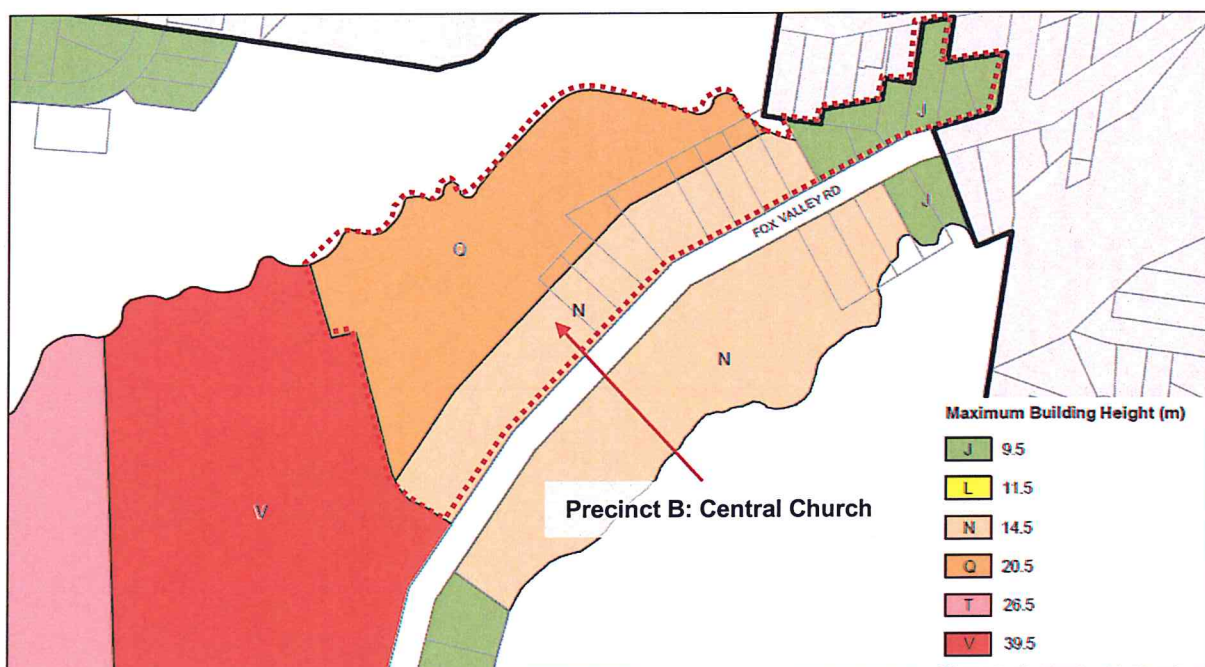


Figure 10: Extract from KPSO – Wahroonga Estate Height of Buildings Map (Precinct B shown outlined dashed red line)

While the approved concept plan did not incorporate detailed height controls, it provided indicative representations of envisaged scale of the built form. Specifically, the educational building footprints were identified as four storey built forms along Fox Valley Road, which then stepped up to six storey residential flat buildings behind (see **Figures 11 to 13**).

The modified building envelopes are proposed to exceed the maximum 14.5 m building height limit for the educational site by a maximum of approximately 3.85 m above the senior school building footprint (see **Figure 14**) and approximately 2 m above the middle school building footprint (generally rooftop plant).

The proponent states that the areas of built form likely to exceed the height limit would be generally limited to the south western corner of the educational site. This is partly due to the proposed senior school building footprint being envisaged to house a new hall facility that requires a larger floor to ceiling height than a typical classroom.

The proponent also argues that total compliance with the maximum height limit across the education site is difficult to achieve due to the topography of the site, which falls away approximately 5 m from Fox Valley Road to the rear of the education site. The department also acknowledges this and notes that the areas of the proposed building envelope above

the maximum height limit are generally located at the rear of the education site and would be screened by the scale of the adjacent church and its own built form fronting Fox Valley Road. In addition, the location of built form areas proposed to exceed the KPSO height limit at the rear of the site would provide a transition in built form scale to the future adjacent residential flat building developments, restricted to 20.5 m in height (**Figure 14**).

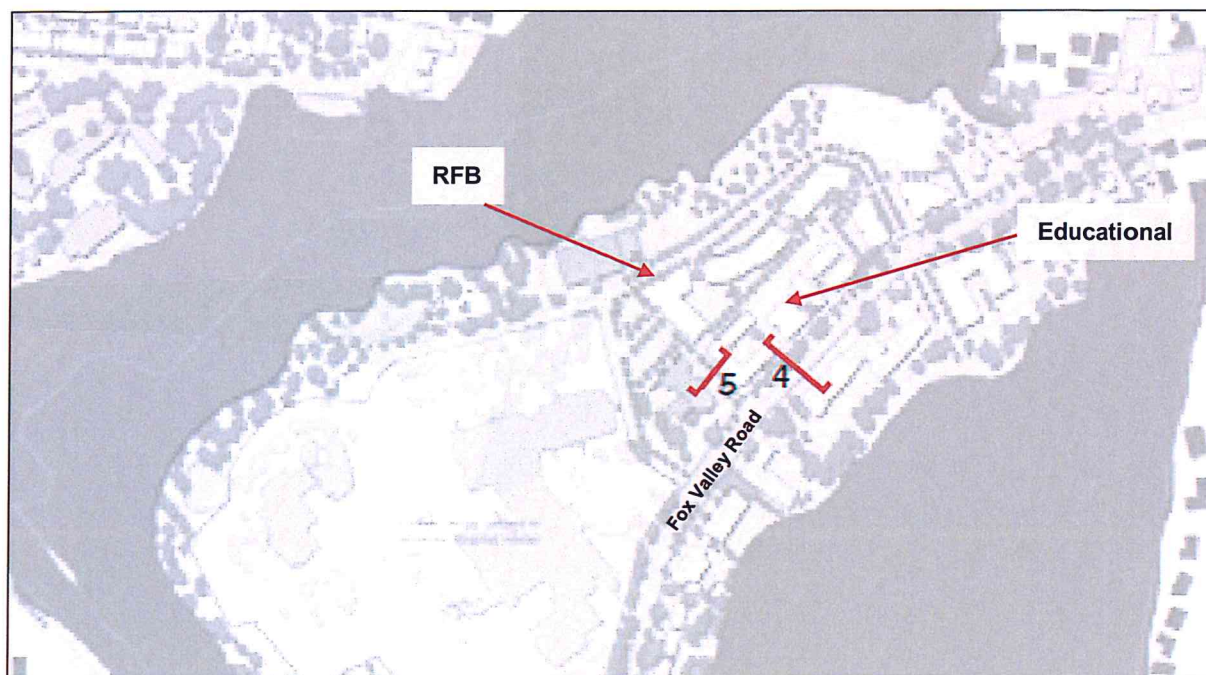


Figure 11: Concept Plan PPR – Fox Valley Road Section Locations

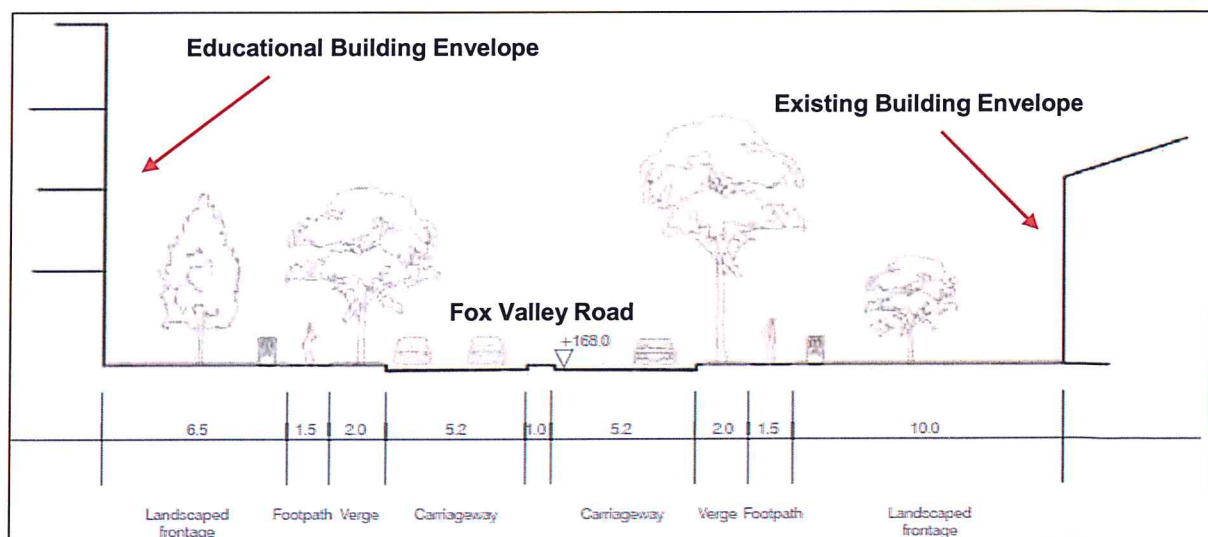


Figure 12: Concept Plan PPR – Fox Valley Road Section 4

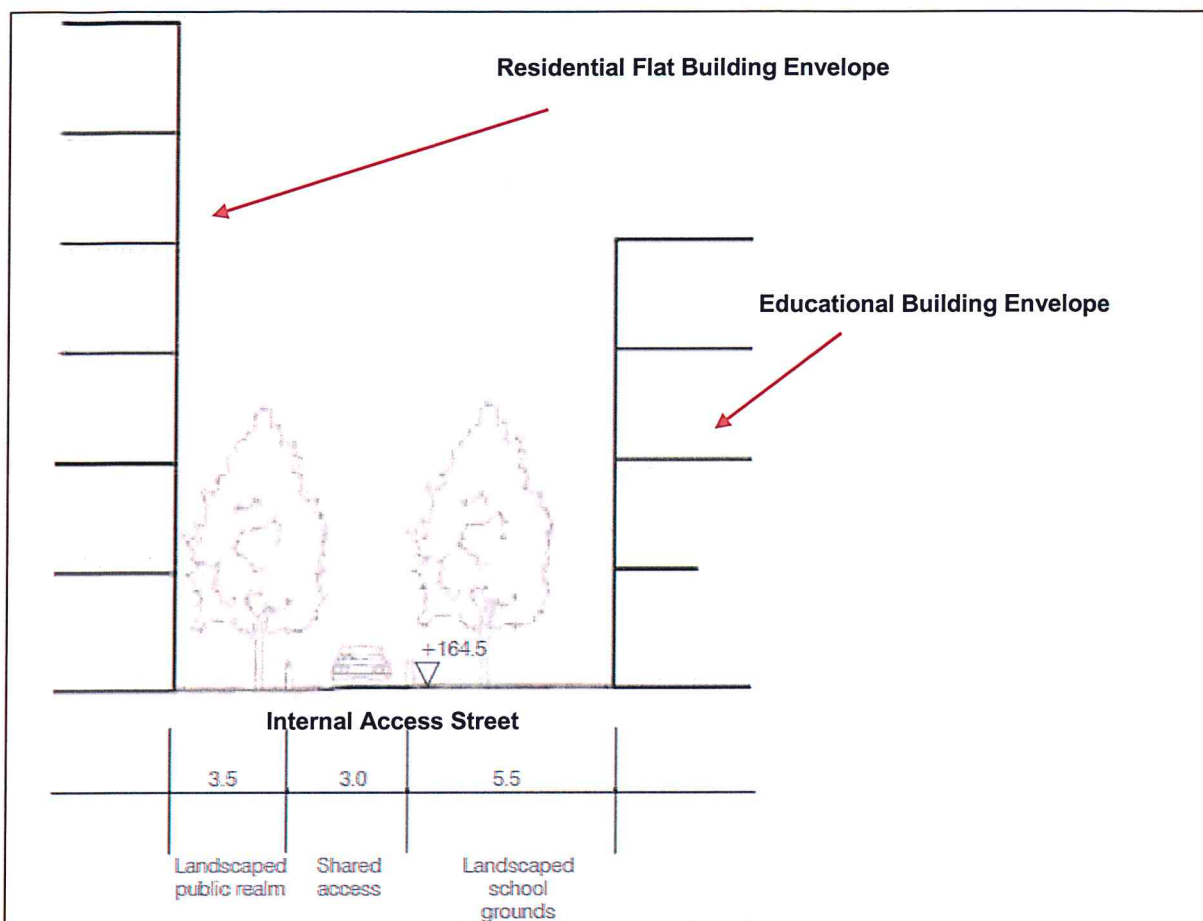


Figure 13: Concept Plan PPR – Precinct B Internal Access Street Section 5

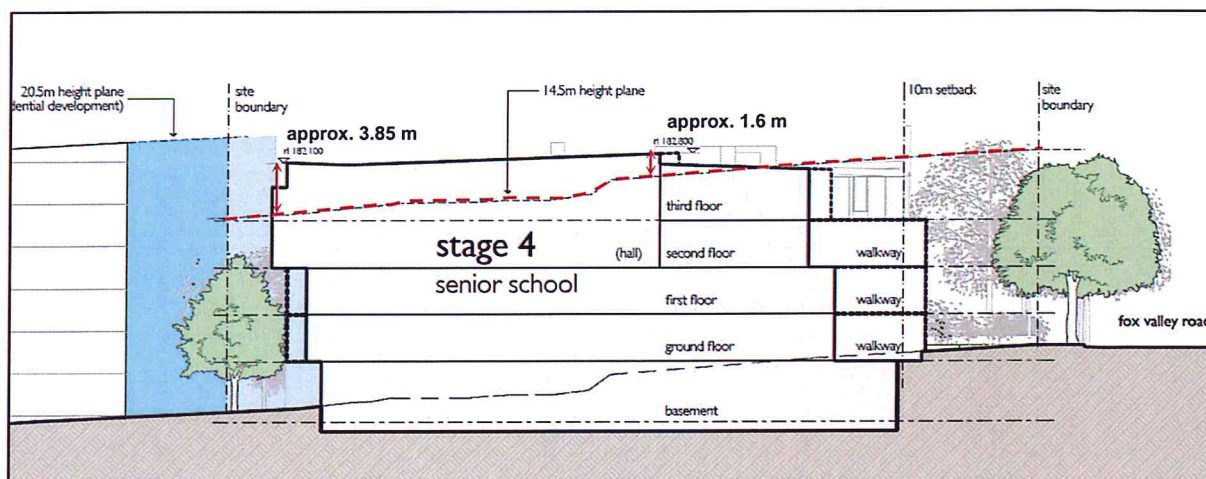


Figure 14: Educational Building - proposed height non-compliance

In this respect, the department considers the proposed envelope heights reasonable, with the areas of that exceed the KPSO height control, satisfactorily located to ensure any potential impacts are limited. The department also acknowledges the Planning Assessment Commission's previous consideration of a similar matter under its determination of MP07_0166 MOD 4, recommending the introduction of specific maximum RLs rather than relying on the KPSO development controls.

Further, the proposed new playing fields amenities and store building footprint was not previously considered under the concept plan and is located within the area of the Estate subject to a 20.5 m building height control. Application of this building height is not

considered appropriate for the form and function of this building footprint, and therefore the department recommends that a specific building height be introduced. Details submitted by the proponent indicate a building footprint RL, having an approximate height of 5 m. The department considers the proposed height to be satisfactory.

Accordingly, the department recommends a modification to term of approval A8 to include reference to new maximum building height RLs for the education site, specifically the proposed senior and middle school building footprints and playing fields amenities and store building.

Conclusion

The department is satisfied that the amended building footprints will ensure that the desired character for the Precinct B is maintained. Further, the proposed amendments to the residential building footprints are not considered to be substantially different to that originally approved and that a satisfactory urban outcome can be achieved.

5.2 Landscaping and Public Domain

Under the approved concept plan, accessible open space is a key theme, with a hierarchy of active and passive recreation areas proposed to serve the living and working community of the Estate. The concept plan identified five different landscape characters across the Estate, including a campus landscape character for the greater part of Precincts B, C and D (see **Figure 15**), with Precinct B described as having a campus feel, characterised by high pedestrian accessibility/connectivity, avenue tree planting and larger open lawn areas.

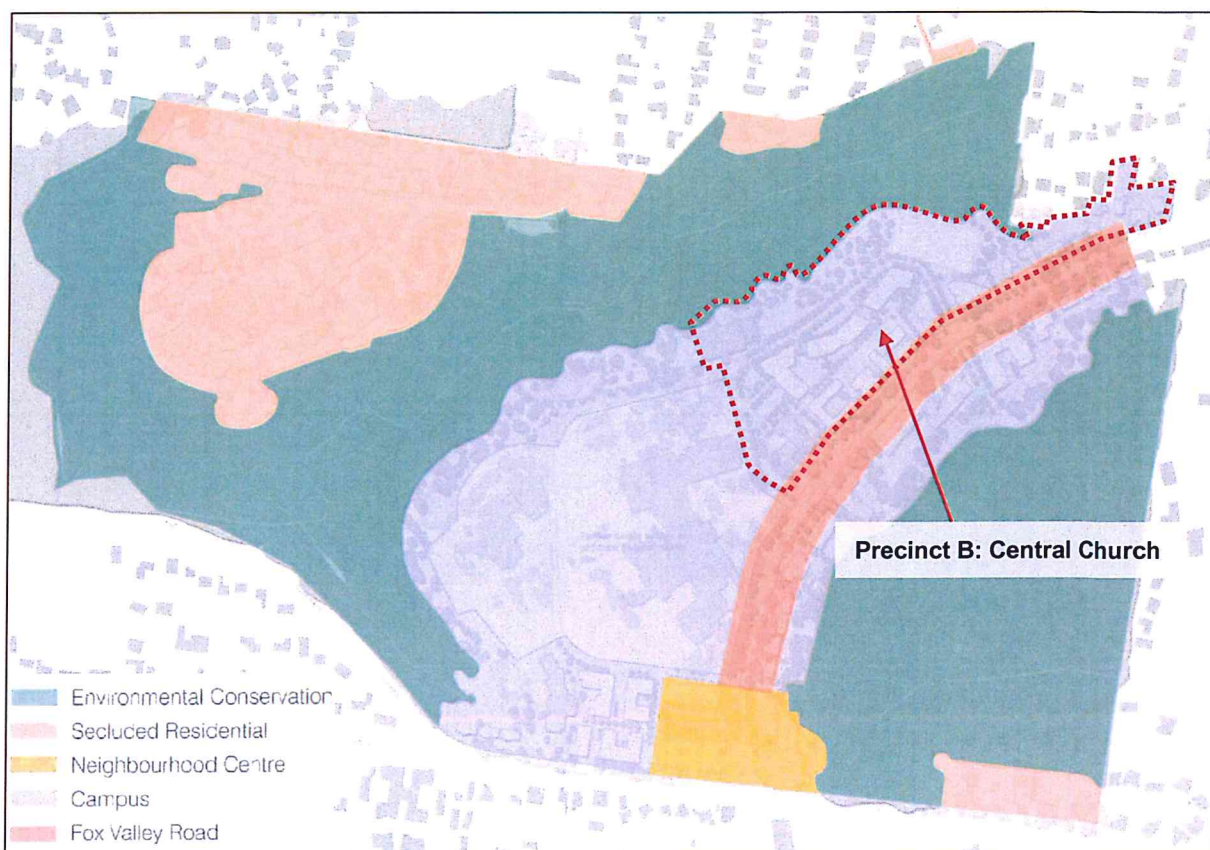


Figure 15: Wahroonga Estate Landscape Precincts

Council raised concerns that the proposed modifications will impact the availability and provision of public domain/open space area, criticising the lack of detail of a cohesive public domain/open space strategy for the precinct and concept plan.

The proposed amendments to the concept plan do not seek to amend the envisaged campus landscape character for Precinct B. The department is satisfied that the proposed amendments to the building footprints retain opportunities for the establishment of a landscaped campus environment, noting that no significant amendments are proposed to the pedestrian connections, avenue planting, open lawn areas, and associated pedestrian and cycle connections.

In addition, the proposed amendments to the internal road and intersection alignment are not considered to restrict or impact on the ability for a strong network of open spaces and pedestrian connections to be delivered within the precinct and its surrounds.

Concerns were also raised by council regarding the impact the proposed enlarged playing field area would have on the adjacent bushland and its management in accordance with the vegetation management plan.

The playing fields area, including the proposed extension, has been cleared of any substantial mature vegetation for a number of years (see **Figures 16** and **17**). The siting of the playing fields is not proposed to encroach on the existing bushland, and the enlarged area will also provide improved open space for the educational, hospital and residential land uses accommodated across the Estate.

On this basis, the department is satisfied that the proposed amendments to the building footprints in Precinct B will not have a detrimental impact on the provision and establishment of well-designed and functional landscape and public domain areas.

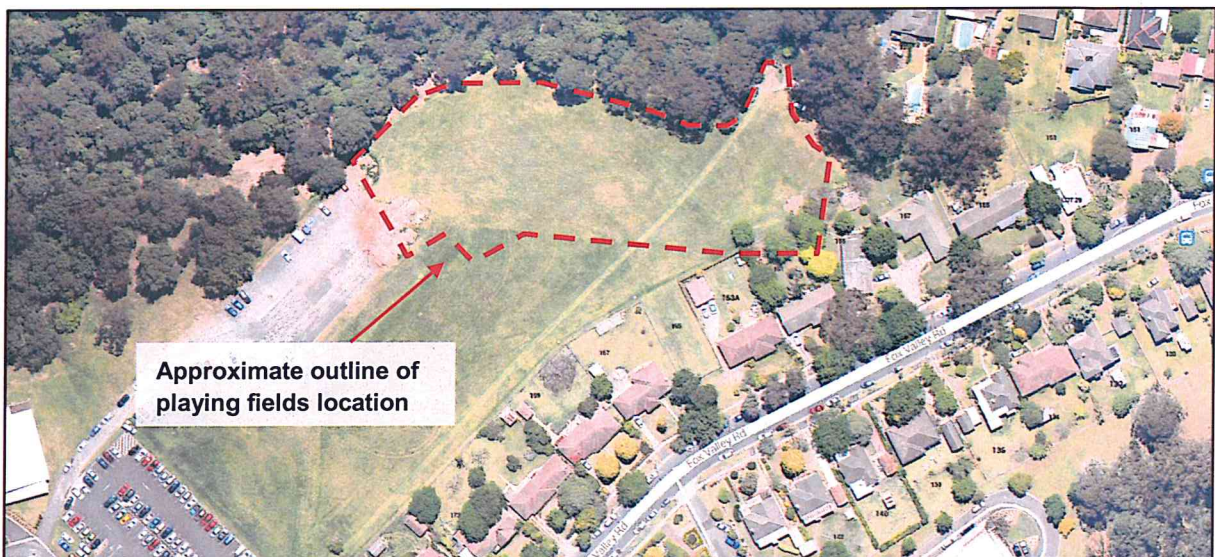


Figure 16: Proposed Playing Field Location (2009) (www.nearmap.com)

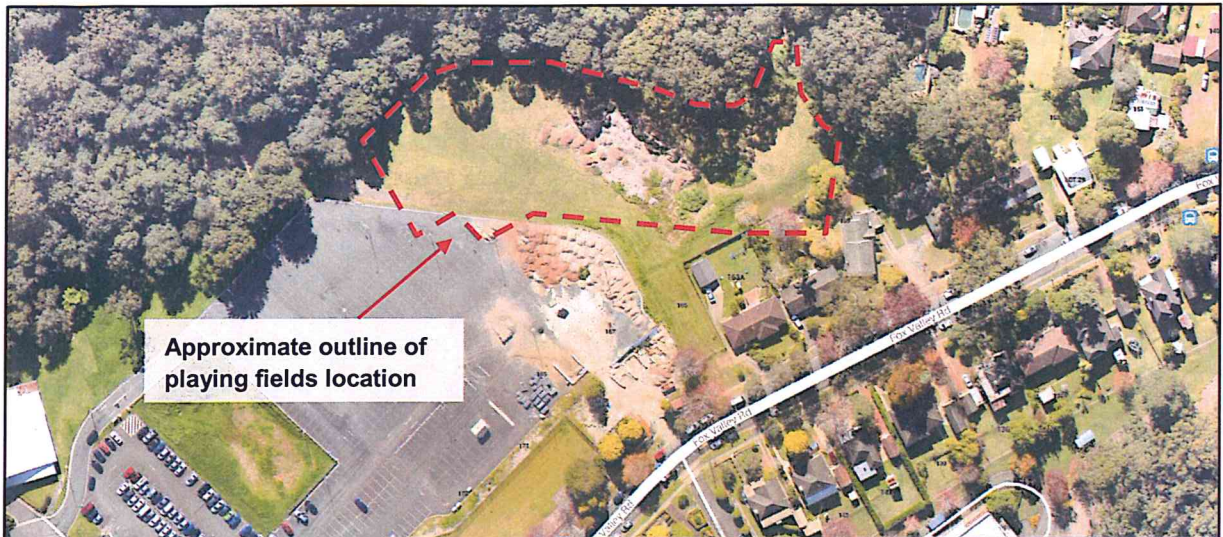


Figure 17: Proposed Playing Field Location (2014) (www.nearmap.com)

5.3 Vehicular Access

The modification seeks to amend vehicle access arrangements within Precinct B and the proposed intersection alignment with Fox Valley Road (see **Figures 18 and 19**). Notwithstanding the proposed amendments, the department notes that further assessment requirement B6(2) of the concept plan approval stipulates that development applications within the Central Church Precinct (Precinct B), must demonstrate that the requirements of the future school are accommodated, including parking, provision for necessary bus facilities and location of allocated car share on-street parking.

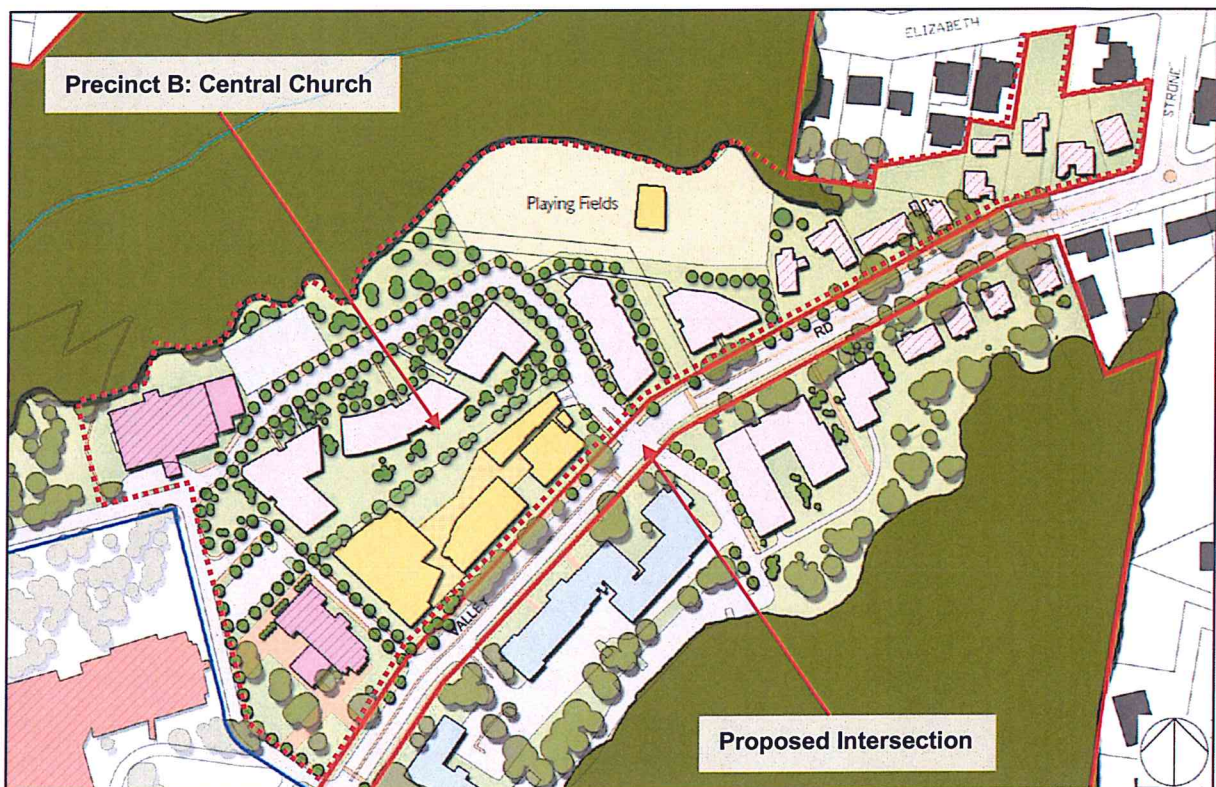


Figure 18: Proposed Amended Concept Plan (Precinct B shown outlined dashed red line)

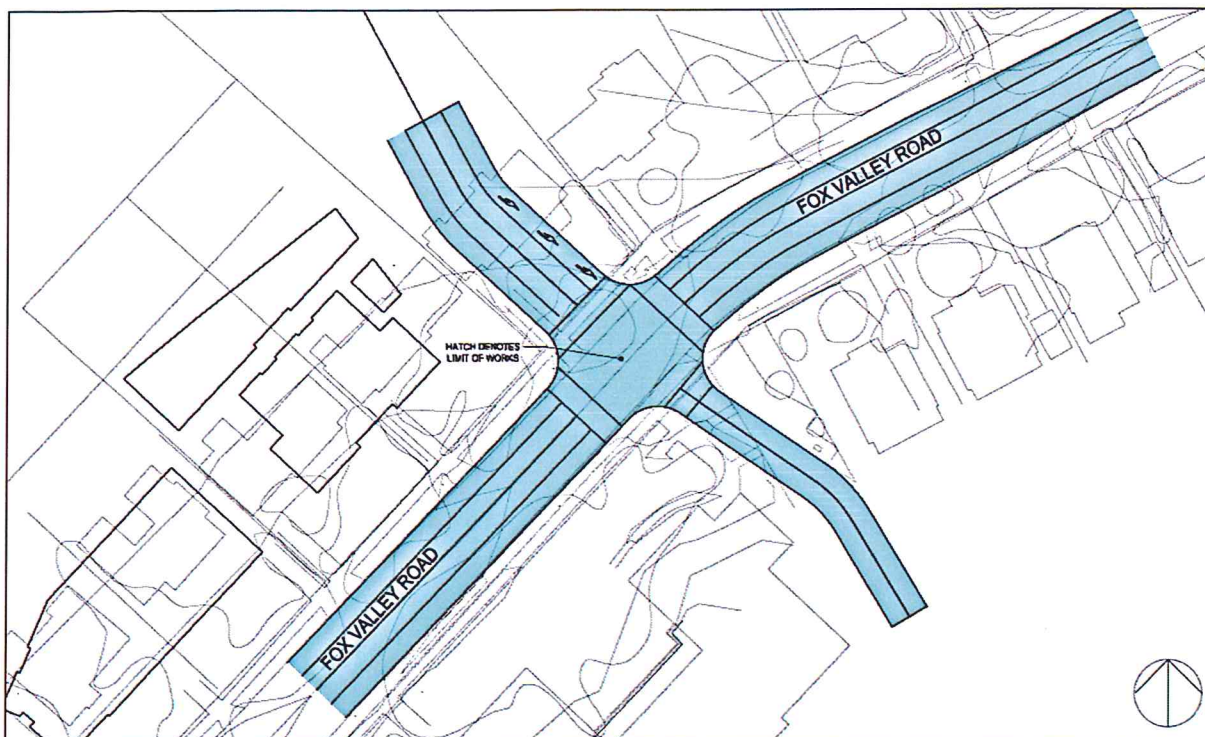


Figure 19: Proposed Intersection Alignment Design

The proponent's review of the approved concept plan found that the provision of direct access to the school would provide an improved operational outcome for the school's operations (kiss and drop facility, peak hour queuing space and access to Fox Valley Road). To cater for this, the proponent proposes to relocate the internal road and Fox Valley Road intersection alignment and install a new signalised intersection.

Having originally raised concerns with the revised intersection design and road alignment, the RMS subsequently advised that it had no objections to the proposed vehicular access arrangement for Precinct B following a review of the proponent's RtS documentation.

The proposed new signalised intersection would provide direct access to the school site and remove potential conflict with hospital related traffic, essential in creating a safer environment for staff and students, while maintaining suitable vehicle access to the future residential development and nearby school playing fields

The department is satisfied that the proposed new signalised intersection will maintain satisfactory vehicular access to the precinct, whilst also making provide for safer pedestrian access to the school and future residential development, removing the requirement to navigate further south towards the hospital site to safely cross Fox Valley Road.

6. CONCLUSION

In assessing the key issues, the department considers that the proposed amendments to the educational and residential building footprints are acceptable and their proposed layout will ensure that the desired built form character of Precinct B: Central Church is achieved. The department also considers that the proposed amendments to the building footprints will not detrimentally impact on the landscaping and public domain of the Wahroonga Estate and that the campus character envisaged for Precinct B can be satisfactorily achieved. The proposed amended vehicular access arrangements will make improve access to the future school, whilst also providing improved vehicular and pedestrian access options for future residents.

The department considers that the proposed amendments to Precinct B: Central Church of the Wahroonga Estate Redevelopment concept plan are acceptable subject to the department's recommendations, and that any potential built form, amenity, landscaping, parking and traffic impacts can be satisfactorily addressed in the detailed design phase of future development applications.

7. RECOMMENDATIONS

The department recommends that the PAC:

- a) **consider** the findings and recommendations of this report;
- b) **approve** the modifications, subject to the amended terms of approval and further assessment requirements, under section 75W of the *Environmental Planning and Assessment Act, 1979*, and;
- c) **sign** the attached instrument of modification approval (Appendix D).

Endorsed by:


Director
Industry, Key Sites & Social Projects


Executive Director
Development Assessment Systems and Approvals

17. 2. 14

APPENDIX A MODIFICATION APPLICATIONS

MOD Application	Modification	Determination
MP10_0070 MOD 1	Modification to the entry building and revisions to car parking arrangements, including: <ul style="list-style-type: none"> - revised temporary car park layout to provide 413 spaces; - alteration and reconfiguration of the western at-grade car park to provide 84 spaces; and - alteration to the design and location of the multi-deck car park to provide 896 spaces. 	23 December 2011 (PAC)
MP10_0070 MOD 2	Modification to the approved clinical services building of the project application for the following: <ul style="list-style-type: none"> - amended built form and floor layout, to support staffing and servicing arrangements; - GFA increase of 957 sqm (SAH site total of 19,775 sqm GFA); - building height increase of 3.5 m, resulting in a 3.3 m departure from the 39.5 m maximum building height control (cl.18(1) of Part 25 of Sch 3 of MD SEPP); and - amended development staging schedule. 	11 April 2012 (PAC)
MP10_0070 MOD 3	Modification to the Education Centre of the project application for the following: <ul style="list-style-type: none"> - decrease in building height by approximately 4.1 m, from three storeys to two storeys; - increase in building footprint due to redistribution of GFA over two levels; - amended façade design to reflect the amended two storey design; and - amendment to the existing education centre car park and construction of new at-grade car park to provide an additional 34 spaces. 	18 June 2013 (PAC)
MP10_0070 MOD 4	Modification to the Education Centre of the project application for the following: <ul style="list-style-type: none"> - modification to the built form of the Education Centre including the construction of a new five storey expansion; and - reduction in car parking from 43 to 33 spaces. 	14 February 2014 (PAC)
MP10_0070 MOD 5	Modification of the project application to allow for the continued use of the temporary car park for construction worker vehicles for the duration of construction works associated with the SAH project approval.	9 September 2013 (PAC)

APPENDIX B SEPP 65 REVIEW

Context

The scale and overall form of the proposed amended building footprints retains the key elements as originally approved under the concept plan, providing the transition from the 14.5 m built from fronting Fox Valley Road to the taller SAH redevelopment in the centre of the Estate and surrounding bushland vegetation.

Scale

The scale of the amended building footprints is consistent with the scale approved under the concept plan for the precinct, i.e. six storeys in height, matching the 20.5 m maximum building height controls under the MD SEPP (KPSO).

Built form

The built form of the proposed amended residential building footprints will provide an appropriate scale when viewed from the streetscape, while also still providing for a series of spaces between buildings, well connected through legibility. It is noted within the proponent's modification application that the amended building footprints eliminate south facing units, while maximising unit amenity to the east, west and north. Future proposed built form designs are intended to reflect end users functional and amenity requirements, in this case long term residential occupants.

Density

Notwithstanding the proposed amendments to the layout of the building footprints, the modification application does not seek to amend the dwelling (unit) density for the site as approved under the concept plan. The proponent's modification application also demonstrates that minimum distance separation requirements outlined within the RFDC can be satisfactorily achieved for future residential development, while maintaining opportunities to maximise access to sunlight and natural daylight and ventilation.

Resource, energy and water efficiency

While the proposed resource, energy and water efficiency measures for the future residential development will be further explored during the detailed design phase, the proponent's SEPP 65 analysis for the revised layout indicates that the repositioning of the internal access road minimises residential units with poor sunlight access and south-westerly and south-easterly aspects. The proponent's modification application notes that provision for deep soil planting throughout the site will also be provided to maximise landscaping.

Landscape

The proposed amended building footprints maintain the envisaged landscape character of the approved concept plan, with open lawn areas for passive recreation accommodated within the amended design.

Amenity

As detailed above in *Resource, energy and water efficiency*, the proposed amended building footprints maintain opportunities for access to sunlight and natural daylight and ventilation. Similarly, building separation requirements can be satisfactorily achieved to ensure visual and acoustic privacy between apartment buildings is achieved.

Safety and security

The proposed minor amendments to the design of the building footprints will ensure passive surveillance of the surrounding public domain and landscaped areas is maintained. Detailed

design of future residential developments will provide further detail with respect to compliance with this design quality principle.

Social dimensions and housing affordability

The proposed amendments to the building footprints will not limit the ability to provide a housing type that will facilitate a social mix within the precinct.

Aesthetics

The design aesthetics of the residential building footprints will take shape within the future detailed design of residential developments in the precinct.

APPENDIX C MODIFICATION REQUEST

Provided on disc or see the department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6158

APPENDIX D SUBMISSIONS

Provided on disc or see the department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6158

APPENDIX E RECOMMENDED MODIFYING INSTRUMENT
