



Appendix H – Height Variation
Edmund Rice College.
112 Mount Keira Road, Mount Keira
Lot 419 DP 1249737
Planning Plus Project 23121 November 2023

VARIATION TO HEIGHT

Edmund Rice College

Lot 419 DP 1249737
112 Mount Keira Road, West Wollongong

PREPARED FOR

Edmund Rice College

PREPARED BY

Planning Plus (NSW) Pty Ltd (Planning Plus)

Office: 7 Rosemont Street, West Wollongong NSW 2500
PO Box 113 Keiraville NSW 2500
Telephone: 043435 0913
E-mail: info@planningplus.net.au

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Document Tracking

Document Status		Final Report					
File Location							
Project No.		23121			Date	December 2022	
Rev No.	Author	Author			Approved		
		Name	Signature	Date	Name	Signature	Date
1	Draft Report	Anne Trezise		Nov 2023			
2	Client Issue	Anne Trezise		Nov 2023			
3	Council Submission	Anne Trezise		Dec 2023			

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1.0 INTRODUCTION

1.1 General

The site is zoned R2 Low Density Residential and the height limit permitted under the provisions of Wollongong Local Environmental Plan (LEP) 2009 is 9m.

The development is for alterations and additions to the Edmund Rice College. These works include:

- the construction of a new Technical and Applied Studies (TAS) building; and
- the installation of a lift to service existing buildings.

The proposed lift exceeds the height limit by up to 1.5m.

A portion of the proposed TAS building exceeds the height limit by up to 2.3m.

Accordingly, a variation to the standard is required.

A request for a variation to a development standard must address Clause 4.6 in the Local Environmental Plan (LEP).

1.2 Clause 4.6

Clause 4.6 of the LEP provides for exceptions to development standards so that a better outcome can be achieved by allowing flexibility in particular circumstances.

The standard for Height can be varied if it is demonstrated;

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.*

and the consent authority is satisfied that:

- (c) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*

Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case,

Clause 4.3 of the LEP identifies the objectives of height and these are:

- (a) *to establish the maximum height limit in which buildings can be designed and floor space can be achieved,*
- (b) *to permit building heights that encourage high quality urban form,*
- (c) *to ensure buildings and public areas continue to have views of the sky and receive exposure to sunlight.*

The following addresses each of the standards as follows;

- (a) *to establish the maximum height limit in which buildings can be designed and floor space can be achieved,*

This clause requires that if a floor space ratio (FSR) applies to the site, then the height of buildings permitted in the zone must enable that FSR to be achieved. Effectively it creates a building envelope where there is opportunity to create some rhythm between height and bulk within a streetscape. It is this rhythm along the streetscape which adds to the visual coherence of a neighbourhood.

In this instance, the site has an area of approximately 9ha and given the location of the proposed TAS building and its distance from the street (approximately 123m), of a variation to building height will not adversely impact any 'rhythm' along Mount Keira Road. The potential for any impact is further reduced given that there is a fall in topography of approximately 6.5m from the entrance of the school site to the location of the TAS building.

Figure 1 shows the location of the proposed TAS building which is approximately shown in blue. This Figure also shows, in yellow, the approximate location of the lift and associated works.

Figure 1 Location of proposed development



Source :MeconeMosaics

When travelling east or west along Mount Keira Road, it is evident that the school does not dominate the streetscape as shown in Figures 2 to 4.

Figure 2 View from Mount Keira Road – Looking west.



Source: Google Maps

Figure 3 View from Mount Keira Road – Looking East



Source: Google Maps

Figure 4 View Looking at entrance to school

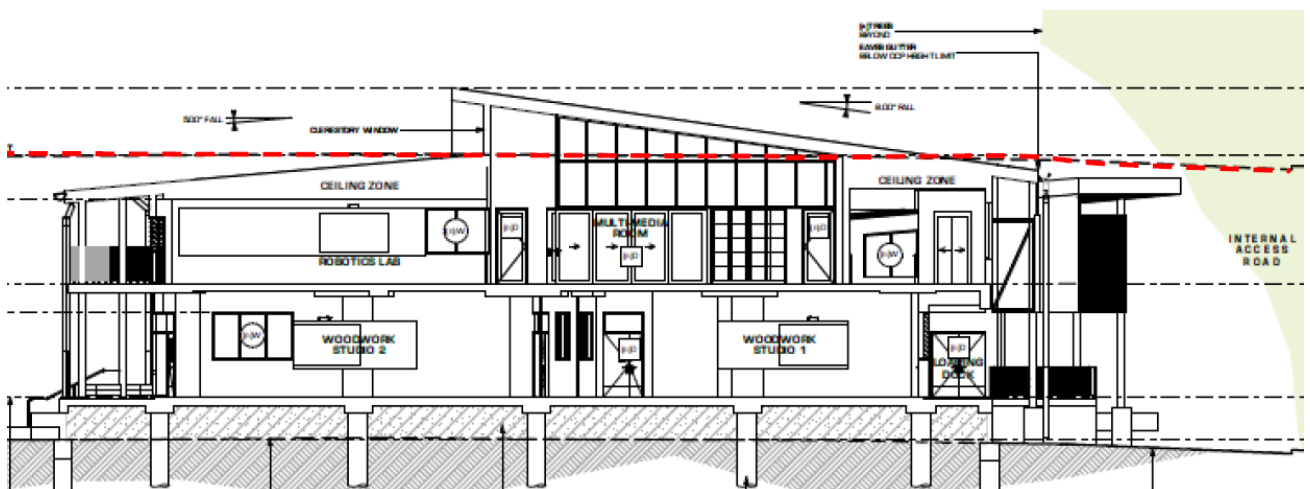


Source: Google Maps

The actual extent of the TAS building exceeding the 9m height limit is shown in Figure 5 and is above the red dotted line. This Figure is a cross-section and it is evident that the portion of the development to exceed the height limit is the section of the proposed design where clerestory windows are proposed.

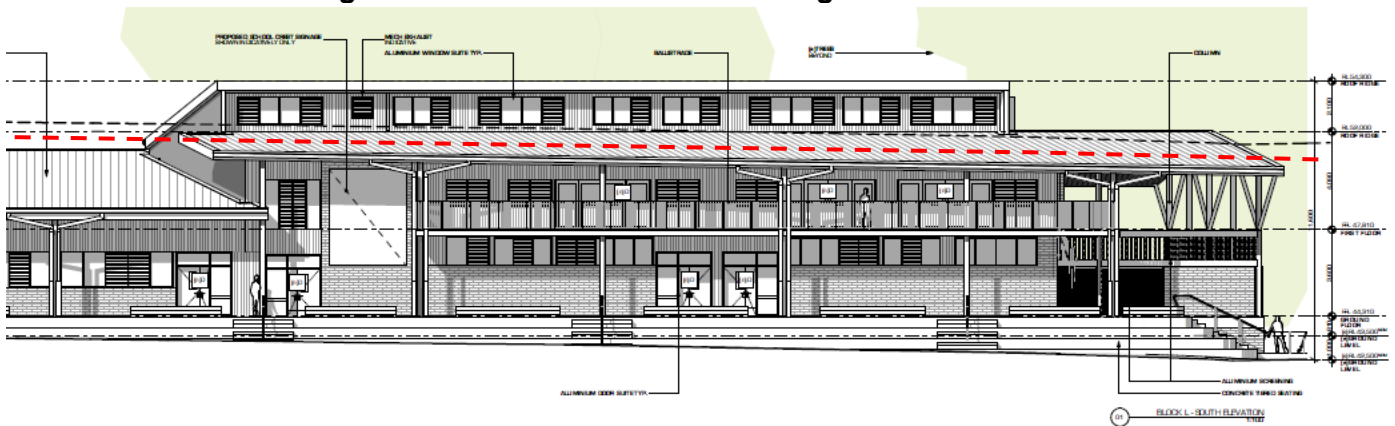
This is further illustrated in Figure 6 which shows the southern elevation and the reliance of these windows to provide natural light and ventilation. The portion of the building which exceeds the height variation is also shown by the dashed red line.

Figure 5 – Cross Section showing Height Exceedance



Source: QOH Architects

Figure 6 Southern Elevation and Height Exceedance



Source: QOH Architects

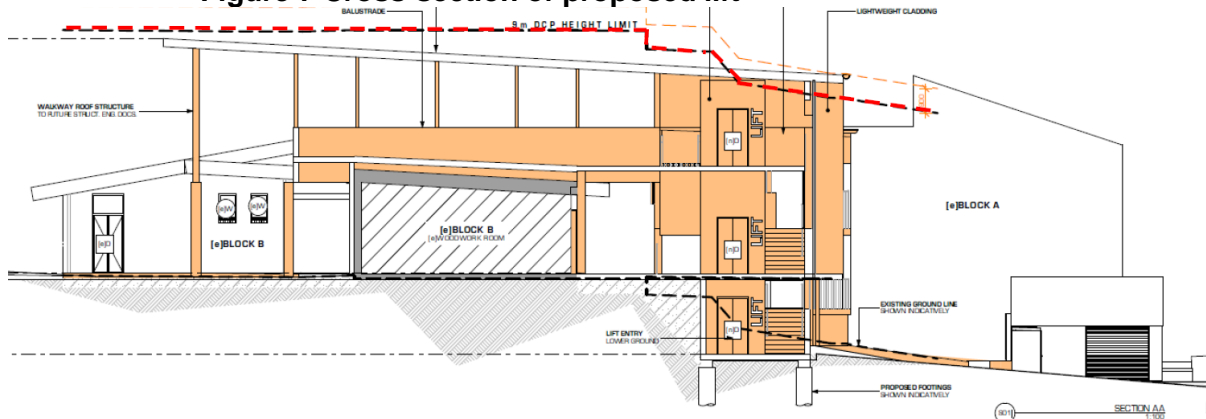
The actual extent of this exceedance for the TAS building is 2.3m above the 9m height limit.

The application also involves the construction of a lift and associated covered walkways to improve accessibility within the school. The location of these works is shown approximately by the yellow circle in Figure 1.

Figure 7 is a cross-section showing the extent where the proposed lift exceeds the 9m height limit. The red dotted line shows the 9m height limit.

The actual extent of this exceedance for the lift is 1.5m above the 9m height limit and it is comparable with the height of existing buildings within close proximity.

Figure 7 Cross-section of proposed lift



Source: QOH Architects

It is also evident from these graphics that the exceedance of the height limit has not resulted in any additional floor space being achieved. Arising from this, the variation does not compromise this objective.

(b) to permit building heights that encourage high quality urban form,

High quality urban form is considered to include functional outcomes.

In this instance, the clerestory windows, as indicated previously, enable natural light into the building which is of benefit to students and staff, and as a corollary, has the potential to reduce reliance on artificial lighting.

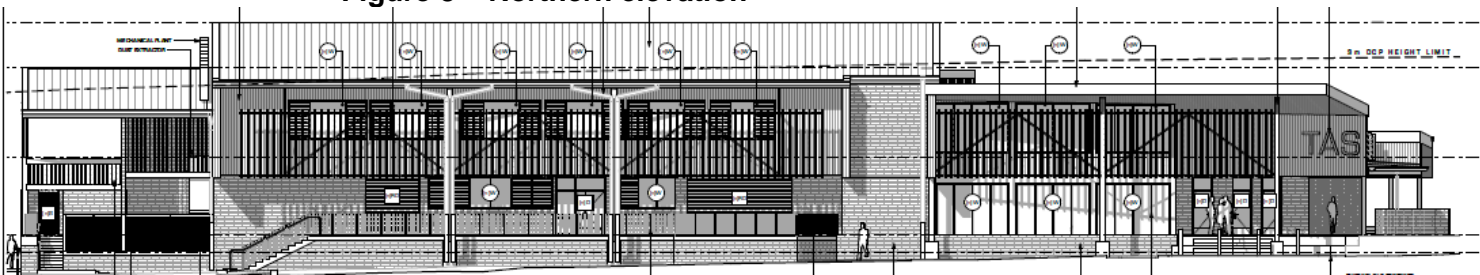
These windows also enable natural ventilation within the building so that, particularly during summer months, hot air which rises can escape through these windows and draw cooler air into the building through the lower windows.

It is also considered that the addition of the clerestory windows provides an additional level of architectural interest in providing vertical balance to an elongated building as shown in Figure 6.

If the clerestory windows were not included in this elevation, then the northern elevation would appear as essentially a 'flat roof' and this outcome is considered to be able to be improved by the clerestory window. Furthermore these windows provide diffused southern light to the deep floor plate, ventilation and raking for future solar panels.

Whilst this roof form adds interest to the building, the actual setback of the clerestory windows is such that they do not dominate the building form.

Figure 8 – Northern elevation



Source: QOH Architects

It is also important to note that one of the functions the TAS building needs to be able to fulfil is the capacity to manoeuvre large pieces of material within the building. These materials require a tall floor to ceiling height to enable this to occur easily and without damaging both the raw material and, even more importantly, finished pieces. As these pieces can be heavy and/or cumbersome, this has informed the floor to ceiling height of the building which obviously contributes to the height of the building.

It is also important to note that, the proposed TAS building has a ridge level of RL54.3 which is well below the ridge line of Block C (RL57.4) or the multi-purpose sports hall -Block H (RL57.05). In addition, the floor level of the TAS building is constrained by the requirement to provide 500mm of free board above the PMF which sets the proposed floor level to the west of the building a minimum of 800 above existing ground levels up to 2.1m above ground at the eastern end of the building.

Lift

The location and height of the lift is determined by the construction of the existing building it is designed to service. Whilst it represents a marginal increase over the height permitted in the LEP, the treatment of the façade adds interest to the elevation through the use of a batten screen as shown in Figure 9.

Figure 9 Perspective of Proposed Lift



Source: QOH Architects

It is also noted that with both these buildings, their effective isolation from adjoining properties means that there is no visual incompatibility arising from these variations. Again it is noted that the RL of the proposed lift is less than Block C (RL57.4).

(c) to ensure buildings and public areas continue to have views of the sky and receive exposure to sunlight

In viewing Figure1 it is considered to be self-evident that the proposed development will not impact on any capacity to have views of the sky or the capacity to receive exposure to sunlight.

Given that the TAS building is located adjacent to the one of the school's sporting ovals, this open space will always remain as part of the foreground of the development. Similarly the location of the internal road system and parking areas provided on site also contributes to this continuing capacity to have views of the sky.

The architectural plans include shadow diagrams demonstrating that there will be no adverse impacts arising from this development.

Keira Oval which is located on the northern boundary of the site is the closest public space to the site. It is considered that the location and extent of the proposed development has no capacity to impact on the use or enjoyment of this oval.

There are sufficient environmental planning grounds to justify contravening the development standard

There are two objectives for the R2 Low Density Residential zone and these are:

- *To provide for the housing needs of the community within a low density residential environment.*

- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Edmund Rice College has been teaching students on the site since 1962 and students have been utilising this facility since its inception.

The school is permitted in the zone under the provisions of the SEPP (Transport and Infrastructure) (2021) and so it is suggested that the SEPP recognises the need for schools to be located within residential areas so that the local population can be more easily serviced.

It is also noted that under the provisions of the SEPP, additions to existing school buildings are permitted up to 22m or four storeys under the provisions of complying development consent (CDC). In this instance, CDC is not available to the school because a portion of the area where the development is proposed is identified as riparian land and consequently a development application is required to be submitted and accordingly the school is limited to 9m. Whilst it is acknowledged that this constraint exists, it is evident that a principle has been established through the SEPP provisions that a four storey building is reasonably anticipated subject to meeting very modest set back requirements. In comparison, the height and setbacks proposed by this development are significantly more conservative than permitted in the SEPP.

It is considered that the proposed development does not compromise either of these objectives.

1.3 Variation Justified

It is evident that compliance with the standard is both unreasonable and unnecessary in the circumstance of this case in that the additional height being sought would have no additional impact on the amenity of neighbours through loss of privacy, or amenity or overshadowing.

It is also considered that the advantage provided by the clerestory windows with regard to natural ventilation and light within the building contributes to the sustainability of the building.

The height variation will not detrimentally impact on the streetscape or any existing building envelope.

It is also important to note that the height of the building is to facilitate the easy manoeuvring of materials within the building which can be large, heavy and cumbersome.

It is considered that Council is able to favourably consider the request for a variation to the height limit.